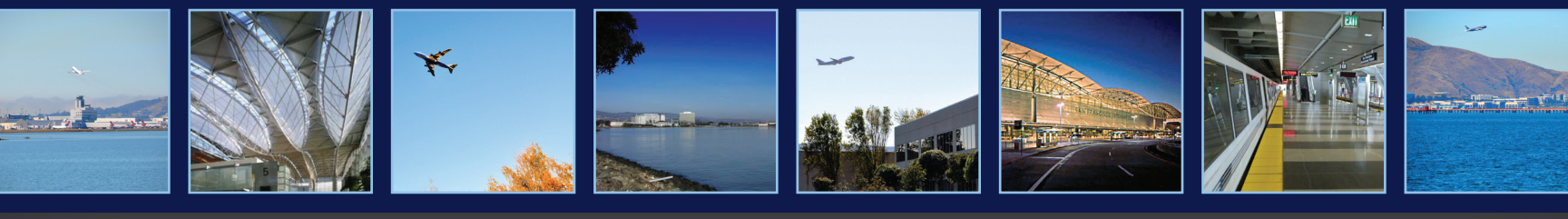

Comprehensive Airport Land Use Compatibility Plan for the Environs of

San Francisco International Airport

PREPARED FOR:

City/County Association of Governments of San Mateo County
Redwood City, California

RICONDO® & ASSOCIATES

IN ASSOCIATION WITH:

Jacobs Consultancy

Clarion Associates

OCTOBER 2012

Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport

PREPARED FOR:

The City/County Association of Governments of San Mateo County (C/CAG) Board of Directors in its Designated Role as the Airport Land Use Commission for San Mateo County, Redwood City, California

PREPARED BY:

RICONDO & ASSOCIATES, INC.

IN ASSOCIATION WITH:

Jacobs Consultancy

Clarion Associates

October 2012

"The preparation of this document has been supported, in part, through the Airport Improvement Program financial assistance from the Federal Aviation Administration (Project Number 3-06-0221-35) as provided under Title 49 U.S.C., Section 47104. The contents do not necessarily reflect the official views or policy of the FAA. Acceptance of this report by the FAA does not in any way constitute a commitment on the part of the United States to participate in any development depicted therein nor does it indicate that the proposed development is environmentally acceptable or would have justification in accordance with appropriate public laws."

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PREFACE

This document represents an update of the state-mandated comprehensive airport land use compatibility plan (ALUCP) for the environs of San Francisco International Airport (SFO or the Airport).

Requirements of California Law

State law requires airport land use commissions to prepare and adopt an ALUCP for each public use and military airport within their jurisdiction. Further, they are required "to review the plans, regulations, and other actions of local agencies and airport operators…"[1]

Based on state law and guidance provided in the *California Airport Land Use Planning Handbook*[2], the SFO ALUCP has four primary areas of concern:

- Aircraft Noise Impact Reduction – To reduce the potential number of future airport area residents who could be exposed to noise impacts from airport and aircraft operations.
- Safety of Persons on the Ground and in Aircraft in Flight – To minimize the potential number of future residents and land use occupants exposed to hazards related to aircraft operations and accidents.
- Height Restrictions/Airspace Protection – To protect the navigable airspace around the Airport for the safe and efficient operation of aircraft in flight.
- Overflight Notification – To establish an area within which aircraft flights to and from the Airport occur frequently enough and at a low enough altitude to be noticeable by sensitive residents. Within this area, real estate disclosure notices shall be required, pursuant to State law.

The airport/land use compatibility policies and criteria contained in this ALUCP apply to all land uses except those considered as existing land uses. Under State law, an airport land use commission has no jurisdiction over existing land use unless that land use is expanded or enlarged significantly, in which case it is subject to the policies in the ALUCP.

[1] California Public Utilities Code, Section 21674(d).

[2] California Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, October 2011.

Relationship to Airport Operations

Under California law, airport land use commissions have no jurisdiction over airport operations.[3] The law also requires that an ALUCP reflect the airport operator's long-range development plans, as reflected in the 20-year aviation activity forecasts and airport master plan or airport layout plan.[4] This ALUCP is based on the official 20-year aviation activity forecasts prepared for the City and County of San Francisco Airport Commission and on the latest FAA-approved airport layout plan.[5]

In adopting this ALUCP, the C/CAG Board acknowledges those forecasts and airport development plans as providing an appropriate foundation for airport land use compatibility planning in the SFO environs. C/CAG and its member jurisdictions, however, retain the right to consult and negotiate with the San Francisco Airport Commission and the SFO staff on all matters relating to airport development and operations, including noise abatement procedures.

Relationship to 1996 Comprehensive Airport Land Use Plan

This ALUCP is a comprehensive update of the San Francisco International Airport Land Use Plan in Chapter V of the 1996 San Mateo County Comprehensive Airport Land Use Plan (CLUP). Like the 1996 CLUP, this ALUCP includes airport land use compatibility policies related to noise, safety, and airspace protection.

Section 160 of the Vision 100 – Century of Aviation Act

Funding for this ALUCP update was provided through the Federal Aviation Administration (FAA) Vision 100 - Section 160 Grant Program approved by Congress in December 2003. Section 160 of the Vision 100-Century of Aviation Reauthorization Act[6] authorized the FAA to make grants from the noise set-aside of the Airport Improvement Program (AIP) to local governments for compatible land use planning around large and medium hub airports that have never submitted a Federal Aviation Regulations (FAR) Part 150 noise compatibility program (NCP) to the FAA or that have not updated their NCP within the preceding 10 years. Eligible grantees must have the authority to prepare and adopt land use compatibility plans and regulations in the airport area. In addition, the grantee and the airport operator must have entered into a written agreement to prepare the compatible land use plan cooperatively.

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3 California Public Utilities Code, Section 21674(e).

4 California Public Utilities Code, Section 21675(a).

5 Jacobs Consultancy, "Forecasts of Total Aircraft Operations by Type," Technical Memorandum – Aviation Demand Forecasts, San Francisco International Airport, February 2010; Future Airport Layout, prepared for San Francisco International Airport by Ricondo & Associates, Inc., July 7, 2010.

6 Public Law 108–176, December 12, 2003. Codified as 49 U.S.C. (United States Code), Section 47141.

COMPATIBILITY FACTOR	1996 CLUP	UPDATED ALUCP
Noise	Housing and noise-sensitive institutions -- Conditionally compatible within CNEL 65-70 dB range Housing and noise-sensitive institutions -- Incompatible within CNEL 70 dB Compatibility Boundary – originally 1983 Noise Exposure Map and latest quarterly noise contour map; currently 2006 forecast Noise Exposure Map (NEM)	Housing and noise-sensitive institutions -- Conditionally compatible within CNEL 65-70 dB range Housing and most noise-sensitive institutions -- Incompatible within CNEL 70 dB Compatibility Boundary -- 2020 Noise Forecast
Safety	Safety Zone Boundaries -- none	Safety Zone Boundaries – 5 sets of safety zones based on Caltrans *Handbook* (2011) Land Use Standards – Uses with large numbers of people in confined spaces, uses serving vulnerable populations, and uses handling hazardous materials prohibited
Airspace Protection and Flight Safety	Maximum Allowable Height – Structures limited to height of Part 77 airport obstruction surfaces, unless FAA issues a Determination of No Hazard or Caltrans issues a permit to build Hazardous Land Use Characteristics – Prohibited in Airport vicinity	Maximum Allowable Height – Structures cannot penetrate the lowest combined airspace surfaces, including Part 77 airport obstruction surfaces, TERPS obstacle clearance surfaces, and one-engine inoperative obstacle clearance surfaces. Hazardous Land Use Characteristics – Prohibited within Project Referral Area (AIA Area B)
Airport Influence Area	Area within outer boundary of Part 77 airport obstruction surfaces	All of San Mateo County

Section 160 requires the project sponsor to submit the approved plan to the FAA for review and acceptance. Before FAA will accept the plan, it must determine that the plan meets the statutory criteria and includes the following information:

- Explanation of noise mitigation and noise abatement measures at the airport, and a demonstration that the plan recommendations do not conflict with those measures.
- Evidence of opportunities for public review and comment on plan recommendations prior to completing the plan.
- Identification of each measure the local government proposes to enact, with or without federal funding, anticipated cost of implementation, and anticipated benefits.
- Description of steps that must be taken to implement each measure and the anticipated time frame to implement or complete the measure.

All of these requirements have been met in this ALUCP for SFO. The checklist in **Table P-1** describes where in this document evidence of compliance with these requirements is provided. It is included for the convenience of FAA reviewers.

Table P-1 Checklist for Compliance with Vision 100, Section 160 Compatible Land Use Planning Requirements

Requirement	Response	Page Number in Plan	Comments
1. Have the noise contours used in the plan been provided by the airport operator and has the operator certified that they are representative of conditions at the airport as of the time they were submitted to the nonfederal government for use in preparing the land use compatibility plan? (PGL 05-5, p. 3)	Yes	Preface, p. P-4	
2. Is there evidence that the airport operator and the nonfederal government have prepared the land use plan cooperatively? (PGL 05-5, p. 3)	Yes	Appendix K	
3. Is there evidence that land use measures selected for evaluation were based upon achieving the goal established in Section 47141 to "achieve, to the maximum extent possible, compatible land uses consistent with Federal land use compatibility criteria under section 47502(3) and that those compatible land uses will be maintained"? (PGL 05-5, pp. 3-4)	Yes	Chapter 3, pp. III-6 – III-8; Chapter 4, pp. IV-1, IV-12 – IV-18	The Federal land use criteria under section 47502(3) (US Code Title 49) are the noise/land use compatibility criteria described in 14 CFR Part 150. The noise compatibility policies described in Chapter 4 and the noise compatibility criteria described in Policy NP-2 (pp. IV-17 – IV-18) are consistent with Part 150 guidance. The policies in Chapter 3 are intended to ensure that compatible uses are maintained and that noncompatible uses are not enlarged.
4. Have existing noise mitigation and noise abatement measures been disclosed? (PGL 05-5, p. 4)	Yes	Chapter 2, pp. II-39 – II-42	
5. Is there a demonstration that the plan recommendations do not conflict with existing airport mitigation programs? (PGL 05-5, p. 4)	Yes	Chapter 3, pp. III-6 – III-8; Chapter 4, pp. IV-1, IV-12 – IV-18	All noise compatibility policies in the ALUCP are intended to ensure that new noise-sensitive development includes measures consistent with the mitigation measures in the Part 150 NCP (sound insulation and avigation easements).
6. Is there evidence of an opportunity for public involvement in the planning process? (PGL 05-5, p. 4)	Yes	Appendix K	Prior to final adoption of the ALUCP, C/CAG must complete an environmental evaluation of the ALUCP pursuant to the California Environmental Quality Act (CEQA). C/CAG must hold a public hearing prior to adopting the ALUCP and establishing the updated Airport Influence Area defined in the ALUCP.
7. Is each measure that the nonfederal government is prepared to enact clearly identified, along with the anticipated cost of implementation, the anticipated benefits of the measure, the steps that must be taken to implement the measure, and the anticipated time frame to implement the measure? (PGL 05-5, p. 4)	Yes	Chapter 1, pp. I-1 – I-3, I-13 – I-16; Chapters 3 and 4	Benefits of plan and responsibilities for implementation are described in Chapter 1. All policy measures of the ALUCP are described in Chapters 3 and 4. Only administrative costs will be borne by C/CAG and local governments.
8. Is there evidence of approval of the plan by the airport owner or operator? (PGL 05-5, p. 4)	Yes	Preface, p. P-5	

SOURCE: U.S. Department of Transportation, Federal Aviation Administration. Program *Guidance Letter (PGL) 05-5, About Section 160 in Vision 100-Century of Aviation Reauthorization Act: Guidelines for Compatible Land Use Planning by State and Local Governments in Areas Around Large and Medium Hub Airports*, June 1, 2005, APP-500 and APP-600.

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

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AIRPORT OPERATOR'S CERTIFICATION OF NOISE CONTOUR MAPS

It is hereby certified that the 2015 and 2020 noise contour maps for San Francisco International Airport (SFO) were provided by the City and County of San Francisco to the City/County Association of Governments of San Mateo County (C/CAG) for use in updating the Comprehensive Airport Land Use Compatibility Plan (ALUCP) for the environs of SFO.

It is further certified that the 2015 and 2020 noise contour maps are the best and most current information available for describing prevailing noise exposure conditions at through the near-term future and are the best available information for land use compatibility planning.

Signed: _____ Date: _____

Name: _____

Title: _____

AIRPORT OPERATOR'S ACCEPTANCE OF ALUCP

The updated Comprehensive Airport Land Use Compatibility Plan (ALUCP) for the environs of San Francisco International Airport, prepared by the City/County Association of Governments of San Mateo County (C/CAG) as documented in this official Draft ALUCP document, has been reviewed by the management of San Francisco International Airport, a department of the City and County of San Francisco.

The management of San Francisco International Airport has participated in the preparation of the updated ALUCP and accepts the ALUCP as consistent with the Airport management's objectives to promote airport land use compatibility in the SFO environs.

Signed: _____ Date: _____

Name: _____

Title: _____

1 PURPOSE AND SCOPE

1.1 Scope of Plan

This document represents an update of the state-mandated comprehensive airport land use compatibility plan (ALUCP) for the environs of San Francisco International Airport (SFO or the Airport). The Airport is one of three public use airports located in San Mateo County, California. The other two are County-owned general aviation airports: Half Moon Bay Airport and San Carlos Airport. This ALUCP was prepared by the City/County Association of Governments of San Mateo County (C/CAG) in its designated role as the Airport Land Use Commission for San Mateo County, under the authority of the State of California Aeronautics Law, State Aeronautics Act, Chapter 4, Article 3.5, California Public Utilities Code (see **Appendix B**).

1.2 State Requirements for Airport/Land Use Compatibility Planning

In 1967, the State legislature adopted legislation requiring the establishment of airport land use commissions in counties with one or more airports serving the general public.[1] Amendments adopted by the legislature in 1970 required each commission to develop ALUCPs for the areas surrounding public-use airports. The purpose of ALUCPs, according to the legislation, is to provide for the orderly growth of airports and the surrounding areas "to minimize the public's exposure to excessive noise and safety hazards…"

Airport land use commissions were given authority to (1) specify how land near airports is to be used, based on safety and noise compatibility considerations; (2) develop height restrictions for new development to protect airspace in the vicinity of the airport; and (3) to establish construction standards for new buildings near airports, including sound insulation requirements.

State law specifically excludes airport land use commissions from exercising any authority over airport operations or over existing land uses.

[1] See California Public Utilities Code, Article 3.5, Section 21670, et seq. (as provided in Appendix B, p. B-5).

1.2.1 RESPONSIBILITIES OF CALIFORNIA DEPARTMENT OF TRANSPORTATION, DIVISION OF AERONAUTICS

State law directs the California Department of Transportation to "develop and implement a program or programs to assist in the training and development of the staff of airport land use commissions…"[2] Implementation of this directive has included the preparation and periodic update of the *Airport Land Use Planning Handbook* by the Division of Aeronautics.[3]

1.2.2 RESPONSIBILITIES OF AIRPORT LAND USE COMMISSIONS

State law requires airport land use commissions to prepare and adopt an ALUCP for each public use and military airport within their jurisdiction. The law requires that in preparing an ALUCP, the airport land use commission "shall be guided by the information prepared and updated pursuant to Section 21674.5 and referred to as the Airport Land Use Planning Handbook published by the Division of Aeronautics…"[4]

Airport land use commissions are further required "to review the plans, regulations, and other actions of local agencies and airport operators…" for consistency with their ALUCPs.[5]

While airport land use commissions are vested by state law with limited land use planning authority, they have no specific implementation authority. For example, commissions have no authority to issue permits prior to construction of a building or grant approvals for the recording of subdivision plats. Actions by the airport land use commission can be overruled by local governments, although the override action must follow specific steps and be supported by adopted findings.

1.2.3 RESPONSIBILITIES OF LOCAL GOVERNMENTS

California law requires that, after an airport land use commission has adopted its ALUCP, affected local governments must update their general plans, specific plans, and land use regulations to be consistent with the ALUCP.[6] Alternatively, local governments may take steps, provided by law, to overrule part or all of the ALUCP as it relates to their jurisdiction.[7] If the local government fails to take either action, then it must submit all land use development actions or facility master plans within the airport influence area to the airport land use commission for review. Even if the local government has amended its plans to be consistent with the ALUCP or has overruled the ALUCP, it must still

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2 California Public Utilities Code, Section 21674.5(a).

3 The most recent version of the *Handbook* was published by the Division of Aeronautics in October 2011.

4 California Public Utilities Code, Section 21674.7(a).

5 California Public Utilities Code, Section 21674(d) and Section 21676.

6 See California Government Code, Section 65302.3.

7 The overrule process involves four mandatory steps: (1) the local agency must provide the local Airport Land Use Commission and the California Department of Transportation, Division of Aeronautics a copy of the proposed decision and findings within 45 days prior to any decision to overrule the commission; (2) the holding of a public hearing; (3) the adoption of findings that the local government's plans are consistent with the purposes of the State airport compatibility statute and that they provide for the orderly development of the airport; and (4) approval of the overrule action by a two-thirds majority of the governing body of the local government (see *California Airport Land Use Planning Handbook*, October 2011, pp. 5-15, et seq.).

submit proposed new and amended general plans, specific plans, land use ordinances, regulations, and facility master plans to the airport land use commission for review.[8]

1.3 Airport Land Use Commission in San Mateo County

1.3.1 HISTORY

The C/CAG Board of Directors serves as the airport land use commission for San Mateo County. C/CAG was formed in November 1990 through a Joint Powers Agreement (JPA) between the County and the 20 incorporated cities in the County to prepare, adopt, and enforce state-mandated countywide plans. One of those plans is the San Francisco International Airport Comprehensive Airport Land Use Compatibility Plan (ALUCP). In February 1991, the County Board of Supervisors and the City Selection Committee of Mayors designated C/CAG as the Airport Land Use Commission for San Mateo County. C/CAG established an Airport Land Use Committee (ALUC) to advise the C/CAG Board on airport/land use compatibility planning issues. The Board, however, retained all decision-making authority as the official airport land use commission established under State law.[9]

1.3.2 C/CAG STRUCTURE AND MEMBERSHIP

C/CAG is an autonomous public agency and is not part of the governmental structure of the County of San Mateo. With respect to its duties as the Airport Land Use Commission in San Mateo County, C/CAG acts independently of the County of San Mateo Board of Supervisors. The membership of C/CAG, as of September 2011, is shown in **Table 1-1**. The geographic location of C/CAG member jurisdictions is depicted on **Exhibit 1-1**.

C/CAG has several designated roles and implements several multi-jurisdictional plans and programs. The C/CAG Airport Land Use Committee (ALUC) is one of several advisory committees established by the C/CAG Board to provide the Board with technical assistance in the preparation and implementation of plans and programs.

An Executive Director, as directed by the C/CAG Chairperson and the C/CAG Board of Directors, guides C/CAG activities. The Executive Director is retained via a contract with the C/CAG Board. The administration of C/CAG also includes assistance from the Executive Director's Advisory Committee, the C/CAG Finance Committee, and an administrative assistant to the Executive Director. Local agency staff provides support for various C/CAG programs and activities. San Mateo County Planning staff provides support for the airport land use commission function of C/CAG, as required by state law.

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8 See California Public Utilities Code, Section 21676.5(a).

9 Prior to 1990, the airport land use commission function had been the responsibility of the Regional Planning Committee (RPC) of San Mateo County. The RPC was created in 1964 as an advisory body to the County Board of Supervisors. The Board of Supervisors abolished the RPC after the formation of C/CAG. Many of the RPC's functions were assumed by C/CAG.

Table 1-1 City/County Association of Governments of San Mateo County

VOTING MEMBERS	
Town of Atherton	City of Millbrae
City of Belmont	City of Pacifica
City of Brisbane	Town of Portola Valley
City of Burlingame	City of Redwood City
Town of Colma	City of San Bruno
City of Daly City	City of San Carlos
City of East Palo Alto	City of San Mateo
City of Foster City	City of South San Francisco
City of Half Moon Bay	Town of Woodside
Town of Hillsborough	County of San Mateo
City of Menlo Park	
EX-OFFICIO (NON-VOTING) MEMBERS	
San Mateo County Transportation Authority	San Mateo County Transit District
Staff Assistance: • Richard Napier, C/CAG Executive Director; local agency staff for various activities.	

Note: All members are elected officials of the jurisdictions listed, unless otherwise noted; Membership as of September 2011.

SOURCE: City/County Association of Governments of San Mateo County (C/CAG). "2011 Board Members," www.ccag.ca.gov/board_members.html (accessed September 30, 2011).

PREPARED BY: Ricondo & Associates, February 2012.

LEGEND

- C/CAG Member Jurisdictions
- Airport Property
- Park or Recreation Area
- Municipal Boundary
- County Boundary
- Railroads
- Freeways
- Roads

NORTH

0 1 2 4 Miles

Exhibit I-1

C/CAG MEMBER JURISDICTIONS - 2011

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

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The ALUCP for the environs of each airport in the county and C/CAG's review of local land use policy actions and issues are not subject to approval by the County Board of Supervisors. The County of San Mateo is a member of the C/CAG Board of Directors and is subject to the same requirements and procedures that apply to any other affected local agency regarding the ALUCP referral and review process.

The County Board of Supervisors, in accordance with Public Utilities Code Section 21671.5(b), determines any compensation for C/CAG Board members. In addition, C/CAG cannot hire staff or contractors without the prior approval of the Board of Supervisors (Pub. Util. Code, Section 21671.5(d)). However, the County of San Mateo is required to provide staff assistance for the operation and support of C/CAG in its role as the San Mateo County Airport Land Use Commission (Pub. Util. Code, Section 21671.5(c)).

1.3.3 C/CAG AIRPORT LAND USE COMMITTEE (ALUC) ACTIVITIES AND MEMBERSHIP

The responsibilities of the C/CAG ALUC include: (1) reviewing proposed local agency land use policy actions for a determination of consistency with the applicable provisions contained in the ALUCP and making recommendations to the C/CAG Board (the Airport Land Use Commission), regarding such actions and (2) preparing periodic draft amendments to the ALUCP for adoption by the C/CAG Board. The C/CAG Board, acting as the Airport Land Use Commission for San Mateo County, makes all final decisions regarding airport/land use planning issues in San Mateo County, per the provisions in Public Utilities Code Section 21670, et seq.

The membership of the C/CAG ALUC, as of January 2011, is listed in **Table I-2**. The membership includes C/CAG member jurisdictions that are affected by one or more of the airports in San Mateo County. The San Mateo County planning staff provides staff support for the ALUC. An overview of ALUC activities is shown on **Exhibit I-2**.

Table I-2 C/CAG Airport Land Use Committee (ALUC)

City of Brisbane	City of San Bruno
City of Burlingame	City of San Carlos
City of Daly City	City of South San Francisco
City of Foster City	County of San Mateo/Aviation Representative
City of Half Moon Bay	Aviation Representative (appointed)
City of Millbrae	Half Moon Bay Airport Pilots Association (appointed)
City of Redwood City	

Note: All members are elected officials of the jurisdictions listed, unless otherwise noted; membership as of January 2011.

SOURCE: City/County Association of Governments of San Mateo County (C/CAG). "C/CAG Airport Land Use Committee (ALUC) Membership Roster January 2011," provided in an agenda packet for the ALUC Meeting, February 24, 2011.

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

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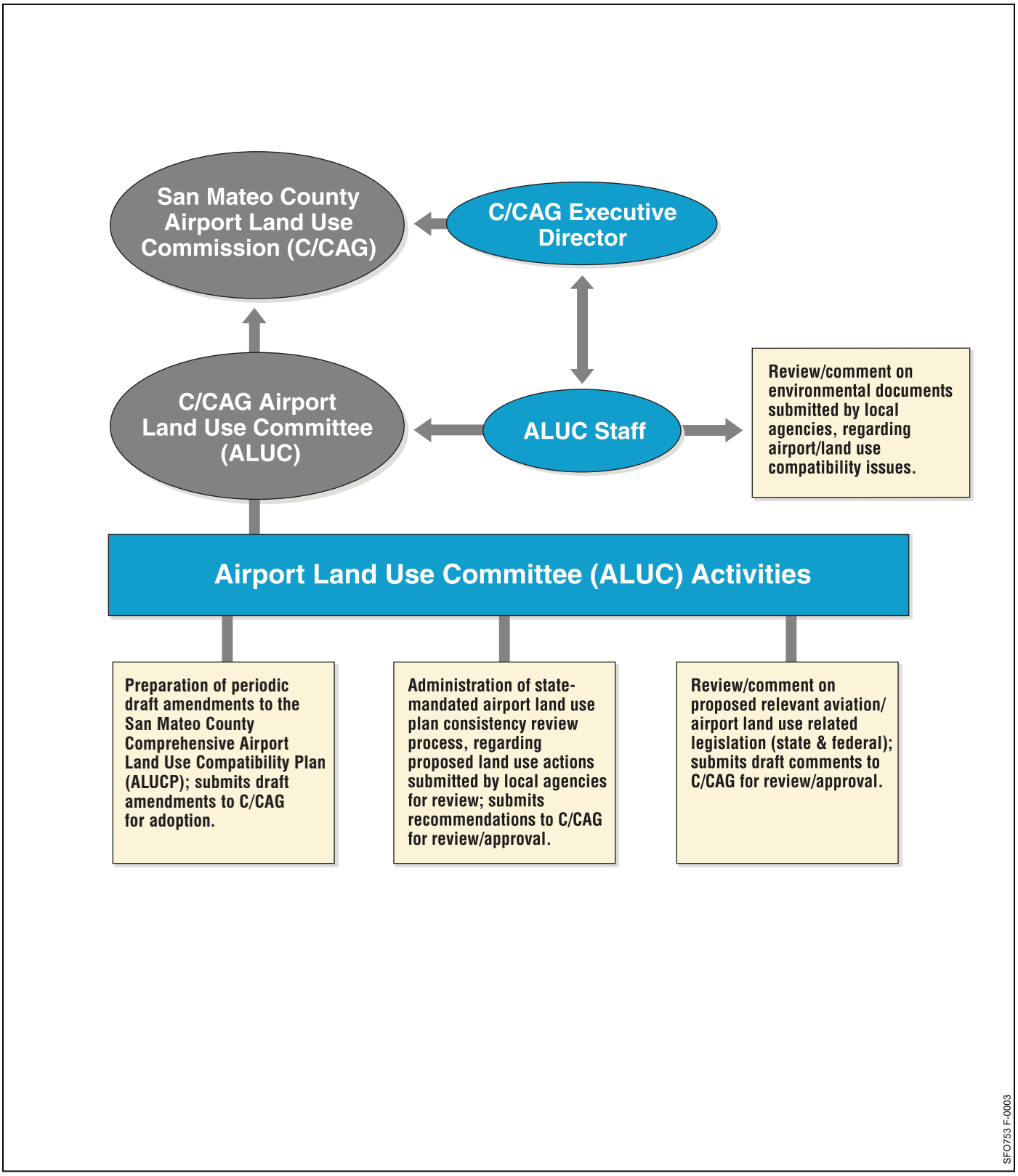

Exhibit I-2

OVERVIEW OF C/CAG AIRPORT LAND USE COMMITTEE (ALUC) ACTIVITIES

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

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1.4 Authority of the C/CAG Board of Directors as the San Mateo County Airport Land Use Commission

1.4.1 PURPOSE OF THE LAW AND LIMITATIONS

The purpose of the airport land use commission statute (Public Utilities Code Section 21670, et seq.) is to:

- Protect public health, safety, and welfare through the adoption of land use standards that minimize the public's exposure to safety hazards and excessive levels of aircraft noise.
- Prevent the encroachment of incompatible land uses around public-use airports, thereby preserving the utility of those airports into the future.

Airport land use commission law does not give a commission jurisdiction over the operation of any airport. A commission has no authority over such things as the number of aircraft that can be based at an airport, the number of operations (landings or take-offs) that can occur, the flight patterns that aircraft use, the amount of noise that aircraft make, or the hours of the day during which aircraft can operate at an airport.

1.4.2 DUTIES OF THE C/CAG BOARD OF DIRECTORS AS THE AIRPORT LAND USE COMMISSION

Under the provisions of state law, the C/CAG Board of Directors, acting as the Airport Land Use Commission for San Mateo County, has certain responsibilities and specific duties to perform. The Board fulfills its responsibilities in three basic ways:

- Adoption of an ALUCP for the environs of each airport in the county that contains airport/land use compatibility policies, standards, and criteria addressing height, noise, and safety issues.
- Coordination with local agencies (affected cities and the County of San Mateo) with jurisdiction over any geographic area subject to the provisions of the relevant ALUCP to help them implement airport-compatible land use planning, as part of their local land use and zoning authority.
- Review and determination of the compatibility of proposed local agency land use policy actions, such as general plans and general plan amendments, specific plans and specific plan amendments, and rezonings (resulting in a land use change) near any public use airport in the county, with the applicable policies, standards, and criteria contained in the relevant ALUCP.

1.5 Comprehensive Airport Land Use Compatibility Plan (ALUCP): Need and Purpose

1.5.1 NEED FOR ALUCP

Airports serve many desirable purposes, including important roles in both transportation and economic development. Noise, air pollution, and ground traffic congestion associated with airport and aircraft operations can affect surrounding

land uses, particularly in densely urbanized areas. At the same time, land uses in the airport vicinity can pose challenges for safe and efficient airport operations if they create visibility problems or airspace obstructions.

The introduction of turbojet aircraft in the late 1950s, accompanied by a rapid increase in air traffic, created severe noise impacts in communities near major airports. These impacts continue to adversely affect people who live near airports. Some progress has been made toward reducing aircraft noise impacts by rerouting aircraft, modifying aircraft operating procedures, and by airlines acquiring new, quieter aircraft. These measures, however, have been only partially effective. Airport and aircraft operations continue to have significant noise impacts on surrounding lands.

Another concern is safety in the areas surrounding airports. The concentration of aircraft flights over particular areas increases the potential risk of aircraft accidents in those areas. Obstructions and hazards in the airspace, such as tall structures, birds, smoke, or electromagnetic radiation, can impede safe air navigation, potentially increasing the risk of aircraft accidents. Therefore, comprehensive land use planning for areas surrounding an airport is vitally important to reduce the risk of aircraft accidents and to reduce the potential harmful consequences of accidents.

An effective ALUCP provides a framework for local land use regulatory agencies and airport land use commissions to coordinate land use planning to minimize impacts, especially aircraft noise and safety impacts, in the airport environs. An effective ALUCP also ensures that new uses in the airport vicinity do not negatively affect the safe and efficient operation of the airport.

1.5.2 PURPOSE OF ALUCP

ALUCPs are the fundamental tools used by airport land use commissions to fulfill their purpose of promoting airport/land use compatibility. The law describes the purpose of these plans in essentially the same terms it uses with respect to the purpose of the commissions themselves. Specifically, ALUCPs have two purposes:

- To "provide for the orderly growth of each public [and military] airport and the area surrounding the airport within the jurisdiction of the commission."
- To "safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general."

The ALUCP for the environs of SFO is the key to implementation of the Airport Land Use Commission (the C/CAG Board) policies related to proposed land development in the vicinity of the Airport. It provides the standards, criteria, and policies on which the compatibility of proposed local agency land use policy actions are determined. It also establishes the planning boundaries around SFO that define height/airspace protection, noise, and safety areas for policy implementation, and areas within which notification of SFO proximity is required as part of real estate transactions.

1.6 Scope of the Plan

This document is a comprehensive update of the 1996 Airport Land Use Compatibility Plan (known at that time as a CLUP) for SFO, which was based on the 1986-2006 Airport Master Plan.[10] Airport plans and noise contour maps have been updated since that time and are reflected in this updated ALUCP. The SFO ALUCP applies to geographic areas in various cities and unincorporated areas in San Mateo County that are located within the Airport Influence Area (AIA) boundary established and defined in Chapter 4 of this ALUCP. This ALUCP has been prepared with reference to and is consistent with the guidance provided by the Department of Transportation, Division of Aeronautics in the latest version of the *California Airport Land Use Planning Handbook*.[11]

1.6.1 PLANNING ASSUMPTIONS

The updated ALUCP is based on three sets of key planning assumptions: (1) the updated Airport Layout Plan (ALP); (2) updated aviation activity forecasts; and (3) updated noise exposure forecasts.

State law requires that airport land use commissions base their ALUCPs on up-to-date airport master plans or ALPs (Pub. Util. Code §21675(a)). The updated ALUCP for SFO is based on the most recent future ALP for the Airport. The ALP reflects planned enhancements to the Runway Safety Areas (RSA) for Runways 10L-28R, 10R-28L, 1R-19L, and 1L-19R to improve safety. The San Francisco Airport Commission will implement the RSA Program to comply with Public Law 109-115, which states that "not later than December 31, 2015, the owner or operator of an airport certificated under 49 United States Code 44706 shall improve the airport's RSAs to comply with the Federal Aviation Administration (FAA) design standards required by 14 Code of Federal Regulations Part 139" (Public Law 109-115, November 30, 2005 [119 STAT. 2401]). The RSA enhancements will result in shifts in the runway ends.

The updated ALUCP also relies on the latest comprehensive aviation activity forecasts prepared for SFO, which forecast airport operations through the year 2028.[12]

As part of the environmental assessment and environmental impact report for the proposed RSA Program, SFO prepared updated noise contour maps for forecasted conditions in 2015 and 2020.[13] The 2020 forecast contours define the boundaries within which the noise compatibility policies of this ALUCP are based.

1.6.2 MAJOR CONCERNS

The SFO ALUCP has four primary areas of concern:

- Aircraft Noise Impact Reduction – To reduce the potential number of future airport area residents who could be exposed to noise impacts from airport and aircraft operations.

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[10] City/County Association of Governments of San Mateo County, *San Mateo County Comprehensive Airport Land Use Plan*, December 1996.

[11] California Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, October 2011.

[12] Jacobs Consultancy, Technical Memorandum – Aviation Demand Forecasts, San Francisco International Airport, February 2010.

[13] URS Corporation, *Draft Environmental Assessment, San Francisco International Airport Proposed Runway Safety Area Program*, June 2011.

- Safety of Persons on the Ground and in Aircraft in Flight – To minimize the potential number of future residents and land use occupants exposed to hazards related to aircraft operations and accidents.
- Height Restrictions/Airspace Protection – To protect the navigable airspace around the Airport for the safe and efficient operation of aircraft in flight.
- Overflight Notification – To establish an area within which aircraft flights to and from the Airport occur frequently enough and at a low enough altitude to be noticeable by sensitive residents. Within this area, real estate disclosure notices shall be required, pursuant to State law.

The airport/land use compatibility policies and criteria contained in this ALUCP apply only to new development. Under State law, the Airport Land Use Commission (the C/CAG Board) has no jurisdiction over existing development unless it is expanded or enlarged significantly, in which case it is treated as infill development subject to the policies in this document. The policies and criteria contained in this ALUCP are intended to help achieve compatibility of proposed land use development or proposed airport-area development with San Francisco International Airport and aircraft operations.

Airport influence area boundaries define areas where height, noise, overflight and safety standards, policies, and criteria are applied to certain proposed land use policy actions. Comprehensive planning in these areas, reflected in land use policies, standards, and criteria, is designed to minimize the exposure of the public to noise and safety hazards, to provide for safer aircraft operations, to help protect the airport from encroachment by incompatible land development, and to ensure notification of prospective buyers of real estate of the presence of the Airport and aircraft overflights.

This ALUCP establishes a two-tier Airport Influence Area (AIA) around SFO and identifies land uses that are compatible with airport and aircraft operations within different compatibility zones in the AIA. This ALUCP provides a basis for determining the compatibility of proposed land use actions with the relevant land use compatibility provisions.

To support the policies that directly address the areas of concern listed above, this ALUCP also includes policies related to planning and communication protocols among C/CAG, the Airport, and local governmental agencies.

1.6.3 LIMITATIONS OF THE PLAN

Not a Specific Development Plan

This ALUCP is not a specific development plan. It sets forth no specific land uses for any particular parcel or parcels of land.

No Authority Over Airport Operations

The Airport Land Use Commission (the C/CAG Board) has no authority over Airport operations (Pub. Util. Code, Section 21674(e)). Nothing in this ALUCP shall be interpreted as regulating or conveying any recommendations concerning aircraft operations to/from/at the Airport.

Status of Existing Incompatible Development

While this ALUCP provides a guide to promote compatible land uses near SFO, considerable development already exists in the Airport environs that is inconsistent with the compatibility policies and guidelines contained in this ALUCP. The land use compatibility policies and criteria contained in this document are intended to promote compatible land development in the vicinity of SFO. They are not intended to remove existing incompatible uses. ***None of the compatibility criteria contained herein are retroactive to existing land uses***.

Incompatible development that currently exists is recognized as existing nonconforming land use by the Airport Land Use Commission (the C/CAG Board). Although this nonconforming land use is recognized, neither this ALUCP nor the Airport Land Use Commission (the C/CAG Board), finds these uses to be consistent with this ALUCP.

Existing Land Uses

In addition to land uses that are currently developed and in use, "existing land uses" shall also include vested development projects that have not yet been built if one or more of the following conditions is satisfied:

- A vesting tentative map has been approved pursuant to California Government Code, Section 66498.1, and has not expired as of the effective date of this ALUCP; or
- A development agreement has been executed pursuant to California Government Code, Section 65866, and remains in effect as of the effective date of this ALUCP; or
- As of the effective date of this ALUCP, a valid building permit has been issued, substantial work has been performed, and substantial liabilities have been incurred in good faith reliance on the permit, pursuant to the California Supreme Court decision in Avco Community Developers, Inc. v. South Coast Regional Com. (1976) 17 Cal.3d 785,791, and its progeny.

1.7 Amendment of the ALUCP

1.7.1 PLAN AMENDMENTS

The airport land use commission statute (Pub. Util. Code, Section 21675 (a)) limits amendments to an ALUCP to not more than once per calendar year. The San Mateo County Airport Land Use Commission (the C/CAG Board) has delegated the preparation of draft amendments of the ALUCP to the C/CAG ALUC. The ALUC initiates this process when necessary and feasible. ALUC staff or consultants prepare draft amendment documents for review by the ALUC, affected agencies, and the public. The content and scope of the amendments are guided by the relevant provisions of the latest edition of *Airport Land Use Planning Handbook,* published by the Caltrans Division of Aeronautics (Pub. Util. Code, Section 21674.7).

Upon completion of a draft amendment document, the ALUC refers the document to the Airport Land Use Commission (the C/CAG Board) for review and adoption. The C/CAG Joint Powers Agreement requires a countywide plan, or an amendment of a countywide plan, to be introduced at a C/CAG Board meeting prior to final action on the plan or plan amendment at a subsequent C/CAG Board meeting. Therefore, it takes at least two C/CAG

Board meetings to adopt an amendment to the ALUCP. The second meeting includes a public hearing to receive public input prior to final action on the amendment.

1.7.2 ENVIRONMENTAL REVIEW

Requirements for the preparation of California Environmental Quality Act (CEQA) documentation when adopting or amending an ALUCP are not mentioned in the airport land use commission statutes. A decision reached by the California Supreme Court in 2007 clarified the application of CEQA to airport land use compatibility plans (*Muzzy Ranch Co. v. Solano County Airport Land Use Commission*, 41 Cal. 4th 372, June 21, 2007, modified September 12, 2007). The court ruled that an ALUCP is a "project" subject to environmental review under CEQA. The court explained that even if subsequent action by a local land use regulatory agency is required before development projects can be authorized, an ALUCP "carries significant, binding regulatory consequences for local government…" The court noted that even if an ALUCP would not cause a direct physical change in the environment, it still might affect the environment indirectly. The court specifically discussed the possibility that adoption of land use restrictions in the vicinity of an airport could cause development that would have occurred in the airport area to shift elsewhere, potentially giving rise to an adverse effect on the environment.

Nevertheless, the court also explained that the "common sense" exemption from CEQA may be invoked by an airport land use commission "[w]here it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment …."[14] The CEQA exemption may be used, however, only when the specific facts in question reveal that use of the exemption is justified.

It has been the practice of the San Mateo County Airport Land Use Commission (the C/CAG Board) to prepare an Initial Study and a Negative Declaration, per CEQA requirements, when adopting an amendment to the ALUCP. The rationale for concluding that no significant environmental impacts would result from an amendment to the ALUCP has been that the ALUCP is intended to reduce environmental impacts in an airport area through relevant policy implementation.

[14] CEQA Guidelines, Section 15061(b)(3).

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II SAN FRANCISCO INTERNATIONAL AIRPORT AND ENVIRONS

2.1 Introduction

This chapter provides background information about the Airport and the neighboring communities, covering the following topics:

- The study area, existing land use, development trends, and the local planning policies relating to airport compatibility
- Forecasts, aircraft operating procedures, and future development plans at SFO

2.2 Existing and Planned Land Use in the Airport Environs

Exhibit II-1 depicts the overall study area for the SFO ALUCP. It extends from Redwood City on the southeast across the peninsula to the Pacific Ocean at Daly City on the northwest. Approximately half of the area is in San Francisco Bay. The size of the study area is sufficient to contain the critical airspace surfaces, the airport noise contours, and major flight track corridors that are to be used as criteria for airport compatibility planning and related policy implementation.

2.2.1 EXISTING LAND USE

Exhibit II-2 depicts generalized existing land use in the core of the study area, focusing on communities closer to the Airport. Most of the land is developed for urban uses, except for mountainous areas that are dedicated to open space and park uses. Only small areas of vacant land suitable for development remain in the area.

There is a variety of land uses in the area, including heavy industrial, business/technology parks, institutional, commercial, multi-family residential, single-family residential, and park and recreational uses. Steep slopes are in parts of the study area, most of which are currently developed in low-density single-family residential uses. Major transportation corridors traverse the area, including several major freeways, the BART rail line, and the Caltrain commuter rail line. (Some of these are also major sources of noise.) Some transit stations are located directly along the extended centerlines of both sets of parallel runways.

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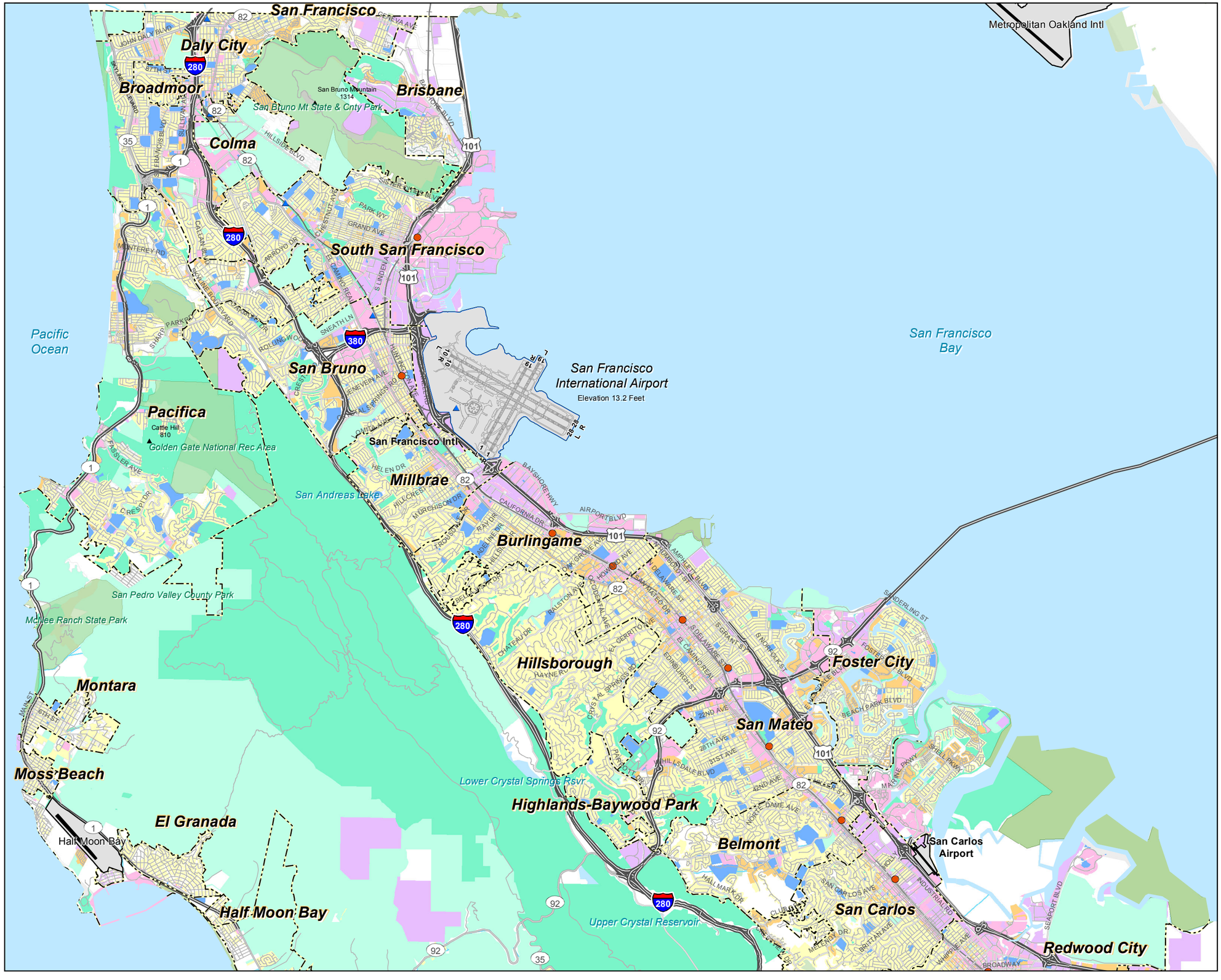

LEGEND

- BART Stations
- CALTRAIN Stations
- Municipal Boundary
- Railroads
- Freeways
- Roads

Generalized Existing Land Use 2007:

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

Source:

San Mateo County Planning & Building Department 2007

NORTH

0 0.4 0.8 1.6 Miles

Exhibit II-1

STUDY AREA AND JURISDICTIONAL BOUNDARIES

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

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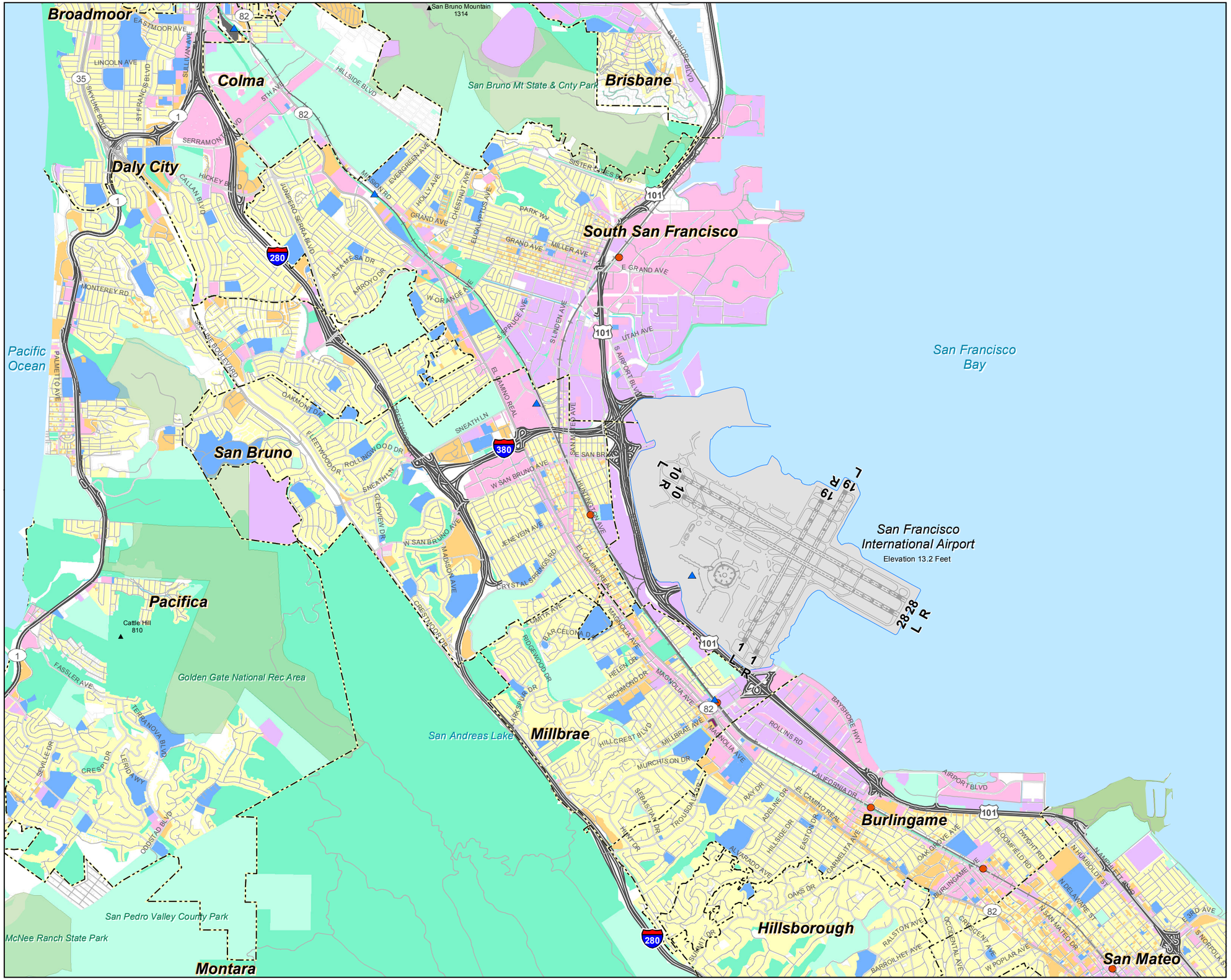

LEGEND

- BART Stations
- CALTRAIN Stations
- Municipal Boundary
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- Freeways
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- Multi-Family Residential
- Single Family Residential
- Mixed Use
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- Local Park, Golf Course, Cemetery
- Regional Park or Recreation Area
- Open Space

Source:

San Mateo County Planning & Building Department 2007

NORTH

0 0.25 0.5 1 Miles

Exhibit II-2

GENERALIZED EXISTING LAND USE - 2007

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

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Most of the land along U.S. 101 is developed for industrial, transportation, communications, and utility uses, including a large area north of the Airport in South San Francisco. Commercial development is scattered through the area, although it tends to be concentrated along major thoroughfares.

Residential neighborhoods are located north, west, and south of SFO. These include areas off the west end of Runways 10L and 10R and south of Runways 1L and 1R.

2.2.2 LOCAL MUNICIPALITIES

As indicated in Exhibit II-2, the following municipalities lie at least partly within the study area: Brisbane, Burlingame, Colma, Daly City, Foster City, Hillsborough, Millbrae, Pacifica, Redwood City, San Bruno, San Mateo, South San Francisco, and portions of unincorporated San Mateo County. Foster City and Redwood City, which do not appear on the map, are southeast of the Airport beneath the approaches to Runways 10L and 10R. They are also affected by operations at SFO. (They can be seen on Exhibit II-1.)Local Planning

Exhibit II-3 depicts the generalized future land use pattern in the study area, based on the general plans and specific plans of the municipalities in the core of the study area.

Most of the six jurisdictions where land use is most affected by airport operations have adopted general plans and specific plans that are sensitive to airport compatibility considerations.[1] Many also have zoning standards restricting certain uses or limiting height that help to implement the intent of the plans with respect to airport compatibility. Several require airport noise real estate disclosure notifications within city limits. Some jurisdictions identify areas near the Airport and/or in areas with a history of noise complaints and noise impacts as potential sites for redevelopment, including new housing to meet Regional Housing Needs Assessment (RHNA) requirements. Burlingame, Millbrae, and San Bruno have prepared transit-oriented development (TOD) plans for the areas near the transit stations, including those directly off the ends of both sets of parallel runways. The TOD plans encourage "smart growth" objectives such as increased housing and employment densities near transit stations to support the use of transit as well as the fulfillment of objectives related to the reduction of road traffic congestion and the improvement of air quality.

2.2.3 LOCAL NOISE COMPATIBILITY REGULATIONS AND GUIDANCE

Many local governments in the SFO vicinity have adopted standards to manage noise/land use compatibility. In addition to airport noise, many are exposed to and are addressing other noise sources, such as freeways. In some communities, airport noise is less than CNEL 65 decibels (dB), but is still a concern.[2] Portions of Burlingame, Hillsborough, Millbrae, and Foster City are outside the Airport's CNEL 65 dB contour, but some portions of these cities experience higher noise levels when runway use and flight routes differ from typical patterns utilized in prevailing wind conditions.

---

1 The jurisdictions include South San Francisco, San Bruno, Millbrae, Burlingame, Daly City, and San Mateo County.

2 CNEL (Community Noise Equivalent Level) is a 24-hour cumulative noise metric. It is calculated by summing all noise over a 24-hour period, with extra weights of 4.8 dB assigned to noise between 7:00 pm and 10:00 pm and 10 dB to noise between 10:00 pm and 7:00 am. The sum is integrated over the number of seconds during the day to yield the CNEL value.

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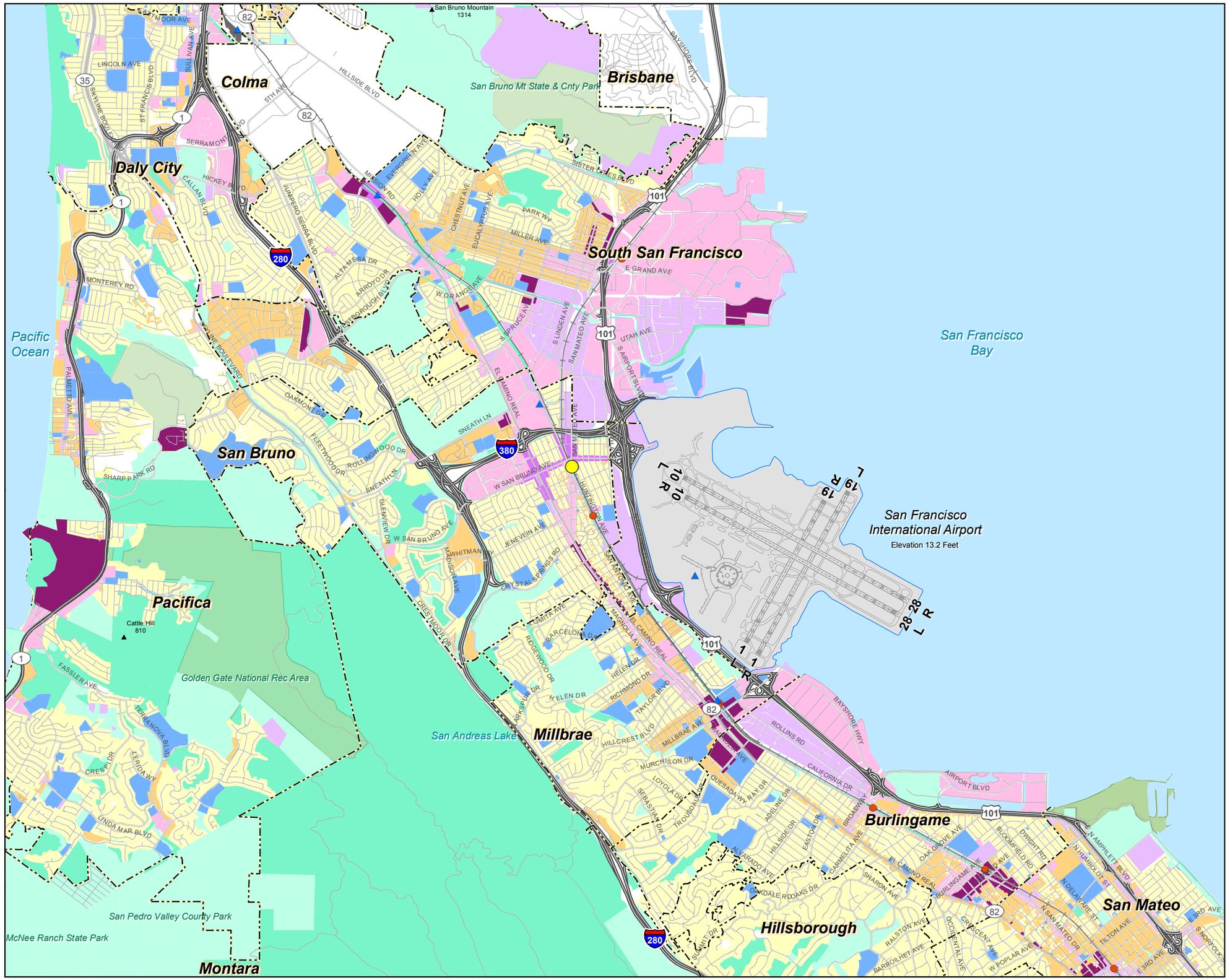

LEGEND

- Existing BART Stations
- Existing CALTRAIN Stations
- Proposed Relocated CALTRAIN Station
- Municipal Boundary
- Railroads
- Freeways
- Roads

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:

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, March 2009
- San Mateo City Land Use Plan, March 2007
- San Mateo County Zoning Map, 1992
- South San Francisco General Plan, 1998

NORTH

0 0.25 0.5 1 Miles

Exhibit II-3

GENERALIZED FUTURE LAND USE DESIGNATIONS PER LOCAL GENERAL AND SPECIFIC PLANS

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

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Many of the municipalities in the study area have adopted noise insulation standards that apply citywide. Some exceed the state housing law requirement by extending the insulation requirement to new single-family homes.[3] For example, San Bruno requires insulation to FAA guidelines for all new residential uses in areas within the Airport's CNEL 65 dB aircraft noise contour.[4] Daly City and South San Francisco require insulation to state standards for all new homes within the Airport's CNEL 65 dB aircraft noise contour.

Other local ordinances and measures have been adopted as part of the SFO Noise Abatement Program Memorandum of Understanding (MOU). In exchange for funding assistance to implement the sound insulation program (discussed in Section 2.3.6), local government signatories to the MOU agreed to promote real estate disclosure for all residential properties within the Airport's CNEL 65 dB aircraft noise contour and in proximity to the airport. The local governments also agreed to prohibit construction of new housing in the Airport's CNEL 70 dB aircraft noise contour and promised not to bring litigation against the Airport for noise impacts. Parties to the agreement include the Airport operator (City and County of San Francisco), San Mateo County, and the cities of Daly City, Millbrae, Pacifica, San Bruno, and South San Francisco. In each of these municipalities, the owners of all homes in the Airport's CNEL 70 dB and CNEL 65 dB aircraft noise contours have been offered sound insulation. The vast majority of homeowners have accepted the offer and have had their homes insulated.

2.2.4 DEVELOPMENT PRESSURES

Within the study area, most of the local jurisdictions are experiencing growing redevelopment and densification pressure. Forces behind these pressures include:

- The desirability of the area and proximity of the Airport has attracted a number of biotech companies that have helped to revitalize some of the older industrial areas. This, in turn, is attracting residents to the area. Close proximity of housing and jobs is strongly encouraged in modern planning theory such as smart growth.
- The Regional Housing Needs Assessment (RHNA) housing allocations require each local jurisdiction to accommodate a portion of the new housing needed for the growing population. Local jurisdictions must update their general plan housing elements to identify potential sites for new housing. Many jurisdictions, following smart growth principles, seek to locate additional residential units in existing neighborhoods that are close to commercial uses, services, and transportation. Some of the candidate locations are, however, within the Airport safety zones where residential densification is not recommended per the Caltrans *Airport Land Use Planning Handbook*. (See Section E.3 of **Appendix E** for a description of the Caltrans safety area guidance.)
- Modifications to the BART and Caltrain station areas that are expected to improve service and ridership represent a large public investment in transit. There is a desire and need for transit-oriented development

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[3] The California Building Code establishes a maximum acceptable interior noise level, from exterior sources, of CNEL 45 dB for residential structures. For residential structures exposed to aircraft noise above CNEL 60 dB, an acoustical analysis is required to demonstrate compliance with this requirement (Title 24, Part 2, Section 1207.11). Residential structures are defined to include "hotels, motels, dormitories, apartment houses, and dwellings other than detached single-family dwellings" (Section 1207.1).

[4] FAA guidance advises an exterior to interior noise level reduction (NLR) of 25 dB for all residential uses in areas exposed to noise between CNEL 65 and 70 dB and a 30 dB NLR between CNEL 70 and 75 dB (14 CFR Part 150, Appendix A, Table 1). FAA guidance is generally comparable to the California Building Code requirement except that FAA guidance also extends to detached single-family dwellings.

(TOD) and redevelopment near the stations to make the most of the public investment. TOD also helps meet other regional and smart growth goals such as the reduction of vehicle miles traveled and improved air quality.

- There is a need to revitalize aging commercial corridors to upgrade older structures and to keep pace with modern retail formats and consumer expectations. Local jurisdictions desire to promote development within urbanized areas instead of in greenfield areas.
- A state requirement that hospitals meet seismic standards has led to the need to retrofit and redevelop at least one hospital in the area.

In addition, the passenger and business activity at the Airport itself creates local market forces encouraging certain kinds of development, such as hotels and professional services offices. In an already dense and complex urban environment, these needs and trends are typically accommodated through infill and redevelopment that intensifies land uses near the Airport and under the established flight paths. Much of modern land use planning practice and theory supports such intensification, but it must be balanced against the state's charge to ALUCs to protect airport environs from increasing land use incompatibilities. The policies of this ALUCP have been developed to acknowledge these competing concerns within the SFO environs while protecting Airport operations.

2.2.5 SPECIAL DISTRICTS, SCHOOL DISTRICTS, AND COMMUNITY COLLEGE DISTRICTS

As described in California Public Utilities Code, Section 21670(f), "special districts are included among the local agencies that are subject to airport land use laws and other requirements of this article."

2.2.5.1 Special Districts

A special district is a separate local government that delivers a specific public service (or a limited number of services) to a geographically limited area. Special districts only serve in specifically defined areas; most provide only a single service, allowing them to concentrate on one activity. Special districts localize the costs and benefits of public services, allowing for residents to acquire the services they are willing to pay for.

Residents and landowners can form a special district to pay for new services or higher levels of existing services such as sewage treatment, electricity, fire protection, irrigation, cemeteries, animal control, mosquito abatement, and community services. Special districts can deliver a variety of public services, excluding education, which is under the purview of school districts. School districts get most of their money from the state government whereas special districts rely mostly on local revenues.[5]

Although most special districts operate within one county, some district boundaries cross over city and county lines. Each county has a state-mandated Local Agency Formation Commission (LAFCO) that is responsible for forming and disbanding special districts.

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[5] California Senate Local Government Committee. "What's So Special About Special Districts? (Fourth Edition)," A Citizen's Guide to Special Districts in California, October 2010.

Special districts located within Area B of the Airport Influence Area (AIA), defined in Chapter 4 of the ALUCP as the land within the boundary defined by the CNEL 65 dB contour and the FAR Part 77 conical surface, are subject to the land use compatibility policies of this ALUCP. The following special districts are located within Area B of the SFO AIA, as depicted on **Exhibit II-4**:

- North San Mateo County Sanitation District – The North San Mateo County Sanitation District serves Daly City and parts of Westborough. The District also maintains the Westborough County Water District's sewer system. The southeast corner of the North San Mateo County Sanitation District is located within Area B of the AIA.
- Peninsula Health Care District – Established in 1947, the Peninsula Health Care District responds to local health needs, allocating resources for programs that enhance the health of the District's residents. The District is the lessor of Peninsula Medical Center.[6] The District office is located south of El Camino Real (Route 82) on Trousdale Avenue, less than one mile south of SFO.
- San Mateo County Flood Control District – The San Mateo County Flood Control District is a countywide special district created by State legislation to finance flood control projects. The legislation requires that a flood control zone is formed over an entire watershed, and a proposed funding source is determined before undertaking a flood control project. An election is required if a flood control zone is to be financed with property assessments or taxes. Two active flood control zones are located in Area B of the AIA:
  - Colma Creek Flood Control Zone – The Colma Creek Flood Control Zone was created in 1964 to construct flood control facilities in Colma Creek to alleviate flooding in South San Francisco. The plan to improve the Colma Creek Flood Control Channel was re-vitalized in the mid 1990's by the financing of improvements by the BART Airport Extension Project and a financial contribution from Caltrans for drainage improvements in El Camino Real in Colma and Daly City.7
  - San Bruno Creek Flood Control Zones 1 and 2 – The San Bruno Creek Flood Control Zone was established in 1967 to finance the construction of channel and culvert improvements in the lower reach of San Bruno Creek. The Zone finances the maintenance of the channels and contracts with the City of San Bruno for pump station maintenance.8

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6 Peninsula Health Care District. "About Peninsula Health Care District," www.peninsulahealthcaredistrict.org/about.html (accessed January 26, 2012).

7 County of San Mateo, Department of Public Works. "Flood Control," www.co.sanmateo.ca.us/portal/site/publicworks/ (accessed January 26, 2012).

8 County of San Mateo, Department of Public Works. "Flood Control," www.co.sanmateo.ca.us/portal/site/publicworks/ (accessed January 26, 2012).

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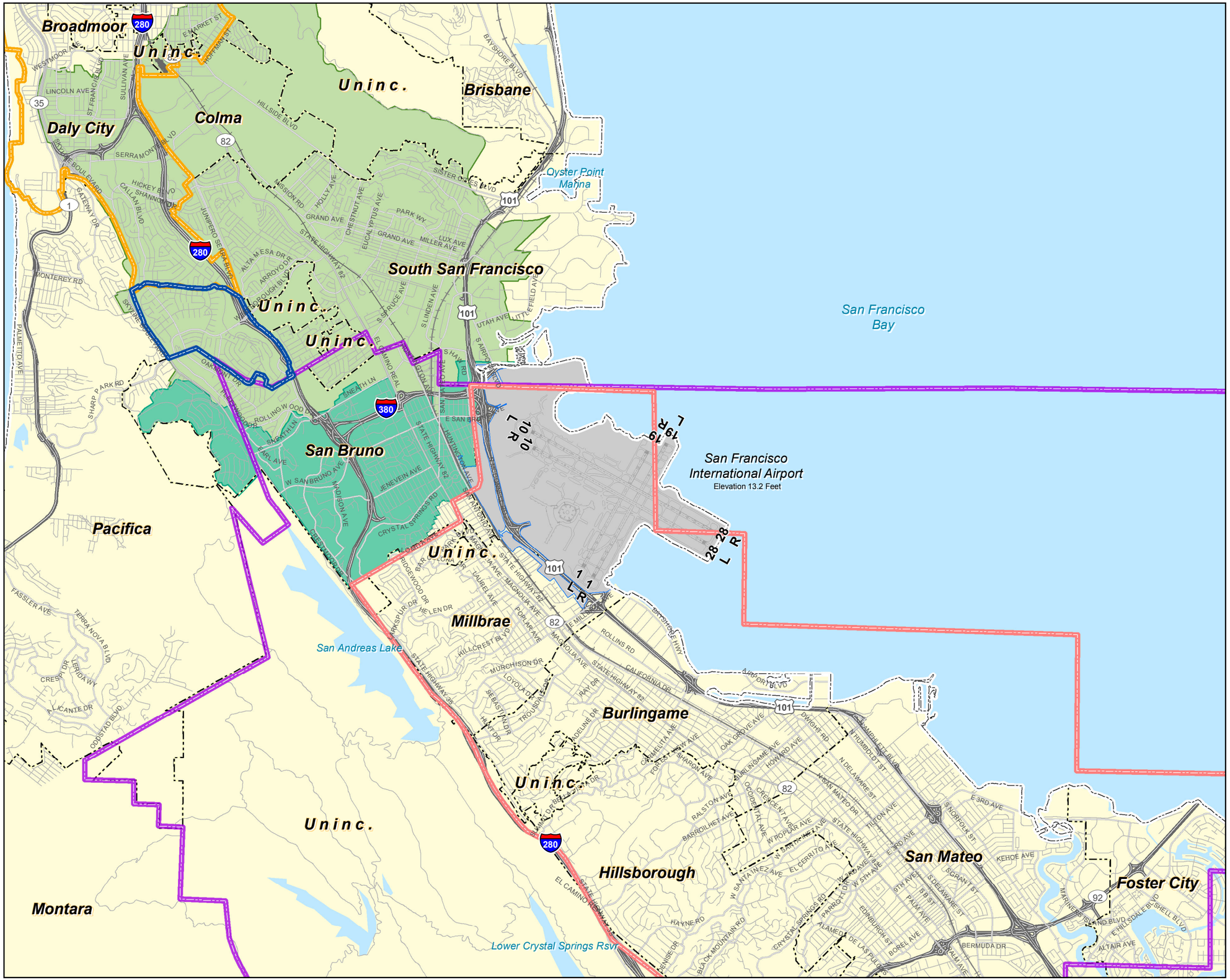

LEGEND

- Airport Property
- Municipal Boundary
- Railroad
- Freeway
- Road

Special Districts

- North San Mateo County Sanitation District
- Peninsula Health Care District
- Westborough County Water District
- San Mateo County Mosquito Abatement District
- San Mateo County Harbor District*

San Mateo County Flood Control District*

a. Colma Creek Flood Control Zone
b. San Bruno Creek Flood Control Zones 1 & 2

Sources:

Special Districts:
- County of San Mateo, Local Agency Formation Commission (LAFCo). "Maps," www.co.sanmateo.ca.us/portal/site/lafco/ (accessed March 21, 2011).

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

*Boundaries of district are coterminous with San Mateo County boundary.

NORTH

0 0.3 0.6 1.2 Miles

Exhibit II-4
SPECIAL DISTRICTS
LOCATED IN AIRPORT INFLUENCE AREA B
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

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- San Mateo County Harbor District – Created by a County election in 1933, the San Mateo County Harbor District manages Pillar Point Harbor in Princeton and Oyster Point Marina/Park in South San Francisco. The County of San Mateo established the entire area of the County of San Mateo as the District's boundaries. The Oyster Point Marina is located approximately 2.5 miles north of SFO and is owned by the City of South San Francisco. The marina is comprised of 600 berths, a boat dock, a fishing ramp, and a 300-foot pier; a park and a beach are also located adjacent to the marina.[9]
- San Mateo County Mosquito and Vector Control District – the San Mateo County Mosquito and Vector Control District is an independent special district that is guided by its own Board of Trustees. The mission of the District is "To safeguard the health and comfort of the citizens of San Mateo County through a planned program to monitor and reduce mosquitoes and other vectors."[10] The primary goals of the District are to:[11]
  - Prevent the emergence of biting adult mosquitoes by applying control to the larval stage;
  - Monitor adult mosquito populations to uncover new sites of larval development and assess the effectiveness of control;
  - Monitor the distribution of vector-borne diseases and prevent the occurrence of these diseases among district residents;
  - Evaluate new pesticides and methods of control for mosquitoes; and
  - Increase public awareness of District services with an active educational program.
- Westborough County Water District – The Westborough County Water District borders the northwestern edge of the AIA Area B boundary. Incorporated in 1961, the District supplies drinking water to approximately 12,000 customers. It purchases its entire water supply from the City and County of San Francisco Water Department. The district also provides sewer service through the North San Mateo County Sanitation District.

The office addresses, telephone numbers, and websites associated with these special districts are provided in **Table II-1**

2.2.5.2 School Districts and Community College Districts

Table II-2 identifies school districts that have boundaries within Area B of the SFO AIA. Additionally, the San Mateo County Community College District, a countywide district, is located within Area B of the SFO AIA. These school districts and the community college district are illustrated on **Exhibit II-5**.

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[9] San Mateo County Harbor District. "Welcome to the Harbor District," www.smharbor.com/harbordistrict/index.htm (accessed January 26, 2012).

[10] San Mateo County Mosquito and Vector Control District. "Mission and Goals," www.smcmad.org/mission_goals.htm (accessed January 26, 2012).

[11] San Mateo County Mosquito and Vector Control District. "Mission and Goals," www.smcmad.org/mission_goals.htm (accessed January 26, 2012).

Table II-1 Special Districts in SFO Environs

SPECIAL DISTRICT	OFFICE ADDRESS	TELEPHONE NUMBER	WEBSITE
North San Mateo County Sanitation District	333 90th Street Daly City, CA 94015-1895	(650) 991-8127	NA
Peninsula Health Care District	1600 Trousdale Drive Suite 1210 Burlingame, CA 94010	(650) 697-6900	www.peninsulahealthcaredistrict.org
San Mateo County Flood Control District	555 County Center 5th Floor Redwood City, CA 94063	(650) 363-4100	www.co.sanmateo.ca.us/portal/site/publicworks/
San Mateo County Harbor District	400 Oyster Point Blvd. Suite 300 South San Francisco, CA 94080	(650) 583-4611	www.smharbor.com
San Mateo County Mosquito & Vector Control District	1351 Rollins Road Burlingame, CA 94010	(650) 344-8592	www.smcmad.org
Westborough County Water District	2263 Westborough Blvd. South San Francisco, CA 94080	(650) 589-1435	www.westboroughwater.com/index.htm

SOURCE: Ricondo & Associates, Inc., November 2011.
PREPARED BY: Ricondo & Associates, Inc., November 2012.

Table II-2 School Districts and Community College District in SFO Environs

SCHOOL DISTRICT	OFFICE ADDRESS	TELEPHONE NUMBER	WEBSITE
Bayshore Elementary School District	1 Martin Street Daly City, CA 94014	(415)-467-5443	http://www.bayshore.k12.ca.us/
Brisbane Elementary School District	1 Solano Street Brisbane, CA 94005	(415) 467-0550	http://brisbane.ca.campusgrid.net/
Burlingame School District	1825 Trousdale Drive Burlingame, CA 94010-5704	(650) 259-3800	www.bsd.k12.ca.us
Hillsborough City Elementary School District	300 El Cerrito Avenue Hillsborough, CA 94010	(650) 342-5193	www.hcsd.k12.ca.us/Index.aspx?page=1
Jefferson Elementary School District	101 Lincoln Avenue Daly City, CA 94015	(650) 991-1000	http://www.jsd.k12.ca.us/
Jefferson Union High School District	699 Serramonte Blvd., #100 Daly City, California 94015	(650) 550-7900	www.juhsd.net/
Millbrae Elementary School District	555 Richmond Drive Millbrae, CA 94030	(650) 697-5693	www.millbraeschooldistrict.org
Pacifica School District	375 Reina Del Mar Pacifica, CA 94044	(650) 738-6600	http://www.pacificasd.org/
San Bruno Park Elementary School District	500 Acacia Avenue San Bruno, CA 94066-4298	(650) 624-3100	http://sbpsd.k12.ca.us
San Mateo County Community College District	3401 CSM Drive San Mateo, CA 94402	(650) 574-6550	www.smccd.edu/accounts/smccd/
San Mateo Foster City Elementary School District	1170 Chess Drive Foster City, CA 94404	(650) 312-7700	www.smfc.k12.ca.us/
San Mateo Union High School District	650 North Delaware Street San Mateo, CA 94401-1732	(650) 558-2299	www.smuhsd.org/
South San Francisco Elementary School District	398 B Street South San Francisco, CA 94080	(650) 877-8700	www.ssfusd.k12.ca.us

SOURCE: Ricondo & Associates, Inc., November 2011.
PREPARED BY: Ricondo & Associates, Inc., November 2012.

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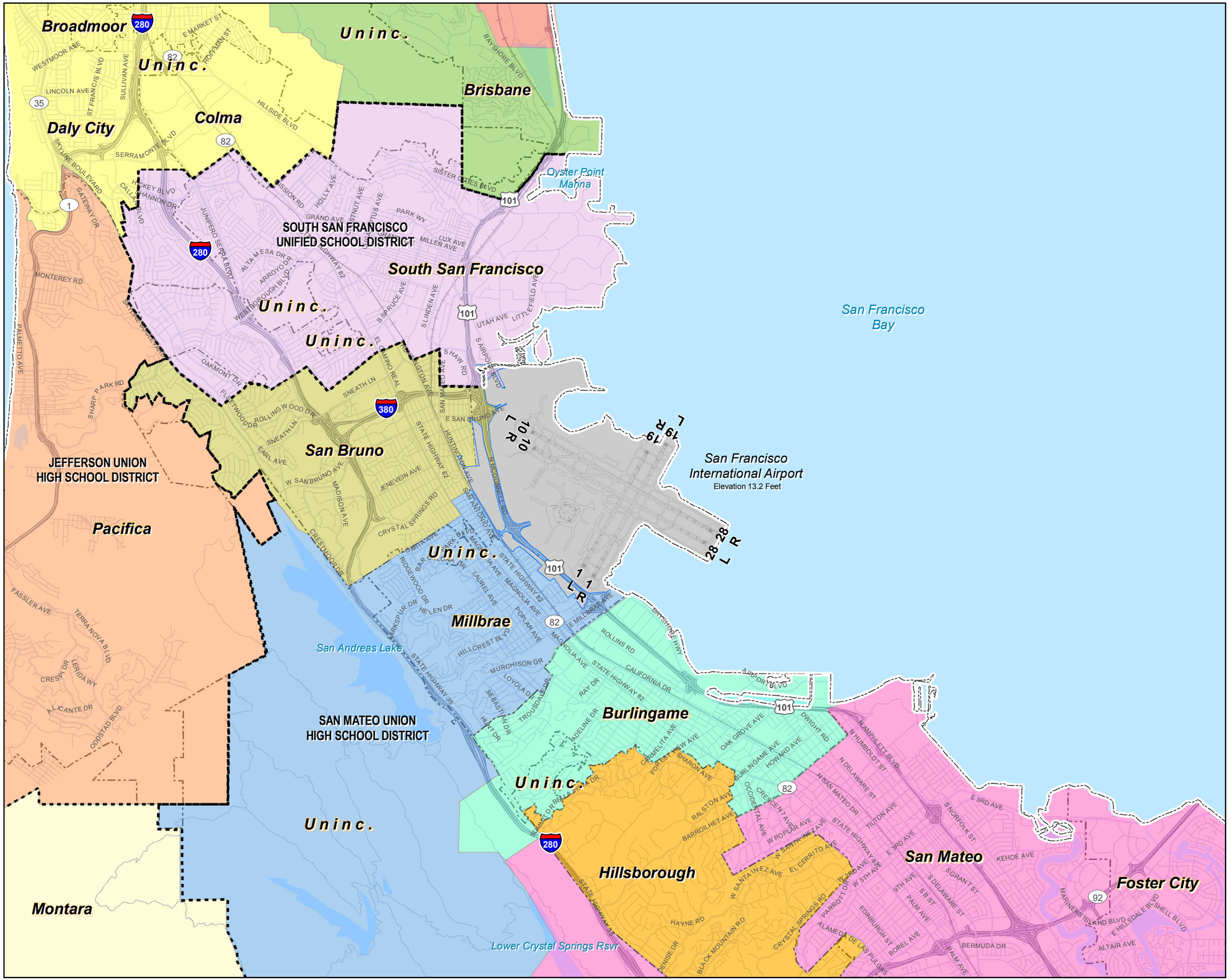

LEGEND

- Airport Property
- Municipal Boundary
- Railroad
- Freeway
- Road

School Districts

- High School Districts
- San Mateo County Community College District*

Elementary School Districts

- Jefferson Elementary School District
- Hillsborough City Elementary School District
- Millbrae Elementary School District
- San Mateo Foster City Elementary School District
- Bayshore Elementary School District
- Brisbane Elementary School District
- Burlingame Elementary School District
- Pacifica School District
- San Bruno Park Elementary School District
- South San Francisco Elementary School District

Sources:

School Districts:
- County of San Mateo. "State of California High School Districts," 2008, www.smcoe.k12.ca.us/Superintendent/Documents/County_Map_High_SD.pdf (accessed March 21, 2011); County of San Mateo. "State of California School Districts," 2008, www.smcoe.k12.ca.us/Superintendent/Documents/County_Map_Elem_SD.pdf (accessed March 21, 2011).

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

*Boundaries of district are coterminous with San Mateo County boundary.

NORTH

0 0.3 0.6 1.2 Miles

Exhibit II-5
SCHOOL AND COMMUNITY COLLEGE DISTRICTS LOCATED IN AIRPORT INFLUENCE AREA B
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

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2.1 San Francisco International Airport

This ALUCP is based on the recently updated Future ALP for SFO. The Future ALP reflects the planned enhancements to the RSA areas for Runways 10L-28R, 10R-28L, 1R-19L, and 1L-19R, as described in Chapter 1, Section 7. These RSA enhancements will result in short extensions to existing runways and adjustments in the runway thresholds. This chapter describes the physical and operations characteristics of SFO to provide a foundation for the airport/land use compatibility policies and criteria contained in the ALUCP.

SFO is the primary air carrier airport in the San Francisco Bay area and the Northern California region. In 2009, approximately 18.2 million enplaned passengers (37.3 million annual passengers) used the Airport, making it the tenth busiest airport in the country and 20th busiest in the world based on passenger totals.[12]

The Airport is located approximately 14 miles south of downtown San Francisco in a mostly unincorporated area of San Mateo County. It lies along San Francisco Bay immediately east of U.S. Highway 101 (the Bayshore Freeway) and is adjacent to the cities of Burlingame, Millbrae, San Bruno, and South San Francisco.

Although SFO is located in San Mateo County, it is owned and operated by the City and County of San Francisco. It is administered by the San Francisco Airport Commission and the Airport Director. The Commission consists of five members appointed by the Mayor of San Francisco. (There is no County of San Mateo representation on the Airport Commission.)

2.1.1 EXISTING AND PLANNED AIRPORT FACILITIES

The Airport is located on 5,171 acres of property, of which 2,383 have been developed for airport use. The remaining 2,788 acres are undeveloped tidelands and wetlands.

The Airport Commission relies on the Master Plan and the Master Plan Environmental Impact Report (EIR) to implement development recommendations. The most recent version of the Airport Master Plan was approved in November 1992. Events since then have led to the delay of some projects identified in the Master Plan. These events include the terrorist attacks that took place on September 11, 2001, the Severe Acute Respiratory Syndrome (SARS) outbreak, and economic downturns. Although the Master Plan continues to provide the overall vision for Airport development, various details have been changed as a result of these events. The updated ALP, as depicted on **Exhibit II-6,** portrays development planned for the Airport and is the basis for this ALUCP update.

None of the planned improvements for the Airport would significantly increase operational capacity, create more aircraft noise impacts, or lead to substantial changes in runway use or flight procedures.

[12] Airports Council International – North America, "Airport Traffic Reports," 2009, www.aci-na.org/stats/stats_traffic, (accessed February 2011).

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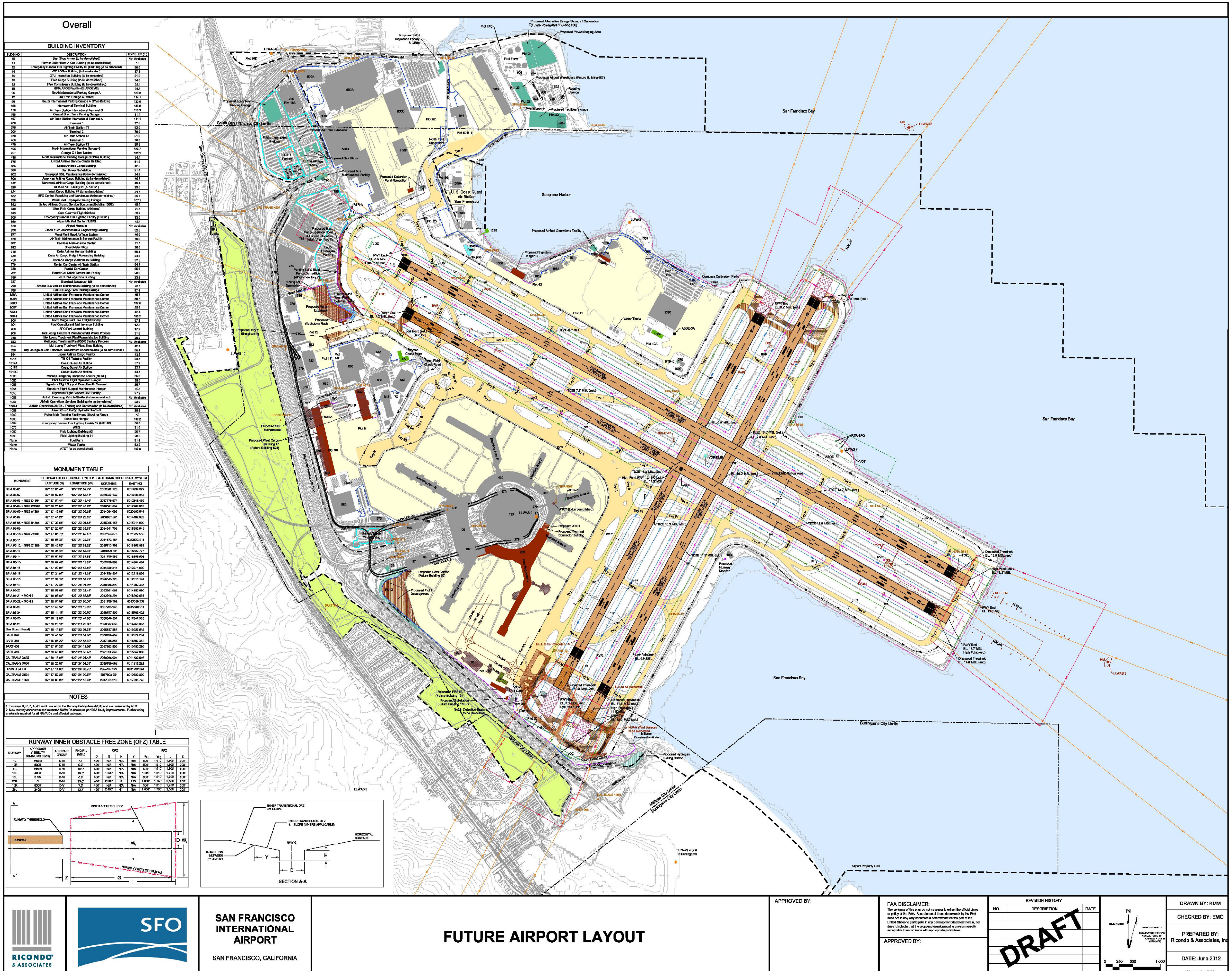

LEGEND

- RUNWAY PAVEMENT
- TAXIWAY PAVEMENT
- APRON PAVEMENT
- AIRPORT PROPERTY WEST OF BAYSHORE
- AIRPORT BUILDING
- SAN FRANCISCO BAY
- DETENTION BASIN
- AIRCRAFT RESCUE & FIRE FIGHTING (ARFF)
- NEW AIRSIDE DEVELOPMENTS
- NEW LANDSIDE DEVELOPMENTS
- FACILITY TO BE DEMOLISHED
- PAVEMENT TO BE DE-ACTIVATED
- NEW AIRFIELD PAVEMENT
- EMAS BED
- CITY LIMITS LINE
- AIRPORT PROPERTY LINE
- RPZ — RUNWAY PROTECTION ZONE
- RSA — RUNWAY SAFETY AREA
- OFA — OBJECT FREE AREA
- OFZ — OBSTACLE FREE ZONE
- BRL — BUILDING RESTRICTION LINE (BRL)
- TSS — THRESHOLD SITING SURFACE
- EXISTING AIR OPERATIONS AREA (AOA) FENCE
- FUTURE AIR OPERATIONS AREA (AOA) FENCE
- EXISTING LOCALIZER CRITICAL AREA
- RELOCATED LOCALIZER CRITICAL AREA
- RELOCATED GLIDE SLOPE CRITICAL AREA
- PARKING LOT BOUNDARY
- SEA WALL
- AIR TRAIN
- MONUMENT
- WIND CONE
- INNER MARKER (IM) AND FAR FIELD MONITOR (FFM)
- MIDDLE MARKER (MM)
- AIRPORT REFERENCE POINT (ARP)
- LOW-LEVEL WINDSHEAR ALERT SYSTEM ANTENNA
- SECURITY CHECK POINT
- CONTOUR LINE

Source: San Francisco International Airport, June 2012

Exhibit II-6

FUTURE AIRPORT LAYOUT PLAN

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

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2.1.2 AIRPORT ACTIVITY DATA

While the airline industry has grown dramatically throughout its history, it is also subject to considerable volatility. Per capita income and the price of air travel are reliable predictors of air travel demand. Accordingly, during recessions and during periods of upward pressure on air fares, passenger travel demand slackens or declines. This occurred during the post-September 11, 2001 recession and again after the fuel price shock of 2008 and the subsequent economic slowdown. Aviation activity forecasts are traditionally developed in consideration of this volatility and are intended to smooth out the peaks and valleys, capturing the underlying trend.

2.1.2.1 Passenger Activity Forecasts

Airport activity forecasts, summarized in **Table II-3**, were updated in February 2010. The historical data show a marked decline in enplaned passengers and aircraft departures between 2000 and 2008, reflecting the shocks to the aviation industry in the aftermath of the September 11, 2001 terrorist attacks. The forecast projects growth in enplanements and departures through 2028. As shown, the forecast predicts that 2000 activity levels will be matched again sometime between 2013 and 2018.

Table II-3 Summary of Passenger Activity Forecasts – 2009-2028, San Francisco International Airport

YEAR	TOTAL ENPLANED PASSENGERS	ENPLANED PASSENGER MARKET SHARES		TOTAL PASSENGER AIRLINE AIRCRAFT DEPARTURES
		DOMESTIC	INTERNATIONAL	
Historical				
1990	14,782,000	87%	13%	194,573
2000	20,171,000	81%	19%	195,204
2008	18,528,000	76%	24%	172,417
2009 (estimated)	18,457,000	78%	22%	172,400
Forecast				
2013	19,989,000	77%	23%	181,100
2018	22,294,000	75%	25%	193,800
2023	24,704,000	72%	28%	207,200
2028	26,937,000	70%	30%	218,900

Notes: "Enplaned" passengers are those boarding aircraft at SFO.
2009 data estimated based on actual data from January through September 2009.

SOURCES: Jacobs Consultancy, "Forecasts of Enplaned Passengers," Technical Memorandum – Aviation Demand Forecasts, San Francisco International Airport, February 2010, page 19, Table 2 (passenger activity forecasts). Jacobs Consultancy, "Unconstrained Forecasts of Enplaned Passengers," Technical Memorandum – Aviation Demand Forecasts, San Francisco International Airport, July 2007, page 21, Table 2 (historical data for 1990 and 2000).

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

The market share information reflects the importance of international travel at SFO. Between 1990 and 2008, the proportion of international passengers increased from 13 percent to 24 percent of all enplaned passengers. This trend is projected to continue, with international passengers projected to increase to nearly one-third of all passengers in 2028.

2.1.2.2 Cargo Activity Forecasts

Table II-4 summarizes the results of the cargo activity forecasts that were compiled in February 2010. Based on 2009 data (estimated based on actual data from January through September 2009), the table indicates a decline in cargo activity (tonnage) from 2008 to 2009 by approximately 20 percent or 100,095 metric tons. This decrease reflects comparative trends at other national and global airports and can be attributed to increased fuel prices and the economic recession experienced around the world. Despite this decline, domestic and international cargo tonnage is anticipated to increase between 2008 and 2028 at an average of 0.8 percent and 2.8 percent per year, respectively. As shown, the forecast predicts that 2000 cargo activity levels will be reached again between 2013 and 2018.

Table II-4 Summary of Cargo Activity Forecasts – 2009-2028, San Francisco International Airport

YEAR	INTERNATIONAL (METRIC TONS)	DOMESTIC (METRIC TONS)	TOTAL AIR CARGO (METRIC TONS)	TOTAL CARGO AIRLINE DEPARTURES
Historical				
2008	286,940	205,255	492,195	3,210
2009 (estimated)	231,700	160,400	392,100	3,485
Forecast				
2013	220,400	157,300	377,700	3,920
2018	274,300	179,300	453,600	4,420
2023	370,800	215,400	586,200	5,340
2028	495,100	241,700	736,800	6,260

Notes: 2009 data estimated based on actual data from January through September 2009.
Includes cargo tonnage carried by combination carriers on freighter aircraft.
Includes the freighter operations of all-cargo airlines and combination carriers that operate both passenger and freighter aircraft.

SOURCES: Jacobs Consultancy, "Forecasts of Total Air Cargo," Technical Memorandum – Aviation Demand Forecasts, San Francisco International Airport, February 2010, page 26, Table 3.
PREPARED BY: Ricondo & Associates, Inc., February 2012.

2.1.2.3 General Aviation and Military Operations Forecasts

Aircraft operations forecasts for general aviation (GA) and military aircraft at SFO are summarized in **Table II-5**. The GA and military forecasts were compiled in February 2010 based on standard FAA methodology. GA activity includes all aviation activity other than commercial and military. At SFO, GA operations are typically related to business and corporate aviation. Factors including the economic recession, the credit crisis, increases in aircraft rental, fuel, and insurance cost, and increases in avionic instrument requirements have led to a decline in GA activity nationwide. As

shown in Table II-5, the forecast indicates that GA traffic will slowly recover at SFO starting in 2013 at a rate of 100 additional GA operations per year.

Table II-5 General Aviation and Military Activity Forecasts – 2009-2028, San Francisco International Airport

YEAR	GENERAL AVIATION OPERATIONS	MILITARY OPERATIONS
Historical		
2008	15,587	2,697
2009 (estimated)	12,700	2,900
Forecast		
2013	12,700	3,000
2018	13,200	3,000
2023	13,700	3,000
2028	14,200	3,000

Notes: Airport operations include departures and arrivals.
2009 data estimated based on actual data from January through September 2009.

SOURCE: Jacobs Consultancy, "Forecasts of Total Aircraft Operations by Type," Technical Memorandum – Aviation Demand Forecasts, San Francisco International Airport, February 2010, page 28, Table 4.
PREPARED BY: Ricondo & Associates, Inc., February 2012.

Military operations at SFO averaged approximately 2,600 operations per year from 1990 through 2008.[13] At SFO, most military activity consists of helicopter operations performed by the U.S. Coast Guard. As shown in Table II-5, a total of 3,000 military operations per year are anticipated from 2013 to 2028.

2.1.2.4 Total Forecast Operations

Table II-6 presents total operations for all categories of aircraft activity at SFO.

[13] Jacobs Consultancy, "Forecasts of Total Aircraft Operations by Type," Technical Memorandum – Aviation Demand Forecasts, San Francisco International Airport, February 2010, page 32.

Table II-6 Forecast of Total Operations – 2013-2028, San Francisco International Airport

YEAR	PASSENGER	CARGO	GENERAL AVIATION	MILITARY	OTHER	TOTAL
Historical						
2008	344,834	6,420	15,587	2,697	18,566	388,104
2009 (estimated)	344,800	6,970	12,700	2,900	9,430	376,800
Forecast						
2013	362,200	7,840	12,700	3,000	10,000	395,740
2018	387,600	8,840	13,200	3,000	12,000	424,640
2023	414,400	10,680	13,700	3,000	14,000	455,780
2028	437,800	12,520	14,200	3,000	15,000	482,520

Notes Airport operations include departures and arrivals.
"Other" includes nonscheduled and empty flights. Other operations account for approximately 3 percent of commercial operations in 2009 and are assumed to account for this share in future years.
2009 data estimated based on actual data from January through September 2009.

SOURCE: Jacobs Consultancy, "Forecasts of Total Aircraft Operations by Type," Technical Memorandum – Aviation Demand Forecasts, San Francisco International Airport, February 2010, page 28, Table 4.

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

2.1.2.5 Forecasts by Aircraft Type and Time-of-Day

Forecasts taken from the Draft SFO Runway Safety Area (RSA) Program Environmental Assessment (EA) published in June 2011 are shown in **Table II-7**. The forecasts are based upon the approved Aviation Demand Forecast (February 2010) prepared by Jacobs Consultancy. The data was used to develop future noise contours for 2015 and 2020 in the RSA EA. These forecasts are the basis for the noise compatibility zones established in this ALUCP.

The forecasts project wide-body air carrier aircraft to increase from about 12.5 percent to 16.9 percent of all aircraft operations from 2010 to 2020. The proportion of narrow-body aircraft is forecasted to increase from 52.6 percent to 57.3 percent during the same period. The proportion of regional jet operations is forecasted to increase slightly from 16.1 to 16.4 percent, while the proportion of business jet operations is also forecasted to increase slightly from 4.9 to 5.1 percent. Operations by propeller aircraft are forecasted to decline substantially. The proportion of commuter propeller operations is projected to decline from 11.4 to 2.8 percent, and the proportion of general aviation propeller operations from 1.3 to 0.7 percent.

Table II-7 Existing and Forecast Annual Operations by Aircraft Type, from 2011 Draft Environmental Assessment for Proposed Runway Safety Area Program, San Francisco International Airport

AIRCRAFT CATEGORY	BASELINE 2010		FORECAST 2015		FORECAST 2020	
Air Carrier, Wide-Body	48,232	12.5%	62,641	15.4%	73,751	16.9%
Air Carrier, Narrow-Body	203,789	52.6%	230,555	56.6%	250,709	57.3%
Regional Jets	62,570	16.1%	65,486	16.1%	71,631	16.4%
Commuter Prop	44,139	11.4%	22,189	5.4%	12,060	2.8%
Business Jet	18,856	4.9%	19,128	4.7%	22,366	5.1%
General Aviation Prop	4,931	1.3%	3,650	0.9%	2,924	0.7%
Military (Fixed Wing)	1,188	0.3%	2,190	0.5%	2,193	0.5%
Helicopters (Civil/Military)	3,541	0.9%	1,460	0.4%	1,462	0.3%
Total	387,246	100.0%	407,299	100.0%	437,096	100.0%

Notes: "Operations" are takeoffs and landings. Wide-body aircraft are those with two aisles and include the B-747, B-767, B-777, A-300 and similar large aircraft. Narrow-body aircraft are those with a single aisle, including the B-737, B-757, A-320, and MD-80. Regional jets are typically defined as those seating 100 passengers or less.

SOURCE: URS Corporation and BridgeNet International. *Draft Environmental Assessment, San Francisco International Airport Proposed Runway Safety Area Program*, Appendix C, Table A2, page A.3 and Table A8, page A.14, June 2011.

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

The 2011 Draft SFO RSA EA also presents estimates of operations by time-of-day, which is required to develop CNEL noise contour maps. In the CNEL metric, a 24-hour day is broken down into day, evening, and night. Evening is defined as 7 p.m. to 10 p.m., and 4.8 dBA is added to noise during this period; nighttime is defined as 10 p.m. to 7 a.m., and 10 dBA is added to noise during this period. The distribution of operations by time of day in 2010 is shown in **Table II-8**. The percentage distribution by time-of-day was projected to remain constant through the 10-year forecast period. Approximately 69 percent of arrivals and 70 percent of departures were estimated to occur during the 12-hour "daytime" period, approximately 19 percent of arrivals and 13 percent of departures during the 3-hour evening period, and 11 percent of arrivals and 17 percent of departures during the 9-hour nighttime period.

Table II-8 Distribution of Operations by Time-of-Day – 2010, San Francisco International Airport

	ACTUAL 2010	
TIME-OF-DAY	ARRIVAL	DEPARTURE
Daytime (7:00 a.m. to 7:00 p.m.)	70%	69%
Evening (7:00 p.m. to 10:00 p.m.)	19%	13%
Nighttime (10:00 p.m. to 7:00 a.m.)	11%	17%

SOURCE: URS Corporation and BridgeNet International. *Draft Environmental Assessment, San Francisco International Airport Proposed Runway Safety Area Program*, Appendix C, Table A4, page A.6, June 2011.

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

2.1.3 TYPICAL FLIGHT PROCEDURES

The location of air traffic in the airspace around any airport depends on air traffic control procedures, the use of the runways, and the performance of the aircraft using the airport.

At a busy commercial airport such as SFO, most aircraft operate under instrument flight rules and are under FAA air traffic control during all phases of flight. Thus, some of the standard operating procedures that apply at smaller airports, including those without airport traffic control towers, are of minor significance at SFO. Procedures of minor significance include the traffic pattern altitude, which at SFO is set at 1,000 feet above mean sea level (MSL) for light aircraft and 1,500 feet MSL for heavy aircraft, and the standard left-hand traffic patterns for Runways 1L, 1R, 19L, and 28L and the right-hand traffic patterns for Runways 10R and 28R.[14]

2.1.3.1 Approach Procedures

Runways 19L, 28L, and 28R have instrument landing systems (ILS) that provide both course guidance and descent guidance. Nonprecision approaches, which provide only course guidance, are published for Runways 10L and 28R, 19L and 19R, and 28L and 28R. Runways 1L and 1R are visual approach runways only. Exhibit II-6, the airport layout drawing, shows the runway layout at the Airport.

Two charted visual approaches to Runways 28L and 28R are published. They are defined using visual landmarks and are intended to keep aircraft over San Francisco Bay for noise abatement to avoid direct overflights of communities from Foster City south.

2.1.3.2 Departure Procedures

At busy airports, it is customary for FAA air traffic control to publish Departure Procedures (DPs) for use by aircraft operating under instrument flight rules. These procedures standardize and simplify controller instructions to pilots. The detailed information needed by pilots is published on a graphic diagram known as a "departure plate," so the controller only needs to tell the pilot the name of the DP to use.

Eleven DPs are published for SFO. All DPs relating to Runways 19L and 19R require immediate left turns to avoid the steeply rising terrain southwest of the Airport. All DPs relating to Runways 28L and 28R require either that aircraft fly on the extended runway centerline to the ocean (through the San Bruno Gap) or make immediate right turns back over San Francisco Bay to avoid San Bruno Mountain and overflights of residential areas in South San Francisco and Brisbane. Aircraft departing from Runways 1L and 1R climb out northeast over the Bay along the runway heading before transitioning to one of three assigned departure headings.

2.1.3.3 Average Runway Use

FAA air traffic controllers assign runways for approaches and departures in recognition of wind and weather conditions, air traffic conditions, and noise abatement considerations. The most common operating configuration at

[14] These procedures generally apply to aircraft flying under visual flight rules, which account for a very small proportion of operations at SFO. See www.airnav.com/airport/KSFO.

SFO has arrivals on Runways 28L and 28R and departures from Runways 1L and 1R, with departures by heavy aircraft interspersed from Runways 28L and 28R. Other configurations are used when required by weather conditions.

Table II-9 shows the average annual runway use at SFO for the period from 2002 through 2008.

Table II-9 Average Annual Runway Use – 2002-2008, San Francisco International Airport

RUNWAY PAIR	ARRIVALS	DEPARTURES
Runways 1L and 1R	0.14%	64.88%
Runways 19L and 19R	5.48%	0.64%
Runways 10L and 10R	0.80%	6.79%
Runways 28L and 28R	93.58%	27.70%

SOURCE: City and County of San Francisco, Airport Commission, San Francisco International Airport, 2009.
PREPARED BY: Ricondo & Associates, Inc., February 2012.

2.1.3.4 Flight Tracks

Exhibit II-7 shows radar arrival flight tracks that were used for the updated noise contour maps prepared for the Draft Environmental Assessment for the Proposed Runway Safety Area Program at SFO.[15] The arrival tracks tend to be aligned with the runways for a considerable distance from the runway ends. This reflects the typical approach used by high performance jet aircraft, which involves a minimum stabilized straight-in approach of at least one to three miles. Most arrivals to SFO use published instrument approaches, most of which provide for extended straight-in approaches of five to eight miles. The very few arrivals to Runways 1L and 1R have relatively short final approaches. This is due to the high terrain southwest of the runway. Aircraft must make short final approaches when these runways are used for landing.

Exhibit II-8 shows departure flight tracks that were used for the noise contours maps prepared for the Draft Environmental Assessment for the Proposed Runway Safety Area Program. These tracks tend to reflect the requirements of the published DPs. Note the predominance of straight-out departures to the northwest from Runways 28L and 28R and the departures turning right short of San Bruno Mountain. The departures from Runways 1L and 1R over the Bay tend to be split into three main groups, which correspond to the headings specified in the DPs. Most of the departures to the southeast from Runways 10L and 10R make left turns over the Bay to avoid direct overflights of Foster City and other Bayfront communities for noise abatement purposes. All departures from Runways 19L and 19R turn left immediately after takeoff to avoid the high terrain directly southwest of the runway.

[15] URS Corporation and BridgeNet International. *Draft Environmental Assessment, San Francisco International Airport Proposed Runway Safety Area Program*, June 2011.

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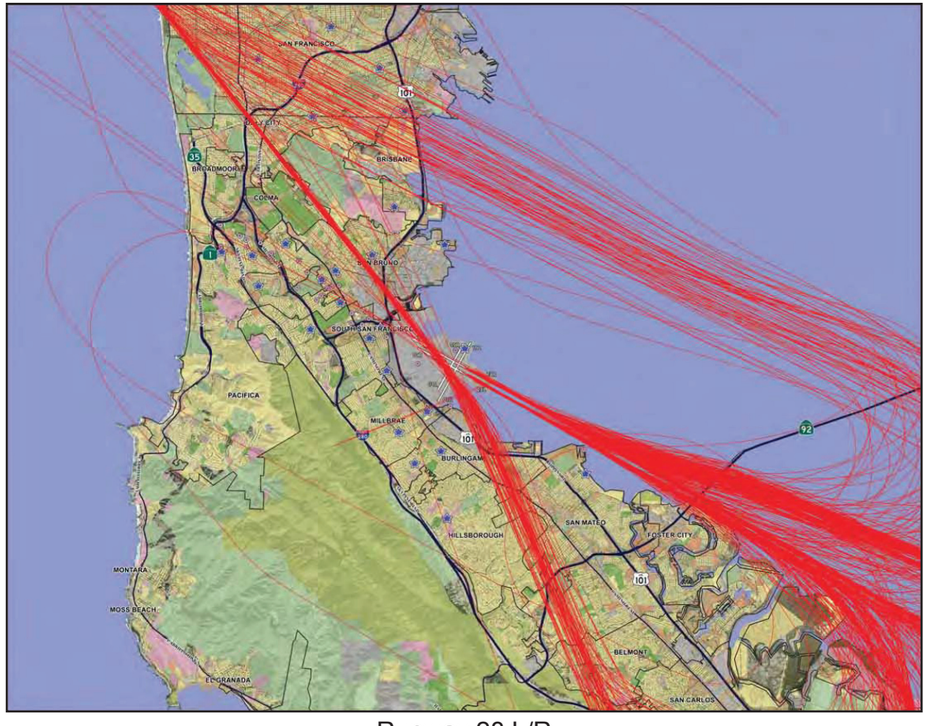
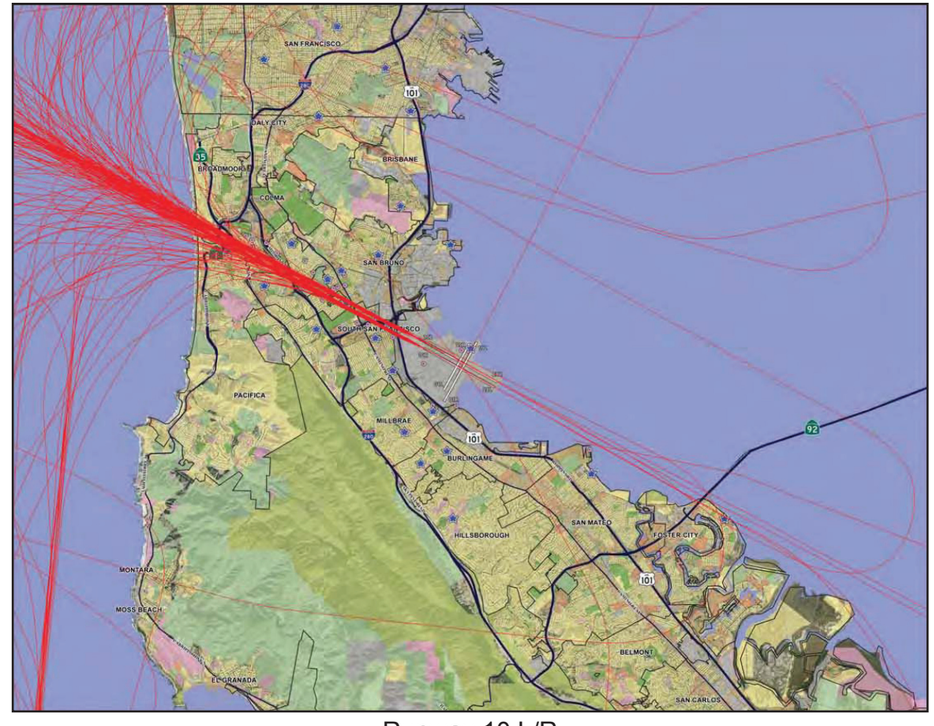
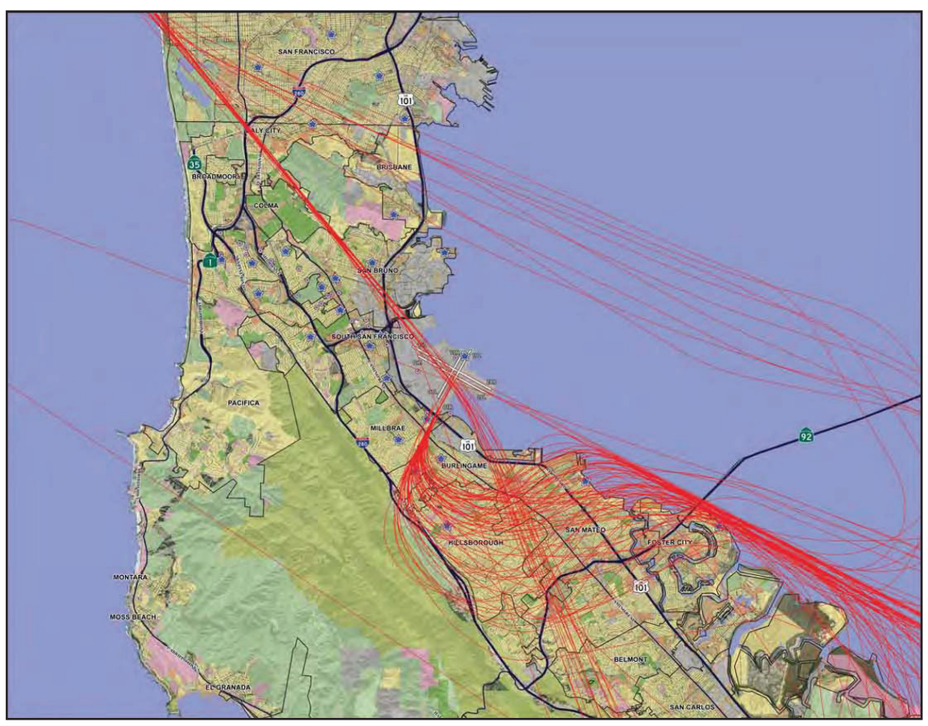


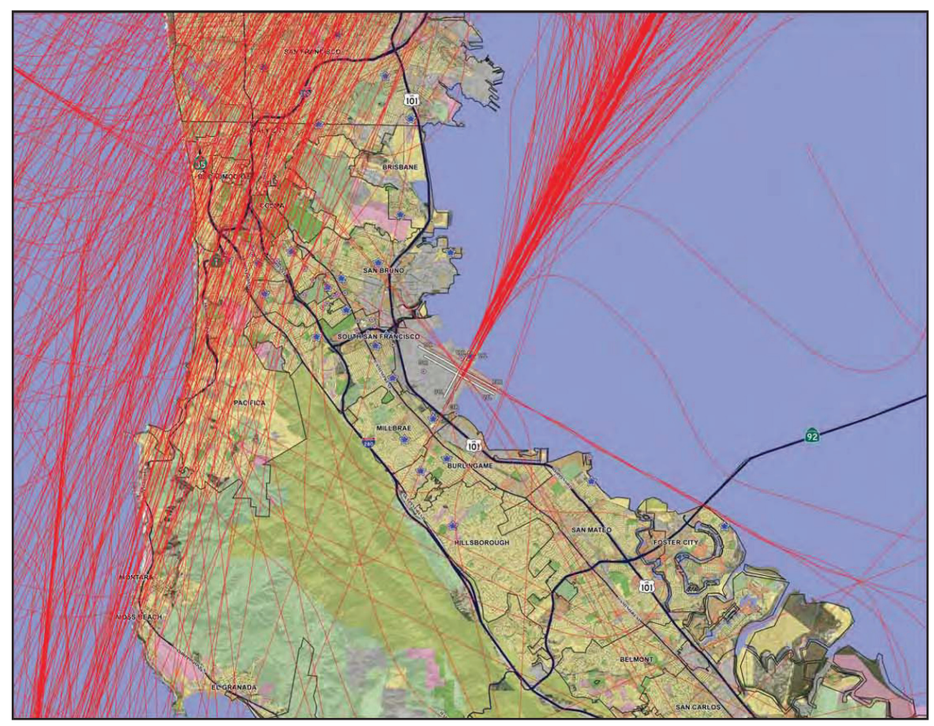
Runway 28 L/R



Runway 10 L/R



Runway 01 L/R



Runway 19 L/R

LEGEND

- Single-family Residential
- Multiple-family Residential
- Retail
- Industrial
- Public
- Agricultural
- Open Space
- Water
- Vacant
- Landmarks
- Noise Monitoring Sites
- Radar Track

Source:

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

NORTH

Not to scale

Exhibit II-7
ARRIVAL FLIGHT TRACKS
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

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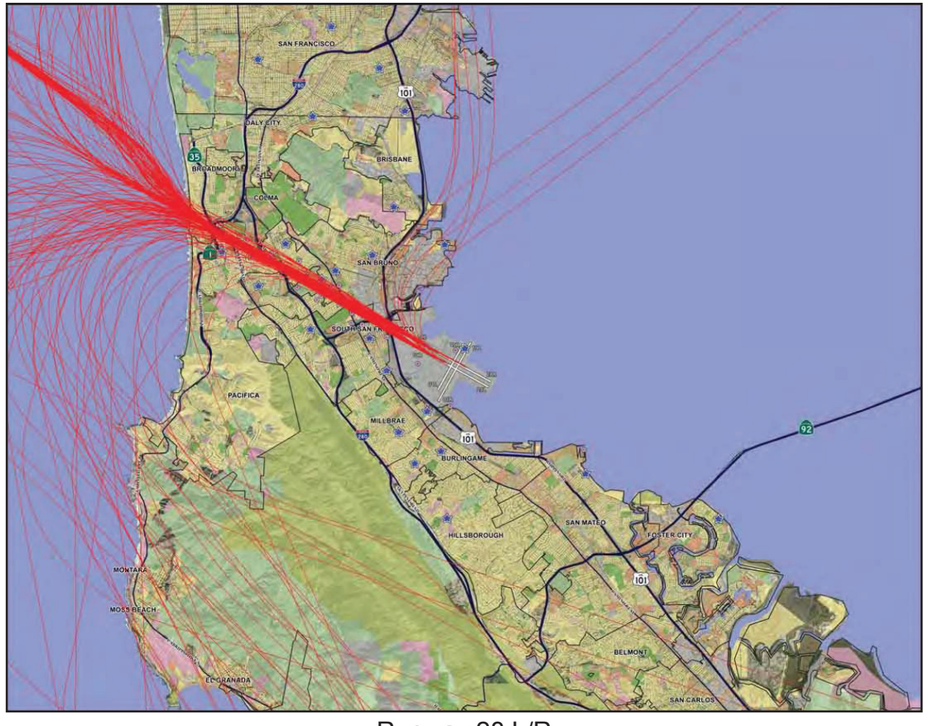
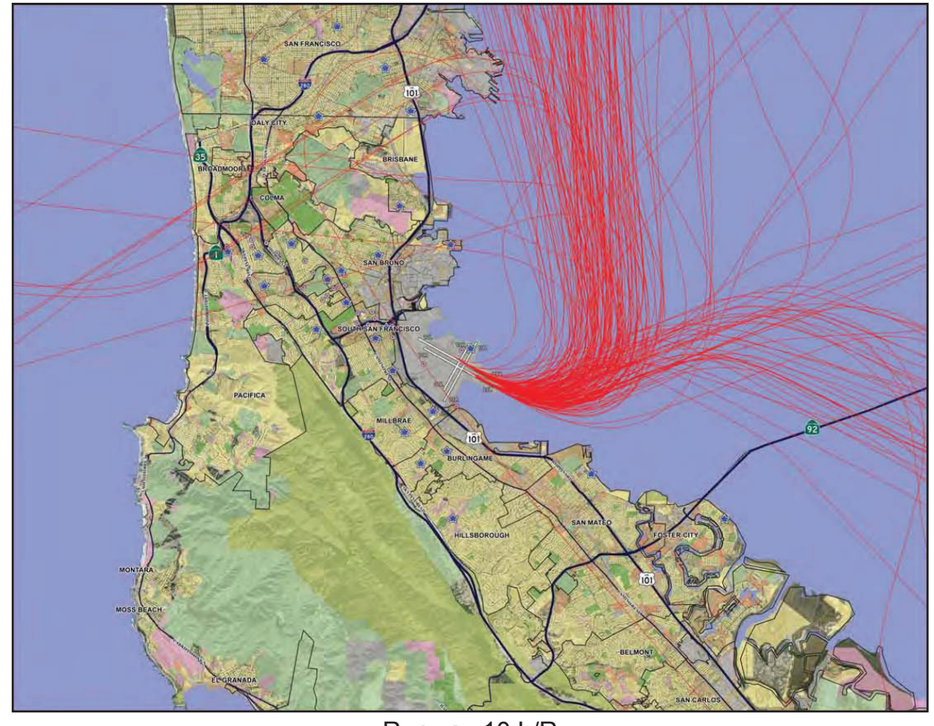
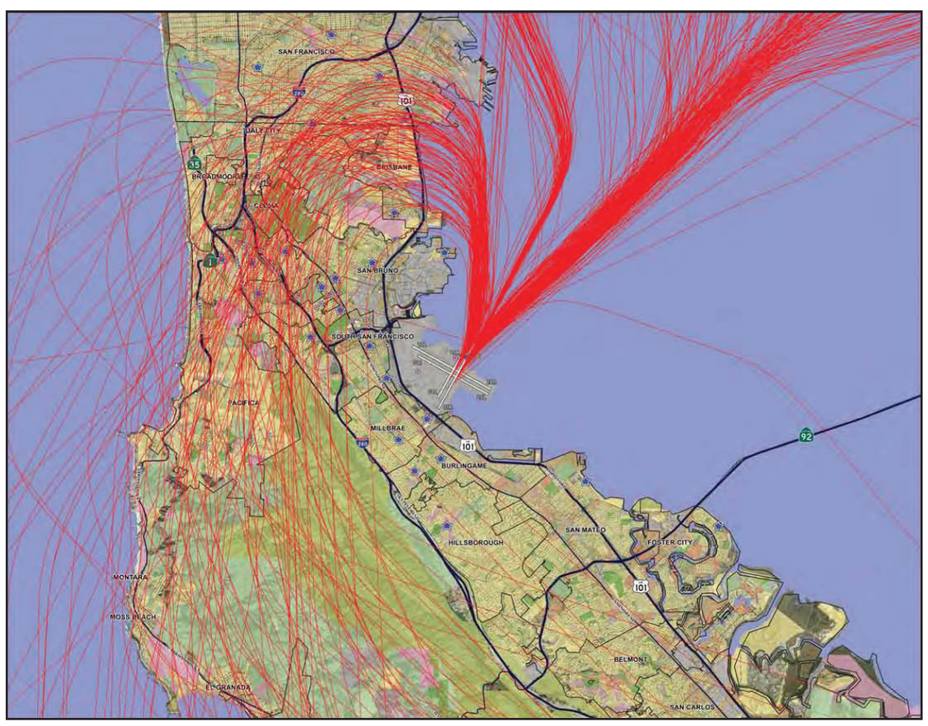


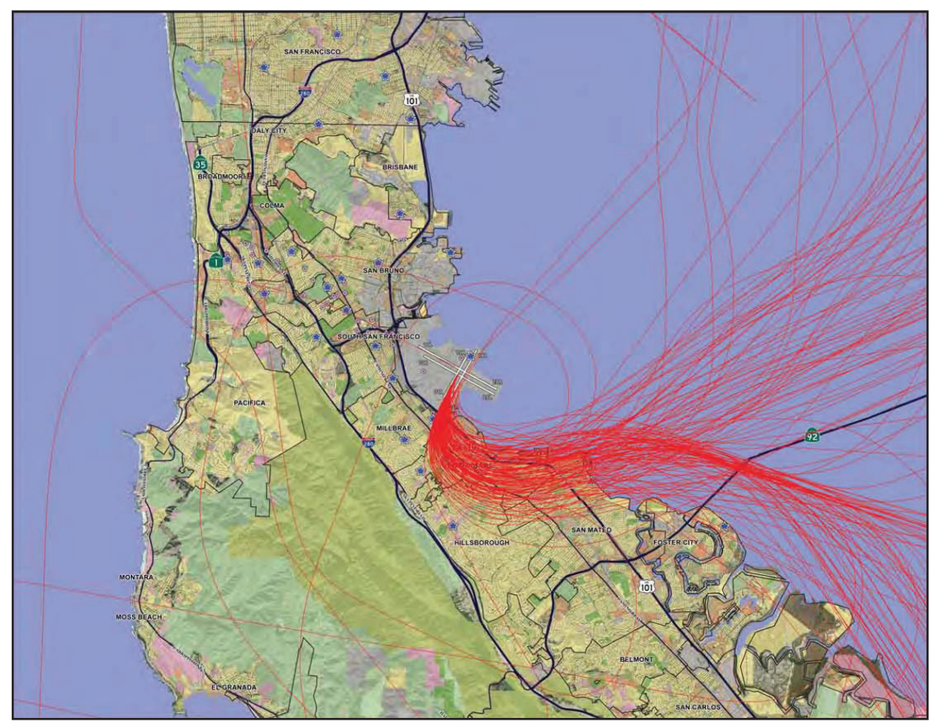
Runway 28 L/R



Runway 10 L/R



Runway 01 L/R



Runway 19 L/R

LEGEND

- Single-family Residential
- Multiple-family Residential
- Retail
- Industrial
- Public
- Agricultural
- Open Space
- Water
- Vacant
- Landmarks
- Noise Monitoring Sites

- Radar Track

Source:

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

NORTH

Not to scale

Exhibit II-8
DEPARTURE FLIGHT TRACKS
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

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2.1.4 FAR PART 150 NOISE COMPATIBILITY PROGRAM

The City and County of San Francisco prepared a Federal Aviation Regulations (FAR) Part 150 Noise Compatibility Program for SFO in the early 1980s. It was adapted from the 1980 Joint Land Use Study Final Technical Report prepared for the Joint Powers Board (which included representatives of San Francisco and San Mateo Counties), and was submitted to the FAA for review and evaluation under the FAR Part 150 Noise Compatibility Program on June 14, 1982.[16] FAA found the Noise Exposure Maps (NEMs) to be in compliance with FAR Part 150 on January 17, 1983. The Noise Compatibility Program (NCP) was approved by the FAA on July 20, 1983. This program was the first in the nation to be approved by the FAA under the requirements of FAR Part 150.

At the FAA's request, the Airport updated its 1983 NEM document in 1995 to reflect changes that had occurred. The updated NEM document, which included maps of 1995 noise levels and projected 2000 levels, was accepted by the FAA as complying with FAR Part 150 on May 17, 1996. The Airport prepared a subsequent update of its Noise Exposure Maps in 2001, which were accepted by the FAA on July 22, 2002. The Airport is currently preparing an updated set of Noise Exposure Maps for the "current year" and a five-year forecast.

In accordance with guidance provided in FAR Part 150 (Table 1 in Appendix A), the Noise Exposure Maps depict noise contours of CNEL 65 dB, 70 dB and 75 dB. CNEL 65 dB is considered the level above which residential and other noise-sensitive land uses (including schools, hospitals, and places of worship) are considered incompatible. If the local land use planning jurisdictions consider these uses to be appropriate within the CNEL 65 dB contour, the FAR Part 150 guidelines advise they be treated to achieve specified outdoor-to-indoor noise level reductions.

2.1.5 STATE OF CALIFORNIA AIRPORT NOISE REGULATIONS

The State of California's airport noise standards declare that the "level of noise acceptable to a reasonable person residing in the vicinity of an airport is established as a CNEL of 65 dB…"[17] The board of supervisors of the county in which the airport is located is empowered to declare that the airport has a "noise problem" if it has incompatible land uses inside the Airport's CNEL 65 dB contour. The regulations consider the following uses to be incompatible:

- Residences
- Public and private schools
- Hospitals and convalescent homes
- Places of worship

The law stipulates that the following actions can render incompatible uses compatible:

- Acquisition by the airport of an avigation easement for aircraft noise
- Sound insulation sufficient to reduce the interior CNEL due to aircraft noise to 45 dB or less in habitable rooms

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[16] The Joint Land Use Study was a multi-year comprehensive study to address airport ground access, air quality, and noise issues in the Airport environs. The final document was published in 1980.

[17] See California Code of Regulations, Title 21, Division 2.5, Chapter 6, Section 5006.

In areas where noise exposure (from any source) is greater than CNEL 65 dB, state housing law requires sound insulation for multi-family residential uses, hotels and motels, and schools. State housing law states explicitly, however, that where a noise/land use incompatibility exists, removal of existing housing should be the last resort to remedy the incompatibility.

Under the state noise law, the area inside an airport's CNEL 65 dB contour that is occupied by incompatible uses is called the "noise impact area." Airports with a noise impact area are prohibited from operating without a variance from the state noise standards issued by the State Department of Transportation (Caltrans). Variances are typically conditioned upon the airport taking action to reduce its noise impact area to zero, defined as zero incompatible land uses within the CNEL 65 dB contour.

In 1972, the San Mateo County Board of Supervisors declared SFO to be a "noise problem airport" and the Airport was required to operate with variances from the state noise standards for a number of years thereafter. In October 2002, due to the Airport's aggressive efforts to reduce the number of incompatible land uses in its noise impact area, the San Mateo County Board of Supervisors determined that the Airport had achieved a noise impact area of zero and therefore was no longer required by the State to operate under a variance from the state noise standards.

2.1.6 AIRCRAFT NOISE EXPOSURE IN THE SFO ENVIRONS

Figure D-3 in **Appendix D** depicts the forecasted aircraft noise contours from the Draft SFO RSA EA published in June 2011. In the Draft RSA EA, the future noise environment for SFO was analyzed based upon projected operational conditions in the year 2015 and 2020. The noise exposure maps show the Airport's CNEL 65, 70 and 75 dB contours.

Table II-10 presents the number of existing dwellings and population that are forecast to be exposed to noise from aircraft operations at SFO based on the 2015 and 2020 noise contours shown on Figure D-3. As shown, the total dwellings and population exposed to aircraft noise above CNEL 65 dB, 70 dB, and 75 dB are projected to increase from 2015 to 2020.

Table II-10 Population and Housing Exposed to Aircraft Noise – 2015 and 2020, San Francisco International Airport

	2015		2020	
CNEL RANGE	EXISTING HOUSING UNITS	RESIDENT POPULATION	EXISTING HOUSING UNITS	RESIDENT POPULATION
65 to 70	5,768	17,235	6,961	21,528
70 to 75	1,573	4,695	1,939	5,494
75 and over	32	113	58	205
Total	7,373	22,044	8,958	27,228

SOURCE: URS Corporation and BridgeNet International. *Draft Environmental Assessment, San Francisco International Airport Proposed Runway Safety Area Program*, Table 4.2-2, page 4-8 and Table 4.2-4, page 4-14, June 2011.

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

2.1.6.1 Noise Abatement and Mitigation Programs

The City and County of San Francisco has a well-developed program to promote noise abatement and mitigation of noise impacts at SFO. The specific measures include the following:

- Preferential runway use – Whenever possible, aircraft are to land and takeoff over the Bay.
- Noise abatement flight routes – Visual approach procedures to Runways 28L and 28R have been designed to avoid direct overflights of shoreline communities. (See Section 2.3.3.1, above). A shoreline departure turn for takeoffs from Runways 28L and 28R has also been established to reduce overflights of residential areas northwest of the runways. (See Section 2.3.3.2.)
- Rapid departure climbs – Aircraft departing on Runways 28L and 28R through the San Bruno Gap are requested to climb rapidly to increase their altitude over the underlying residential areas.
- Aircraft noise management system – The Airport has had a permanent noise monitoring and flight track monitoring system for many years and has recently upgraded the system. Data from the system enable Airport staff to monitor aircraft activity on a regular basis and to track conformance with noise abatement procedures.
- Sound insulation program – Since 1983, over 15,000 homes in the Airport vicinity and within the Airport's CNEL 65 dB contour have been sound-insulated. Seven schools and 8 places of worship have also been sound-insulated. The program has been administered by each noise-impacted jurisdiction, with funding provided through a combination of FAA and Airport sources.[18]

2.1.6.2 San Francisco International Airport/Community Roundtable

The San Francisco International Airport/Community Roundtable was created by a Memorandum of Understanding (MOU) in 1981 among the City and County of San Francisco, the County of San Mateo, and several cities in San Mateo County as a voluntary committee to address community noise impacts from aircraft operations at SFO. The original purpose of the Roundtable was to monitor the implementation of the recommendations of the 1980 Joint Land Use Study Final Technical Report. That report was a joint effort between the City and County of San Francisco and the County of San Mateo regarding air quality, vehicular traffic, and aircraft noise issues related to the operation of SFO. Air quality and vehicular traffic issues were already addressed on a regional scale by existing public agencies. No local public agency, however, was responsible for addressing aircraft noise. The Roundtable quickly focused all of its efforts on noise issues related to aircraft operations at SFO and became the only public body for local residents to go to express their concerns about SFO-related noise impacts.

Local governments in San Mateo County are represented on the Roundtable by their elected officials (mayors, city council members, and County Supervisors). The City and County of San Francisco representation on the Roundtable includes a member of the San Francisco Board of Supervisors, a representative of the Mayor's Office, and a representative of the San Francisco Airport Commission (Airport Director).

[18] Participating jurisdictions include Daly City, Millbrae, Pacifica, San Bruno, South San Francisco, and the County of San Mateo.

The Roundtable monitors a performance-based aircraft noise mitigation program, as implemented by Airport staff, interprets community concerns, and pursues additional feasible noise mitigation actions, through a cooperative sharing of authority among representatives of the airlines that serve the Airport, FAA staff, SFO management staff, and local governments. The Roundtable has worked directly with the SFO staff in implementing a Fly Quiet Program to encourage the airlines at SFO to fly as quietly as possible to be a good neighbor to nearby communities. The 22-member organization has been meeting on a regular basis since 1981 and continues to encourage public input related to aircraft noise from SFO operations.

III DEFINITIONS, GENERAL POLICIES, AND PLAN IMPLEMENTATION

3.1 Definitions

The following definitions apply to the policies in this ALUCP. Definitions for other commonly used aviation and planning terms are provided in Appendix A, Glossary.[1]

Airport: When capitalized, unless the context clearly indicates otherwise, San Francisco International Airport.

Airport Influence Area (AIA): A two-part area, including Area A and Area B, established by this ALUCP and within which the ***C/CAG Board***, in its capacity as the ***Airport Land Use Commission*** for San Mateo County, exercises its jurisdiction with respect to airport land use compatibility planning**.**

Airport Land Use Commission: When capitalized, unless the context clearly indicates otherwise, the ***C/CAG Board***, acting in its capacity as the ***Airport Land Use Commission*** for San Mateo County.

Airport Land Use Committee (ALUC): The committee duly appointed by the ***C/CAG Board*** to advise the Board on matters pertaining to airport land use compatibility in San Mateo County.

Airport Layout Plan: A scaled drawing, prepared in conformance with criteria promulgated by the ***FAA***, depicting existing and proposed airport facilities, their location on an airport, and pertinent clearance and dimensional information.

Airspace Protection Area: The area beneath the ***airspace protection surfaces*** for the ***Airport***.

Airspace Protection Surfaces: Imaginary surfaces in the airspace surrounding airports defined in accordance with criteria set forth in 14 Code of Federal Regulations Part 77, Subpart C, and ***FAA*** Order 8260.3B, U.S. Standard for Terminal Instrument Procedures (TERPS). They also include imaginary surfaces reflecting the one-engine inoperative

[1] Note that the bolded and italicized terms in the definitions are themselves defined in Section 3.1.

climb procedures of commercial aircraft operators at the ***Airport***, developed in accordance with the requirements of 14 Code of Federal Regulations Part 121 and other applicable federal regulations.

ALUC: See ***Airport Land Use Committee***.

Aviation-Related Use: Any facility or activity directly associated with the air transportation of persons or cargo or the operation, storage, or maintenance of aircraft at an airport or heliport. These uses specifically include runways, taxiways, and their associated protection areas defined in accordance with ***FAA*** criteria, together with aircraft parking aprons, hangars, fixed-base operations facilities, terminal buildings, and related facilities.

Avigation Easement: A limited real property right that is granted by a property owner to an airport proprietor that provides for a right-of-way in, through, across, or about any portion of the airspace above and within the vicinity of the subject real property for the free, safe, and unobstructed passage of aircraft in flight. An ***avigation easement*** typically also allows for the creation of noise, vibration, and other effects that are attendant to the normal operation of aircraft in flight that may affect the subject real property. The avigation easement does not limit property owners' rights in the event of an abnormal activity. Depending on the specific language of the easement document, it may also limit the height of structures on the property to a certain height. As a legal instrument that is officially recorded with the County, it provides the current property owner and subsequent property owners with formal notice that his or her property is located near an airport and may be subject to impacts from airport and aircraft operations.

City/County Association of Governments of San Mateo County (C/CAG): The regional association of governments in San Mateo County, which includes elected representatives of the County of San Mateo and incorporated cities in the county. The ***C/CAG*** Board of Directors is responsible for a variety of regional transportation and environmental planning activities. The ***C/CAG Board*** also serves as the state-mandated ***Airport Land Use Commission*** for San Mateo County.

C/CAG: See City/County Association of Governments of San Mateo County**.**

C/CAG Board: The Board of Directors of ***C/CAG.***

CNEL: See ***Community Noise Equivalent Level***.

Community Noise Equivalent Level (*CNEL*): A 24-hour cumulative noise metric used in the State of California for describing aircraft noise exposure. In computing ***CNEL***, a 4.8 decibel (dB) weight is assigned to sounds during the evening hours from 7:00 p.m. to 10:00 p.m. A 10 dB weight is assigned to sounds during the nighttime hours after 10:00 p.m. and before 7:00 a.m.

Development: Any human-caused change to improved or unimproved real property that requires a permit or approval from any ***local agency*** or that is sponsored and proposed to be built by a ***local agency***. ***Development*** includes, but is not limited to, buildings or other structures, mining, dredging, filling, grading, paving, an excavation or drilling operation, and/or storage of materials.

Division of Aeronautics: California Department of Transportation, ***Division of Aeronautics***, or any successor agency that may assume the responsibilities of the ***Division of Aeronautics***.

Existing Land Use: The actual use of land or the proposed use of the land evidenced by a ***vested right*** in the land as of the effective date of this ALUCP.

FAA: The Federal Aviation Administration.

Handbook: The most recent version of the *California Airport Land Use Planning Handbook* published by the California Department of Transportation, Division of Aeronautics.

Infill: ***Development*** of vacant or underutilized land within established communities or neighborhoods that are already served with streets, water, sewer, and other infrastructure.

Land Use Jurisdiction: The County of San Mateo and the municipalities with land use regulatory jurisdiction within the ***Airport Influence Area.***

Land Use Policy Action: Any city or county general plan, specific plan, or zoning ordinance (including zoning maps and/or text) or any amendment to a city or county general plan, specific plan, or zoning ordinance (zoning maps and/or text). A ***land use policy action*** also refers to any school district, community college district, or special district facilities master plans or amendments to such master plans.

Local Agency: A ***land use jurisdiction***, school district, community college district, or other special district.

Lot of Record: A parcel of land platted and recorded as of the effective date of this ALUCP.

Lot Coverage: The ratio between the ground floor area of a building (or buildings) and the area of the lot or parcel on which the building (or buildings) are placed.

Nonconforming Use: An ***existing land use*** or building that does not comply with this ALUCP**.**

Real Estate Disclosure: A written statement that notifies the prospective purchaser of real estate, prior to completion of the purchase, of the potential annoyances or inconveniences associated with airport operations. Typically, a ***real estate disclosure*** is provided at the real estate sales or leasing offices. ***Real estate disclosure*** is required by state law as a condition of the sale of most residential property if the property is located in the vicinity of an airport and is within its AIA (see Bus. & Prof. Code, §11010; Civ. Code, §§1102.6, 1103.4, 1353). State law does not require the ***real estate disclosure*** to be recorded in the chain of title for the affected property.

Vested Right: A right to the proposed use of land as demonstrated by any of the following:

(a) A vesting tentative map that has been approved pursuant to California Government Code section 66498.1, and has not expired; or

(b) A development agreement that has been executed pursuant to California Government Code section 65866, and remains in effect; or

(c) A valid building permit that has been issued, substantial work that has been performed, and substantial liabilities that have been incurred in good faith reliance on the permit, pursuant to the California Supreme Court decision in *Avco Community Developers, Inc. v. South Coast Regional Com* (1976) 17 Cal.3d 785,791, and its progeny.

3.2 General Policies

The policies of this ALUCP have four goals:

- To protect San Francisco International Airport (SFO) from further encroachment by incompatible land uses;
- To safeguard the general welfare of the inhabitants within the vicinity of the Airport and the public by protecting them from adverse effects of aircraft noise and by avoiding an increase in the number of people exposed to airport/aircraft related hazards;
- To ensure that no structures or land use characteristics adversely affect the navigable airspace in the vicinity of the Airport to provide for the safe passage of aircraft in flight; and
- To provide guidance to land use agencies on compatible land uses in the environs of SFO.

This ALUCP contains general and specific policies that guide its overall implementation. The general policies that follow are to be used, in addition to the specific policies, standards, and criteria in Chapter 4, by the ALUC, the Airport Land Use Commission (C/CAG Board), affected local agencies, and others, to implement the relevant provisions in this ALUCP.

The official policy language of the ALUCP is labeled with policy numbers (e.g., GP-1, which means General Policy number 1) and appears in shaded text boxes. Any non-shaded text provides explanatory information.

GP-1 COMPLIANCE WITH STATE LAW

The C/CAG Board, acting in its capacity as the Airport Land Use Commission for San Mateo County, and the C/CAG Airport Land Use Committee (ALUC) shall comply with the provisions in the Public Utilities Code, Chapter 4, Article 3.5 Section 21670 et seq. (airport land use commission statutes), when administering this ALUCP and the airport land use compatibility planning process in San Mateo County. The C/CAG Board and the C/CAG ALUC also shall implement Business and Professions Code, Section 11010 (b)(13), by establishing within this ALUCP an Airport Influence Area (AIA) within which real estate disclosure of the presence of an airport shall be required.

GP-2 AMENDMENT OF THE ALUCP

The ALUCP shall be amended not more than once per calendar year, as provided in the airport land use commission statutes. The ALUCP shall be updated and amended as needed to maintain a current, updated document. Updates should be undertaken as soon as practicable after any of the following occurrences:

- Adoption of a new airport master plan or an updated airport layout plan
- Update of long-range airport noise exposure forecasts

GP-3 EFFECTIVE DATE

This ALUCP shall become effective immediately upon a formal adoption action by the C/CAG Board, acting in its capacity as the Airport Land Use Commission for San Mateo County.

GP-4 APPLICABILITY OF POLICIES TO EXISTING LAND USES

Existing land uses shall be exempt from the policies and criteria of this ALUCP, except as specifically provided in this Section.

GP-4.1 Modifications to Nonconforming Uses

Modification of existing nonconforming land uses shall be permissible, provided that the modification does not increase the magnitude of the nonconformity. The magnitude of nonconformity shall be measured by:

1. For residential land uses, the number of dwelling units on the lot;
2. For nonresidential land uses, the size of the nonconforming use in terms of lot area and building floor area.

Where bedrooms or sleeping rooms are added to residential uses that are nonconforming with the noise compatibility policies of this ALUCP, those rooms must be sound-insulated to achieve an indoor noise level of CNEL 45 dB from exterior sources. In all cases, building modifications shall be subject to the airspace protection policies of this ALUCP.

GP-4.2 Reconstruction of Nonconforming Use

Nonconforming uses may be rebuilt to a density (for residential uses, dwelling units per acre) or size (for nonresidential uses, building floor area) not exceeding that of the original construction. In all cases, however, reconstructed nonconforming uses shall comply with the noise compatibility and airspace protection policies of this ALUCP.

GP-4.3 Exceptions for Nonconforming Schools and Hospitals

Modifications, enlargement, and reconstruction of schools and hospitals that are nonconforming with the safety compatibility policies of this ALUCP shall be allowed, subject to the following conditions:

1. Building modifications, enlargements, new buildings, and reconstruction are allowed only on the lot or, if multiple lots comprise the building site, the contiguous lots on the site existing on the date of adoption of this ALUCP. If the school or hospital is within any noise compatibility zone, as established in this ALUCP, any added classrooms, patient rooms, and patient treatment and consultation rooms must be sound-insulated to achieve an indoor noise level of CNEL 45 dB from exterior sources.

2. Where a modification results in an increase in building floor area, the number of exits required for the enlarged portion of the building under applicable building and safety codes, shall be increased by 50 percent. Where the 50-percent factor results in a fraction, the number of additional exits shall be rounded to the next highest whole number.

3. For reconstructed schools and hospitals, the number of exits required under applicable building and safety codes shall be increased by 50 percent. Where the 50-percent factor results in a fraction, the number of additional exits shall be rounded to the next highest whole number. If the reconstructed school or hospital is within any noise compatibility zone, as established in this ALUCP, it must be sound-insulated to achieve an indoor noise level of CNEL 45 dB from exterior sources.

4. In all cases, the airspace protection policies of this ALUCP shall apply.

GP-4.4 Discontinuance of Nonconforming Use

If a nonconforming use has been discontinued for 24 months or longer, any subsequent use of the property shall comply with the provisions of this ALUCP. Local government policies that specify shorter periods shall be deemed consistent with this ALUCP policy.

GP-5 GOVERNING ALUCP

Land use policy actions and development actions are subject to this ALUCP unless the circumstances defined below apply.

GP-5.1 Development Actions With Previous Airport Land Use Commission (C/CAG Board) Consistency Determinations

Proposed development actions determined to be consistent or conditionally consistent with the ALUCP in effect at the time of Airport Land Use Commission (C/CAG Board) project review do not require further review under this ALUCP, unless the proposed development is within Area B of the AIA, the project referral area, and one or more of the following changes are proposed:

1. An increase in the proposed residential density

2. The addition of a land use that is incompatible under this ALUCP[2]

3. The height of a structure is to be increased and would create a hazard or obstruction as determined by the FAA

4. The addition of a characteristic that would create a hazard to air navigation[3]

If any of these changes are proposed, the development action must be reviewed for consistency with this ALUCP.

GP-5.2 Development Actions Located Outside the AIA of Previous CLUP

Development actions located outside the AIA of the previous CLUP (but within the project referral area of this ALUCP) that are in the review process or have been approved by the local agency must be reviewed under this ALUCP if any of the changes described in Policy GP-5.1 are proposed and the development action requires additional local agency review and approval.

GP-5.3 Development Actions in the Review Process Before the Effective Date of this ALUCP

Any proposed development action located between the CNEL 70 dB contour of the 1996 CLUP (the 2006 Noise Exposure Map - NEM) and the CNEL 70 dB contour of this updated ALUCP (the 2020 forecast) that has application deemed complete by the local agency per the California Government Code (§65943) prior to adoption of this ALUCP will be evaluated for noise consistency based on the 1996 CLUP (2006 NEM), provided that the proposed development action meets all other requirements of this ALUCP. **Exhibit III-1** depicts the area within which this policy applies.

GP-6 FINDINGS AS TO SIMILAR USES

Cases may arise where a proposed development project involves a land use that is not explicitly provided for by the land use criteria in Chapter 4 of this ALUCP. In such cases, conventional rules of reason shall be applied in determining whether the subject land use is substantially similar to any land use which is specified in the criteria in Chapter 4. In making these determinations, the reviewing officials shall consult the latest edition of the *Airport Land Use Planning Handbook*, prepared under the direction of the California Department of Transportation, and land use classification systems available through the American Planning Association and other authoritative sources.

[2] See Chapter 4, Policies NP-2 and SP-2.

[3] See Chapter 4, Policy AP-4.

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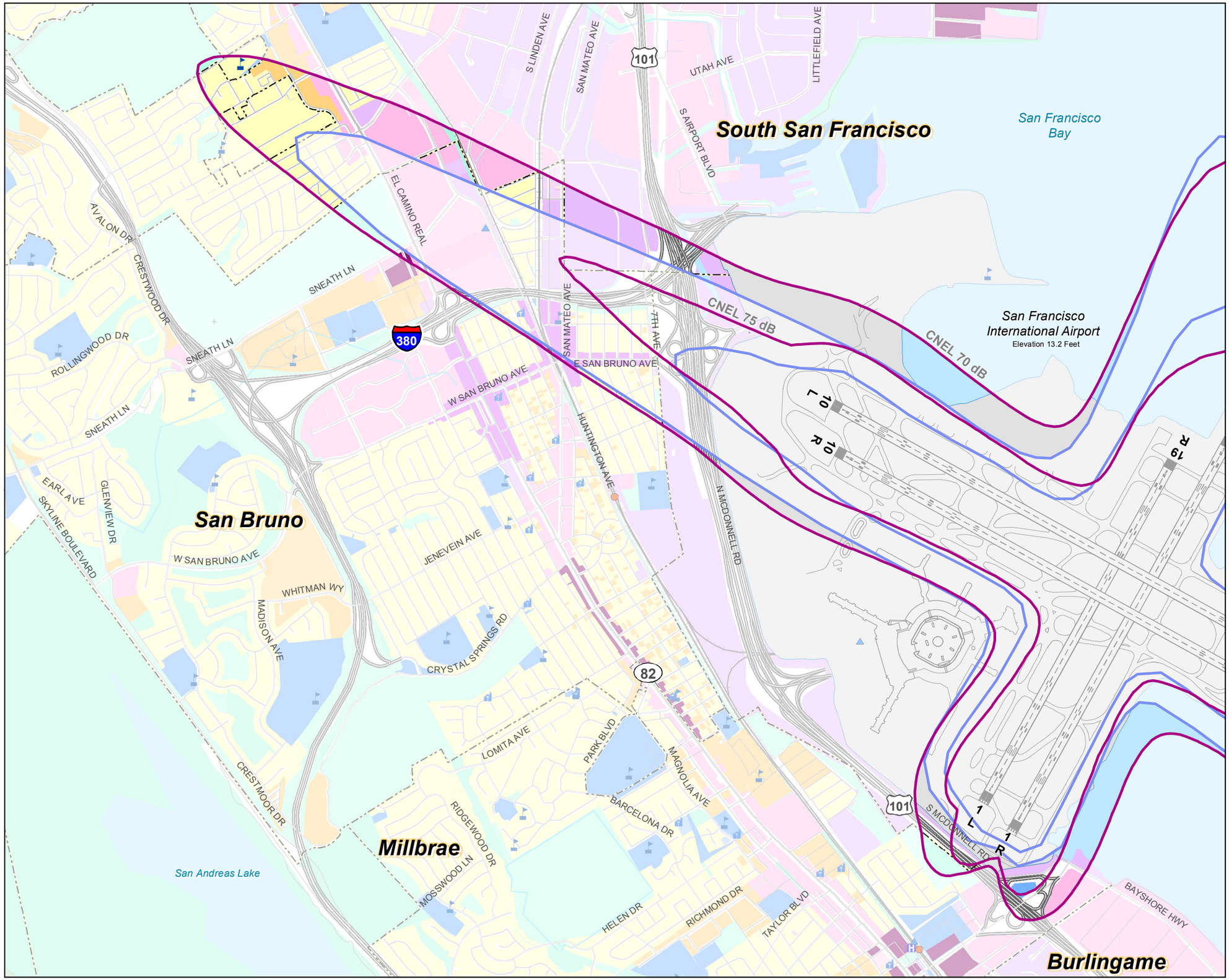

LEGEND

- Updated Noise Compatibility Zone Boundary Forecast 2020
- 1996 CLUP Noise Compatibility Zone Boundary Forecast 2006 NEM
- 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:

2020 Noise Contours:
- Draft Environmental Assessment, Proposed Runway Safety Area Program, San Francisco International Airport. URS Corporation and BridgeNet International, June 2011

2006 Noise Contours:
- San Francisco International Airport, Noise Exposure Map Update, September 17, 2001

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

NORTH

0 0.075 0.15 0.3 Miles

Exhibit III-1

AREA AFFECTED BY UPDATED CNEL 70 dB CONTOUR

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

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GP-7 PROPERTIES DIVIDED BY A COMPATIBILITY ZONE BOUNDARY

For the purpose of evaluating consistency with the compatibility criteria set forth in this ALUCP, any parcel that is split by compatibility zone boundaries shall be considered as if it were multiple parcels divided at the compatibility zone boundary line. Only the portion of the parcel that lies within the compatibility zone boundary shall be subject to the airport/land use compatibility consistency evaluation.

GP-8 LAND USE COMPATIBILITY PLANNING COORDINATION

An important purpose and function of the ALUCP is to coordinate airport land use compatibility planning across jurisdictions. To further that purpose, the following policies shall apply:

GP-8.1 Notification and Review of Proposed Land Use Policies

Any proposed land use policy action that affects property within the project referral area, Area B of the AIA, must be referred to the Airport Land Use Commission (the C/CAG Board) for a determination of consistency with the relevant policies of this ALUCP. Local jurisdictions shall notify the Airport Land Use Commission of every such proposed land use policy action as required by State law. The Airport Land Use Commission shall notify the SFO Airport Director, or the Airport Director's designee, as soon as possible after it receives a request for a consistency review of a proposed land use policy action. The intent is to afford the appropriate Airport staff an opportunity to review and comment on the proposed land use policy action.

GP-8.2 Notification to Airport of Proposed Land Use Policy Actions

C/CAG shall encourage local governments to inform the Airport of proposed land use planning projects within Area B of the AIA in a manner and at a time that enables Airport staff to review and provide timely comments on the proposed land use policy actions.

GP-8.3 Airport Vicinity Development Coordination Committee

C/CAG shall encourage local government planners and Airport planners to participate in a committee convened by C/CAG that would meet periodically to discuss potential development and planning proposals on the Airport and in the local communities. The Committee would have no specific powers or authority but would serve as a forum for communication and coordination at the staff level.

GP-8.4 Advisory Review of Development Proposals

Under state law, local governments may submit development proposals to the Airport Land Use Commission for non-binding advisory review. C/CAG shall encourage local governments to submit the following types of development proposals within Area B of the AIA to the Airport Land Use Commission for advisory review:

- Commercial or mixed use development of more than 100,000 square feet of gross building area;
- Residential or mixed use development that includes more than 50 dwelling units;

- Public or private schools;
- Hospitals or other inpatient medical care facilities;
- Libraries;
- Places of public assembly.

3.3 ALUCP Implementation and Administration

This Section explains the implementation and administration of the ALUCP and the two-step airport land use commission review process in San Mateo County.

GP-9 LOCAL AGENCY ACTIONS REQUIRED AFTER ADOPTION OF ALUCP REVISIONS OR AMENDMENTS

Upon adoption of an amendment to the ALUCP by the Airport Land Use Commission (C/CAG Board), the Airport Land Use Commission shall notify all affected local agencies of the adoption action.

State law (Govt. Code, Section 65302.3) gives affected local agencies 180 calendar days to amend their general plans, specific plans, and zoning ordinances, as necessary, to be consistent with the amended ALUCP. In the case of special districts, school districts, and community college districts, this consistency requirement shall apply to their facilities master plans.

If an affected local agency does not concur with the provisions of the amended ALUCP, it must make specific findings that its general plan, specific plans, and zoning ordinance or, in the case of special districts, school districts and community college districts, its facilities master plans, are consistent with the intent of the airport land use commission statutes, in compliance with the local agency override process established in state law (see Section 3.3.3, below).

3.3.1 AIRPORT LAND USE COMMISSION REVIEW OF LOCAL AGENCY ACTIONS

State law directs local land use agencies and airport operators to submit certain proposed actions to the airport land use commission for determinations of consistency of the proposed action with the ALUCP.

GP-10 PROPOSED LOCAL AGENCY ACTIONS REQUIRING REVIEW BY THE AIRPORT LAND USE COMMISSION (C/CAG BOARD)

The kinds of local agency actions subject to review by airport land use commissions differ depending on whether the local agency has made its general plan, specific plans, and zoning ordinance, or facilities master plan consistent with the ALUCP or has made a decision overriding the ALUCP.

Proposed local agency actions that are subject to review by airport land use commissions include: (1) proposed development actions; (2) land use policy actions.[4]

GP-10.1 Scope of Airport Land Use Commission (C/CAG Board) Review *Before* Local Agency Makes Local Plans Consistent with ALUCP or Overrides ALUCP

Before an affected agency makes its general plan, specific plans, and zoning ordinance, or facilities master plan either consistent with the ALUCP or overrides the ALUCP as provided by law, the local agency shall refer all ***proposed development and land use policy actions*** that affect property within the project referral area, Area B of the AIA, to the Airport Land Use Commission (the C/CAG Board) for a determination of consistency with the ALUCP prior to issuing a permit for the proposed development (Pub. Util. Code, Section 21676.5(a)).

GP-10.2 Scope of Airport Land Use Commission (C/CAG Board) Review *After* Local Agency Makes Local Plans Consistent with ALUCP or Overrides ALUCP

After local agencies have either made their local plans and zoning ordinances or facilities master plans consistent with the ALUCP or overridden the ALUCP as provided by law, Public Utilities Code, Section 21676 (b) requires local agencies to submit only proposed ***land use policy actions*** to the airport land use commission for a determination of the consistency of the proposed action with the ALUCP prior to local agency approval of such action. This requirement shall apply to any proposed land use policy action that affects property within the project referral area, Area B of the AIA.

GP-10.3 Review of Airport and Heliport Plans

Airport Land Use Commission (C/CAG Board) review of two categories of airport plans is required by state law – (1) airport and heliport master plans and (2) plans for construction of new airports and heliports.

- ***Airport Master Plans.*** Public Utilities Code, Section 21676(c) mandates that "each public agency owning an airport within the boundaries of an airport land use commission plan shall, prior to modification of its master plan, refer such proposed change to the airport land use commission." The Airport Land Use Commission (C/CAG Board) must then determine if the proposed master plan is consistent with the adopted ALUCP.[5] This requirement also applies to airport layout plans that would effectively modify any provisions of a previously adopted airport master plan.
- ***Construction Plans for a New Airport.*** State law also requires that no application for the consideration of plans for a new airport may be submitted to any local, regional, state, or federal agency unless the plans have been: (1) approved by the board of supervisors or the city council of the jurisdiction in which the airport is to be located and (2) submitted to and acted upon by the airport land use commission in the county in which the airport is to be located.

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[4] Terms are defined in Section 3.1.

[5] As a practical matter, this provision ensures that airport land use commissions are kept informed of changes in airport plans so that appropriate revisions and updates to the ALUCP may be made. Section 21675(a) of the Public Utilities Code requires that ALUCPs "shall be based on a long-range master plan or an airport layout plan…"

GP-11 EXEMPTION OF SPECIAL DISTRICTS FROM AIRPORT LAND USE COMMISSION (C/CAG BOARD) REVIEW PROCESS

C/CAG may exempt special districts from the requirement to submit proposed development and land use policy actions for consistency determinations if the scope of project responsibilities of the special district does not involve any potential inconsistencies with the ALUCP. The process of granting an exemption to a special district may be initiated either by C/CAG or the special district.

GP-11.1 Application for Exemption

An application for exemption of a special district from the ALUCP consistency review process must include the following information:

1. Name of the special district, and address of the headquarters office.
2. Name and contact information for the executive director of the special district.
3. Name and contact information for the person preparing the application.
4. A map depicting the boundaries of the special district in relation to AIA Area B.
5. A description of the responsibilities and duties of the special district, including a description of all facilities built, operated, maintained, or planned by the special district and a map showing the location of existing and planned facilities with respect to AIA Area B.
6. An explanation of why the facilities built, operated, maintained, or planned by the special district and located within AIA Area B do not and would not conflict with any land use compatibility policies of the ALUCP. The explanation must address all noise compatibility, safety compatibility, and airspace protection policies of the ALUCP.

GP-11.2 ALUC Review of Exemption Application

After receipt of a complete application for exemption, the C/CAG staff shall distribute copies of the application to all members of the ALUC and place the consideration of the application on the agenda of the ALUC.

The ALUC shall review and discuss the application, granting a representative of the special district and members of the public an opportunity to offer comments and testimony. The ALUC shall make a recommendation to the Airport Land Use Commission (C/CAG Board) for approval or disapproval of the application for exemption.

GP-11.3 Airport Land Use Commission (C/CAG Board) Action on Exemption Application

The C/CAG staff shall forward the application and the ALUC's recommendation to the Airport Land Use Commission (C/CAG Board) and schedule consideration of the application for the next available Board meeting. The Airport Land Use Commission shall review and discuss the application and the ALUC recommendation, granting a representative of the special district and members of the public an opportunity to offer comments and testimony. The Airport Land Use Commission shall make a decision

on the application for exemption. Approval of the application shall be in the form of a resolution.

A resolution of approval shall include findings documenting that the responsibilities and duties of the special district and all facilities operated, maintained, or planned by the special district pose would involve no potential conflicts with any land use compatibility policies of the ALUCP.

GP-11.4 Documentation of Airport Land Use Commission (C/CAG Board) Approval of Exemption

All Airport Land Use Commission (C/CAG Board) resolutions approving the exemption of special districts from the ALUCP consistency review process shall be kept as part of the ALUCP document distributed and posted electronically or in hard copy.

GP-12 AIRPORT LAND USE COMMISSION (C/CAG BOARD) CONSISTENCY DETERMINATION PROCESS

In its review of proposed development, land use policy actions, and airport and heliport plans, described in Policy GP-10, for a determination of consistency or inconsistency with the ALUCP, the Airport Land Use Commission (C/CAG Board) shall follow the process described herein.

GP-12.1 Two-Step Process

The airport/land use compatibility review process includes two steps. A diagram of the process is shown on **Exhibit III-2**. The review process is initiated by a local agency, as specified in the airport land use commission statutes. The first step is review by the ALUC; the second step is review and final action by the Airport Land Use Commission (C/CAG Board). The process is described below.

Step 1: Review by the Airport Land Use Committee (ALUC)

a. The affected agency refers the proposed development or land use policy action, including all relevant documentation, to C/CAG ALUC staff. ALUC staff reviews the submitted materials, coordinates the review with the affected local agency staff, and schedules the item for the next available ALUC meeting. ALUC staff also prepares a report for ALUC and public review. The staff report describes the proposed action and includes an analysis of the relevant airport land use compatibility issues related to the proposed action and a recommended ALUC action.

b. The ALUC reviews the proposed development or land use policy action, considers relevant public input, and takes action by adopting a motion to advise the Airport Land Use Commission (the C/CAG Board) whether the proposed action is consistent or inconsistent with the ALUCP. The ALUC review includes a presentation of the staff report by ALUC staff and opportunities for comments from representatives of the affected local agency, other agencies, and the public.

c. The ALUC recommendation is transmitted to the Airport Land Use Commission (the C/CAG Board) via a report prepared by ALUC staff.

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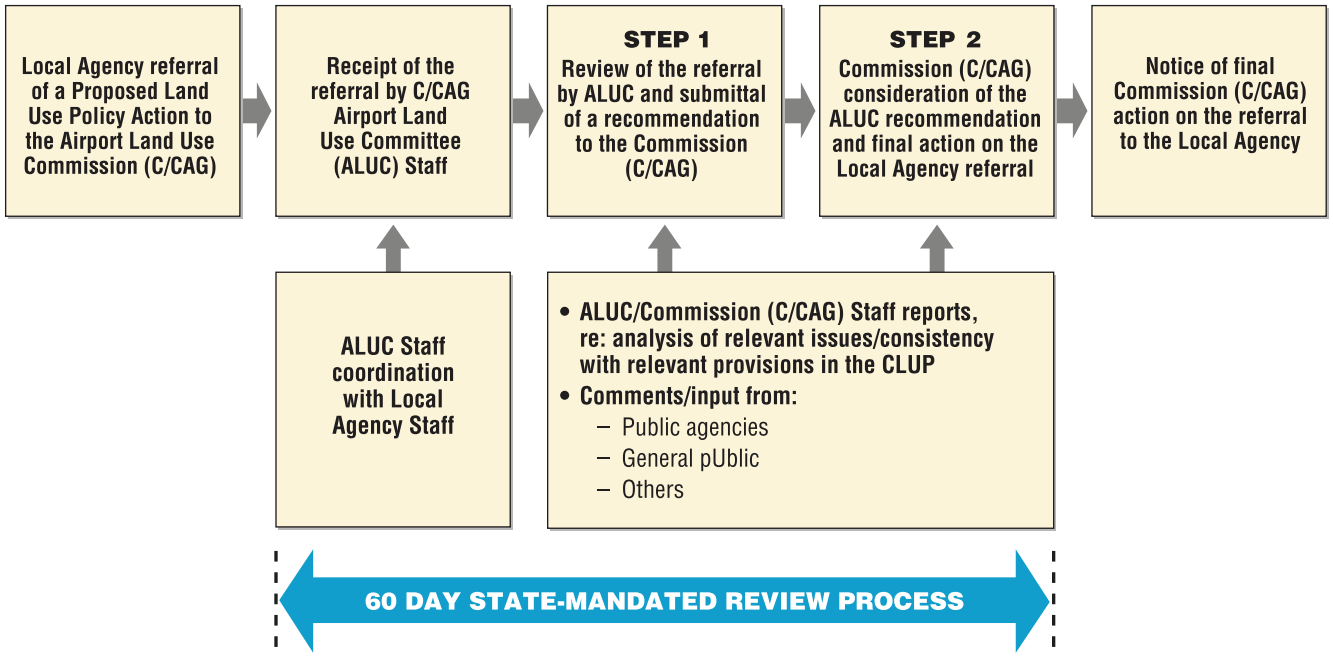

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Exhibit III-2
SAN MATEO COUNTY AIRPORT LAND USE COMMISSION (C/CAG)
TWO-STEP REVIEW PROCESS
Comprehensive Airport Land Use Plan
for the Environs of San Francisco International Airport

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

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Step 2: Review/Final Action by the Airport Land Use Commission (C/CAG Board)

a. The proposed development or land use policy action is scheduled for consideration at the next available Airport Land Use Commission (C/CAG Board meeting). ALUC staff prepares a report for review by the Airport Land Use Commission that describes the proposed action and includes a copy of the ALUC staff report and the ALUC recommendation.

b. The Airport Land Use Commission (C/CAG Board) reviews the ALUC recommendation and adopts a motion declaring whether the proposed development or land use policy action is consistent or inconsistent with the relevant provisions in the ALUCP. The Airport Land Use Commission's review includes opportunities for comments from the affected local agency, other agencies, and the public.

c. The Airport Land Use Commission (C/CAG Board) formally notifies the affected local agency, in writing, of its final action on the proposal.

GP-12.2 Response Time Requirement

The Airport Land Use Commission (C/CAG Board) must respond to a local agency's request for a consistency determination on a proposed development or land use policy action within 60 days of the receipt of the referral by ALUC staff. However, this review period does not begin until all necessary documentation has been received by ALUC staff. The determination of the completeness of the information is made by ALUC staff.

In San Mateo County, the 60-day review period <u>includes</u> a review by the ALUC. Coordination of the two-step review process by ALUC staff is critical to completing the review within the mandated 60-day review period. If the Airport Land Use Commission (C/CAG Board) does not act on the referral within the 60-day limit, the proposed development or land use policy action is deemed consistent with the ALUCP by law.

GP-12.3 Review Fees

There is currently no State funding provided to support the cost of operating the Airport Land Use Commission. Therefore, the Airport Land Use Commission (C/CAG Board) intends to work cooperatively with the Airport operator and the cities/county to provide equitable funding for the Airport Land Use Commission.

3.3.2 CONSISTENCY DETERMINATIONS

The key element of the Airport Land Use Commission's (C/CAG Board's) review of proposed development and land use policy actions is the determination of "consistency" with the relevant provisions in the ALUCP. According to the 2011 *Airport Land Use Planning Handbook*, "'consistency' does not require being identical. It means only that the

concepts, standards, physical characteristics, and resulting consequences of a proposed action must not conflict with the intent of the law or the ALUCP to which the comparison is being made."[6]

Consistency with the ALUCP involves more than elimination of direct conflicts. Local agencies must establish procedures that implement and ensure compliance with compatibility policies. To accomplish this, local plans and policies must:

- Describe the compatibility criteria to be applied to individual development actions;
- Describe how the local agency will ensure that applicable compatibility criteria are incorporated into site-specific development projects; and
- Describe the procedures for review and approval of development actions affecting lands within Area B of the Airport Influence Area, whether approval requires discretionary (legislative) review or simply ministerial review.[7]

The following is a summary of the key factors that must be considered in the three broad categories of consistency reviews.

GP-13 DETERMINATION OF CONSISTENCY OF PROPOSED LAND USE POLICY ACTIONS WITH THE ALUCP

GP-13.1 General Plan, Specific Plan, and Zoning Ordinance/Rezoning Review

General plan, specific plan, and zoning ordinance/rezoning reviews are based on the ability of the proposed land use policy action to prevent future development of land uses or land use characteristics that would conflict with the airport/land use compatibility policies, standards, and criteria of this ALUCP. These consistency evaluations must consider the following factors, based on their relationship to the relevant policies and criteria of the ALUCP:

- Residential densities;
- Types of non-residential land uses;
- Open space uses;
- Height limits/architectural features/materials;
- Sound insulation requirements;
- Exposure to aircraft noise/overflight;
- Potential impact on airspace protection.

[6] State of California, Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, October 2011, p. 5-3.

[7] State of California, Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, October 2011, p. 5-3.

GP-13.2 School District, Community College District, and Special District Master Plan Review

Facilities master plan reviews must consider whether the master plans propose any land uses that would be incompatible or conditionally compatible in any noise or safety zone. The consistency review must also consider the potential for planned projects to encroach into protected airspace or introduce any potential hazards to aircraft in flight.

GP-13.3 Consistency Reviews of Proposed Airport Master Plans and Expansion Plans

Under state law (Pub. Util. Code, Section 21676(c)), any public agency owning an airport must, prior to the adoption or modification of its airport master plan, refer the proposed action to the Airport Land Use Commission (C/CAG Board). According to the *Handbook*, "the question to be examined [by airport land use commissions] is whether any components of the airport plan would result in greater noise and safety impacts on surrounding land uses than are assumed in the adopted compatibility plan."[8] Components of the airport plans that merit consideration in the consistency review include:

- Aviation activity forecasts;
- Changes to runway layout;
- Changes to flight tracks resulting from the proposed action;
- Changes to airspace parameters;
- Plans for non-aviation development on airport property (such as hotels, office buildings, or industrial buildings), which should be evaluated the same as projects proposed elsewhere in the project referral area.

The Airport Land Use Commission (the C/CAG Board) should update the ALUCP to account for the new airport plans.[9] (Under state law, Airport Land Use Commissions have no jurisdiction over the operation of airports [Pub. Util. Code, Section 21674(e)].)

3.3.3 LOCAL AGENCY OVERRIDE OF AN AIRPORT LAND USE COMMISSION DETERMINATION

Section 21675.1(d) of the Public Utilities Code provides that local agencies may override airport land use commission disapprovals of proposed land use policy actions or development proposals. The local agency override process involves three mandatory steps (Pub. Util. Code, Sections 21676(b) and 21676(c)):

1. Holding a public hearing by the local agency on the proposed override action;
2. Making of specific findings by the governing body of the local agency that the proposed local action is consistent with the purposes of the airport land use commission statutes;

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[8] State of California, Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, October 2011, p. 6-15.

[9] State of California, Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, October 2011, p. 6-16.

3. Approval of the override action by a two-thirds vote of the local agency's governing body; the override action must include adoption of the specific findings identified in Step 2, above.

3.3.3.1 Findings

Adoption of findings is the key element of the local agency override of an airport land use commission action. The purpose of adopting findings is to assure that the proposed local agency action complies with state law. Findings are legally relevant conclusions that explain the decision-making body's method of analyzing the relevant facts, regulations, and policies and the agency's rationale for taking the override action. The findings must show that the proposed local agency action is consistent with the purposes stated in Public Utilities Code, Section 21670, et seq.

3.3.3.2 Implications of a Local Agency Override Action

There are two key outcomes of a local agency override of an Airport Land Use Commission (C/CAG Board) decision disapproving a proposed land use action as inconsistent with the ALUCP:

- The proposed land use action may proceed, subject to local agency review and permitting processes, as if it had been found consistent with this ALUCP by the Airport Land Use Commission (C/CAG Board).
- If a city or county overrides a decision of the Airport Land Use Commission (C/CAG Board)relating to a publicly owned airport that is not operated by that city or county, the agency operating the airport "shall be immune from liability for damages to property or personal injury caused by or resulting directly or indirectly from the public agency's decision to override the commission's action or recommendation" (see Pub. Util. Code, Section 21678).

A diagram illustrating the local agency override process is provided in **Exhibit III-3**.

Where the local agency override action involves a safety or noise compatibility policy of the ALUCP, the process ends at this point and the override decision of the local agency is final. Attempts to override the airspace protection policies of the ALUCP are more complex because of the roles of the FAA and the State Department of Transportation in protecting the navigable airspace.

3.3.3.3 Override of Airspace Protection Policies

In contrast to safety and noise compatibility policies, the federal government, acting through the FAA, and the State of California, acting through the Department of Transportation (Caltrans), Division of Aeronautics, are directly involved in protecting airspace. Although a local government may override the airspace protection provisions of the ALUCP as described in the previous section, the sponsor of the proposed project is still subject to the requirements of federal and state law. Those requirements effectively prohibit the construction of any structure determined by the FAA to be a hazard to air navigation.

OVERRIDE PROCESS[1]

- Local agency must hold a public hearing to consider overriding the Commission's (C/CAG) action.
- Local agency must make specific findings that its proposed action is consistent with the purposes of the Airport Land Use Commission statutes, as amended
- Local agency must approve overriding the Commission's (C/CAG) action by at least a 2/3 vote; the override action must include adoption of the specific findings.

IMPLICATIONS OF OVERRIDE ACTION

- Proposed action is determined by the local agency, not the Commission (C/CAG), to be consistent with the Airport Land Use Commission statutes, as amended.
- The relevant airport "shall be immune from liability for damages resulting directly or indirectly from the public agency's decision to override the Commission's action or recommendation."[2]

Notes:

1. A timeframe for completion of the local agency overrride process is not specified in the Airport Land Use Commission statutes, as amended.
2. Public Utilities Code, Section 21678. The Airport Land Use Commission statutes, as amended, do not specify who will be liable for damages as a result of an override action.

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Exhibit III-3

LOCAL AGENCY OVERRIDE OF A SAN MATEO COUNTY AIRPORT LAND USE COMMISSION (C/CAG) ACTION

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

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As discussed in detail in Appendix F, federal law requires sponsors of proposed projects exceeding specified heights to file a Notice of Construction or Alteration (Form 7460-1) with the FAA before beginning construction. The FAA then undertakes an aeronautical study of the proposed construction. The FAA study ultimately concludes with a Determination of No Hazard (DNH) or a Determination of Hazard (DOH). The FAA issues a DOH when it finds that the proposed construction would be an obstruction to air navigation and would have a substantial aeronautical impact.[10] According to Joint Order (JO) 7400.2H, *Procedures for Handling Airspace Matters*, a substantial aeronautical impact is indicated if the proposed construction would:[11]

a. Require a change to an existing or planned IFR minimum flight altitude, a published or special instrument procedure, or an IFR departure procedure for a public-use airport.

b. Require a VFR operation, to change its regular flight course or altitude…

c. Restrict the clear view of runways, helipads, taxiways, or traffic patterns from the airport traffic control tower cab.

d. Derogate airport capacity/efficiency.

e. Affect future VFR and/or IFR operations as indicated by plans on file.

f. Affect the usable length of an existing or planned runway.

The airspace protection policies of the ALUCP prohibit the erection of structures that would penetrate the airspace surfaces defined by the U.S. Standard for Terminal Procedures (TERPS) and the One-Engine-Inoperative procedures of airlines operating at SFO. These surfaces are designed to provide safe obstacle clearance by aircraft using these procedures. In its review of proposals to build structures penetrating these surfaces, the FAA is likely to issue a DOH. This is because structures penetrating these surfaces would trigger either or both of two criteria in JO 7400.2H (in bold text above).

While the FAA has no authority to prohibit the erection of a structure that it determines to be a hazard to air navigation, Caltrans is specifically empowered by state law to do so. Specifically, the law prohibits the construction of any object that would be an obstruction and a hazard to air navigation without a permit issued by Caltrans.[12] Caltrans has never issued a permit for the construction of an object deemed by the FAA to be a hazard.[13]

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[10] 14 CFR Part 77, §77.31(c).

[11] JO 7400.2H, *Procedures for Handling Airspace Matters*, Section 6-3-3. Emphasis added.

[12] California Public Utilities Code §21659 (a).

[13] Terry Barrie, Chief, Office of Aviation Planning, California Division of Aeronautics. Interviewed by Mark R. Johnson, Ricondo & Associates, Inc., May 2009.

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IV AIRPORT/LAND USE COMPATIBILITY POLICIES

4.1 Introduction

This chapter presents policies and maps relating to the state-mandated airport compatibility factors – noise, safety, and airspace protection. This chapter also presents maps establishing a two-tier AIA within which the state real estate disclosure law related to aircraft overflights and potential airport and aircraft real property impacts shall apply.

The official policy language of the ALUCP is labeled with policy numbers and appears in shaded text boxes. Any non-shaded text provides explanatory information.

One overall land use policy (LP) shall apply to the ALUCP.

LP-1 RELATIONSHIP OF COMPATIBILITY CRITERIA TO PROPOSED DEVELOPMENT AND LAND USE POLICY ACTIONS

The airport/land use compatibility of a proposed development or land use policy action shall be determined by comparing the proposed development or land use policy action with the safety compatibility criteria, the noise compatibility criteria, and the airspace protection/height limitation criteria of this ALUCP. The three sets of criteria are to be used in combination, with the most restrictive requirement controlling on any given property.

A proposed local agency land use policy or development action must be compatible with each of these elements for the Airport Land Use Commission (the C/CAG Board) to determine that the proposed action is consistent with the ALUCP. If a proposed action is incompatible with any of these criteria, the Airport Land Use Commission (the C/CAG Board) shall determine that the proposed action is inconsistent with the ALUCP.

4.2 Airport Influence Area (AIA)

The AIA for SFO includes two parts: Area A and Area B. Area A is the larger of the two areas and encompasses all of San Mateo County. Area B lies within Area A and includes land exposed to aircraft noise above CNEL 65 dB or lying below critical airspace.

Area A, depicted on **Exhibit IV-1**, includes the entire county, all of which is overflown by aircraft flying to and from SFO at least once per week at altitudes of 10,000 feet or less above mean sea level (MSL). (Appendix L explains the rationale for defining the AIA Area A boundary.)

Area B of the AIA, depicted on **Exhibit IV-2**, is based on a combination of the outer boundaries of the noise compatibility and safety zones, the 14 CFR Part 77 conical surface, and the TERPS approach and One-Engine Inoperative (OEI) departure surfaces.[1] As depicted on Exhibit IV-2, the Area B boundary has been adjusted to follow streets, highways, and corporate boundaries to make it easier to identify and implement. See **Exhibit IV-3** for a close-up view of the northwestern half of Area B and **Exhibit IV-4** for a close-up view of the southeastern half.

The following AIA policies (IP) shall apply to the ALUCP.

IP-1 AIRPORT INFLUENCE AREA A – REAL ESTATE DISCLOSURE AREA

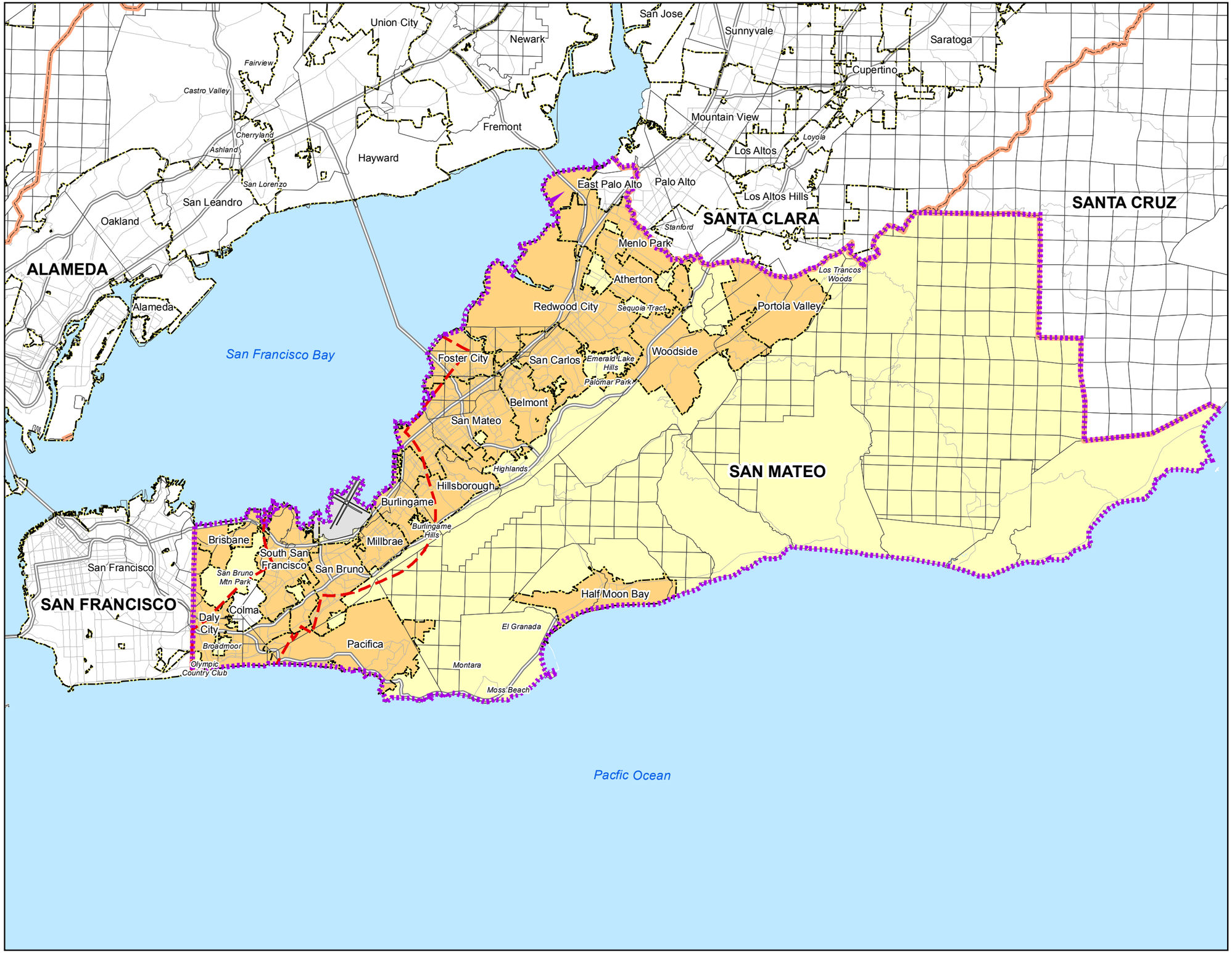
Within Area A, the real estate disclosure requirements of state law apply. Section 11010 of the Business and Professions Code requires people offering subdivided property for sale or lease to disclose the presence of all existing and planned airports within two miles of the property.[2] The law requires that, if the property is within an "airport influence area" designated by the airport land use commission, 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.

[1] On the northwest side, the Area B boundary corresponds to the 800-foot elevation line of the TERPS approach surface and the OEI departure surface. On the southeast side, the Area B boundary corresponds with the transitional surfaces rising from the flat, central portion of the TERPS surface having an elevation of 210 feet MSL. See Exhibits IV-17 and IV-18 for a detailed depiction of the airspace surfaces.

[2] California Business and Professions Code, Section 11010(b)(13).



LEGEND

- Boundary for Airport Influence Area B
- Airport Influence Area A Boundary
- County Boundary
- City Boundary
- Range/ Township/ Section and Rancho Lines
- Freeways
- Roads
- Municipal Members of SFO/Community Roundtable
- Unincorporated San Mateo County

NORTH

0 1 2 4 Miles

Exhibit IV-1

AIRPORT INFLUENCE AREA A - REAL ESTATE DISCLOSURE 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

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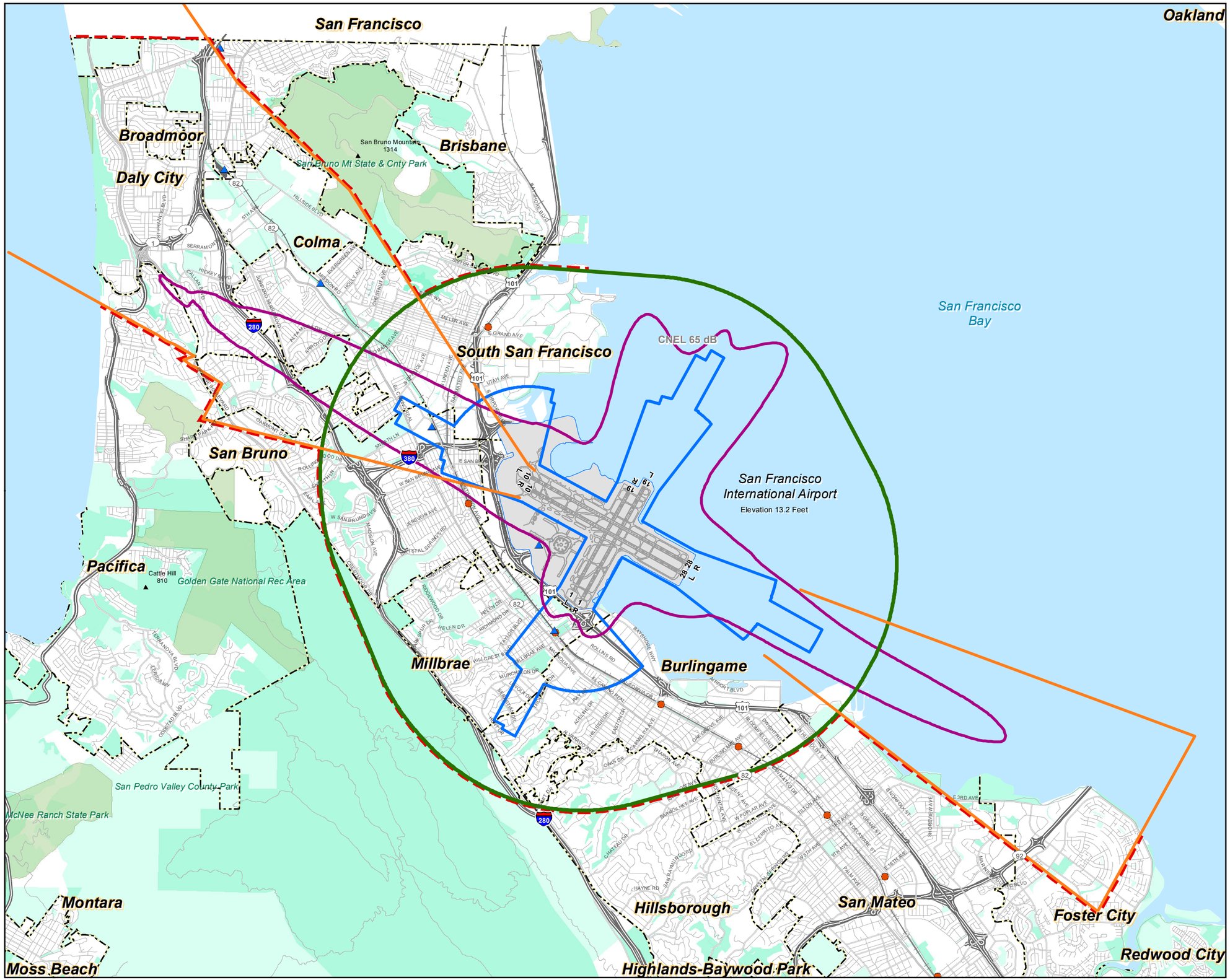

LEGEND

- 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

NORTH

0 0.325 0.65 1.3 Miles

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

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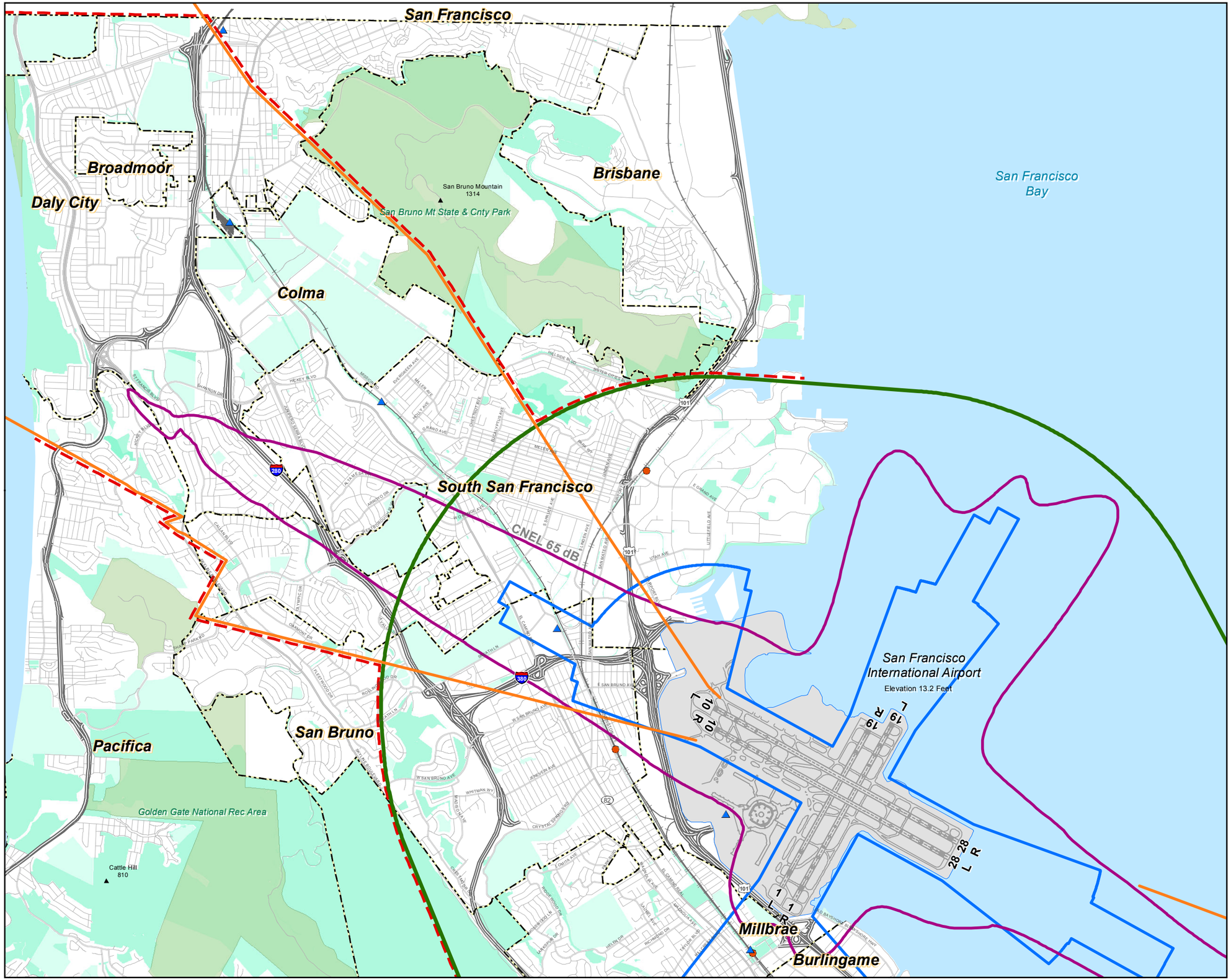

LEGEND

- 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

NORTH

0 0.2 0.4 0.8 Miles

Exhibit IV-3

AIRPORT INFLUENCE AREA B -- 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

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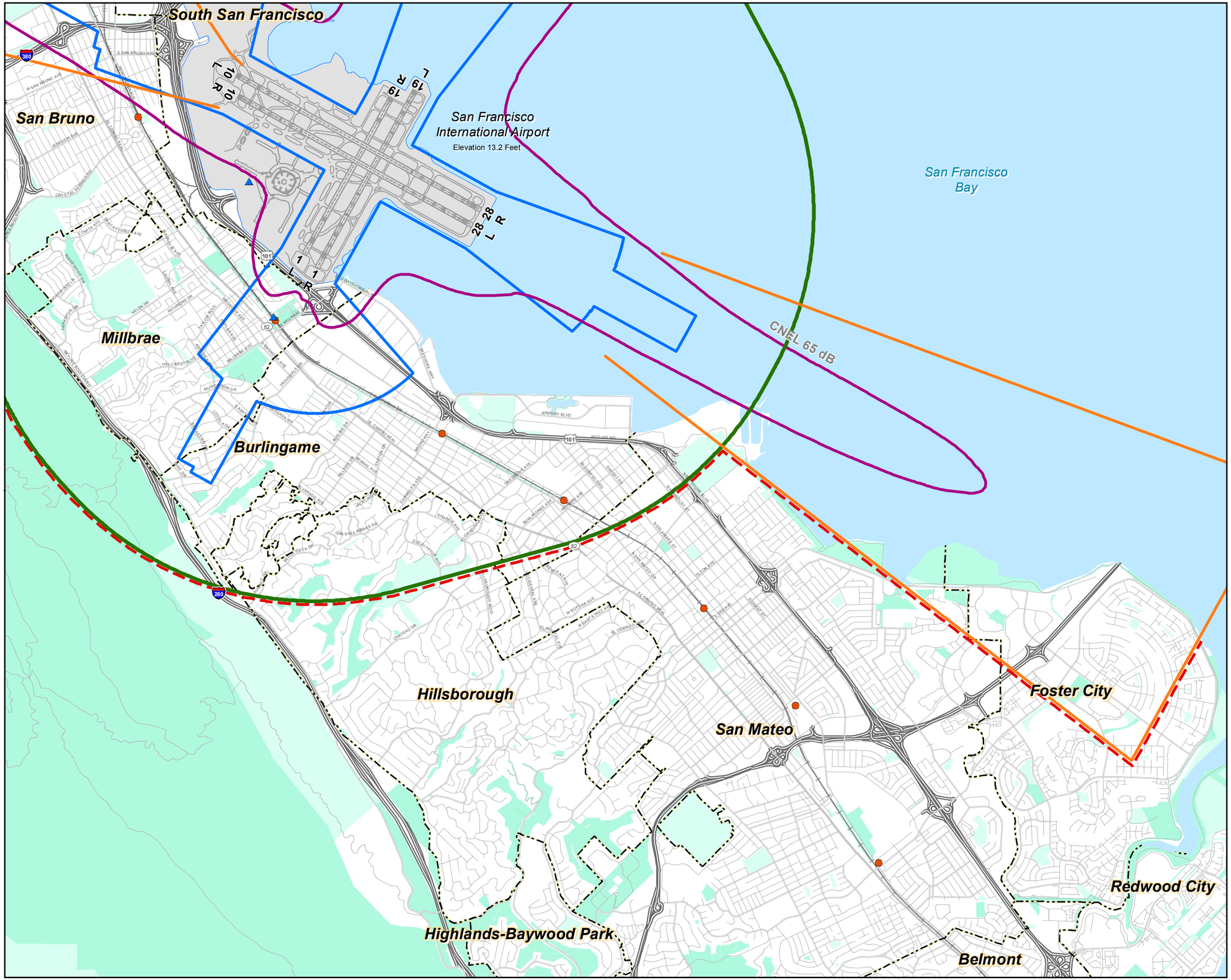

LEGEND

- 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

NORTH

0 0.2 0.4 0.8 Miles

Exhibit IV-4

AIRPORT INFLUENCE AREA B -- SOUTHEAST 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

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IP-2 AIRPORT INFLUENCE AREA B – POLICY/PROJECT REFERRAL AREA

Within Area B, the Airport Land Use Commission (the C/CAG Board) shall exercise its statutory duties to 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. For the purposes of this policy, parcels along the edge of the Area B Boundary that are split by the boundary shall be considered as fully being within Area B.

Portions of unincorporated San Mateo County and the following municipalities are located within Area B:

- Daly City – small part of the city in the Serramonte area
- Colma –the entire town
- Pacifica – north and northeast of the city
- South San Francisco – all but north and west sides of the city
- San Bruno – all but northwest corner of the city
- Millbrae – the entire city
- Burlingame – the entire city
- Hillsborough – the northern part of the town, north of Chateau Drive
- San Mateo – a few blocks in the City of San Mateo
- Foster City – the northern part of the City
- Unincorporated San Mateo County: California Golf Club, Country Club Park, Burlingame Hills, and San Francisco International Airport

The following special districts are located within Area B of the AIA:

- North San Mateo County Sanitation District
- Peninsula Health Care District
- San Mateo County Flood Control District
- San Mateo County Harbor District
- San Mateo County Mosquito & Vector Control District
- Westborough County Water District

The following school districts and community college district are located within Area B:

- Bayshore Elementary School District
- Brisbane Elementary School District
- Burlingame Elementary School District
- Hillsborough City Elementary School District
- Jefferson Elementary School District
- Jefferson Union High School District
- Millbrae Elementary School District
- Pacifica School District
- San Bruno Park Elementary School District
- San Mateo County Community College District
- San Mateo Foster City Elementary School District
- San Mateo Union High School District
- South San Francisco Elementary School District

4.3 Noise Compatibility Policies

The airport noise compatibility policies described in this section have a two-fold purpose:

1. To protect the public health, safety, and welfare by minimizing the exposure of residents and occupants of future noise-sensitive development to excessive noise.

2. To protect the public interest in providing for the orderly development of SFO by ensuring that new development in the Airport environs complies with all requirements necessary to ensure compatibility with aircraft noise in the area. The intent is to avoid the introduction of new incompatible land uses into the Airport's "noise impact area" so that the Airport will continue to be in compliance with the State Noise Standards for airports (California Code of Regulations, Title 21, Sections 5012 and 5014).[3]

The following noise compatibility policies (NP) shall apply to the ALUCP.

NP-1 NOISE COMPATIBILITY ZONES

For the purposes of this ALUCP, the projected 2020 CNEL noise contour map from the Draft

[3] In 2002, the San Mateo County Board of Supervisors declared that the Airport had eliminated its "noise impact area," as defined under state law -- California Code of Regulations, Title 21, Sections 5012 and 5014.

Environmental Assessment for the Proposed Runway Safety Area Program shall define the boundaries within which noise compatibility policies described in this Section shall apply.[4] **Exhibit IV-5** depicts the noise compatibility zones. More detail is provided on **Exhibit IV-6**. The zones are defined by the CNEL 65, 70 and 75 dB contours.

[4] URS Corporation and BridgeNet International. *Draft Environmental Assessment, Proposed Runway Safety Area Program, San Francisco International Airport*, June 2011.

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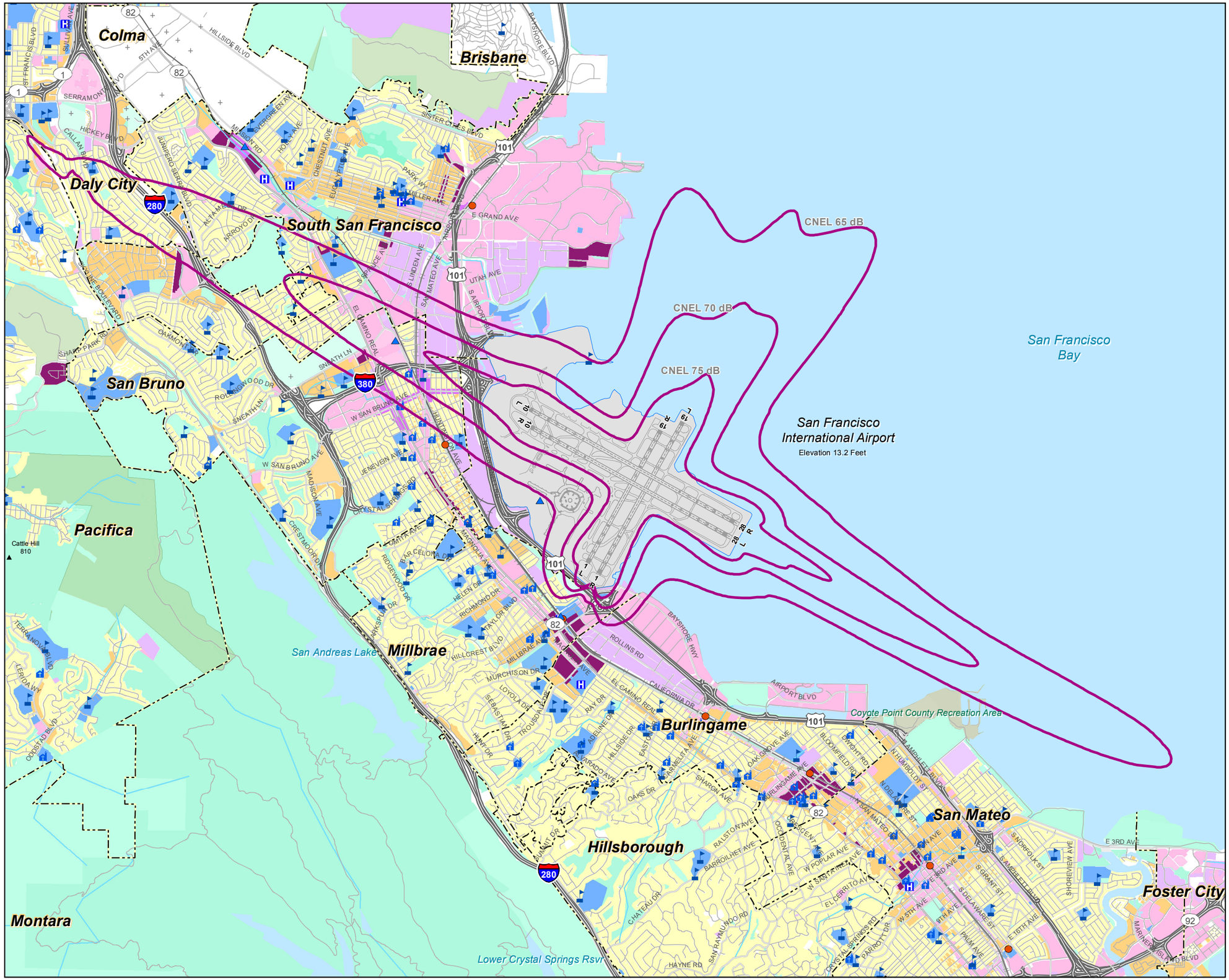

LEGEND

- 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

NORTH

0 0.275 0.55 1.1 Miles

Exhibit IV-5
NOISE COMPATIBILITY ZONES
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

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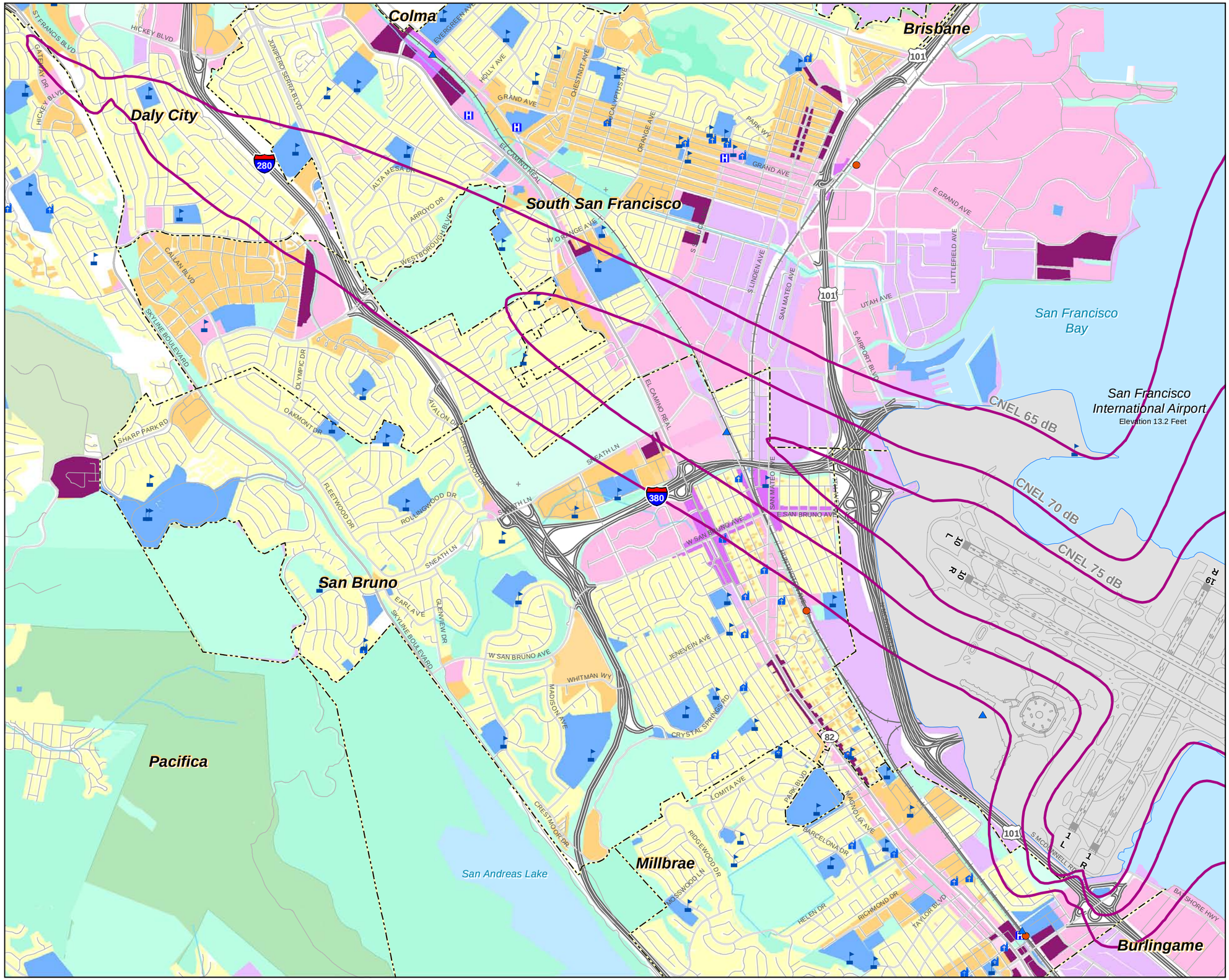

LEGEND

- 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

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- Burlingame Bayfront Specific Area Plan, August 2006
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- 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

NORTH

0 0.1 0.2 0.4 Miles

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

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The CNEL noise contours presented in Exhibit IV-6 designate the area where noise exposure is great enough to warrant land use controls to promote noise compatibility. It is acknowledged that aircraft noise at levels below CNEL 65 dB can be disturbing to some people.

Although the contours were established using the best available information at the time, noise contours are subject to changes that can be difficult to predict over long periods of time. The primary causes of change in the noise contours at SFO are most likely to be changes in the numbers of operations (arrivals and departures) and in the mix of aircraft using the airport. The patterns of runway use and flight tracks are unlikely to change substantially due to the nature of local weather patterns, topography, and the presence of other airports and air traffic in the metropolitan area.

NP-2 AIRPORT NOISE/LAND USE COMPATIBILITY CRITERIA

The compatibility of proposed land uses located in the Airport noise compatibility zones shall be determined according to the noise/land use compatibility criteria shown in **Table IV-1**. The criteria indicate the maximum acceptable airport noise levels, described in terms of Community Noise Equivalent Level (CNEL), for the indicated land uses. The compatibility criteria indicate whether a proposed land use is "compatible," "conditionally compatible," or "not compatible" within each zone, designated by the identified CNEL ranges.

- "Compatible" means that the proposed land use is compatible with the CNEL level indicated in the table and may be permitted without any special requirements related to the attenuation of aircraft noise.
- "Conditionally compatible" means that the proposed land use is compatible if the conditions described in Table IV-1 are met.
- "Not compatible" means that the proposed land use is incompatible with aircraft noise at the indicated CNEL level.

Table IV-1 Noise/Land Use Compatibility Criteria

	COMMUNITY NOISE EQUIVALENT LEVEL (CNEL)			
LAND USE	**BELOW 65 dB**	**65-70 dB**	**70-75 dB**	**75 dB AND OVER**
Residential				
Residential, single family detached	Y	C	N *(a)*	N
Residential, multi-family and single family attached	Y	C	N *(a)*	N
Transient lodgings	Y	C	C	N
Public/Institutional				
Public and Private Schools	Y	C	N	N
Hospitals and nursing homes	Y	C	N	N
Places of public assembly, including places of worship	Y	C	N	N
Auditoriums, and concert halls	Y	C	C	N
Libraries	Y	C	C	N
Outdoor music shells, amphitheaters	Y	N	N	N
Recreational				
Outdoor sports arenas and spectator sports	Y	Y	Y	N
Nature exhibits and zoos	Y	Y	N	N
Amusements, parks, resorts and camps	Y	Y	Y	N
Golf courses, riding stables, and water recreation	Y	Y	Y	Y
Commercial				
Offices, business and professional, general retail	Y	Y	Y	Y
Wholesale; retail building materials, hardware, farm equipment	Y	Y	Y	Y
Industrial and Production				
Manufacturing	Y	Y	Y	Y
Utilities	Y	Y	Y	Y
Agriculture and forestry	Y	Y *(b)*	Y *(c)*	Y *(c)*
Mining and fishing, resource production and extraction	Y	Y	Y	Y

Notes:

CNEL = Community Noise Equivalent Level, in A-weighted decibels.

Y (Yes) = Land use and related structures compatible without restrictions.

C (conditionally compatible) = Land use and related structures are permitted, provided that sound insulation is provided to reduce interior noise levels from exterior sources to CNEL 45 dB or lower and that an avigation easement is granted to the City and County of San Francisco as operator of SFO. See Policy NP-3.

N (No) = Land use and related structures are not compatible..

(a) Use is conditionally compatible only on an existing lot of record zoned only for residential use as of the effective date of the ALUCP. Use must be sound-insulated to achieve an indoor noise level of CNEL 45 dB or less from exterior sources. The property owners shall grant an avigation easement to the City and County of San Francisco prior to issuance of a building permit for the proposed building or structure. If the proposed development is not built, then, upon notice by the local permitting authority, SFO shall record a notice of termination of the avigation easement.

(b) Residential buildings must be sound-insulated to achieve an indoor noise level of CNEL 45 dB or less from exterior sources.

(c) Accessory dwelling units are not compatible.

SOURCES: Jacobs Consultancy Team 2010. Based on State of California General Plan Guidelines for noise elements of general plans; California Code of Regulations, Title 21, Division 2.5, Chapter 6, Section 5006; and 14 CFR Part 150, Appendix A, Table 1.
PREPARED BY; Ricondo & Associates, Inc., June 2012.

NP-3 GRANT OF 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 shall be subject to this easement requirement. The determination of conditional compatibility shall be based on the criteria presented in Table IV-1 "Noise/Land Use Compatibility Criteria."

The San Mateo County Airport Land Use Commission (the C/CAG Board) deems it necessary to: (1) ensure the unimpeded use of airspace in the vicinity of SFO; (2) to ensure that new noise-sensitive land uses within the CNEL 65 dB contour are made compatible with aircraft noise, in accordance with California Code of Regulations, Title 21, Section 5014; and (3) to provide notice to owners of real property near the Airport of the proximity to SFO and of the potential impacts that could occur on the property from airport/aircraft operations. Thus, C/CAG shall condition its approval of proposed development upon the owner of the subject property granting an avigation easement to the City and County of San Francisco, as the proprietor of SFO. The local government with the ultimate permitting and approval authority over the proposed development shall ensure that this condition is implemented prior to final approval of the proposed development. If the approval action for the proposed development includes construction of a building(s) and/or other structures, the local permitting authority shall require the grant of an avigation easement to the City and County of San Francisco prior to issuance of a building permit(s) for the proposed building or structure. If the proposed development is not built, then, upon notice by the local permitting authority, SFO shall record a notice of termination of the avigation easement.

The avigation easement to be used in fulfilling this condition is presented in **Appendix G**.

NP-4 RESIDENTIAL USES WITHIN CNEL 70 dB CONTOUR

As described in Table IV-1, residential uses are not compatible in areas exposed to noise above CNEL 70 dB and typically should not be allowed in these high noise areas. .

NP-4.1 Situations Where Residential Use Is Conditionally Compatible

Residential uses are considered conditionally compatible in areas exposed to noise above CNEL 70 dB only if the proposed use is on a lot of record zoned exclusively for residential use as of the effective date of the ALUCP. In such a case, the residential use must be sound-insulated to achieve an indoor noise level of CNEL 45 dB or less from exterior sources. The property owner also shall grant an avigation easement to the City and County of San Francisco in accordance with Policy NP-3 prior to issuance of a building permit for the proposed building or structure.

NP-4.2 Construction of Additional Dwellings on Lots Occupied by Residential Uses is Incompatible within CNEL 70 dB Contour

The construction of second homes on lots occupied by residential uses and the creation of additional

housing units in existing buildings within the CNEL 70 dB contour shall be incompatible and inconsistent with this ALUCP.

NP-4.3 Residential Subdivisions and Lot Splits are Incompatible within CNEL 70 dB Contour

The subdivision of land and the splitting of lots to enable the construction of additional housing within the CNEL 70 dB contour shall be incompatible and inconsistent with this ALUCP.

NP-4.4 Residential Rezonings are Incompatible Within CNEL 70 dB Contour

The rezoning of land for residential use within the CNEL 70 dB contour shall be considered incompatible and inconsistent with this ALUCP.

4.4 Safety Compatibility Policies

The safety compatibility policies are established with a twofold purpose:

1. To protect the public health, safety, and welfare by minimizing the public's exposure to the risk associated with potential aircraft accidents in the Airport vicinity.
2. To protect the public interest in providing for the orderly development of SFO by preventing the creation of new safety problems in the Airport environs.

Compared to noise, safety is a much more difficult concern to address in airport/land use compatibility policies. A major reason is that safety policies address uncertain events that may occasionally occur with aircraft operations, whereas noise policies deal with known, more or less predictable, events that occur with every aircraft operation.

Because aircraft accidents happen infrequently, and the time, place, and consequences of their occurrence cannot be accurately predicted, the concept of risk is central to the assessment of safety compatibility. In terms of airport/land use compatibility planning, two questions must be addressed to determine the relative degree of risk posed by potential aircraft accidents in various locations:

- Accident Frequency – Where and when do aircraft accidents typically occur in the vicinity of an airport?
- Accident Severity – What aircraft and land use characteristics contribute to the consequences of an accident when one occurs?

The overall objective of safety compatibility guidelines is to minimize the risks associated with potential aircraft accidents. There are two components to this objective:

- Safety of Persons on the Ground – 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.

- Safety of Aircraft Occupants – The other safety compatibility component is to enhance the chances of survival of the occupants of an aircraft involved in an accident that occurs beyond the runway environment.

The Caltrans *Airport Land Use Planning Handbook* provides guidance on the delineation of safety zones and the application of land use policies in those zones. [5] The safety zones at SFO are based on the *Handbook* guidance, with adjustments to reflect the specific operating characteristics of the Airport. The safety compatibility policy framework is also based on *Handbook* guidance. The safety compatibility policies of this ALUCP were designed to work in tandem with the airspace protection policies, described in Section 4.5. The land use compatibility standards established in Table IV-2 restrict the development of land uses that could pose particular hazards to the public or to vulnerable populations in case of an aircraft accident.[6] The maximum building height limits established under the airspace protection policies in Section 4.5 are set at the lowest elevation of the combined airspace surfaces at SFO, including Part 77 airport obstruction surfaces, TERPS obstacle clearance surfaces, and one-engine inoperative clearance surfaces. The airspace surfaces are generally lowest immediately off the runway ends in the safety zones. This maximum height restriction effectively limits the maximum density of residential uses and the intensity of nonresidential uses.[7]

The following safety compatibility policies (SP) shall apply to the ALUCP.

SP-1 SAFETY COMPATIBILITY ZONES

Exhibit IV-7 depicts the safety compatibility zones in the vicinity of SFO. Five zones are established, as follows:

- **Zone 1 -- Runway Protection Zone and Object Free Area (RPZ-OFA):** Zone 1 includes the RPZ and the OFA, areas defined according to FAA airport design criteria. [8] The RPZ is a trapezoid-shaped area off each runway end, with the dimensions based on the runway approach visibility minimums and the type of aircraft using the runway. The OFA is a rectangular area centered on each runway within which objects, other than those serving a specific aeronautical purpose, are to be prohibited. Zone 1is an area of relatively high accident risk that FAA encourages airport proprietors to own and keep free of objects, structures, and incompatible uses, including places of assembly (housing, churches, schools, shopping centers, hospitals, and the like), fuel storage, and wildlife attractants.
- **Zone 2 -- Inner Approach/Departure Zone (IADZ):** Zone 2, the IADZ, is designated along the extended centerline of each runway beginning at the outer edge of the RPZ. It is an area of secondary accident risk that tends to be overflown by most aircraft arrivals and departures off each runway end.

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[5] California Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, October 2011, pp. 3-11 – 3-28, 4-13 – 4-34, and Appendices E and F.

[6] For purposes of this ALUCP, vulnerable populations are those with effective limited mobility, including hospital and nursing home patients and children in schools and day care centers.

[7] The Caltrans *Handbook* measures residential density in dwelling units per acre and nonresidential intensity in people (occupants) per acre. The rationale for the definition of safety zones and policies is discussed in greater detail in **Appendix E** of this ALUCP.

[8] FAA Advisory Circular 150/5300-13, Airport Design, Section 211 and 307.

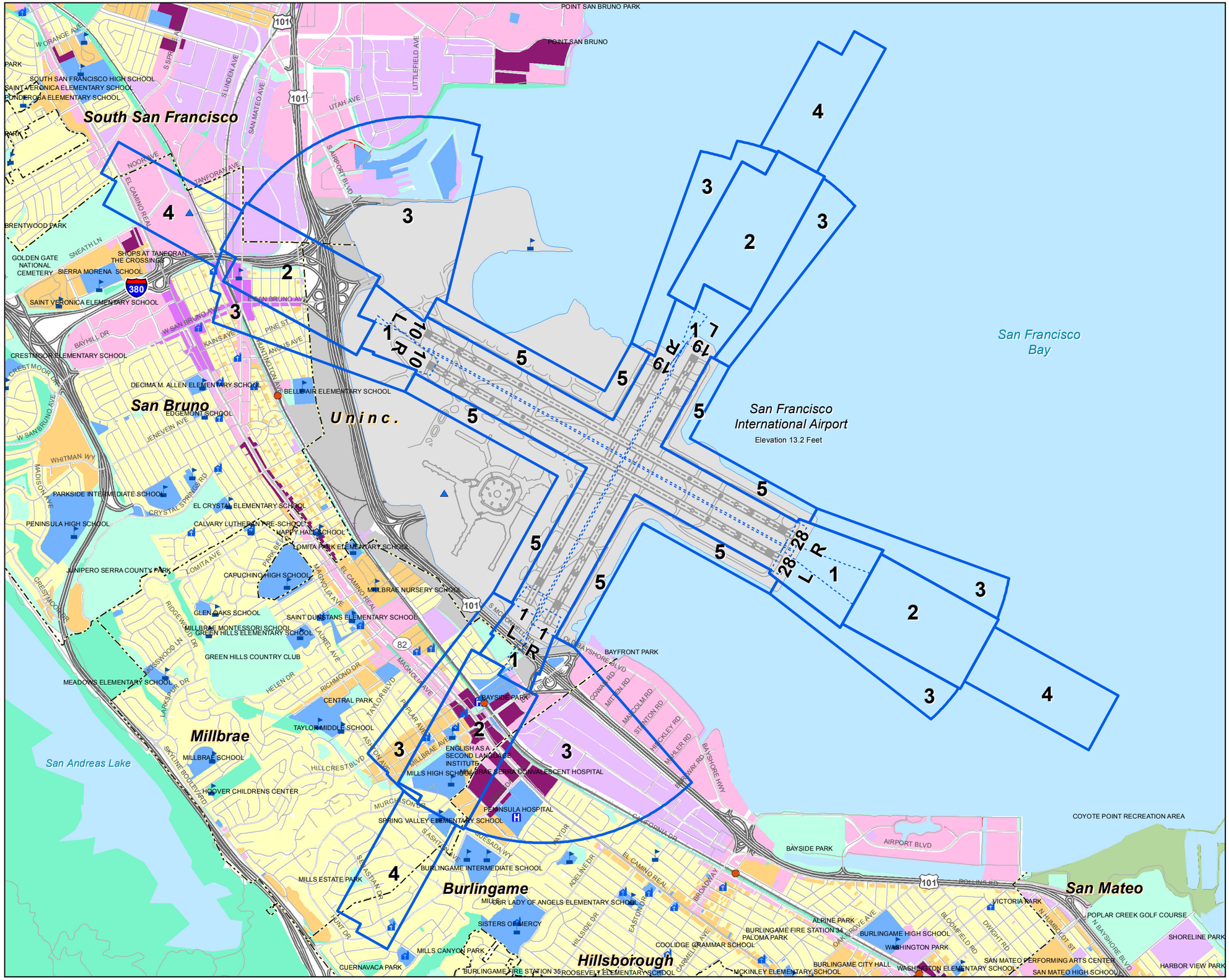
- **Zone 3 -- Inner Turning Zone (ITZ):** Zone 3, the ITZ, lies alongside the RPZ and IADZ. It is an area overflown by aircraft making turns at low altitude immediately after takeoff. It tends to be subject to lower accident risk than the IADZ.
- **Zone 4 -- Outer Approach/Departure Zone (OADZ):** Zone 4, the OADZ, extends along the extended runway centerline immediately beyond the IADZ. It is subject to overflights of aircraft on approach and straight-out departures. At SFO, the OADZ off the west end of Runways 10R-28L and 10L-28R is overflown by a high proportion of departures using Runways 28L and 28R, especially long-haul departures by heavy, wide-body aircraft.
- **Zone 5 – Sideline Zone (SZ):** Zone 5, the SZ, is a rectangular area centered on each runway centerline with a width of 2,000 feet and a length extending 200 feet beyond each runway end. This area is subject to accident risks associated with aircraft losing directional control on takeoff or after landing. At SFO, the SZ is entirely on Airport property.

Exhibit IV-8 presents a close-up view of the safety zones off the west end of Runways 10L-28R and 10R-28L. The RPZs have the following dimensions: 500-foot inner width, 1,010-foot outer width, and 1,700-foot length.

Zone 2 (the IADZ) off each runway extends 4,300 feet beyond the RPZ, with the lateral boundaries extending 750 feet on either side of the extended runway centerline. Zone 4, (the OADZ) extends 4,000 feet beyond Zone 2, with the lateral boundaries extending 500 feet either side of the extended runway centerline.

Zone 3, (the ITZ) extends 6,000 feet from the inner edge of the RPZ on both sides of Zone 2. On the north side, the shape of Zone 3 is designed to capture the area overflown by departures turning right on standard instrument departure routes.[9] The eastern boundary follows a radial 75 degrees northeast of the extended runway centerline.

[9] Three published instrument departures at SFO require aircraft using Runways 28L and 28R to turn right immediately after takeoff – the Quiet Two, the Rebas, and the Shoreline One departures. http://www.airnav.com/airport/KSFO, accessed February 20, 2012.



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 Zonee

Internal boundaries of ALP-defined areas

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:

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

NORTH

0 0.125 0.25 0.5 Miles

Exhibit IV-7
SAFETY COMPATIBILITY ZONES
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

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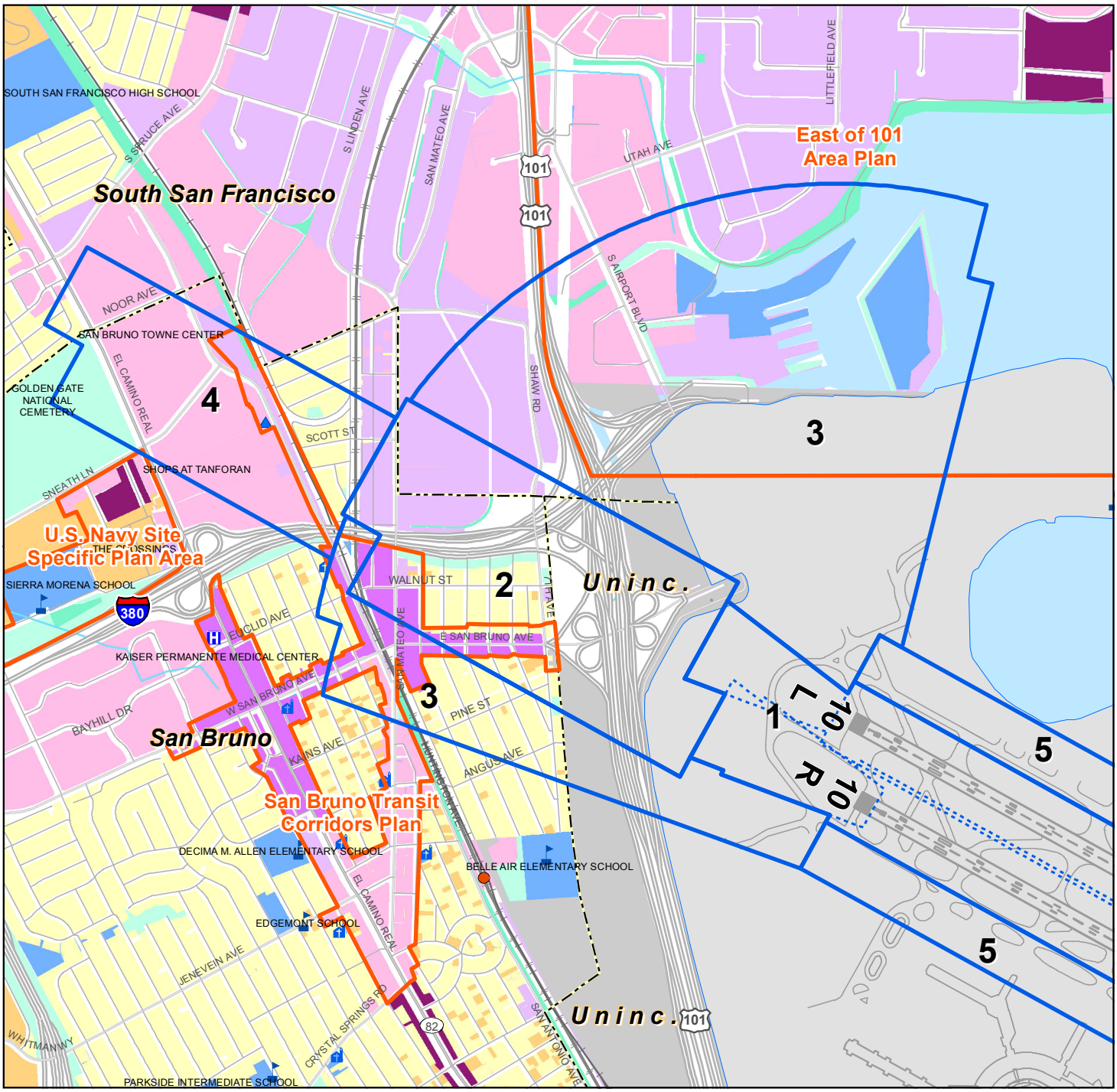

LEGEND

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

NORTH

0 0.125 0.25 0.5 Miles

Sources:

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

Exhibit IV-8

SAFETY COMPATIBILITY ZONES IN THE CITIES OF SOUTH SAN FRANCISCO AND SAN BRUNO

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

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Exhibit IV-9 depicts the safety zones off the south end of Runways 1L-19R and 1R-19L. In Zone 1, the RPZs have a 500-foot inner width, 1,010-foot outer width and 1,700-foot length. Zone 2 (the IADZ) extends 4,300 feet from the outer edge of the RPZ and is 1,500 feet wide, centered on the extended runway centerline. Zone 3 (the ITZ) extends 6,000 feet from the inner edge of each RPZ. On the east side, Zone 3 is fanned 70 degrees east of the extended runway centerline. This reflects the left departure turns made by nearly all aircraft taking off on Runways 19L and 19R and 19R.[10] Zone 4, the OADZ, extends 4,000 feet beyond the end of Zone 2.

SP-2 SAFETY COMPATIBILITY LAND USE CRITERIA

The land use compatibility criteria for safety are established in **Table IV-2**. The safety compatibility criteria are generally based on the guidelines provided in the *California Airport Land Use Planning Handbook*, although modifications have been made in recognition of the intense level of existing development in the airport vicinity. See Appendix E for a discussion of the factors that were considered in establishing the safety compatibility policies.

The criteria include two categories – uses that are incompatible and uses that should be avoided in the respective zones.

- Incompatible Uses – uses that are incompatible within the safety zone.
- Uses to be Avoided – uses that should not be allowed in the safety zone unless no feasible alternative is available, as determined by the land use agency with permitting authority. Where these uses are allowed, habitable structures shall be provided with at least 50 percent more exits than required by applicable codes. If the 50 percent calculation results in a fraction, the fractional number shall be rounded up to the next whole number.

ZONE 1 – RUNWAY PROTECTION ZONE AND OBJECT FREE AREA (RPZ-OFA)

Zone 1 is the zone where the accident risk is highest. At SFO, the RPZs for Runways 10R and 10L are on Airport property or on public highway right-of-way. Most of the RPZs for Runways 1L and 1R are on Airport property or public right-of-way. Part of the RPZs lie in Bayside Park and small areas extend onto private property. All of the OFAs (Object Free Areas) are on Airport property.

The compatibility criteria presented in Table IV-2 declare that all new structures in Zone 1 are incompatible.. All but very low intensity nonresidential uses, at the outer edges of the RPZs, are to be avoided. Examples of potentially acceptable nonresidential uses include parking lots and outdoor equipment storage.

[10] All published instrument departure procedures for Runways 19L and 19R require aircraft to turn left immediately after takeoff. http://www.airnav.com/airport/KSFO, accessed February 20, 2012.

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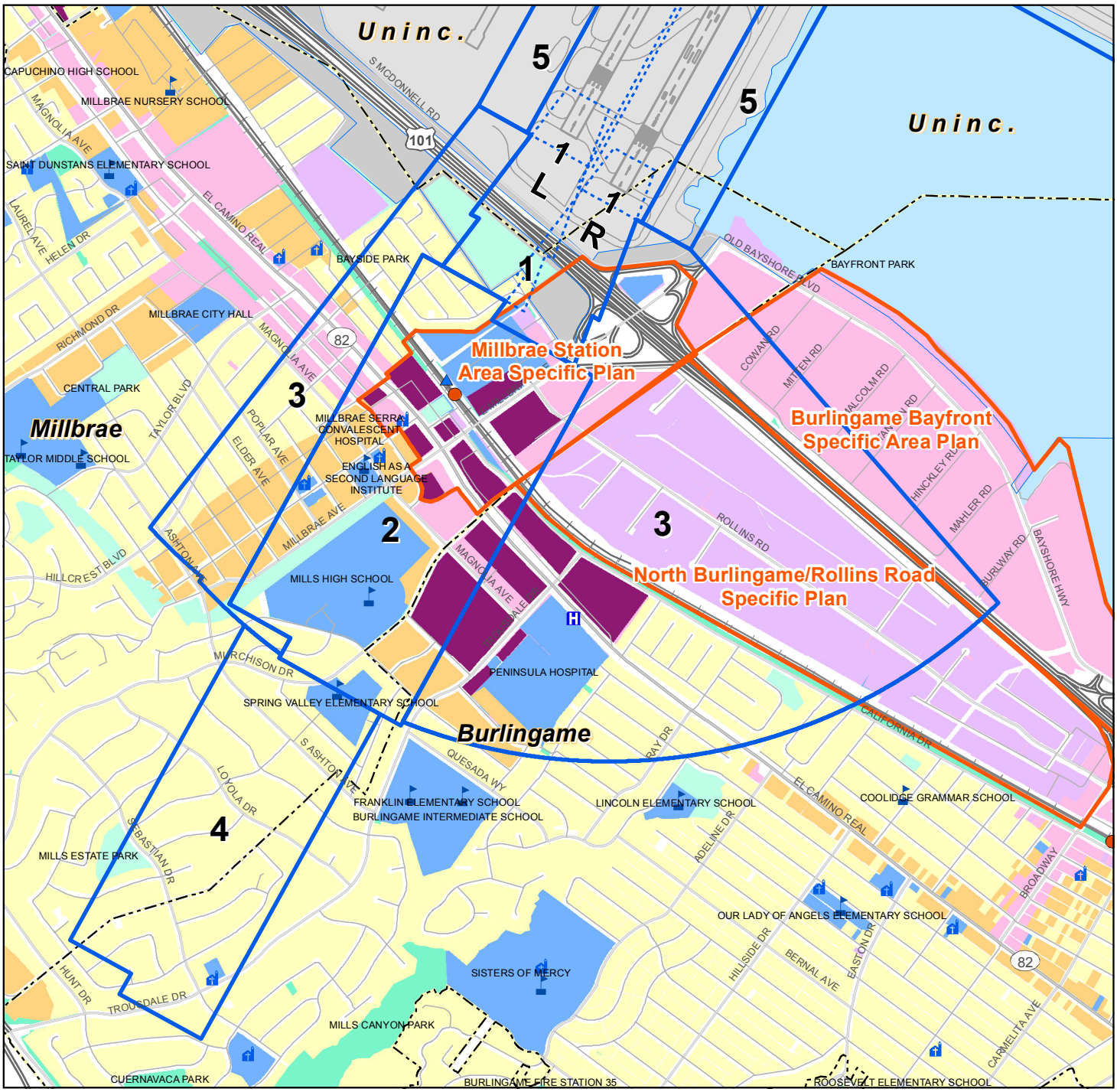

LEGEND

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

NORTH

0 0.125 0.25 0.5 Miles

Sources:

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

ExhibitIV-9

SAFETY COMPATIBILITY ZONES
IN THE CITIES OF BURLINGAME AND MILLBRAE

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

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

	LAND USE CRITERIA	
ZONE	**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

- *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.
- *Children's schools:* Public and private schools serving preschool through grade 12, excluding commercial services.
- *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).*
- *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.
- *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.
- *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.

Exhibit IV-10 depicts the approximate elevations at which the 14 CFR Part 77 notification requirements would be triggered; see **Exhibit IV-11** for a close-up view of the northern half and **Exhibit IV-12** for a close-up view of the southern half of the area. These exhibits are provided for informational purposes only. Official determinations of the areas and elevations within which the federal notification requirements apply are subject to the authority of the FAA. The FAA is empowered to require the filing of notices for proposed construction based on considerations other than height. For example, in some areas of complex airspace and high air traffic volumes, the FAA may be concerned about the potential for new construction of any height to interfere with electronic navigation aids. In these areas, the FAA will want to review all proposed construction projects.

The FAA has developed an on-line tool for project sponsors to use in determining whether they are required to file a Notice of Proposed Construction or Alteration. Sponsors of proposed projects are urged to refer to this website to determine whether they are required to file Form 7460-1 with the FAA:

https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToolForm

4.5.3 AIRSPACE MAPPING

Part 77, Subpart C, establishes obstruction standards for the airspace around airports including approach zones, conical zones, transitional zones, and horizontal zones known as "imaginary surfaces." **Exhibit IV-13** depicts the Part 77 Civil Airport Imaginary Surfaces at SFO. The imaginary surfaces rise from the primary surface, which is at ground level immediately around the runways. The surfaces rise gradually along the approach slopes associated with each runway end and somewhat more steeply off the sides of the runways. The FAA considers any objects penetrating these surfaces, whether buildings, trees or vehicles travelling on roads and railroads, as obstructions to air navigation. Obstructions may occur without compromising safe air navigation, but they must be marked, lighted, and noted on aeronautical publications to ensure that pilots can see and avoid them.

Close-up views of the north and south sides of the Part 77 surfaces are provided in **Exhibit IV-14** and **Exhibit IV-15**, respectively. Additionally, **Exhibit IV-16** provides an illustration of the outer approach and transitional surfaces located on the southeast side of the Part 77 surfaces.

Together with its tenant airlines, SFO has undertaken a mapping effort to illustrate the critical aeronautical surfaces that protect the airspace required for multiple types of flight procedures such as those typically factored into FAA aeronautical studies, as shown on **Exhibit IV-17** and **Exhibit IV-18**. These aeronautical surfaces include those established in accordance with FAA Order 8260.3B, *U.S. Standard for Terminal Instrument Procedures (TERPS)*, and a surface representing the airspace required for One-Engine Inoperative (OEI) departures from Runway 28L (to the west through the San Bruno Gap).[16] The exhibits depict the lowest elevations from the combination of the OEI procedure surface and all TERPS surfaces. The surfaces are defined with Required Obstacle Clearance (ROC) criteria to ensure safe separation of aircraft using the procedures from the underlying obstacles. Any proposed structures penetrating these surfaces are likely to receive Determinations of Hazard (DOH) from the FAA through the 7460-1 aeronautical study process. These surfaces indicate the maximum height at which structures can be considered compatible with Airport operations.

[16] See Appendix F, Section F.3.2 for a discussion of one-engine inoperative procedures.

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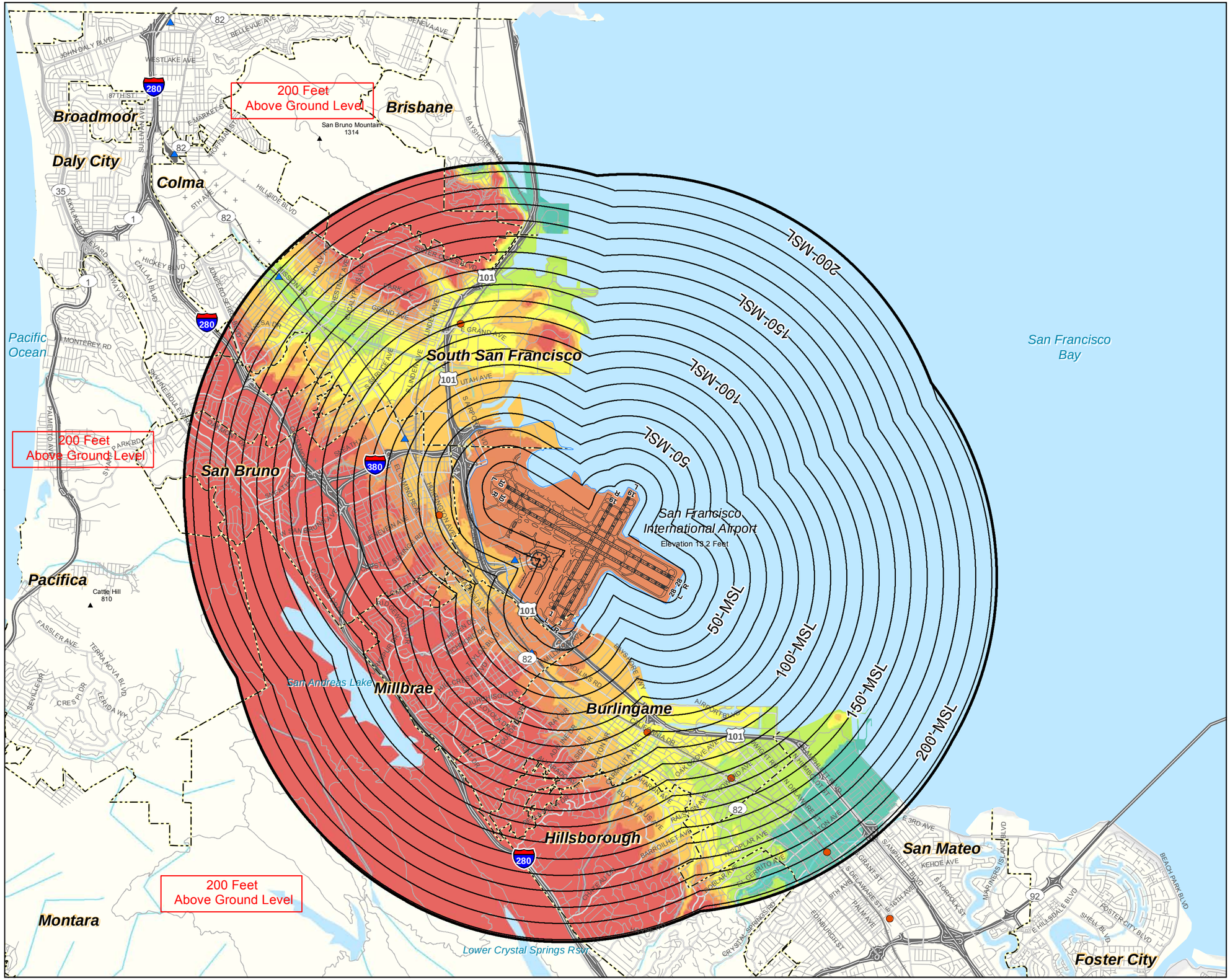

FAA NOTIFICATION REQUIREMENTS

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 OE/AAA website, http://oeaaa.faa.gov

LEGEND

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

Note:

Per 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.

NORTH

0 0.3 0.6 1.2 Miles

Exhibit IV-10
FAA NOTIFICATION FORM 7460-1 FILING REQUIREMENTS
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

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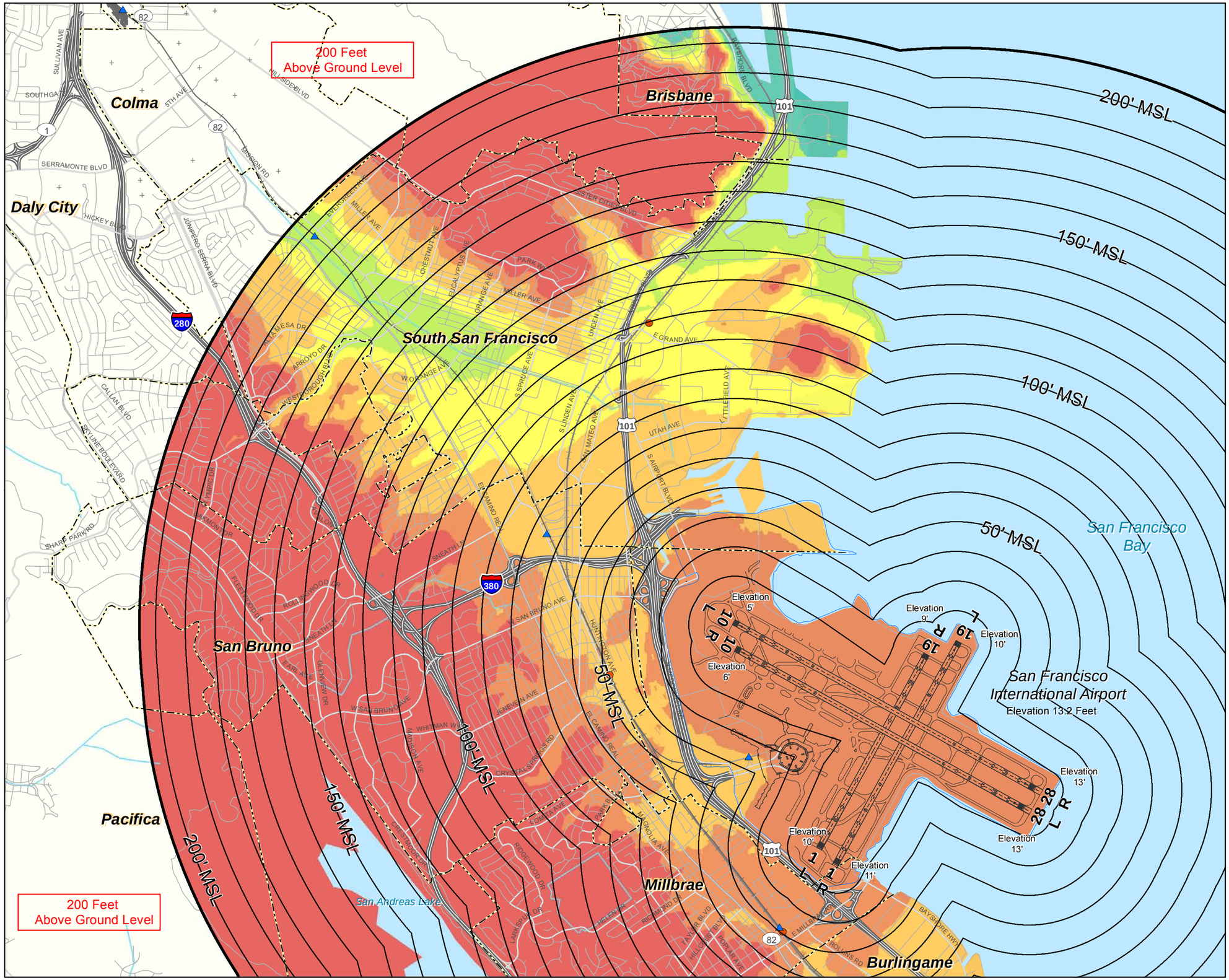

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20,000 Feet Limit From Nearest Runway

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 OE/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.

NORTH

0 0.15 0.3 0.6 Miles

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

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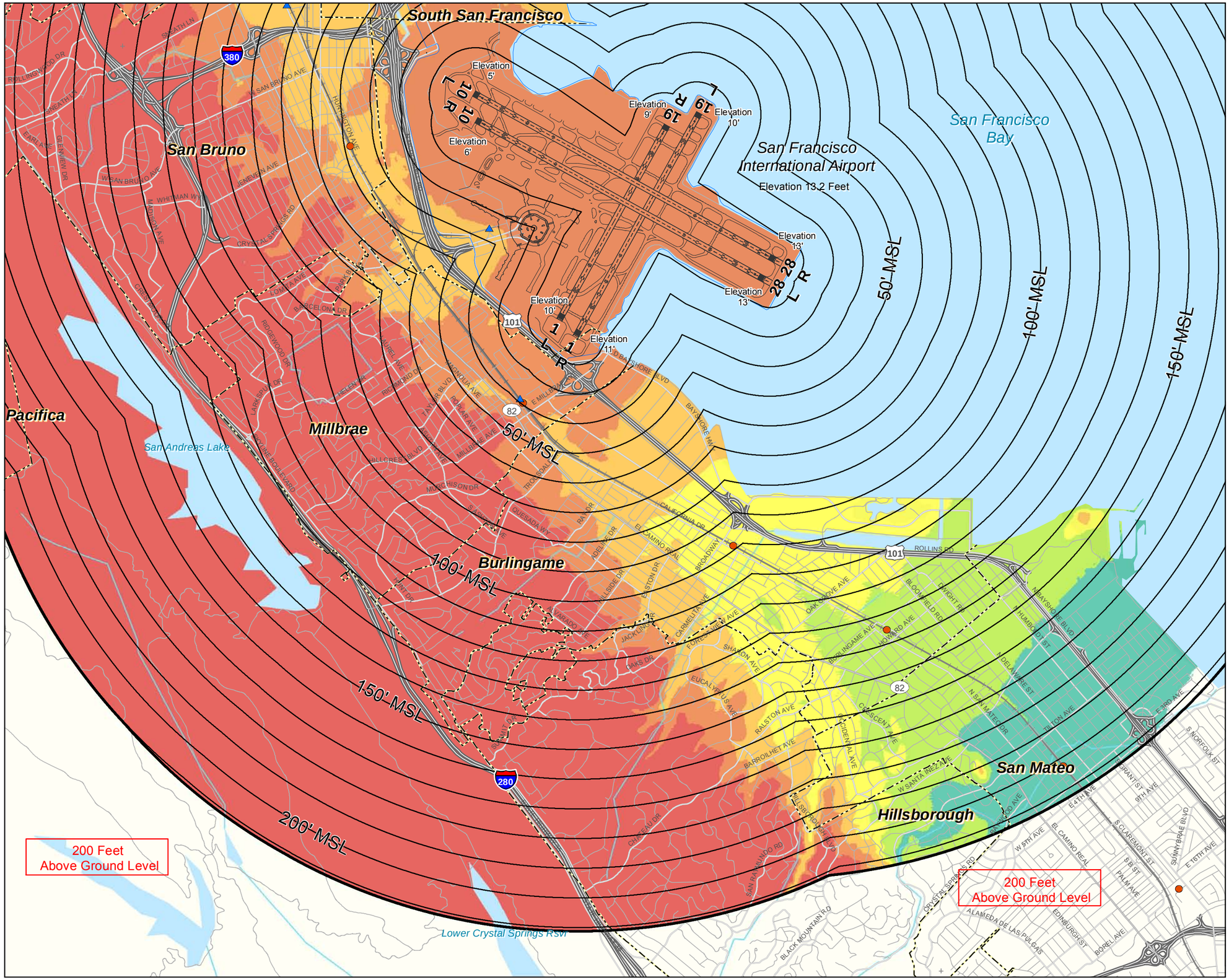

FAA NOTIFICATION REQUIREMENTS

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 OE/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.

NORTH

0 0.15 0.3 0.6 Miles

Exhibit IV-12
FAA NOTIFICATION FORM 7460-1
FILING REQUIREMENTS -- SOUTH 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

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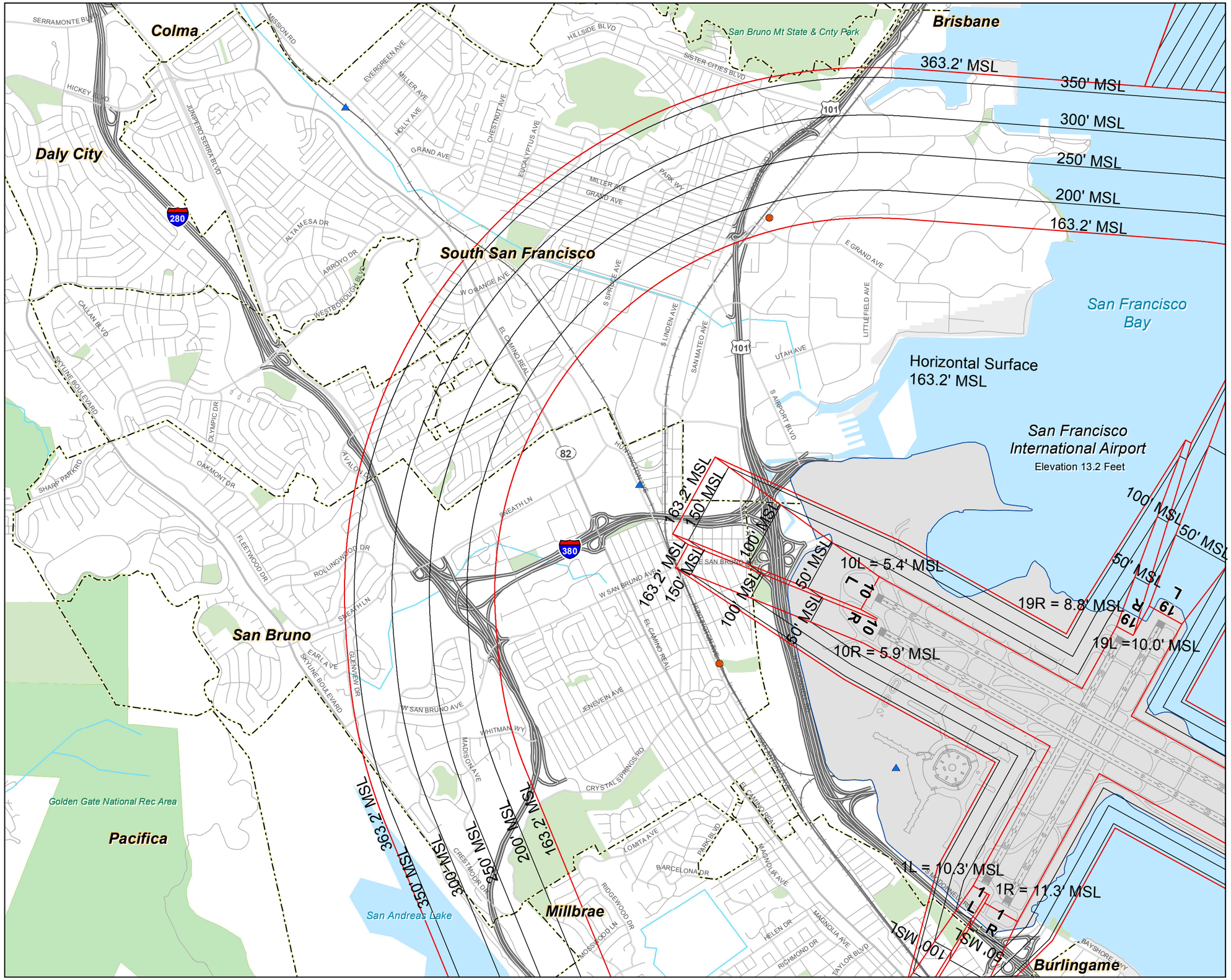
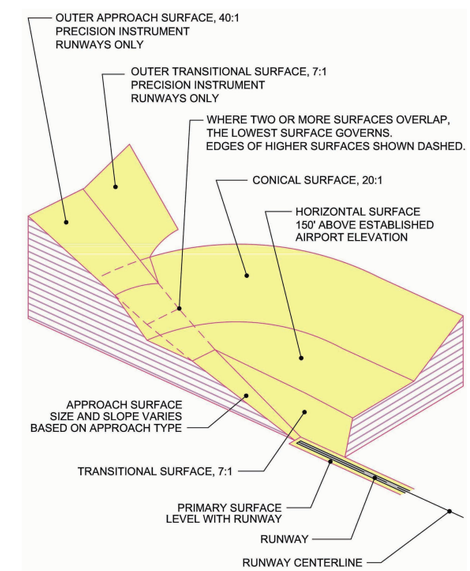


LEGEND

- 14 CFR Part 77 Civil Airport Imaginary Surfaces
- 100' MSL — Elevation Contour, feet AMSL
- BART Stations
- CALTRAIN Stations
- Regional Park or Recreation Area
- Municipal Boundary
- Railroads
- Freeways
- Roads

Isometric Drawing of 14 CFR Part 77, Section 77.19 Civil Airport Imaginary Surfaces



Sources:

14 CFR Part 77 Surfaces: City and County of San Francisco, Ricondo & Associates, Inc., 2010

NORTH

0 0.125 0.25 0.5 Miles

Exhibit IV-14

14 CFR PART 77 AIRPORT IMAGINARY SURFACES -- 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

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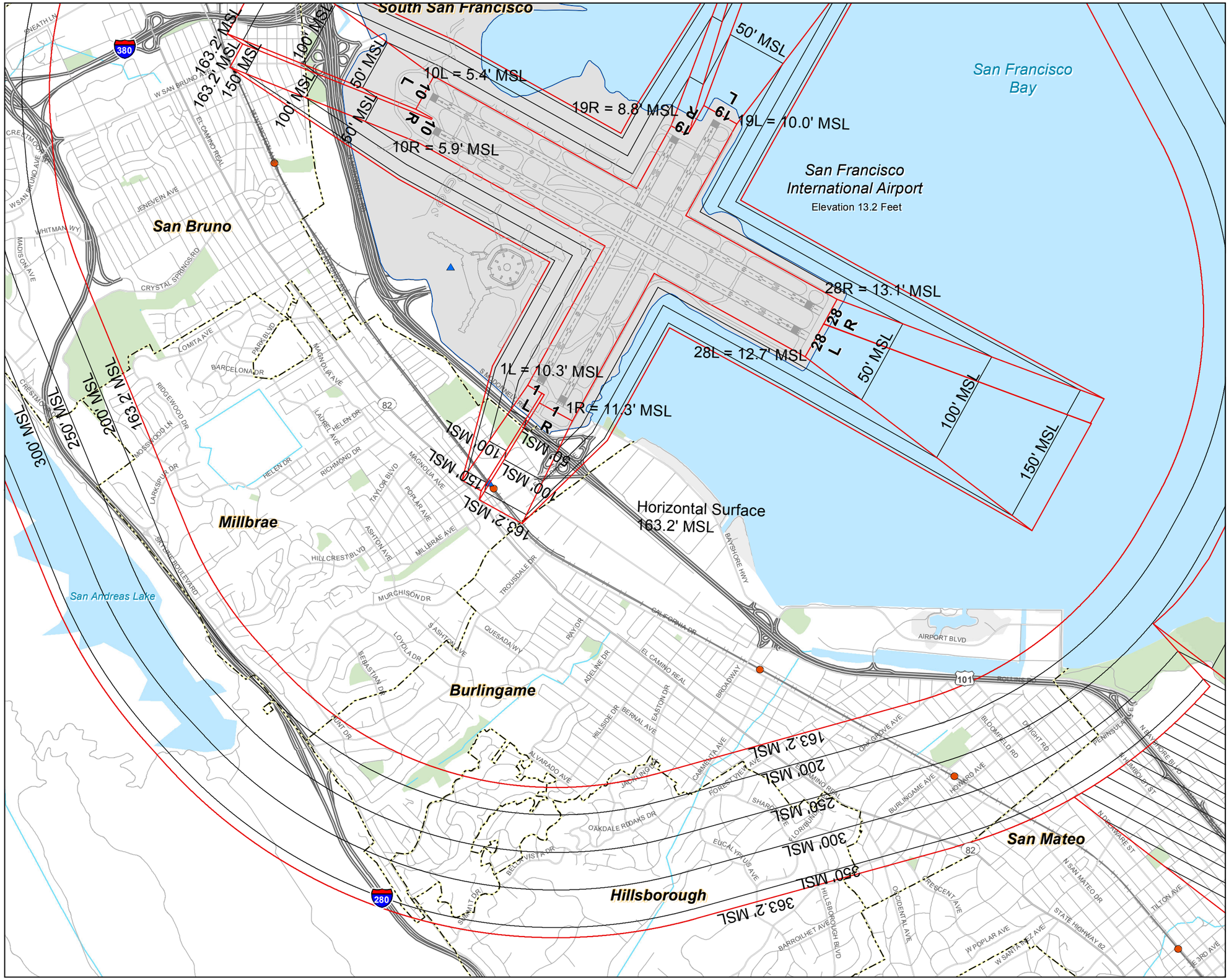
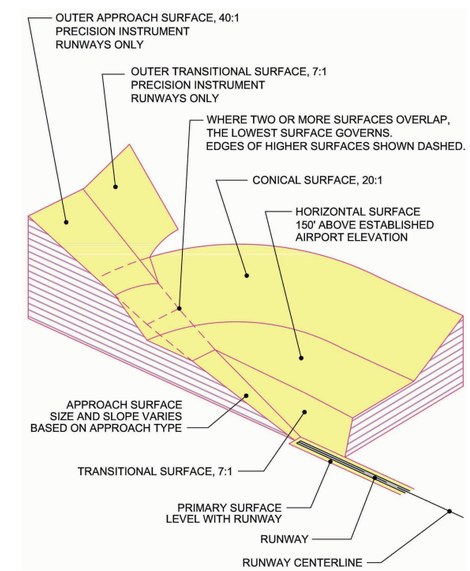


LEGEND

- 14 CFR Part 77 Civil Airport Imaginary Surfaces
- 100' MSL — Elevation Contour, feet AMSL
- BART Stations
- CALTRAIN Stations
- Regional Park or Recreation Area
- Municipal Boundary
- Railroads
- Freeways
- Roads

Isometric Drawing of 14 CFR Part 77, Section 77.19 Civil Airport Imaginary Surfaces



Sources:

14 CFR Part 77 Surfaces: City and County of San Francisco, Ricondo & Associates, Inc., 2010

NORTH

0 0.125 0.25 0.5 Miles

Exhibit IV-15

14 CFR PART 77 AIRPORT IMAGINARY SURFACES -- SOUTH 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

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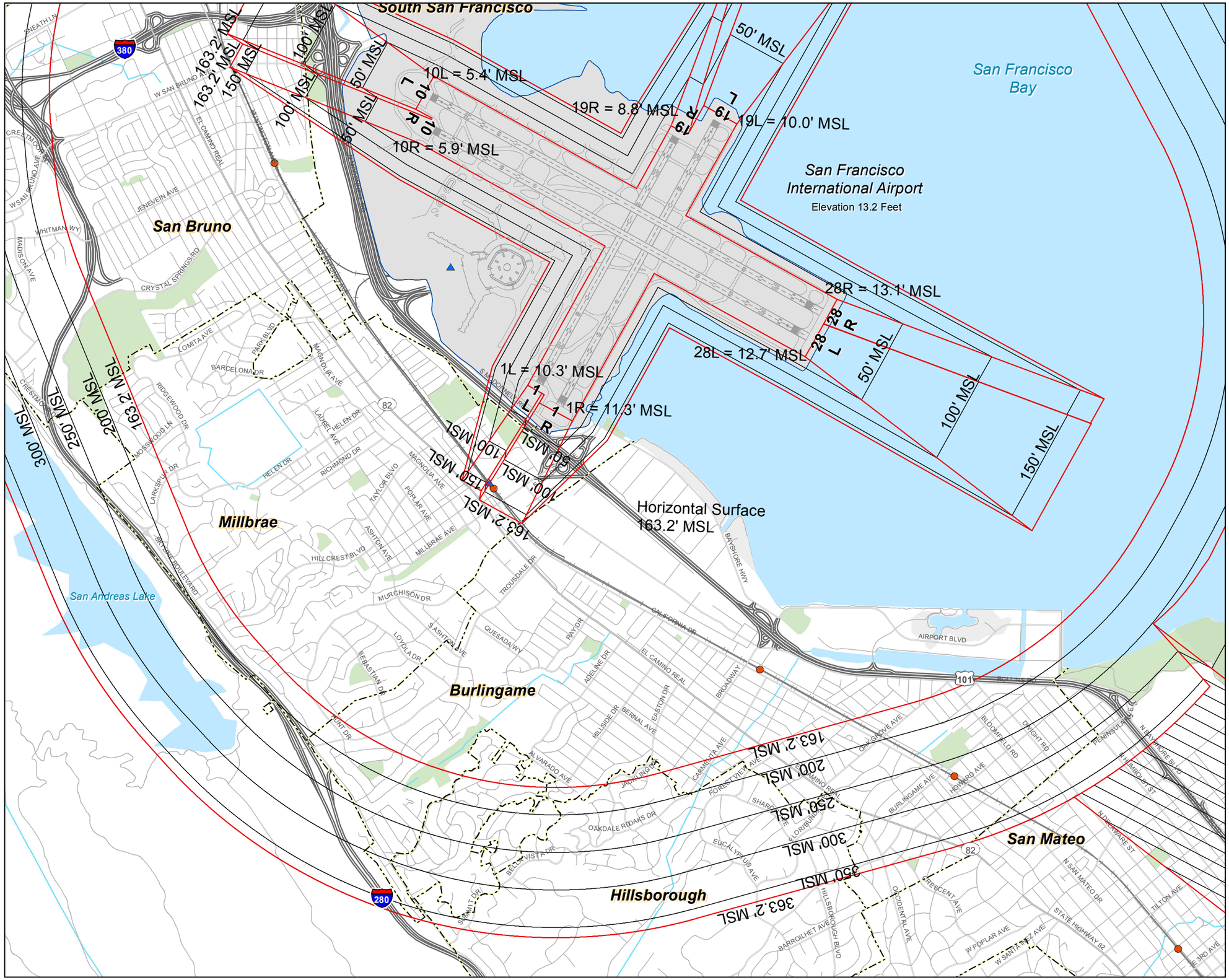

LEGEND

- 14 CFR Part 77 Civil Airport Imaginary Surfaces
- 100' MSL — Elevation Contour, feet AMSL
- BART Stations
- CALTRAIN Stations
- Regional Park or Recreation Area
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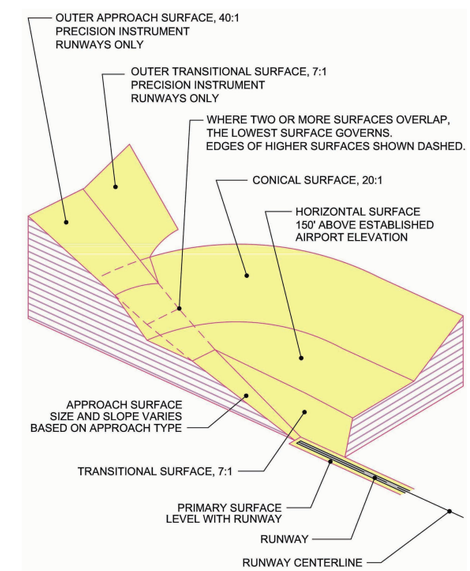
Isometric Drawing of 14 CFR Part 77, Section 77.19 Civil Airport Imaginary Surfaces



Sources:

14 CFR Part 77 Surfaces: City and County of San Francisco, Ricondo & Associates, Inc., 2010

NORTH

0 0.125 0.25 0.5 Miles

Exhibit IV-15

14 CFR PART 77 AIRPORT IMAGINARY SURFACES -- SOUTH 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

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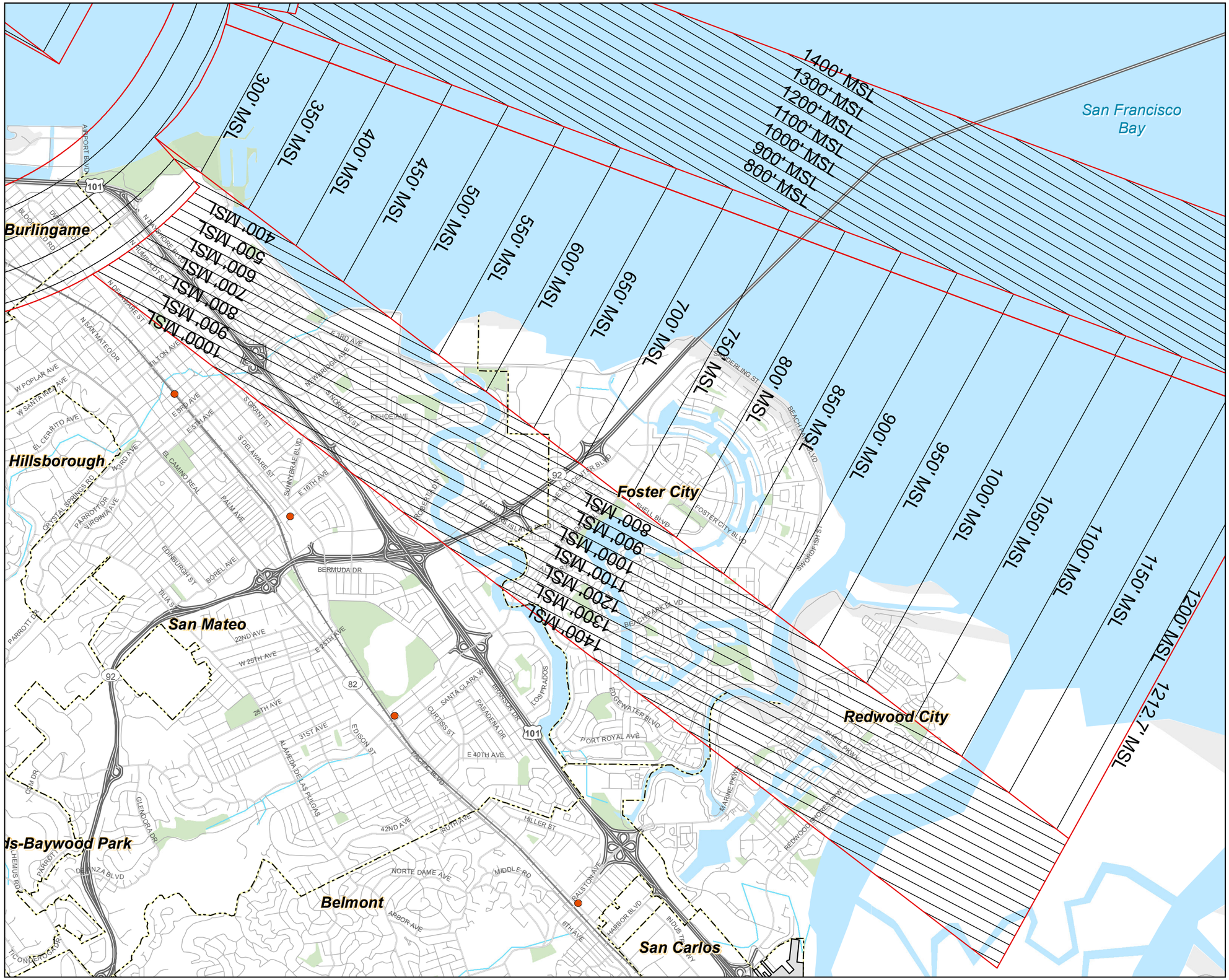
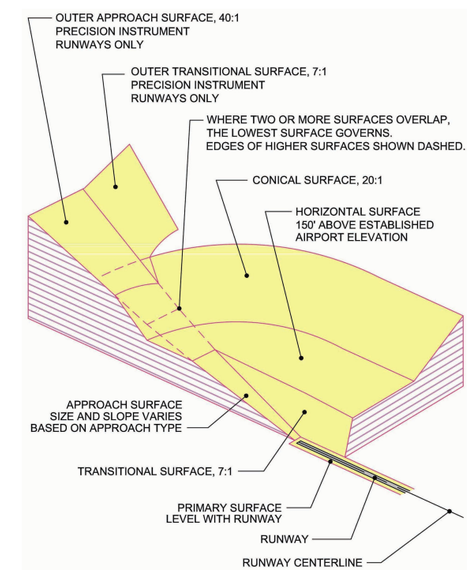


LEGEND

- 14 CFR Part 77 Civil Airport Imaginary Surfaces
- 100' MSL Elevation Contour, feet AMSL
- BART Stations
- CALTRAIN Stations
- Regional Park or Recreation Area
- Municipal Boundary
- Railroads
- Freeways
- Roads

Isometric Drawing of 14 CFR Part 77, Section 77.19 Civil Airport Imaginary Surfaces



Sources:

14 CFR Part 77 Surfaces: City and County of San Francisco, Ricondo & Associates, Inc., 2010

NORTH

0 0.175 0.35 0.7 Miles

Exhibit IV-16

14 CFR PART 77 AIRPORT IMAGINARY SURFACES -- FAR SOUTHEAST 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

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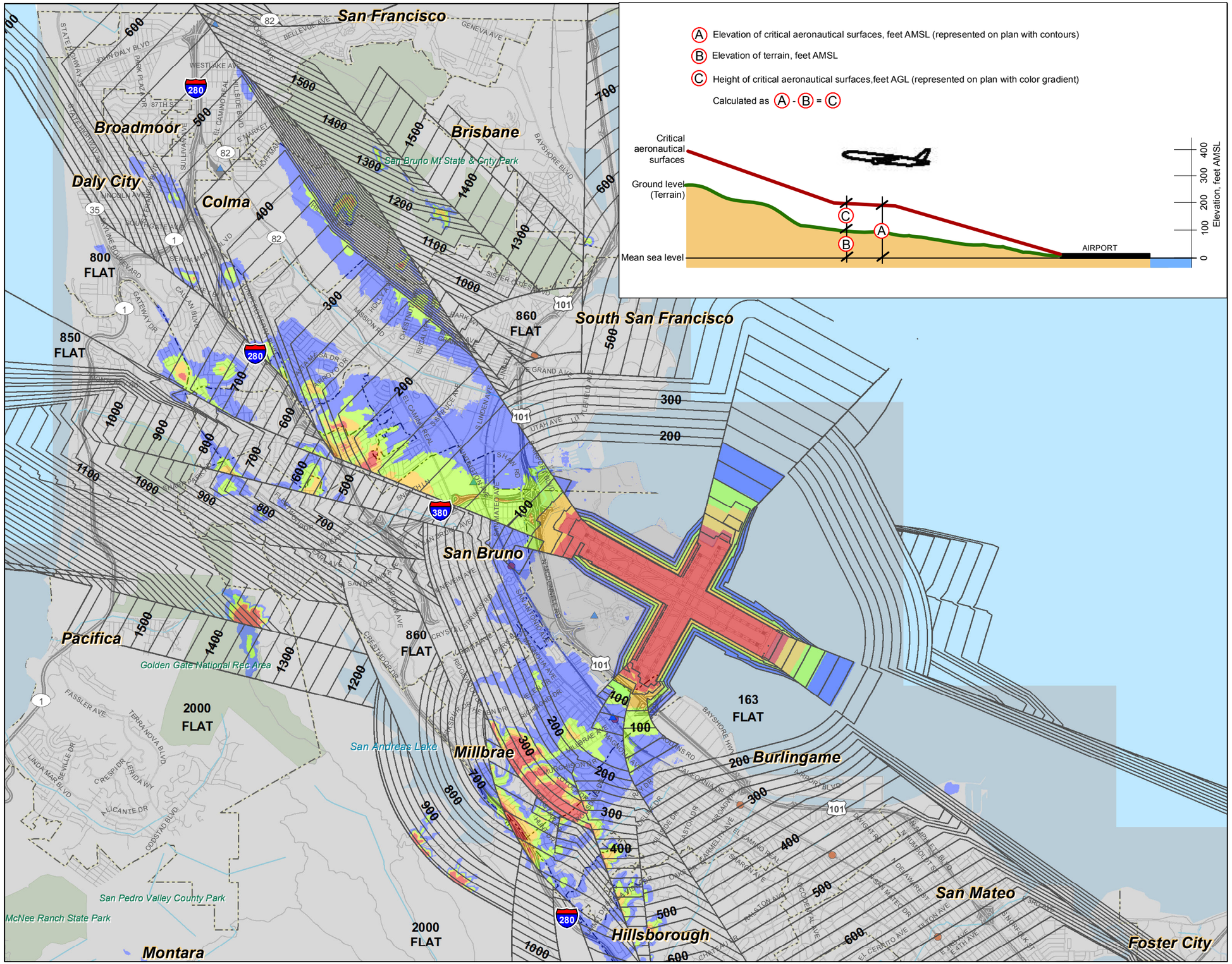

LEGEND

Ⓐ 100 — Elevation of critical aeronautical surfaces, feet Above Mean Sea Level (AMSL), North American Vertical Datum of 1988 (NAVD88)

Ⓒ **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

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

NORTH

0 0.25 0.5 1 Miles

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

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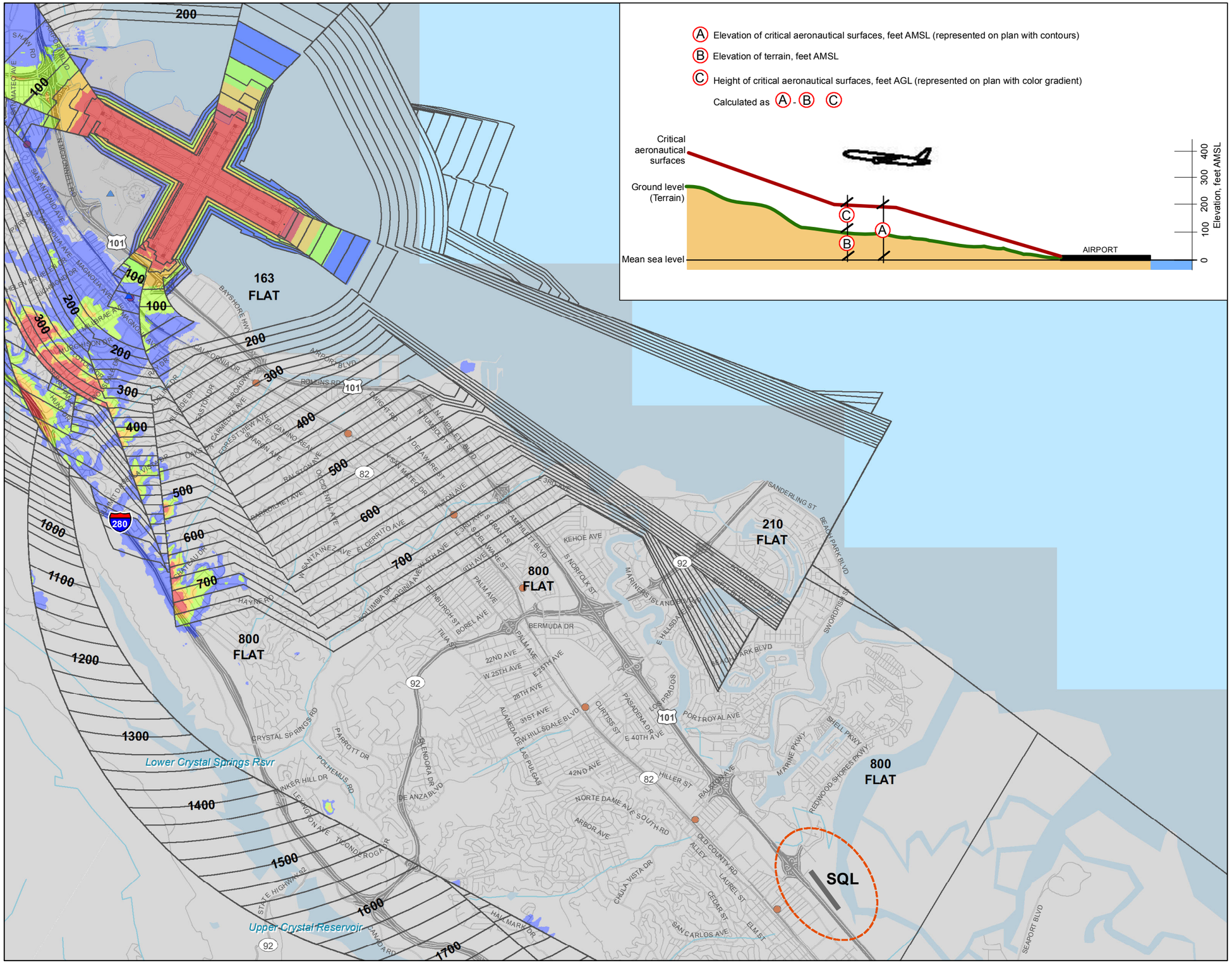

LEGEND

Ⓐ 100 — Elevation of critical aeronautical surfaces, feet Above Mean Sea Level (AMSL), North American Vertical Datum of 1988 (NAVD88)

Ⓒ **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

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

NORTH

0 0.25 0.5 1 Miles

Exhibit IV-18

CRITICAL AERONAUTICAL SURFACES -- SOUTHEAST 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

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Exhibit IV-19, which is provided for information purposes only, depicts a profile view of the lowest critical airspace surfaces along the extended centerline of Runway 10L-28R – the TERPS Obstacle Departure Procedure (ODP) surface, representing standard all-engines departures, and the approximate OEI surface developed by SFO through independent study in consultation with the airlines serving SFO. The exhibit also shows the terrain elevation beneath the airspace surfaces and various aircraft approach and departure profiles, based on varying operating assumptions. The exhibit illustrates a fundamental principle related to the design of airspace protection surfaces. The surfaces are always designed below the actual aircraft flight profile which they are designed to protect, thus providing a margin of safety. Note that the ODP climb profile is above the ODP airspace surface, and the OEI climb profile is above the OEI airspace surface.

4.5.4 AIRSPACE PROTECTION POLICIES

The following airspace protection policies (AP) shall apply to the ALUCP.

AP-1 COMPLIANCE WITH 14 CFR PART 77, SUBPART B, NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION

AP-1.1 Local Government Responsibility to Notify Project Sponsors

Local governments should notify sponsors of proposed projects at the earliest opportunity 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 Exhibit IV-10. Under Federal law, it is the responsibility of the project sponsor to comply with all notification and other requirements described in 14 CFR Part 77. This requirement applies independent of this ALUCP.

AP-1.2 FAA Aeronautical Study Findings Required Before Processing Development Application

The sponsor of a proposed project that would exceed the FAA notification heights, as shown approximately on Exhibit IV-10, shall present to the local government permitting agency with his or her application for a development permit, a copy of the findings of the FAA's aeronautical study, or evidence demonstrating that he or she is exempt from having to file an FAA Form 7460-1. It is the responsibility of the local agency to consider the FAA determination study findings as part of its review and decision on the proposed project.

AP-2 COMPLIANCE WITH FINDINGS OF FAA AERONAUTICAL STUDIES

Project sponsors shall be required to comply with the findings of FAA aeronautical studies with respect to any recommended alterations in the building design and height and any recommended marking and lighting of their structures for their proposed projects to be deemed consistent with this ALUCP.

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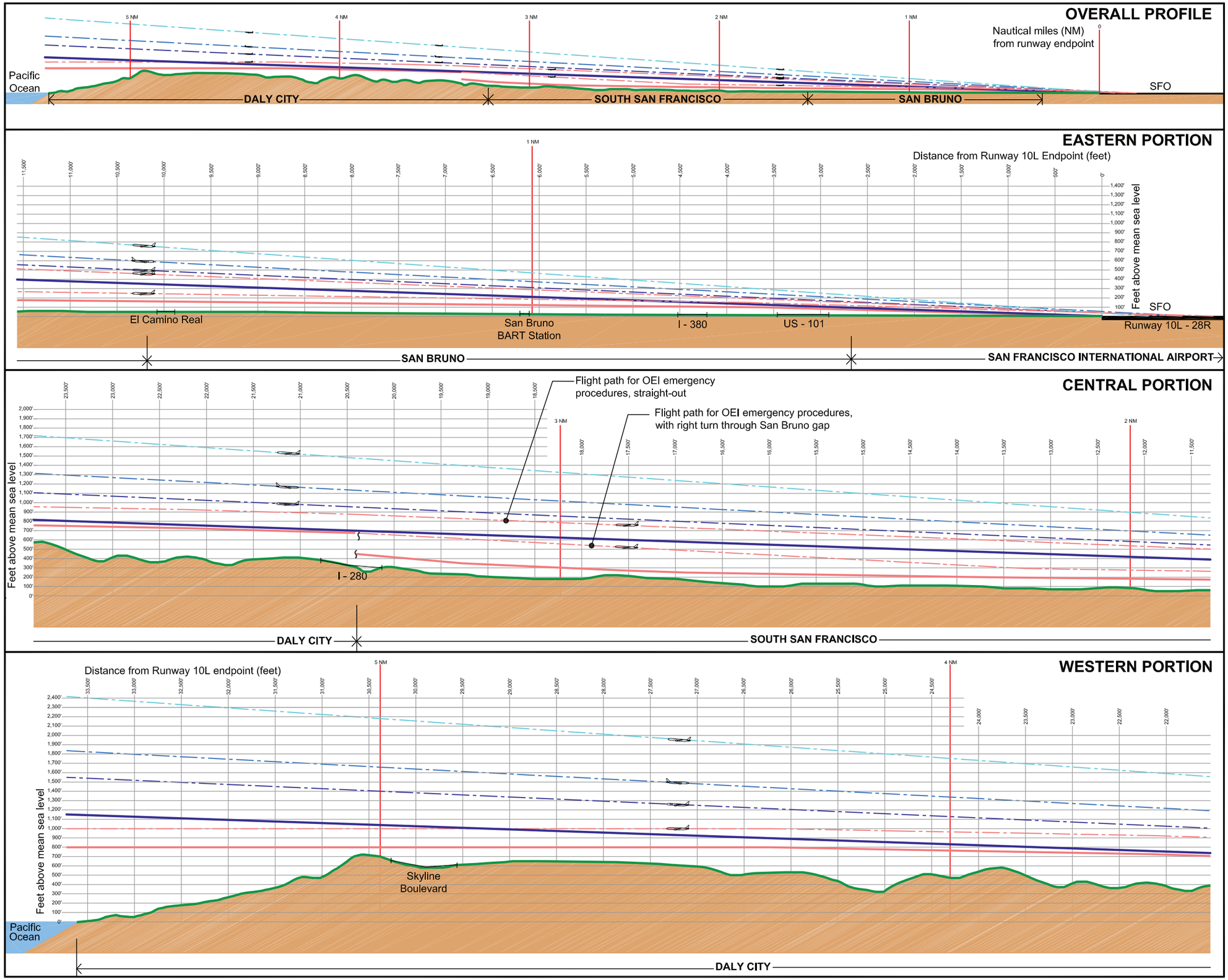

LEGEND

- Terrain Profile
- One Engine Inoperative (OEI) emergency flight path (approximate)
- OEI airspace protection surface

Representative Standard Flight Procedures

- Runway 28R departure: 270 feet per nautical mile minimum climb gradient, as specified in Obstacle Departure Procedure (ODP)
- Obstacle Clearance Surface (OCS) for ODP
- Runway 28R departure: 425 feet per nautical mile minimum climb gradient, as specified in several Standard Instrument Departure (SID) procedures

  Note: Aircraft on departure usually climb at a higher rate than the specified minimum
- Runway 10L approach: 3.0° glidepath angle
- Representative at-scale aircraft - Boeing 777-300

KEY PLAN

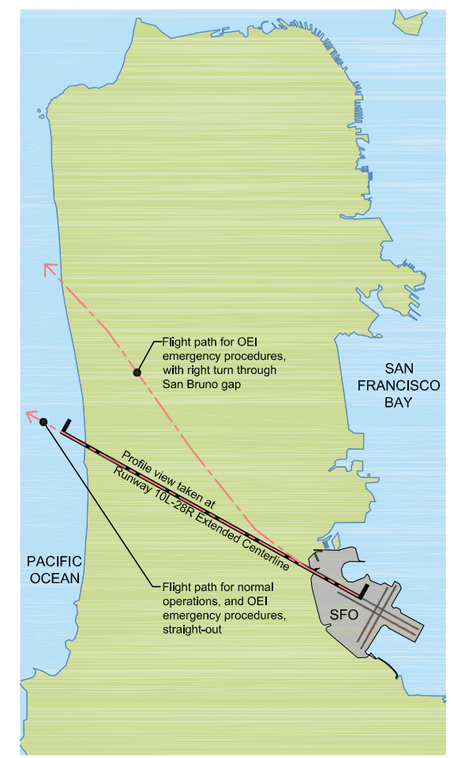

Exhibit IV-19

PROFILE VIEW ALONG RUNWAY 10L EXTENDED CENTERLINE RUNWAY 10L APPROACHES / RUNWAY 28R DEPARTURES

Comprehensive Airport Land Use Plan
For the Environs of San Francisco International Airport

C/CAG

City / County Assocation of Governments of San Mateo County, California

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AP-3 MAXIMUM COMPATIBLE BUILDING HEIGHT

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 SFO critical aeronautical surfaces map (Exhibits IV-17 and IV-18), 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.

For the vast majority of parcels, the height limits established in local zoning ordinances are lower than the critical airspace surfaces. In those cases, the zoning district height regulations will control. Compliance with the zoning district height and the SFO critical aeronautical surfaces map, however, does not relieve the construction sponsor of the obligation to file a FAA Form 7460-1 *Notice of Proposed Construction or Alteration*, if required, and to comply with the determinations resulting from the FAA's aeronautical study.

For a project to be consistent with this ALUCP, no local agency development permits shall be issued for any proposed structure that would penetrate the aeronautical surfaces shown on Exhibits IV-17 and IV-18 or the construction of which **has not** received a Determination of No Hazard from the FAA, or which would cause the FAA to increase the minimum visibility requirements for any instrument approach or departure procedure at the Airport.

AP-4 OTHER FLIGHT HAZARDS ARE INCOMPATIBLE

Proposed land uses with characteristics that may cause visual, electronic, or wildlife hazards, particularly bird strike hazards, to aircraft taking off or landing at the Airport or in flight are incompatible in Area B of the Airport Influence Area. They may be permitted only if the uses are consistent with FAA rules and regulations. Proof of consistency with FAA rules and regulations and with any performance standards cited below must be provided to the Airport Land Use Commission (C/CAG Board) by the sponsor of the proposed land use action.

Specific characteristics that may create hazards to aircraft in flight and which are incompatible include:

(a) Sources of glare, such as highly reflective buildings or building features, or bright lights, including search lights or laser displays, which would interfere with the vision of pilots making approaches to the Airport.

(b) Distracting lights that that could be mistaken by pilots on approach to the Airport for airport identification lighting, runway edge lighting, runway end identification lighting, or runway approach lighting.

(c) Sources of dust, smoke, or water vapor that may impair the vision of pilots making approaches to the Airport.

(d) Sources of electrical interference with aircraft or air traffic control communications or navigation equipment, including radar.

(e) Land uses that, as a regular byproduct of their operations, produce thermal plumes with the potential to rise high enough and at sufficient velocities to interfere with the control of aircraft in

flight. Upward velocities of 4.3 meters (14.1 feet) per second at altitudes above 200 feet above the ground shall be considered as potentially interfering with the control of aircraft in flight.[17]

(f) Any use that creates an increased attraction for wildlife, particularly large flocks of birds, that is inconsistent with FAA rules and regulations, including, but not limited to, FAA Order 5200.5A, *Waste Disposal Sites On or Near Airports*, FAA Advisory Circular 150/5200-33B, *Hazardous Wildlife Attractants On or Near Airports*, and any successor or replacement orders or advisory circulars. Exceptions to this policy are acceptable for wetlands or other environmental mitigation projects required by ordinance, statute, court order, or Record of Decision issued by a federal agency under the National Environmental Policy Act.

4.5.5 iALP AIRSPACE TOOL

In consultation with C/CAG, SFO developed the iALP Airspace Tool, a web-based, interactive tool to evaluate the relationship of proposed buildings with the Airport's critical airspace surfaces. The iALP Airspace Tool is designed to assist planners, developers, and other interested persons with the implementation of the airspace protection policies of the SFO ALUCP. The tool helps users determine: (1) the maximum allowable building height at a given site, and/or (2) whether a building penetrates a critical airspace surface, and by how much, given the proposed building height.

A more detailed description of the iALP Airspace Tool and a tutorial explaining how to use it is presented in **Appendix J**. Use of this tool, however, does not relieve a project sponsor of the duty to comply with all federal regulations, including the obligation to file Form 7460-1, Notice of Proposed Construction or Alteration, with the FAA.

[17] This is a threshold established by the California Energy Commission in its review of power plant licensing applications. See *Blythe Solar Power Project: Supplemental Staff Assessment, Part 2*,. CEC-700-2010-004-REV1-SUP-PT2, July 2010. California Energy Commission. Docket Number 09-AFC-6, p. 25. This criterion is based on guidance established by the Australian Government Civil Aviation Authority (Advisory Circular AC 139-05(0), June 2004). The FAA's Airport Obstructions Standards Committee (AOSC) is studying this matter but has not yet issued specific guidance.

Appendix A

Glossary

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Appendix A

GLOSSARY

A-Weighted Sound (dBA): A system for measuring sound energy that is designed to represent the response of the human ear to sound. Energy at frequencies more readily detected by the human ear is more heavily weighted in the measurement, while frequencies less well detected are assigned lower weights. A-weighted sound measurements are commonly used in studies where the human response to sound is the object of the analysis.

Air Route Traffic Control Center (ARTCC or Center): A FAA facility established to provide air traffic control service to aircraft operating on Instrument Flight Rules (IFR) flight plans within controlled airspace during the en route portion of flight.

Air Traffic Control (ATC): A service operated to promote the safe, orderly, and expeditious flow of air traffic.

Airport Operations: Landings (arrivals) and takeoffs (departures) from an airport.

Base Leg: A flight path at right angles to the approach to the runway end. It usually extends from the downwind leg to the intersection of the extended runway centerline. See "traffic pattern."

California Environmental Quality Act (CEQA): Statutes adopted by the California legislature for maintaining a quality environment for the people of the state now and in the future. CEQA establishes a process for state and local agency review of projects, as defined in the implementing guidelines, that may adversely affect the environment (California Public Resources Code §§2100-21178).

CEQA: See California Environmental Quality Act.

Commuter Aircraft: Commuters are commercial operators that provide regularly scheduled passenger or cargo service with aircraft seating less than 60 passengers.

Controlled Airspace: Airspace of a defined dimension that has air traffic control service provided to IFR flights and to VFR flights in accordance with the airspace classification. Controlled airspace is designated as Class A, Class B, Class C, Class D, or Class E. Aircraft operators are subject to certain pilot qualifications, operating rules, and equipment requirements as specified in FAR Part 91, depending upon the class of airspace in which they are operating.

Crosswind Leg: A flight path at right angles to the runway approach connecting the upwind leg to the downwind leg of the traffic pattern.

Day-Night Average Sound Level (DNL): A noise measure used to describe the cumulative sound level over a 24-hour period, typically an average day over the course of a year. In computing DNL, an extra weight of 10 decibels is assigned to noise occurring between the hours of 10 p.m. and 7 a.m. to account for increased annoyance when ambient noise levels are lower and people are trying to sleep.

Decibel (dB): A logarithmic unit of measurement that expresses the magnitude of sound pressure relative to a reference level of 20 micropascals, the lowest audible sound pressure level. A 10-decibel increase in sound is equal to a tenfold increase in sound pressure.

Displaced Threshold: A landing threshold located at a point on the runway other than the designated beginning of the runway. The portion of pavement behind a displaced threshold may be available for takeoffs in both directions and landings from the opposite direction.

Easement: The legal right of one party to use part of the real estate belonging to another party. This may include, but is not limited to, the right of passage over, on or below the property; certain air rights above the property, including view rights; and the rights to any specified form of development or activity.

Enplanements: The number of passengers boarding an aircraft at an airport. Does not include arriving or through passengers.

Environmental Assessment (EA): A concise document that assesses the environmental effects of a proposed Federal Action. It discusses the need for, and environmental impacts of, the proposed action and alternatives. An environmental assessment should provide sufficient evidence and analysis for a Federal determination whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

Environmental Impact Statement (EIS): An EIS is a document that provides a discussion of the significant environmental impacts that would occur as a result of a proposed project, and informs decision-makers and the public of the reasonable alternatives which would avoid or minimize adverse impacts.

Federal Aviation Administration (FAA): The FAA is the Federal agency responsible for insuring the safe and efficient use of the nation's airspace, for fostering civil aeronautics and air commerce, and for supporting the requirements of national defense. The activities required to carry out these responsibilities include: issuance and administration of safety regulations; airspace management and the establishment, operation, and maintenance of a system of air traffic control and navigation facilities; research and development in support of the fostering of a national system of airports, promulgation of standards and specifications for civil airports, and administration of Federal grants-in-aid for developing public airports;

various joint and cooperative activities with the Department of Defense; and technical assistance (under State Department auspices) to other countries.

Federal Aviation Regulations (FAR): The body of Federal regulations relating to aviation (published as Title 14 of the Code of Federal Regulations (CFR)).

Final Approach: A flight path that follows the extended runway centerline. It usually extends from the base leg to the runway.

Glide Slope (GS): Electronic and visual systems providing vertical guidance for aircraft during approach and landing. The glide slope consists of the following:

- Electronic components emitting signals which provide vertical guidance by reference to airborne instruments during instrument approaches such as ILS, or

- Visual ground aids, such as VASI, which provide vertical guidance for VFR approach or for the visual portion of an instrument approach and landing.

Global Positioning System (GPS): A system of satellites used as reference points to enable navigators equipped with GPS receivers to determine their latitude, longitude, and altitude. The accuracy of the system can be further refined by using a ground receiver at a known location to calculate the error in the satellite range data. This is known as differential GPS (DGPS).

Instrument Approach: A series of predetermined maneuvers for the orderly transfer of an aircraft under instrument flight conditions from the beginning of the initial approach to a landing, or to a point from which a landing may be made visually.

Instrument Flight Rules (IFR): That portion of the Federal Aviation Regulations (14 CFR 91) specifying the procedures to be used by aircraft during flight in Instrument Meteorological Conditions. These procedures may also be used under visual conditions and provide for positive control by ATC. (See also VFR).

Instrument Landing System (ILS): An electronic system installed at some airports which provides lateral and vertical guidance for approaches and landings during periods of limited visibility or adverse weather.

Integrated Noise Model (INM): A computer model developed, updated and maintained by the FAA to predict the noise exposure generated by aircraft operations at an airport.

Ldn: See **Day-Night Average Sound Level (DNL)**. Ldn is used in place of DNL in mathematical equations only.

Mean Sea Level (MSL): The average height of the surface of the sea for all stages of the tide; used as a reference for elevations (also called sea level datum).

Missed Approach: A procedure prescribed for aircraft to follow when they cannot complete an attempted landing at an airport.

Narrow-body Aircraft: A commercial passenger jet that has a single aisle and a maximum of three seats on each side of the aisle. Common narrow-body aircraft include the A320, B717, B737, B757, and MD80.

National Airspace System (NAS): The common network of U.S. airspace; air navigation facilities, equipment, services, airports, or landing areas; aeronautical charts, information, and services; rules, regulations, and procedures; technical information, manpower, and materials, all of which are used in aerial navigation.

National Environmental Policy Act of 1969 (NEPA): The original legislation establishing the environmental review process for proposed Federal Actions.

Nautical Mile: A measure of distance equal to one minute of arc along a meridian of latitude on the earth's surface (1,852 meters or 6,076.1 feet).

NAVAIDs (Navigational Aids): Any facility used by an aircraft for navigation.

Noise Abatement: A measure or action that minimizes the amount of impact of noise on the environs of an airport. Noise abatement measures include aircraft operating procedures and use or disuse of certain runways or flight tracks.

Noise Contour Map: A map representing average annual noise levels summarized by lines connecting points of equal noise exposure.

Nonprecision Approach: A standard instrument approach procedure providing runway alignment but no glide slope or descent information.

One Engine Inoperative (OEI) Procedures: Procedures required of commercial operators of multi-engine aircraft, mandated by federal regulation, that allow aircraft to safely climb after takeoff with the complete loss of power to one engine.

Operation: A takeoff or landing by an aircraft.

Precision Approach Procedure: A standard instrument approach procedure in which an electronic glideslope/glidepath is provided (e.g., ILS).

Primary Commercial Service Airport: A commercial airport which enplanes 0.01 percent or more of the total annual U.S. enplanements.

Profile: The position of the aircraft during an approach or departure in terms of altitude above the runway and distance from the runway end.

Public Use Airport: An airport that is open to public use without prior permission, and without restrictions within the physical capabilities of the facility. It may or may not be publicly owned.

Run-Up: A routine procedure for testing aircraft systems by running one or more engines at a high power setting. Engine run-ups are normally conducted by aircraft maintenance personnel checking an engine or other on board systems following maintenance.

Runway Protection Zone (RPZ): An area, trapezoidal in shape and centered about the extended runway centerline, designated to enhance the safety of aircraft operations. It begins 200 feet (60 M) beyond the end of the area usable for takeoff or landing. The RPZ dimensions are functions of the aircraft, type of operation and visibility minimums at the airport (formerly known as the clear zone).

Runway Safety Area (RSA): A defined surface surrounding the runway prepared or suitable for reducing the risk or damage to airplanes in the event of a runway undershoot, overshoot, or excursion.

Runway Threshold: The beginning of the portion of the runway that is usable for landing.

Single Event: One noise event. Sound from single events may be described by the maximum instantaneous sound level (L_{max}) or the Sound Exposure Level (SEL) metric.

Sound: Sound is the result of vibration in the air. The vibrations produce fluctuations in the normal atmospheric pressure similar to ripples on a pond. Vibrations in the audible range are heard as sound.

Sound Exposure Level (SEL): A standardized measure of a single sound event, expressed in A-weighted decibels, that takes into account all sound above a specified threshold set at least 10 decibels below the maximum level. All sound energy in the event is integrated over one second.

Standard Instrument Departure Procedure (SID): A planned IFR air traffic control departure procedure published for pilot use in graphic and textual form. A SID provides transition from the terminal to the en route air traffic control structure.

Standard Terminal Arrival Route (STAR): A planned IFR air traffic control arrival procedure published for pilot use in graphic and textual form. STARs provide transition from the en route air traffic control structure to an outer fix or an instrument approach fix in the terminal area.

Statute Mile: A measure of distance equal to 5,280 feet.

Terminal Radar Approach Control (TRACON): An FAA Air Traffic Control Facility which uses radar and two-way communication to provide separation of air traffic within a specified geographic area in the vicinity of one or more airports.

TERPS: Imaginary airspace surfaces established according to the criteria published in FAA Order 8260.3B, U.S. Standard for Terminal Instrument Procedures (TERPS). The surfaces are designed to ensure the safe separation of aircraft operating under instrument procedures from manmade and natural obstructions. The term, TERPS, is also used more generally in reference to the applicable FAA order.

Traffic Pattern: The traffic flow for aircraft landing and departing an airport. Typical components of the traffic pattern include: upwind leg, crosswind leg, downwind leg, base leg, and final approach.

Upwind Leg: A flight path parallel to the approach runway in the direction of approach.

Vector: Compass heading instructions issued by ATC in providing navigational guidance by radar.

Very High Frequency Omnidirectional Range (VOR) Station: A ground-based radio navigation aid transmitting signals in all directions. A VOR provides azimuth guidance to pilots by reception of electronic signals.

Very High Frequency Omnidirectional Range Station with Tactical Air Navigation (VORTAC): A navigational aid providing VOR azimuth and TACAN distance measuring equipment at one site.

Visual Approach: An approach conducted on an IFR flight plan which authorizes the pilot to proceed visually and clear of clouds to the airport.

Visual Flight Rules (VFR): Rules and procedures specified in 14 CFR 91 for aircraft operations under visual conditions. Aircraft operations under VFR are not generally under positive control by ATC. The term VFR is also used in the United States to indicate weather conditions that are equal to or greater than minimum VFR requirements. In addition, it is used by pilots and controllers to indicate a type of flight plan.

Wide-Body Aircraft: A commercial jet with a wingspan generally greater than 155 feet and, in passenger configuration, having two aisles with 8 to 11 seats across in a row. Common wide-body aircraft include the A300, A310, B747, B767, and B777.

Yearly Day-Night Average Sound Level: see **Day-Night Average Sound Level**.

Appendix B

State Laws Related to Airport Land Use Planning

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AERONAUTICS LAW
PUBLIC UTILITIES CODE
Division 9, Part 1
Chapter 4—Airports and Air Navigation Facilities
Article 2.7—Regulation of Obstructions
(excerpts)

21655. Proposed Site for Construction of State Building Within Two Miles of Airport Boundary

Notwithstanding any other provision of law, if the proposed site of any state building or other enclosure is within two miles, measured by air line, of that point on an airport runway, or runway proposed by an airport master plan, which is nearest the site, the state agency or office which proposes to construct the building or other enclosure shall, before acquiring title to property for the new state building or other enclosure site or for an addition to a present site, notify the Department of Transportation, in writing, of the proposed acquisition. The department shall investigate the proposed site and, within 30 working days after receipt of the notice, shall submit to the state agency or office which proposes to construct the building or other enclosure a written report of the investigation and its recommendations concerning acquisition of the site.

If the report of the department does not favor acquisition of the site, no state funds shall be expended for the acquisition of the new state building or other enclosure site, or the expansion of the present site, or for the construction of the state building or other enclosure, provided that the provisions of this section shall not affect title to real property once it is acquired.

21658.

No public utility shall construct any pole, pole line, distribution or transmission tower, or tower line, or substation structure in the vicinity of the exterior boundary of an aircraft landing area of any airport open to public use, in a location with respect to the airport and at a height so as to constitute an obstruction to air navigation, as an obstruction is defined in accordance with Part 77 of the Federal Aviation Regulations, Federal Aviation Administration, or any corresponding rules or regulations of the Federal Aviation Administration, unless the Federal Aviation Administration has determined that the pole, line, tower, or structure does not constitute a hazard to air navigation. This section shall not apply to existing poles, lines, towers, or structures or to the repair, replacement, or reconstruction thereof if the original height is not materially exceeded and this section shall not apply unless just compensation shall have first been paid to the public utility by the owner of any airport for any property or property rights which would be taken or damaged hereby.

21659.

(a) No person shall construct or alter any structure or permit any natural growth to grow at a height which exceeds the obstruction standards set forth in the regulations of the Federal Aviation Administration relating to objects affecting navigable airspace contained in Title 14 of the Code of Federal Regulations, Part 77, Subpart C, unless a permit allowing the construction, alteration, or growth is issued by the department.

(b) The permit is not required if the Federal Aviation Administration has determined that the construction, alteration, or growth does not constitute a hazard to air navigation or would not create an unsafe condition for air navigation. Subdivision (a) does not apply to a pole, pole line, distribution or transmission tower, or tower line or substation of a public utility.

(c) Section 21658 is applicable to subdivision (b).

AERONAUTICS LAW
PUBLIC UTILITIES CODE
Division 9, Part 1
Chapter 4—Airports and Air Navigation Facilities
Article 3—Regulation of Airports (excerpts)

21661.5. City Council or Board of Supervisors and ALUC Approvals

(a) No political subdivision, any of its officers or employees, or any person may submit any application for the construction of a new airport to any local, regional, state, or federal agency unless the plan for such construction is first approved by the board of supervisors of the county, or the city council of the city, in which the airport is to be located and unless the plan is submitted to the appropriate commission exercising powers pursuant to Article 3.5 (commencing with Section 21670) of Chapter 4 of Part 1 of Division 9, and acted upon by such commission in accordance with the provisions of such article.

(b) A county board of supervisors or a city council may, pursuant to Section 65100 of the Government Code, delegate its responsibility under this section for the approval of plan for construction of new helicopter landing and takeoff areas, to the county or city planning agency.

21664.5. Amended Airport Permits; Airport Expansion Defined

(a) An amended airport permit shall be required for every expansion of an existing airport. An applicant for an amended airport permit shall comply with each requirement of this article pertaining to permits for new airports. The department may by regulation provide for exemptions from the operation of the section pursuant to Section 21661, except that no exemption shall be made limiting the applicability of subdivision (e) of Section 21666, pertaining to environmental considerations, including the requirement for public hearings in connection therewith.

(b) As used in this section, "airport expansion" includes any of the following:

(1) The acquisition of runway protection zones, as defined in Federal Aviation Administration Advisory Circular 150/5300-13, or of any interest in land for the purpose of any other expansion as set forth in this section.

(2) The construction of a new runway.

(3) The extension or realignment of an existing runway.

(4) Any other expansion of the airport's physical facilities for the purpose of accomplishing or which are related to the purpose of paragraph (1), (2), or (3).

(c) This section does not apply to any expansion of an existing airport if the expansion commenced on or prior to the effective date of this section and the expansion met the approval on or prior to that effective date of each governmental agency that by law required the approval by law.

AERONAUTICS LAW
PUBLIC UTILITIES CODE
Division 9—Aviation
Part 1—State Aeronautics Act
Chapter 4—Airports and Air Navigation Facilities
Article 3.5—Airport Land Use Commission

21670. Creation; Membership; Selection

(a) The Legislature hereby finds and declares that:

(1) It is in the public interest to provide for the orderly development of each public use airport in this state and the area surrounding these airports so as to promote the overall goals and objectives of the California airport noise standards adopted pursuant to Section 21669 and to prevent the creation of new noise and safety problems.

(2) It is the purpose of this article to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses.

(b) In order to achieve the purposes of this article, every county in which there is located an airport which is served by a scheduled airline shall establish an airport land use commission. Every county, in which there is located an airport which is not served by a scheduled airline, but is operated for the benefit of the general public, shall establish an airport land use commission, except that the board of supervisors for the county may, after consultation with the appropriate airport operators and affected local entities and after a public hearing, adopt a resolution finding that there are no noise, public safety, or land use issues affecting any airport in the county which require the creation of a commission and declaring the county exempt from that requirement. The board shall, in this event, transmit a copy of the resolution to the Director of Transportation. For purposes of this section, "commission" means an airport land use commission. Each commission shall consist of seven members to be selected as follows:

(1) Two representing the cities in the county, appointed by a city selection committee comprised of the mayors of all the cities within that county, except that if there are any cities contiguous

or adjacent to the qualifying airport, at least one representative shall be appointed therefrom. If there are no cities within a county, the number of representatives provided for by paragraphs (2) and (3) shall each be increased by one.

(2) Two representing the county, appointed by the board of supervisors.

(3) Two having expertise in aviation, appointed by a selection committee comprised of the managers of all the public airports within that county.

(4) One representing the general public, appointed by the other six members of the commission.

(c) Public officers, whether elected or appointed, may be appointed and serve as members of the commission during their terms of public office.

(d) Each member shall promptly appoint a single proxy to represent him or her in commission affairs and to vote on all matters when the member is not in attendance. The proxy shall be designated in a signed written instrument which shall be kept on file at the commission offices, and the proxy shall serve at the pleasure of the appointing member. A vacancy in the office of proxy shall be filled promptly by appointment of a new proxy.

(e) A person having an "expertise in aviation" means a person who, by way of education, training, business, experience, vocation, or avocation has acquired and possesses particular knowledge of, and familiarity with, the function, operation, and role of airports, or is an elected official of a local agency which owns or operates an airport.

(f) It is the intent of the Legislature to clarify that, for the purposes of this article, special districts, school districts and community college districts are included among the local agencies that are subject to airport land use laws and other requirements of this article.

21670.1. Action by Designated Body Instead of Commission

(a) Notwithstanding any other provision of this article, if the board of supervisors and the city selection committee of mayors in the county each makes a determination by a majority vote that proper land use planning can be accomplished through the actions of an appropriately designated body, then the body so designated shall assume the planning

responsibilities of an airport land use commission as provided for in this article, and a commission need not be formed in that county.

(b) A body designated pursuant to subdivision (a) that does not include among its membership at least two members having expertise in aviation, as defined in subdivision (e) of Section 21670, shall, when acting in the capacity of an airport land use commission, be augmented so that the body, as augmented, will have at least two members having that expertise. The commission shall be constituted pursuant to this section on and after March 1, 1988.

(1) Notwithstanding subdivisions (a) and (b), and subdivision (b) of Section 21670, if the board of supervisors of a county and each affected city in that county each makes a determination that proper land use planning pursuant to this article can be accomplished pursuant to this subdivision, then a commission need not be formed in that county.

(2) If the board of supervisors of a county and each affected city makes a determination that proper land use planning may be accomplished and a commission is not formed pursuant to paragraph (1) that county and the appropriate affected cities having jurisdiction over an airport, subject to the review and approval by the Division of Aeronautics of the department, shall do all of the following:

(A) Adopt processes for the preparation, adoption, and amendment of the airport land use compatibility plan for each airport that is served by a scheduled airline or operated for the benefit of the general public.

(B) Adopt processes for the notification of the general public, landowners, interested groups, and other public agencies regarding the preparation, adoption, and amendment of the airport land use compatibility plans.

(C) Adopt processes for the mediation of disputes arising from the preparation, adoption, and amendment of the airport land use compatibility plans.

(D) Adopt processes for the amendment of general and specific plans to be consistent with the airport land use compatibility plans.

(D) Designate the agency that shall be responsible for the preparation, adoption, and amendment of each airport land use compatibility plan.

(3) The Division of Aeronautics of the department shall review the processes adopted pursuant to paragraph (2), and shall approve the processes if the division determines that the processes are consistent with the procedure required by this article and will do all of the following:

(A) Result in the preparation, adoption, and implementation of plans within a reasonable amount of time.

(B) Rely on the height, use, noise, safety, and density criteria that are compatible with airport operations, as established by this article, and referred to as the Airport Land Use Planning Handbook, published by the division, and any applicable federal aviation regulations, including, but not limited to, Part 77 (commencing with Section 77.1) of Title 14 of the Code of Federal Regulations.

(C) Provide adequate opportunities for notice to, review of, and comment by the general public, landowners, interested groups, and other public agencies.

(4) If the county does not comply with the requirements of paragraph (2) within 120 days, then the airport land use compatibility plan and amendments shall not be considered adopted pursuant to this article and a commission shall be established within 90 days of the determination of noncompliance by the division and an airport land use compatibility plan shall be adopted pursuant to this article within 90 days of the establishment of the commission.

(c) A commission need not be formed in a county that has contracted for the preparation of airport land use compatibility plans with the Division of Aeronautics under the California Aid to Airport Program (Chapter 4 (commencing with Section 4050) of Title 21 of the California Code of Regulations), Project Ker-VAR 90-1, and that submits all of the following information to the Division of Aeronautics for review and comment that the county and the cities affected by the airports within the county, as defined by the airport land use compatibility plans:

(1) Agree to adopt and implement the airport land use compatibility plans that have been developed under contract.

(2) Incorporated the height, use, noise, safety, and density criteria that are compatible with airport operations as established by this article, and referred to as the Airport Land Use Planning Handbook, published by the division, and any applicable federal aviation regulations, including, but not limited to, Part 77 (commencing with Section 77.1) of Title 14 of the Code of Federal Regulations as part of the general and specific plans for the county and for each affected city.

(3) If the county does not comply with this subdivision on or before May 1, 1995, then a commission shall be established in accordance with this article.

(d) A commission need not be formed in a county if all of the following conditions are met:

(1) The county has only one public use airport that is owned by a city.

(2) (i) The county and the affected city adopt the elements in paragraph (2) of subdivision (d), as part of their general and specific plans for the county and the affected city.

(ii) The general and specific plans shall be submitted, upon adoption, to the Division of Aeronautics. If the county and the affected city do not submit the elements specified in paragraph (2) of subdivision (d), on or before May 1, 1996, then a commission shall be established in accordance with this article.

21670.2. Application to Counties Having over 4 Million in Population

(a) Sections 21670 and 21670.1 do not apply to the County of Los Angeles. In that county, the county regional planning commission has the responsibility for coordinating the airport planning of public agencies within the county. In instances where impasses result relative to this planning, an appeal may be made to the county regional planning commission by any public agency involved. The action taken by the county regional planning commission on such an appeal may be overruled by a four-fifths vote of the governing body of a public agency whose planning led to the appeal.

(b) By January 1, 1992, the county regional planning commission shall adopt the airport land use compatibility plans required pursuant to Section 21675.

(c) Sections 21675.1, 21675.2, and 21679.5 do not apply to the County of Los Angeles until January 1, 1992. If the airport land use compatibility plans required pursuant to Section 21675 are not adopted by the county regional planning commission by January 1, 1992, Sections 21675.1 and 21675.2 shall apply to the County of Los Angeles until the airport land use compatibility plans are adopted.

21670.3 San Diego County

(a) Sections 21670 and 21670.1 do not apply to the County of San Diego. In that county, the San Diego County Regional Airport Authority, as established pursuant to Section 170002, shall be responsible for the preparation, adoption, and amendment of an airport land use compatibility plan for each airport in San Diego County.

(b) The San Diego County Regional Airport Authority shall engage in a public collaborative planning process when preparing and updating an airport land use compatibility plan.

21670.4. Intercounty Airports

(a) As used in this section, "intercounty airport" means any airport bisected by a county line through its runways, runway protection zones, inner safety zones, inner turning zones, outer safety zones, or sideline safety zones, as defined by the department's Airport Land Use Planning Handbook and referenced in the airport land use compatibility plan formulated under Section 21675.

(b) It is the purpose of this section to provide the opportunity to establish a separate airport land use commission so that an intercounty airport may be served by a single airport land use planning agency, rather than having to look separately to the airport land use commissions of the affected counties.

(c) In addition to the airport land use commissions created under Section 21670 or the alternatives established under Section 21670.1, for their respective counties, the boards of supervisors and city selection committees for the affected counties, by independent majority vote of each county's two delegations, for any intercounty airport, may do either of the following:

(1) Establish a single separate airport land use commission for that airport. That commission shall consist of seven members to be selected as follows:

(A) One representing the cities in each of the counties, appointed by that county's city selection committee.

(B) One representing each of the counties, appointed by the board of supervisors of each county.

(C) One from each county having expertise in aviation, appointed by a selection committee comprised of the managers of all the public airports within that county.

(D) One representing the general public, appointed by the other six members of the commission.

(2) In accordance with subdivision (a) or (b) of Section 21670.1, designate an existing appropriate entity as that airport's land use commission.

21671. Airports Owned by a City, District, or County

In any county where there is an airport operated for the general public which is owned by a city or district in another county or by another county, one of the representatives provided by paragraph (1) of subdivision (b) of Section 21670 shall be appointed by the city selection committee of mayors of the cities of the county in which the owner of that airport is located, and one of the representatives provided by paragraph (2) subdivision (b) of Section 21670 shall be appointed by the board of supervisors of the county in which the owner of that airport is located.

21671.5. Term of Office

(a) Except for the terms of office of the members of the first commission, the term of office of each member shall be four years and until the appointment and qualification of his or her successor. The members of the first commission shall classify themselves by lot so that the term of office of one member is one year, of two members is two years, of two members is three years, and of two members if four years. The body that originally appointed a member whose term has expired shall appoint his or her successor for a full term of four years. Any member may be removed at any time and without cause by the body appointing that member. The expiration date of the term of office of each member shall be the first Monday in May in the year in which that member's term is to expire. Any vacancy in the membership of the commission shall be filled for the unexpired term by appointment by the body which

originally appointed the member whose office has become vacant. The chairperson of the commission shall be selected by the members thereof.

(b) Compensation, if any, shall be determined by the board of supervisors.

(c) Staff assistance, including the mailing of notices and the keeping of minutes, and necessary quarters, equipment, and supplies shall be provided by the county. The usual and necessary expenses of the commission shall be a county charge.

(d) Notwithstanding any other provisions of this article, the commission shall not employ any personnel either as employees or independent contractors without the prior approval of the board of supervisors.

(e) The commission shall meet at the call of the commission chairperson or at the request of the majority of the commission members. A majority of the commission members shall constitute a quorum for the transaction of business. No action shall be taken by the commission except by the recorded vote of a majority of the full membership.

(f) The commission may establish a schedule of fees necessary to comply with this article. Those fees shall be charged to the proponents of actions, regulations, or permits, shall not exceed the estimated reasonable cost of providing the service, and shall be imposed pursuant to Section 66016 of the Government Code. Except as provided in subdivision (g), after June 30, 1991, a commission which has not adopted the airport land use compatibility plan required by Section 21675 shall not charge fees pursuant to this subdivision until the commission adopts the plan.

(g) In any county which has undertaken by contract or otherwise completed land use plans for at least one-half of all public use airports in the county, the commission may continue to charge fees necessary to comply with this article until June 30, 1992, and, if the land use plans are complete by that date, may continue charging fees after June 30, 1992. If the airport land use compatibility plans are not complete by June 30, 1992, the commission shall not charge fees pursuant to subdivision (f) until the commission adopts the land use plans.

21672. Rules and Regulations

Each commission shall adopt rules and regulations with respect to the temporary disqualification of its members from participating in the review or adoption of a proposal because of conflict of interest and with respect to appointment of substitute members in such cases.

21673. Initiation of Proceedings for Creation by Owner of Airport

In any county not having a commission or a body designated to carry out the responsibilities of a commission, any owner of a public airport may initiate proceedings for the creation of a commission by presenting a request to the board of supervisors that a commission be created and showing the need therefore to the satisfaction of the board of supervisors.

21674. Powers and Duties

The commission has the following powers and duties, subject to the limitations upon its jurisdiction set forth in Section 21676:

(a) To assist local agencies in ensuring compatible land uses in the vicinity of all new airports and in the vicinity of existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses.

(b) To coordinate planning at the state, regional, and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety, and welfare.

(c) To prepare and adopt an airport land use compatibility plan pursuant to Section 21675.

(d) To review the plans, regulations, and other actions of local agencies and airport operators pursuant to Section 21676.

(e) The powers of the commission shall in no way be construed to give the commission jurisdiction over the operation of any airport.

(f) In order to carry out its responsibilities, the commission may adopt rules and regulations consistent with this article.

21674.5. Training of Airport Land Use Commission's Staff

(a) The Department of Transportation shall develop and implement a program or programs to assist in the training and development of the staff of airport land use commissions, after consulting with airport land use commissions, cities, counties, and other appropriate public entities.

(b) The training and development program or programs are intended to assist the staff of airport land use commissions in addressing high priority needs, and may include, but need not be limited to, the following:

(1) The establishment of a process for the development and adoption of airport land use compatibility plans.

(2) The development of criteria for determining the airport influence area.

(3) The identification of essential elements which should be included in the airport land use compatibility plans.

(4) Appropriate criteria and procedures for reviewing proposed developments and determining whether proposed developments are compatible with the airport use.

(5) Any other organizational, operational, procedural, or technical responsibilities and functions that the department determines to be appropriate to provide the commission staff and for which it determines there is a need for staff training and development.

(c) The department may provide training and development programs for airport land commission staff pursuant to this section by any means it deems appropriate. Those programs may be presented in any of the following ways:

(1) By offering formal courses or training programs.

(2) By sponsoring or assisting in the organization and sponsorship of conferences, seminars, or other similar events.

(3) By producing and making available written information.

(4) Any other feasible method of providing information and assisting in the training and development of airport land use commission staff.

21674.7. Airport Land Use Planning Handbook

(a) An airport land use commission that formulates, adopts or amends an airport land use compatibility plan shall be guided by information prepared and updated pursuant to Section 21674.5 and referred to as the Airport Land Use Planning Handbook published by the Division of Aeronautics of the Department of Transportation.

(b) It is the intent of the Legislature to discourage incompatible land uses near existing airports. Therefore, prior to granting permits for the renovation or remodeling of an existing building, structure, or facility,

and before the construction of a new building, it is the intent of the Legislature that local agencies shall be guided by the height, use, noise, safety, and density criteria that are compatible with airport operations, as established by this article, and referred to as the Airport Land Use Planning Handbook, published by the division, and any applicable federal aviation regulations, including, but not limited to, Part 77 (commencing with Section 77.1) of Title 14 of the Code of Federal Regulations, to the extent that the criteria has been incorporated into the plan prepared by a commission pursuant to Section 21675. This subdivision does not limit the jurisdiction of a commission as established by this article. This subdivision does not limit the authority of local agencies to overrule commission actions or recommendations pursuant to Sections 21676, 21676.5, or 21677.

21675. Land Use Plan

(a) Each commission shall formulate an airport land use compatibility plan that will provide for the orderly growth of each public airport and the area surrounding the airport within the jurisdiction of the commission, and will safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general. The commission airport land use compatibility plan shall include and shall be based on a long-range master plan or an airport layout plan, as determined by the Division of Aeronautics of the Department of Transportation, which reflects the anticipated growth of the airport during at least the next 20 years. In formulating an airport land use compatibility plan, the commission may develop height restrictions on buildings, specify use of land, and determine building standards, including soundproofing adjacent to airports, within the planning area. The airport land use compatibility plan shall be reviewed as often as necessary in order to accomplish its purposes, but shall not be amended more than once in any calendar year.

(b) The commission shall include, within its airport land use compatibility plan formulated pursuant to subdivision (a), the area within the jurisdiction of the commission surrounding any military airport for all the purpose specified in subdivision (a). The airport land use compatibility plan shall be consistent with the safety and noise standards in the Air Installation Compatible Use Zone prepared for that military airport. This subdivision does not give the commission any jurisdiction or authority over the territory or operations of any military airport.

(c) The airport influence area boundaries shall be established by the commission after hearing and consultation with the involved agencies.

(d) The commission shall submit to the Division of Aeronautics of the department one copy of the plan and each amendment to the plan.

(e) If an airport land use compatibility plan does not include the matters required to be included pursuant to this article, the Division of Aeronautics of the department shall notify the commission responsible for the plan.

21675.1. Adoption of Land Use Plan

(a) By June 30, 1991, each commission shall adopt the airport land use compatibility plan required pursuant to Section 21675, except that any county that has undertaken by contract or otherwise completed airport land use compatibility plans for at least one-half of all public use airports in the county shall adopt the airport land use compatibility plan on or before June 30, 1992.

(b) Until a commission adopts an airport land use compatibility plan, a city or county shall first submit all actions, regulations, and permits within the vicinity of a public airport to the commission for review and approval. Before the commission approves or disapproves any actions, regulations, or permits, the commission shall give public notice in the same manner as the city or county is required to give for those actions, regulations, or permits. As used in this section, "vicinity" means land that will be included or reasonably could be included within the airport land use compatibility plan. If the commission has not designated an airport influence area, then "vicinity" means land within two miles of the boundary of a public airport.

(c) The commission may approve an action, regulation, or permit if it finds, based on substantial evidence in the record, all of the following:

(1) The commission is making substantial progress toward the completion of the airport land use compatibility plan.

(2) There is a reasonable probability that the action, regulation, or permit will be consistent with the airport land use compatibility plan being prepared by the commission.

(3) There is little or no probability of substantial detriment to or interference with the future adopted airport land use compatibility plan if the action, regulation, or permit is

ultimately inconsistent with the airport land use compatibility plan.

(d) If the commission disapproves an action, regulation, or permit, the commission shall notify the city or county. The city or county may overrule the commission, by a two-thirds vote of its governing body, if it makes specific findings that the proposed action, regulation, or permit is consistent with the purposes of this article, as stated in Section 21670.

(e) If a city or county overrules the commission pursuant to subdivision (d), that action shall not relieve the city or county from further compliance with this article after the commission adopts the airport land use compatibility plan.

(f) If a city or county overrules the commission pursuant to subdivision (d) with respect to a publicly owned airport that the city or county does not operate, the operator of the airport is not liable for damages to property or personal injury from the city's or county's decision to proceed with the action, regulation, or permit.

(g) A commission may adopt rules and regulations that exempt any ministerial permit for single-family dwellings from the requirements of subdivision (b) if it makes the findings required pursuant to subdivision (c) for the proposed rules and regulations, except that the rules and regulations may not exempt either of the following:

(1) More than two single-family dwellings by the same applicant within a subdivision prior to June 30, 1991.

(2) Single-family dwellings in a subdivision where 25 percent or more of the parcels are undeveloped.

21675.2. Approval or Disapproval of Actions, Regulations, or Permits

(a) If a commission fails to act to approve or disapprove any actions, regulations, or permits within 60 days of receiving the request pursuant to Section 21675.1, the applicant or his or her representative may file an action pursuant to Section 1094.5 of the Code of Civil Procedure to compel the commission to act, and the court shall give the proceedings preference over all other actions or proceedings, except previously filed pending matters of the same character.

(b) The action, regulation, or permit shall be deemed approved only if the public notice required by this subdivision has occurred. If the applicant has provided seven days advance notice to the commission of the intent

to provide public notice pursuant to this subdivision, then, not earlier than the date of the expiration the time limit established by Section 21675.1, an applicant may provide the required public notice. If the applicant chooses to provide public notice, that notice shall include a description of the proposed action, regulation, or permit substantially similar to the descriptions which are commonly used in public notices by the commission, the name and address of the commission, and a statement that the action, regulation, or permit shall be deemed approved if the commission has not acted within 60 days. If the applicant has provided the public notice specified in this subdivision, the time limit for action by the commission shall be extended to 60 days after the public notice is provided. If the applicant provides notice pursuant to this section, the commission shall refund to the applicant any fees which were collected for providing notice and which were not used for that purpose.

(c) Failure of an applicant to submit complete or adequate information pursuant to Sections 65943 to 65946, inclusive, of the Government Code, may constitute grounds for disapproval of actions, regulations, or permits.

(d) Nothing in this section diminishes the commission's legal responsibility to provide, where applicable, public notice and hearing before acting on an action, regulation, or permit.

21676. Review of Local General Plans

(a) Each local agency whose general plan includes areas covered by an airport land use compatibility plan shall, by July 1, 1983, submit a copy of its plan or specific plans to the airport land use commission. The commission shall determine by August 31, 1983, whether the plan or plans are consistent or inconsistent with the airport land use compatibility plan. If the plan or plans are inconsistent with the airport land use compatibility plan, the local agency shall be notified and that local agency shall have another hearing to reconsider its airport land use compatibility plans. The local agency may propose to overrule the commission after the hearing by a two-thirds vote of its governing body if it makes specific findings that the proposed action is consistent with the purposes of this article stated in Section 21670. At least 45 days prior to the decision to overrule the commission, the local agency governing body shall provide the commission and the division a copy of the proposed decision and findings. The commission and the division may provide comments to the local agency governing body within 30 days of receiving the proposed decision and findings. If the commission or the

division's comments are not available within this time limit, the local agency governing body may act without them. The comments by the division or the commission are advisory to the local agency governing body. The local agency governing body shall include comments from the commission and the division in the final record of any final decision to overrule the commission, which may only be adopted by a two-thirds vote of the governing body.

(b) Prior to the amendment of a general plan or specific plan, or the adoption or approval of a zoning ordinance or building regulation within the planning boundary established by the airport land use commission pursuant to Section 21675, the local agency shall first refer the proposed action to the commission. If the commission determines that the proposed action is inconsistent with the commission's plan, the referring agency shall be notified. The local agency may, after a public hearing, propose to overrule the commission by a two-thirds vote of its governing body if it makes specific findings that the proposed action is consistent with the purposes of this article stated in Section 21670. At least 45 days prior to the decision to overrule the commission, the local agency governing body shall provide the commission and the division a copy of the proposed decision and findings. The commission and the division may provide comments to the local agency governing body within 30 days of receiving the proposed decision and findings. If the commission or the division's comments are not available within this time limit, the local agency governing body may act without them. The comments by the division or the commission are advisory to the local agency governing body. The local agency governing body shall include comments from the commission and the division in the final record of any final decision to overrule the commission, which may only be adopted by a two-thirds vote of the governing body.

(c) Each public agency owning any airport within the boundaries of an airport land use compatibility plan shall, prior to modification of its airport master plan, refer any proposed change to the airport land use commission. If the commission determines that the proposed action is inconsistent with the commission's plan, the referring agency shall be notified. The public agency may, after a public hearing, propose to overrule the commission by a two-thirds vote of its governing body if it makes specific findings that the proposed action is consistent with the purposes of this article stated in Section 21670. At least 45 days prior to the decision to overrule the commission, the local agency governing body shall provide the commission and the division a copy of the proposed decision and findings. The commission and the division may

provide comments to the local agency governing body within 30 days of receiving the proposed decision and findings. If the commission or the division's comments are not available within this time limit, the local agency governing body may act without them. The comments by the division or the commission are advisory to the local agency governing body. The local agency governing body shall include comments from the commission and the division in the final record of any final decision to overrule the commission, which may only be adopted by a two-thirds vote of the governing body.

(d) Each commission determination pursuant to subdivision (b) or (c) shall be made within 60 days from the date of referral of the proposed action. If a commission fails to make the determination within that period, the proposed action shall be deemed consistent with the airport land use compatibility plan.

21676.5. Review of Local Plans

(a) If the commission finds that a local agency has not revised its general plan or specific plan or overruled the commission by a two-thirds vote of its governing body after making specific findings that the proposed action is consistent with the purposes of this article as stated in Section 21670, the commission may require that the local agency submit all subsequent actions, regulations, and permits to the commission for review until its general plan or specific plan is revised or the specific findings are made. If, in the determination of the commission, an action, regulation, or permit of the local agency is inconsistent with the airport land use compatibility plan, the local agency shall be notified and that local agency shall hold a hearing to reconsider its plan. The local agency may propose to overrule the commission after the hearing by a two-thirds vote of its governing body if it makes specific findings that the proposed action is consistent with the purposes of this article as stated in Section 21670. At least 45 days prior to the decision to overrule the commission, the local agency governing body shall provide the commission and the division a copy of the proposed decision and findings. The commission and the division may provide comments to the local agency governing body within 30 days of receiving the proposed decision and findings. If the commission or the division's comments are not available within this time limit, the local agency governing body may act without them. The comments by the division or the commission are advisory to the local agency governing body. The local agency governing body shall include comments from the commission and the division in the final record of any final decision to

overrule the commission, which may only be adopted by a two-thirds vote of the governing body.

(b) Whenever the local agency has revised its general plan or specific plan or has overruled the commission pursuant to subdivision (a), the proposed action of the local agency shall not be subject to further commission review, unless the commission and the local agency agree that individual projects shall be reviewed by the commission.

21677. Marin County Override Provisions

Notwithstanding the two-thirds vote required by Section 21676, any public agency in the County of Marin may overrule the Marin County Airport Land Use Commission by a majority vote of its governing body. At least 45 days prior to the decision to overrule the commission, the public agency governing body shall provide the commission and the division a copy of the proposed decision and findings. The commission and the division may provide comments to the public agency governing body within 30 days of receiving the proposed decision and findings. If the commission or the division's comments are not available within this time limit, the public agency governing body may act without them. The comments by the division or the commission are advisory to the public governing body. The public agency governing body shall include comments from the commission and the division in the public record of the final decision to overrule the commission, which may be adopted by a majority vote of the governing body.

21678. Airport Owner's Immunity

With respect to a publicly owned airport that a public agency does not operate, if the public agency pursuant to Section 21676 or 21676.5 or 21677 overrules a commission's action or recommendation, the operator of the airport shall be immune from liability for damages to property or personal injury caused by or resulting directly or indirectly from the public agency's decision to overrule the commission's action or recommendation.

21679. Court Review

(a) In any county in which there is no airport land use commission or other body designated to assume the responsibilities of an airport land use commission, or in which the commission or other designated body has not adopted an airport land use compatibility plan, an interested party may initiate proceedings in a court of competent jurisdiction to postpone the effective date of a zoning change, a zoning variance, the issuance of a permit, or the adoption of a regulation by a local agency, that directly affects the use of land within one mile of the boundary of a public airport within the county.

(b) The court may issue an injunction which postpones the effective date of the zoning change, zoning variance, permit, or regulation until the governing body of the local agency which took the action does one of the following:

(1) In the case of an action that is a legislative act, adopts a resolution declaring that the proposed action is consistent with the purposes of this article stated in Section 21670.

(2) In the case of an action that is not a legislative act, adopts a resolution making findings based on substantial evidence in the record that the proposed action is consistent with the purposes of this article stated in Section 21670.

(3) Rescinds the action.

(4) Amends its action to make it consistent with the purposes of this article stated in Section 21670, and complies with either paragraph (1) or (2) of this subdivision, whichever is applicable.

(c) The court shall not issue an injunction pursuant to subdivision (b) if the local agency which took the action demonstrates that the general plan and any applicable specific plan of the agency accomplishes the purposes of an airport land use compatibility plan as provided in Section 21675.

(d) An action brought pursuant to subdivision (a) shall be commenced within 30 days of the decision or within the appropriate time periods set by Section 21167 of the Public Resources Code, whichever is longer.

(e) If the governing body of the local agency adopts a resolution pursuant to subdivision (b) with respect to a publicly owned airport that the local agency does not operate, the operator of the airport shall be immune from liability for damages to property or personal injury from the local agency's decision to proceed with the zoning change, zoning variance, permit, or regulation.

(f) As used in this section, "interested party" means any owner of land within two miles of the boundary of the airport or any organization with a demonstrated interest in airport safety and efficiency.

21679.5. Deferral of Court Review

(a) Until June 30, 1991, no action pursuant to Section 21679 to postpone the effective date of a zoning change, a zoning variance, the issuance of a

permit, or the adoption of a regulation by a local agency, directly affecting the use of land within one mile of the boundary or a public airport, shall be commenced in any county in which the commission or other designated body has not adopted an airport land use plan, but is making substantial progress toward the completion of the airport land use compatibility plan.

(b) If a commission has been prevented from adopting the comprehensive land use plan by June 30, 1991, or if the adopted plan could not become effective because of a lawsuit involving the adoption of the plan, the June 30, 1991 date in subdivision (a) shall be extended by the period of time during which the lawsuit was pending in a court of competent jurisdiction.

(c) Any action pursuant to Section 21679 commenced prior to January 1, 1990, in a county in which the commission or other designated body has not adopted an airport land use compatibility plan, but is making substantial progress toward the completion of the airport land use compatibility plan, which has not proceeded to final judgment, shall be held in abeyance until June 30, 1991. If the commission or other designated body adopts an airport land use compatibility plan on or before June 30, 1991, the action shall be dismissed. If the commission or other designated body does not adopt an airport land use plan on or before June 30, 1991, the plaintiff or plaintiffs may proceed with the action.

(d) An action to postpone the effective date of a zoning change, a zoning variance, the issuance of a permit, or the adoption of a regulation by a local agency, directly affecting the use of land within one mile of the boundary of a public airport for which an airport land use compatibility plan has not been adopted by June 30, 1991, shall be commenced within 30 days of June 30, 1991, or within 30 days of the decision by the local agency, or within the appropriate time periods set by Section 21167 of the Public Resources Code, whichever date is later.

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PLANNING AND ZONING LAW
GOVERNMENT CODE
Title 5—Local Agencies
Division 1—Cities and Counties
Chapter 2—Public Property
Article 6.5—Airport Approaches Zoning Law

50485.

This article shall be known and may be cited as the "Airport Approaches Zoning Law."

50485.1.

As used in this article, unless the context otherwise requires:

"Airport" means any area of land or water designed and set aside for the landing and taking off of aircraft and utilized or to be utilized in the interest of the public for such purposes.

"Airport hazard" means any structure or tree or use of land which obstructs the airspace required for the flight of aircraft in landing or taking off at an airport or is otherwise hazardous to such landing or taking off of aircraft.

"Airport hazard area" means any area of land or water upon which an airport hazard might be established if not prevented as provided in this article.

"City or county" means any city, county, or city and county.

"Person" means any individual, firm, co-partnership, corporation, company, association, joint stock association, city or county, or district, and includes any trustee, receiver, or assignee.

"Structure" means any object constructed or installed by man, including, but without limitation, buildings, towers, smokestacks, and overhead lines.

"Tree" means any object of natural growth.

50485.2.

It is hereby found that an airport hazard endangers the lives and property of users of the airport and of occupants of land in its vicinity and also, if of the obstruction type, in effect reduces the size of the area available for the landing, taking off and maneuvering of the aircraft, thus tending to destroy or impair the utility of the airport and the public investment therein. Accordingly, it is hereby declared: (a) that the creation or establishment of an airport hazard is a public nuisance and an injury to the community served by the airport in question; and (b) that it is therefore

necessary in the interest of the public health, public safety, and general welfare that the creation or establishment of airport hazards be prevented by appropriate exercise of the police power or the authority conferred by Article 2.6 (commencing with Section 21652) of Part 1 of Division 9 of the Public Utilities Code. It is further declared that both the prevention of the creation or establishment of airport hazards and the elimination, removal, alteration, mitigation, or marking and lighting of existing airport hazards are public purposes for which a city or county may raise and expend public funds and acquire land or property interests therein.

50485.3.

In order to prevent the creation or establishment of airport hazards, every city or county having an airport hazard area within its territorial limits may adopt, administer, and enforce, under the police power and in the manner and upon the conditions hereinafter prescribed, airport zoning regulations for such airport hazard area, which regulations may divide such area into zones, and, within such zones, specify the land uses permitted and regulate and restrict the height to which structures and trees may be erected or allowed to grow.

50485.4.

In the event that a city or county has adopted, or hereafter adopts, a comprehensive zoning ordinance regulating, among other things, the height of buildings, any airport zoning regulations applicable to the same area or portion thereof may be incorporated in and made a part of such comprehensive zoning regulations, and be administered and enforced in connection therewith.

In the event of conflict between any airport zoning regulations adopted under this article and any other regulations applicable to the same area whether the conflict be with respect to the height of structures or trees, the use of land, or any other matter, and whether such other regulations were adopted by the city or county which adopted the airport zoning regulations or by some other city or county, the more stringent limitation or requirement shall govern and prevail.

50485.5.

No airport zoning regulations shall be adopted, amended, or changed under this article except by action of the legislative body of the city or county in question after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Notice of the hearing shall be published pursuant to Section 6066 in an official paper, or a paper of general circulation, in the city or county in which is located the airport hazard area to be zoned.

50485.6.

Prior to the initial zoning of any airport hazard area under this article, the city or county which is to adopt the regulations shall appoint a commission, to be known as the airport zoning commission, to recommend the boundaries of the various zones

to be established and the regulations to be adopted therefor. Such commission shall make a preliminary report and hold public hearings thereon before submitting its final report, and the legislative body of the city or county shall not hold its public hearings or take other action until it has received the final report of such commission. Where a city or county planning commission already exists, it shall be appointed as the airport zoning commission.

50485.7.

All airport zoning regulations adopted under this article shall be reasonable and none shall impose any requirement or restriction which is not reasonably necessary to effectuate the purposes of this article. In determining what regulations it may adopt, each city or county shall consider, among other things, the character of the flying operations expected to be conducted at the airport, the nature of the terrain within the airport hazard area, the character of the neighborhood, and the uses to which the property to be zoned is put and adaptable.

50485.8.

No airport zoning regulations adopted under this article shall require the removal, lowering, or other change or alteration of any structure or tree not conforming to the regulations when adopted or amended, or otherwise interfere with the continuance of any nonconforming use, except as provided in Section 50485.10.

50485.9.

All airport zoning regulations adopted under this article shall provide for the administration and enforcement of such regulations by an administrative agency which may be an agency created by such regulations or any official, board, or other existing agency of the city or county adopting the regulations, if satisfactory to that city or county. The duties of any administrative agency designated pursuant to this article shall include that of hearing and deciding all applications for permits and variances under Section 50485.10.

50485.10.

Any airport zoning regulations shall provide that before any nonconforming structure or tree may be replaced, substantially altered or repaired, rebuilt, allowed to grow higher, or replanted, a permit must be secured from the administrative agency authorized to administer and enforce the regulations, authorizing such replacement, change or repair. No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a nonconforming structure or tree or nonconforming use to be made or become higher or become a greater hazard to air navigation than it was when the applicable regulation was adopted or than it is when the application for a permit is made. Except as provided herein, all applications for permits shall be granted. No such permit shall be required to make maintenance repairs to or to replace parts of existing structures which do not enlarge or increase the height of the existing structure.

Any person desiring to erect any structure, or increase the height of any structure, or permit the growth of any tree, or otherwise use his property in violation of airport zoning regulations adopted under this article, may apply to the administrative agency for a variance from the zoning regulations in question. Such variances shall be allowed where a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest but do substantial justice and be in accordance with the spirit of the regulations and this article; provided, that any variance may be allowed subject to any reasonable conditions that the administrative agency may deem necessary to effectuate the purpose of this article.

In granting any permit or variance under this section, the administrative agency may, if it deems such action advisable to effectuate the purposes of this article and reasonable in the circumstances, so condition such permit or variance as to require the owner of the structure or tree in question to permit the city and county, at its own expense, to install, operate, and maintain thereon such markers and lights as may be necessary to indicate to flyers the presence of an airport hazard.

50485.11.

Any person aggrieved or taxpayer affected by any decision of the administrative agency or of any governing body of a city or county, may petition a court for a review of the matter in accordance with law.

The court shall have exclusive jurisdiction to affirm, modify, or set aside the decision brought up for review, in whole or in part, and if need be, to order further proceedings by the administrative agency. The findings of fact of the administrative agency, if supported by substantial evidence, shall be accepted by the court as conclusive, and no objection to a decision of the administrative agency shall be considered by the court unless such objection shall have been urged before the administrative agency, or, if it was not so urged, unless there were reasonable grounds for failure to do so.

In any case in which airport zoning regulations adopted under this article, although generally reasonable, are held by a court to interfere with the use or enjoyment of a particular structure or parcel of land to such an extent, or to be so onerous in their application to such a structure or parcel of land, as to constitute a taking or deprivation of that property in violation of the Constitution of this State or the Constitution of the United States, such holding shall not affect the application of such regulations to other structures and parcels of land.

50485.12.

Each violation of this article or of any regulations, orders, or rulings promulgated or made pursuant to this article, shall constitute a misdemeanor. In addition, the city or county adopting zoning regulations under this article may institute in any court of competent jurisdiction an action to prevent, restrain, correct or abate any violation

of this article, or of airport zoning regulations adopted under this article, or of any order or ruling made in connection with their administration or enforcement, and the court shall adjudge to the plaintiff such relief, by way of injunction (which may be mandatory) or otherwise, as may be proper under all the facts and circumstances of the case, in order fully to effectuate the purpose of this article and of the regulations adopted and orders and rulings made pursuant thereto.

50485.14.

Neither this article nor anything expressed in it is intended to be or is to be construed as a denial of the power of local governing bodies and agencies to provide for zoning regulations pursuant to Article XI, Section 11, of the Constitution.

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PLANNING AND ZONING LAW
GOVERNMENT CODE
Title 7—Planning and Land Use
Division 1—Planning and Zoning
Chapter 3—Local Planning
Article 5—Authority for and Scope of General Plans
(excerpts)

65302.3. General and Applicable Specific Plans; Consistency with Airport Land Use Plans; Amendment; Nonconcurrence Findings

(a) The general plan, and any applicable specific plan prepared pursuant to Article 8 (commencing with Section 65450), shall be consistent with the plan adopted or amended pursuant to Section 21675 of the Public Utilities Code.

(b) The general plan, and any applicable specific plan, shall be amended, as necessary, within 180 days of any amendment to the plan required under Section 21675 of the Public Utilities Code.

(c) If the legislative body does not concur with any of the provisions of the plan required under Section 21675 of the Public Utilities Code, it may satisfy the provisions of this section by adopting findings pursuant to Section 21676 of the Public Utilities Code.

(d) In each county where an airport land use commission does not exist, but where there is a military airport, the general plan, and any applicable specific plan prepared pursuant to Article 8 (commencing with Section 65450), shall be consistent with the safety and noise standards in the Air Installation Compatible Use Zone prepared for that military airport.

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PLANNING AND ZONING LAW
GOVERNMENT CODE
Title 7—Planning and Land Use
Division 1—Planning and Zoning
Chapter 4.5—Review and Approval of Development Projects
Article 3—Application for Development Projects
(excerpts)

Note: The following government code sections are referenced in Section 21675.2(c) of the ALUC statutes.

65943. Completeness of Application; Determination; Time; Specification of Parts not Complete and Manner of Completion

(a) Not later than 30 calendar days after any public agency has received an application for a development project, the agency shall determine in writing whether the application is complete and shall immediately transmit the determination to the applicant for the development project. If the written determination is not made within 30 days after receipt of the application, and the application includes a statement that it is an application for a development permit, the application shall be deemed complete for purposes of this chapter. Upon receipt of any resubmittal of the application, a new 30-day period shall begin, during which the public agency shall determine the completeness of the application. If the application is determined not to be complete, the agency's determination shall specify those parts of the application which are incomplete and shall indicate the manner in which they can be made complete, including a list and thorough description of the specific information needed to complete the application. The applicant shall submit materials to the public agency in response to the list and description.

(b) Not later than 30 calendar days after receipt of the submitted materials, the public agency shall determine in writing whether they are complete and shall immediately transmit that determination to the applicant. If the written determination is not made within that 30-day period, the application together with the submitted materials shall be deemed complete for the purposes of this chapter.

(c) If the application together with the submitted materials are determined not to be complete pursuant to subdivision (b), the public agency shall provide a process for the applicant to appeal that decision in writing to the governing body of the agency or, if there is no governing body, to the director of the agency, as provided by that agency. A city or county

shall provide that the right of appeal is to the governing body or, at their option, the planning commission, or both.

There shall be a final written determination by the agency of the appeal not later than 60 calendar days after receipt of the applicant's written appeal. The fact that an appeal is permitted to both the planning commission and to the governing body does not extend the 60-day period. Notwithstanding a decision pursuant to subdivision (b) that the application and submitted materials are not complete, if the final written determination on the appeal is not made within that 60-day period, the application with the submitted materials shall be deemed complete for the purposes of this chapter.

(d) Nothing in this section precludes an applicant and a public agency from mutually agreeing to an extension of any time limit provided by this section.

(e) A public agency may charge applicants a fee not to exceed the amount reasonably necessary to provide the service required by this section. If a fee is charged pursuant to this section, the fee shall be collected as part of the application fee charged for the development permit.

65943.5.

(a) Notwithstanding any other provision of this chapter, any appeal pursuant to subdivision (c) of Section 65943 involving a permit application to a board, office, or department within the California Environmental Protection Agency shall be made to the Secretary for Environmental Protection.

(b) Notwithstanding any other provision of this chapter, any appeal pursuant to subdivision (c) of Section 65943 involving an application for the issuance of an environmental permit from an environmental agency shall be made to the Secretary for Environmental Protection under either of the following circumstances:

(1) The environmental agency has not adopted an appeals process pursuant to subdivision (c) of Section 65943.

(2) The environmental agency declines to accept an appeal for a decision pursuant to subdivision (c) of Section 65943.

(c) For purposes of subdivision (b), "environmental permit" has the same meaning as defined in Section 72012 of the Public Resources Code, and "environmental agency" has the same meaning as defined in Section

71011 of the Public Resources Code, except that "environmental agency" does not include the agencies described in subdivisions (c) and (h) of Section 71011 of the Public Resources Code.

65944. Acceptance of Application as Complete; Requests for Additional Information; Restrictions; Clarification, Amplification, Correction, etc.; Prior to Notice of Necessary Information

(a) After a public agency accepts an application as complete, the agency shall not subsequently request of an applicant any new or additional information which was not specified in the list prepared pursuant to Section 65940. The agency may, in the course of processing the application, request the applicant to clarify, amplify, correct, or otherwise supplement the information required for the application.

(b) The provisions of subdivision (a) shall not be construed as requiring an applicant to submit with his or her initial application the entirety of the information which a public agency may require in order to take final action on the application. Prior to accepting an application, each public agency shall inform the applicant of any information included in the list prepared pursuant to Section 65940 which will subsequently be required from the applicant in order to complete final action on the application.

(c) This section shall not be construed as limiting the ability of a public agency to request and obtain information which may be needed in order to comply with the provisions of Division 13 (commencing with Section 21000) of the Public Resources Code.

(d) (1) After a public agency accepts an application as complete, and if the project applicant has identified that the proposed project is located within 1,000 feet of a military installation or within special use airspace or beneath a low-level flight path in accordance with Section 65940, the public agency shall provide a copy of the complete application to any branch of the United States Armed Forces that has provided the Office of Planning and Research with a single California mailing address within the state for the delivery of a copy of these applications. This subdivision shall apply only to development applications submitted to a public agency 30 days after the Office of Planning and Research has notified cities, counties, and cities and counties of the availability of Department of Defense information on the Internet pursuant to subdivision (d) of Section 65940.

(2) Except for a project within 1,000 feet of a military installation, the public agency is not required to provide a copy of the application if the

project is located entirely in an "urbanized area." An urbanized area is any urban location that meets the definition used by the United State Department of Commerce's Bureau of Census for "urban" and includes locations with core census block groups containing at least 1,000 people per square mile and surrounding census block groups containing at least 500 people per square mile.

(e) Upon receipt of a copy of the application as required in subdivision (d), any branch of the United States Armed Forces may request consultation with the public agency and the project applicant to discuss the effects of the proposed project on military installations, low-level flight paths, or special use airspace, and potential alternatives and mitigation measures.

(f) (1) Subdivisions (d), (e), and (f) as these relate to low-level flight paths, special use airspace, and urbanized areas shall not be operative until the United States Department of Defense provides electronic maps of low-level flight paths, special use airspace, and military installations, at a scale and in an electronic format that is acceptable to the Office of Planning and Research.

(2) Within 30 days of a determination by the Office of Planning and Research that the information provided by the Department of Defense is sufficient and in an acceptable scale and format, the office shall notify cities, counties, and cities and counties of the availability of the information on the Internet. Cities, counties, and cities and counties shall comply with subdivision (d) within 30 days of receiving this notice from the office.

65945. Notice of Proposal to Adopt or Amend Certain Plans or Ordinances by City or County, Fee; Subscription to Periodically Updated Notice as Alternative, Fee

(a) At the time of filing an application for a development permit with a city or county, the city or county shall inform the applicant that he or she may make a written request to retrieve notice from the city or county of a proposal to adopt or amend any of the following plans or ordinances:

(1) A general plan.

(2) A specific plan.

(3) A zoning ordinance.

(4) An ordinance affecting building permits or grading permits.

The applicant shall specify, in the written request, the types of proposed action for which notice is requested. Prior to taking any of those actions, the city or county shall give notice to any applicant who has requested notice of the type of action proposed and whose development project is pending before the city or county if the city or county determines that the proposal is reasonably related to the applicant's request for the development permit. Notice shall be given only for those types of actions which the applicant specifies in the request for notification.

The city or county may charge the applicant for a development permit, to whom notice is provided pursuant to this subdivision, a reasonable fee not to exceed the actual cost of providing that notice. If a fee is charged pursuant to this subdivision, the fee shall be collected as part of the application fee charged for the development permit.

(b) As an alternative to the notification procedure prescribed by subdivision (a), a city or county may inform the applicant at the time of filing an application for a development permit that he or she may subscribe to a periodically updated notice or set of notices from the city or county which lists pending proposals to adopt or amend any of the plans or ordinances specified in subdivision (a), together with the status of the proposal and the date of any hearings thereon which have been set. Only those proposals which are general, as opposed to parcel-specific in nature, and which the city or county determines are reasonably related to requests for development permits, need be listed in the notice. No proposals shall be required to be listed until such time as the first public hearing thereon has been set. The notice shall be updated and mailed at least once every six weeks; except that a notice need not be updated and mailed until a change in its contents is required.

The city or county may charge the applicant for a development permit, to whom notice is provided pursuant to this subdivision, a reasonable fee not to exceed the actual cost of providing that notice, including the costs of updating the notice, for the length of time the applicant requests to be sent the notice or notices.

65945.3. Notice of Proposal to Adopt or Amend Rules or Regulations Affecting Issuance of Permits by Local Agency other than City or County; Fee

At the time of filing an application for a development permit with a local agency, other than a city or county, the local agency shall inform the applicant that he or she may make a written request to receive notice of any proposal to adopt or amend a rule or regulation affecting the issuance of development permits.

Prior to adopting or amending any such rule or regulation, the local agency shall give notice to any applicant who has requested such notice and whose development project is pending before the agency if the local agency determines that the proposal is reasonably related to the applicant's request for the development permit.

The local agency may charge the applicant for a development permit, to whom notice is provided pursuant to this section, a reasonable fee not to exceed the actual cost of providing that notice. If a fee is charged pursuant to this section, the fee shall be collected as part of the application fee charged for the development permit.

65945.5. Notice of Proposal to Adopt or Amend Regulation Affecting Issuance of Permits and Which Implements Statutory Provision by State Agency

At the time of filing an application for a development permit with a state agency, the state agency shall inform the applicant that he or she may make a written request to receive notice of any proposal to adopt or amend a regulation affecting the issuance of development permits and which implements a statutory provision.

Prior to adopting or amending any such regulation, the state agency shall give notice to any applicant who has requested such notice and whose development project is pending before the state agency if the state agency determines that the proposal is reasonably related to the applicant's request for the development permit.

65945.7. Actions, Inactions, or Recommendations Regarding Ordinances, Rules or Regulations; Invalidity or Setting Aside Ground of Error Only if Prejudicial

No action, inaction, or recommendation regarding any ordinance, rule, or regulation subject to this Section 65945, 65945.3, or 65945.5 by any legislative body, administrative body, or the officials of any state or local agency shall be held void or invalid or be set aside by any court on the ground of any error, irregularity, informality, neglect, or omission (hereinafter called "error") as to any matter pertaining to notices, records, determinations, publications, or any matters of procedure whatever, unless after an examination of the entire case, including evidence, the court shall be of the opinion that the error complained of was prejudicial, and that by reason of such error that party complaining or appealing sustained and suffered substantial injury, and that a different result would have been probable if such error had not occurred or existed. There shall be no presumption that error is prejudicial or that injury was done if error is shown.

65946. [Replaced by AB2351 Statutes of 1993]

PLANNING AND ZONING LAW
GOVERNMENT CODE
Title 7—Planning and Land Use
Division 2—Subdivisions
Chapter 3—Procedure
Article 3—Review of Tentative Map by Other Agencies
(excerpts)

66455.9.

Whenever there is consideration of an area within a development for a public school site, the advisory agency shall give the affected districts and the State Department of Education written notice of the proposed site. The written notice shall include the identification of any existing or proposed runways within the distance specified in Section 17215 of the Education Code. If the site is within the distance of an existing or proposed airport runway as described in Section 17215 of the Education Code, the department shall notify the State Department of Transportation as required by the section and the site shall be investigated by the State Department of Transportation as required by Section 17215.

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EDUCATION CODE
Title 1—General Education Code Provisions
Division 1—General Education Code Provisions
Part 10.5—School Facilities
Chapter 1—School sites
Article 1—General Provisions
(excerpt)

17215.

(a) In order to promote the safety of pupils, comprehensive community planning, and greater educational usefulness of school sites, before acquiring title to or leasing property for a new school site, the governing board of each school district, including any district governed by a city board of education, or a charter school, shall give the State Department of Education written notice of the proposed acquisition or lease and shall submit any information required by the State Department of Education if the site is within two miles, measured by air line, of that point on an airport runway or a potential runway included in an airport master plan that is nearest to the site.

(b) Upon receipt of the notice required pursuant to subdivision (a), the State Department of Education shall notify the Department of Transportation in writing of the proposed acquisition or lease. If the Department of Transportation is no longer in operation, the State Department of Education shall, in lieu of notifying the Department of Transportation, notify the United States Department of Transportation or any other appropriate agency, in writing, of the proposed acquisition or lease for the purpose of obtaining from the department or other agency any information or assistance that it may desire to give.

(c) The Department of Transportation shall investigate the site and, within 30 working days after receipt of the notice, shall submit to the State Department of Education a written report of its findings including recommendations concerning acquisition or lease of the site. As part of the investigation, the Department of Transportation shall give notice thereof to the owner and operator of the airport who shall be granted the opportunity to comment upon the site. The Department of Transportation shall adopt regulations setting forth the criteria by which a site will be evaluated pursuant to this section.

(d) The State Department of Education shall, within 10 days of receiving the Department of Transportation's report, forward the report to the governing board of the school district or charter school. The governing

board or charter school may not acquire title to or lease the property until the report of the Department of Transportation has been received. If the report does not favor the acquisition or lease of the property for a school site or an addition to a present school site, the governing board or charter school may not acquire title to or lease the property. If the report does favor the acquisition or lease of the property for a school site or an addition to a present school site, the governing board or charter school shall hold a public hearing on the matter prior to acquiring or leasing the site.

(e) If the Department of Transportation's recommendation does not favor acquisition or lease of the proposed site, state funds or local funds may not be apportioned or expended for the acquisition or lease of that site, construction of any school building on that site, or for the expansion of any existing site to include that site.

(f) This section does not apply to sites acquired prior to January 1, 1966, nor to any additions or extensions to those sites.

EDUCATION CODE
Title 3—Postsecondary Education
Division 7—Community Colleges
Part 49—Community Colleges, Education Facilities
Chapter 1—School Sites
Article 2—School Sites
(excerpts)

81033. Investigation: Geologic and Soil Engineering Studies; Airport in Proximity

(a) To promote the safety of students, comprehensive community planning, and greater educational usefulness of community college sites, the governing board of each community college district, if the proposed site is within two miles, measured by air line, of that point on an airport runway, or a runway proposed by an airport master plan, which is nearest the site and excluding them if the property is not so located, before acquiring title to property for a new community college site or for an addition to a present site, shall give the board of governors notice in writing of the proposed acquisition and shall submit any information required by the board of governors.

Immediately after receiving notice of the proposed acquisition of property which is within two miles, measured by air line, of that point on an airport runway, or a runway proposed by an airport master plan, which is nearest the site, the board of governors shall notify the Division of Aeronautics of the Department of Transportation, in writing, of the proposed acquisition. The Division of Aeronautics shall make an investigation and report to the board of governors within 30 working days after receipt of the notice. If the Division of Aeronautics is no longer in operation, the board of governors shall, in lieu of notifying the Division of Aeronautics, notify the Federal Aviation Administration or any other appropriate agency, in writing, of the proposed acquisition for the purpose of obtaining from the authority or other agency such information or assistance as it may desire to give.

The board of governors shall investigate the proposed site and within 35 working days after receipt of the notice shall submit to the governing board a written report and its recommendations concerning acquisition of the site. The governing board shall not acquire title to the property until the report of the board of governors has been received. If the report does not favor the acquisition of the property for a community college site or an addition to a present community college site, the governing board shall not acquire title to the property until 30 days after

the department's report is received and until the board of governors' report has been read at a public hearing duly called after 10 days' notice published once in a newspaper of general circulation within the community college district, or if there is no such newspaper, then in a newspaper of general circulation within the county in which the property is located.

(b) If, with respect to a proposed site located within two miles of an operative airport runway, the report of the board of governors submitted to a community college district governing board under subdivision (c) does not favor the acquisition of the site on the sole or partial basis of the unfavorable recommendation of the Division of Aeronautics of the Department of Transportation, no state agency or officer shall grant, apportion, or allow to such community college district for expenditure in connection with that site, any state funds otherwise made available under any state law whatever for a community college site acquisition or college building construction, or for expansion of existing sites and buildings, and no funds of the community college district or of the county in which the district lies shall be expended for such purposes; provided that provisions of this section shall not be applicable to sites acquired prior to January 1, 1966, nor any additions or extensions to such sites.

If the recommendations of the Division of Aeronautics are unfavorable, such recommendations shall not be overruled without the express approval of the board of governors and the State Allocation Board.

CALIFORNIA ENVIRONMENTAL QUALITY ACT STATUTES
PUBLIC RESOURCES CODE
Division 13—Environmental Quality
Chapter 2.6—General
(excerpts)

21096. Airport Planning

(a) If a lead agency prepares an environmental impact report for a project situated within airport comprehensive land use plan boundaries, or, if a comprehensive land use plan has not been adopted, for a project within two nautical miles of a public airport or public use airport, the Airport Land Use Planning Handbook published by the Division of Aeronautics of the Department of Transportation, in compliance with Section 21674.5 of the Public Utilities Code and other documents, shall be utilized as technical resources to assist in the preparation of the environmental impact report as the report relates to airport-related safety hazards and noise problems.

(b) A lead agency shall not adopt a negative declaration for a project described in subdivision (a) unless the lead agency considers whether the project will result in a safety hazard or noise problem for persons using the airport or for persons residing or working in the project area.

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BUSINESS AND PROFESSIONS CODE
Division 4—Real Estate
Part 2—Regulation of Transactions
Chapter 1—Subdivided Lands
Article 2—Investigation, Regulation and Report
(excerpts)

11010.

(a) Except as otherwise provided pursuant to subdivision (c) or elsewhere in this chapter, any person who intends to offer subdivided lands within this state for sale or lease shall file with the Department of Real Estate an application for a public report consisting of a notice of intention and a completed questionnaire on a form prepared by the department.

(b) The notice of intention shall contain the following information about the subdivided lands and the proposed offering:

[Sub-Sections (1) through (12) omitted]

(13) (A) The location of all existing airports, and of all proposed airports shown on the general plan of any city or county, located within two statute miles of the subdivision. If the property is located within an airport influence area, the following statement shall be included in the notice of intention:

NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

(B) For purposes of this section, an "airport influence area," also known as an "airport referral area," is the area in which current or future airport-related noise, overflight, safety, or airspace protection factors may significantly affect land uses or necessitate restrictions on those uses as determined by an airport land use commission.

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CIVIL CODE
Division 2—Property
PART 4—Acquisition of Property
Title 4—Transfer
Chapter 2—Transfer of Real Property
Article 1.7—Disclosure of Natural Hazards Upon Transfer of Residential Property
(excerpts)

1103.

(a) Except as provided in Section 1103.1, this article applies to any transfer by sale, exchange, installment land sale contract, as defined in Section 2985, lease with an option to purchase, any other option to purchase, or ground lease coupled with improvements, of any real property described in subdivision (c), or residential stock cooperative, improved with or consisting of not less than one nor more than four dwelling units.

(b) Except as provided in Section 1103.1, this article shall apply to a resale transaction entered into on or after January 1, 2000, for a manufactured home, as defined in Section 18007 of the Health and Safety Code, that is classified as personal property intended for use as a residence, or a mobile home, as defined in Section 18008 of the Health and Safety Code, that is classified as personal property intended for use as a residence, if the real property on which the manufactured home or mobile home is located is real property described in subdivision (c).

(c) This article shall apply to the transactions described in subdivisions (a) and (b) only if the transferor or his or her agent is required by one or more of the following to disclose the property's location within a hazard zone:

(1) A person who is acting as an agent for a transferor of real property that is located within a special flood hazard area (any type Zone "A" or "V") designated by the Federal Emergency Management Agency, or the transferor if he or she is acting without an agent, shall disclose to any prospective transferee the fact that the property is located within a special flood hazard area if either:

(A) The transferor, or the transferor's agent, has actual knowledge that the property is within a special flood hazard area.

(B) The local jurisdiction has compiled a list, by parcel, of properties that are within the special flood hazard area and a notice has been posted at the offices of the county recorder, county assessor, and county planning agency that identifies the location of the parcel list.

(2) … is located within an area of potential flooding … shall disclose to any prospective transferee the fact that the property is located within an area of potential flooding …

(3) … is located within a very high fire hazard severity zone, designated pursuant to Section 51178 of the Public Resources Code … shall disclose to any prospective transferee the fact that the property is located within a very high fire hazard severity zone and is subject to the requirements of Section 51182 …

(4) … is located within an earthquake fault zone, designated pursuant to Section 2622 of the Public Resources Code … shall disclose to any prospective transferee the fact that the property is located within a delineated earthquake fault zone

(5) … is located within a seismic hazard zone, designated pursuant to Section 2696 of the Public Resources Code … shall disclose to any prospective transferee the fact that the property is located within a seismic hazard zone

(6) … is located within a state responsibility area determined by the board, pursuant to Section 4125 of the Public Resources Code, shall disclose to any prospective transferee the fact that the property is located within a wildland area that may contain substantial forest fire risks and hazards and is subject to the requirements of Section 4291 …

(d) Any waiver of the requirements of this article is void as against public policy.

1103.1.

(a) This article does not apply to the following transfers:

(1) Transfers pursuant to court order, including, but not limited to, transfers ordered by a probate court in administration of an estate, transfers pursuant to a writ of execution, transfers by any foreclosure sale, transfers by a trustee in bankruptcy, transfers by

eminent domain, and transfers resulting from a decree for specific performance.

(2) Transfers to a mortgagee by a mortgagor or successor in interest who is in default, transfers to a beneficiary of a deed of trust by a trustor or successor in interest who is in default, transfers by any foreclosure sale after default, transfers by any foreclosure sale after default in an obligation secured by a mortgage, transfers by a sale under a power of sale or any foreclosure sale under a decree of foreclosure after default in an obligation secured by a deed of trust or secured by any other instrument containing a power of sale, or transfers by a mortgagee or a beneficiary under a deed of trust who has acquired the real property at a sale conducted pursuant to a power of sale under a mortgage or deed of trust or a sale pursuant to a decree of foreclosure or has acquired the real property by a deed in lieu of foreclosure.

(3) Transfers by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust.

(4) Transfers from one co-owner to one or more other co-owners.

(5) Transfers made to a spouse, or to a person or persons in the lineal line of consanguinity of one or more of the transferors.

(6) Transfers between spouses resulting from a judgment of dissolution of marriage or of legal separation of the parties or from a property settlement agreement incidental to that judgment.

(7) Transfers by the Controller in the course of administering Chapter 7 (commencing with Section 1500) of Title 10 of Part 3 of the Code of Civil Procedure.

(8) Transfers under Chapter 7 (commencing with Section 3691) or Chapter 8 (commencing with Section 3771) of Part 6 of Division 1 of the Revenue and Taxation Code.

(9) Transfers or exchanges to or from any governmental entity.

(b) Transfers not subject to this article may be subject to other disclosure requirements, including those under Sections 8589.3, 8589.4, and 51183.5 of the Government Code and Sections 2621.9, 2694, and 4136 of the

Public Resources Code. In transfers not subject to this article, agents may make required disclosures in a separate writing.

1103.2.

(a) The disclosures required by this article are set forth in, and shall be made on a copy of, the following Natural Hazard Disclosure Statement: [content omitted].

(b) If an earthquake fault zone, seismic hazard zone, very high fire hazard severity zone, or wildland fire area map or accompanying information is not of sufficient accuracy or scale that a reasonable person can determine if the subject real property is included in a natural hazard area, the transferor or transferor's agent shall mark "Yes" on the Natural Hazard Disclosure Statement. The transferor or transferor's agent may mark "No" on the Natural Hazard Disclosure Statement if he or she attaches a report prepared pursuant to subdivision (c) of Section 1103.4 that verifies the property is not in the hazard zone. Nothing in this subdivision is intended to limit or abridge any existing duty of the transferor or the transferor's agents to exercise reasonable care in making a determination under this subdivision.

[Sub-Sections (c) through (h) omitted]

[Section 1103.3 omitted]

1103.4.

(a) Neither the transferor nor any listing or selling agent shall be liable for any error, inaccuracy, or omission of any information delivered pursuant to this article if the error, inaccuracy, or omission was not within the personal knowledge of the transferor or the listing or selling agent, and was based on information timely provided by public agencies or by other persons providing information as specified in subdivision (c) that is required to be disclosed pursuant to this article, and ordinary care was exercised in obtaining and transmitting the information.

(b) The delivery of any information required to be disclosed by this article to a prospective transferee by a public agency or other person providing information required to be disclosed pursuant to this article shall be deemed to comply with the requirements of this article and shall relieve the transferor or any listing or selling agent of any further duty under this article with respect to that item of information.

(c) The delivery of a report or opinion prepared by a licensed engineer, land surveyor, geologist, or expert in natural hazard discovery dealing with matters within the scope of the professional's license or expertise, shall be sufficient compliance for application of the exemption provided by subdivision (a) if the information is provided to the prospective transferee pursuant to a request therefor, whether written or oral. In responding to that request, an expert may indicate, in writing, an understanding that the information provided will be used in fulfilling the requirements of Section 1103.2 and, if so, shall indicate the required disclosures, or parts thereof, to which the information being furnished is applicable. Where that statement is furnished, the expert shall not be responsible for any items of information, or parts thereof, other than those expressly set forth in the statement. In responding to the request, the expert shall determine whether the property is within an airport influence area as defined in subdivision (b) of Section 11010 of the Business and Professions Code. If the property is within an airport influence area, the report shall contain the following statement:

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.

[Remainder of Article 1.7 omitted]

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CIVIL CODE
Division 2, Part 4
Title 6—Common Interest Developments
Chapter 2—Governing Documents
Article 1—Creation
(excerpts)

1353.

(a) (1) A declaration, recorded on or after January 1, 1986, shall contain a legal description of the common interest development, and a statement that the common interest development is a community apartment project, condominium project, planned development, stock cooperative, or combination thereof. The declaration shall additionally set forth the name of the association and the restrictions on the use or enjoyment of any portion of the common interest development that are intended to be enforceable equitable servitudes. If the property is located within an airport influence area, a declaration, recorded after January 1, 2004, shall contain the following statement:

NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

(2) For purposes of this section, an "airport influence area," also known as an "airport referral area," is the area in which current or future airport-related noise, overflight, safety, or airspace protection factors may significantly affect land uses or necessitate restrictions on those uses as determined by an airport land use commission.

(3) [Omitted]

(4) The statement in a declaration acknowledging that a property is located in an airport influence area does not constitute a title defect, lien, or encumbrance.

(b) The declaration may contain any other matters the original signator of the declaration or the owners consider appropriate.

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Appendix C

Title 14 Code of Federal Regulations Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace

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TITLE 14 CODE OF FEDERAL REGULATIONS PART 77, SAFE, EFFICIENT USE AND PRESERVATION OF THE NAVIGABLE AIRSPACE

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Subpart A
GENERAL

77.1 Purpose.

This part establishes:

(a) The requirements to provide notice to the FAA of certain proposed construction, or the alteration of existing structures;

(b) The standards used to determine obstructions to air navigation, and navigational and communication facilities;

(c) The process for aeronautical studies of obstructions to air navigation or navigational facilities to determine the effect on the safe and efficient use of navigable airspace, air navigation facilities or equipment; and

(d) The process to petition the FAA for discretionary review of determinations, revisions, and extensions of determinations.

77.3 Definitions.

For the purpose of this part:

"Nonprecision instrument runway" means a runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight in nonprecision instrument approach procedure has been approved, or planned, and for which no precision approach facilities are planned, or indicated on an FAA planning document or military service military airport planning document.

"Planned or proposed airport" is an airport that is the subject of at least one of the following documents received by the FAA:

(1) Airport proposals submitted under 14 CFR Part 157.

(2) Airport Improvement Program requests for aid.

(3) Notices of existing airports where prior notice of the airport construction or alteration was not provided as required by 14 CFR Part 157.

(4) Airport layout plans.

(5) DOD proposals for airports used only by the U.S. Armed Forces.

(6) DOD proposals on joint-use (civil-military) airports.

(7) Completed airport site selection feasibility study.

"Precision instrument runway" means a runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS), or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated by an FAA approved airport layout plan; a military service approved military airport layout plan; any other FAA planning document, or military service military airport planning document.

"Public use airport" means an airport that is open to the general public with or without a prior request to use the airport.

"Seaplane base" is considered to be an airport only if its sea lanes are outlined by visual markers.

"Utility runway" means a runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.

"Visual runway" means a runway intended solely for the operation of aircraft using visual approach procedures, with no straight in instrument approach procedure and no instrument designation indicated on an FAA approved airport layout plan, a military service approved military airport layout plan, or by any planning document submitted to the FAA by competent authority.

Subpart B
NOTICE REQUIREMENTS

77.5 Applicability.

(a) If you propose any construction or alteration described in §77.9, you must provide adequate notice to the FAA of that construction or alteration.

(b) If requested by the FAA, you must also file supplemental notice before the start date and upon completion of certain construction or alterations that are described in §77.9.

(c) Notice received by the FAA under this subpart is used to:

(1) Evaluate the effect of the proposed construction or alteration on safety in air commerce and the efficient use and preservation of the navigable airspace and of airport traffic capacity at public use airports;

(2) Determine whether the effect of proposed construction or alteration is a hazard to air navigation;

(3) Determine appropriate marking and lighting recommendations, using FAA Advisory Circular 70/7460–1, Obstruction Marking and Lighting;

(4) Determine other appropriate measures to be applied for continued safety of air navigation; and

(5) Notify the aviation community of the construction or alteration of objects that affect the navigable airspace, including the revision of charts, when necessary.

77.7 Form and time of notice.

(a) If you are required to file notice under §77.9, you must submit to the FAA a completed FAA Form 7460–1, Notice of Proposed Construction or Alteration. FAA Form 7460–1 is available at FAA regional offices and on the Internet.

(b) You must submit this form at least 45 days before the start date of the proposed construction or alteration or the date an application for a construction permit is filed, whichever is earliest.

(c) If you propose construction or alteration that is also subject to the licensing requirements of the Federal Communications Commission (FCC), you must submit notice to the FAA on or before the date that the application is filed with the FCC.

(d) If you propose construction or alteration to an existing structure that exceeds 2,000 feet in height above ground level (AGL), the FAA presumes it to be a hazard to air navigation that results in an inefficient use of airspace. You must include details explaining both why the proposal would not constitute a hazard to air navigation and why it would not cause an inefficient use of airspace.

(e) The 45-day advance notice requirement is waived if immediate construction or alteration is required because of an emergency involving essential public services, public health, or public safety. You may provide notice to the FAA by any available, expeditious means. You must file a completed FAA Form 7460–1 within 5 days of the initial notice to the FAA. Outside normal business hours, the nearest flight service station will accept emergency notices.

77.9 Construction or alteration requiring notice.

If requested by the FAA, or if you propose any of the following types of construction or alteration, you must file notice with the FAA of:

(a) Any construction or alteration that is more than 200 feet AGL at its site.

(b) Any construction or alteration that exceeds an imaginary surface extending outward and upward at any of the following slopes:

(1) 100 to 1 for a horizontal distance of 20,000 feet from the nearest point of the nearest runway of each airport described in paragraph (d) of this section with its longest runway more than 3,200 feet in actual length, excluding heliports.

(2) 50 to 1 for a horizontal distance of 10,000 feet from the nearest point of the nearest runway of each airport described in paragraph (d) of this section with its longest runway no more than 3,200 feet in actual length, excluding heliports.

(3) 25 to 1 for a horizontal distance of 5,000 feet from the nearest point of the nearest landing and takeoff area of each heliport specified in paragraph (d) of this section.

(c) Any highway, railroad, or other traverse way for mobile objects, of a height which, if adjusted upward 17 feet for an Interstate Highway that is part of the National System of Military and Interstate Highways where overcrossings are designed for a minimum of 17 feet vertical distance, 15 feet for any other public roadway, 10 feet or the height of the highest mobile object that would normally traverse the road, whichever is greater, for a private road, 23 feet for a railroad, and for a waterway or any other traverse way not previously mentioned, an amount equal to the height of the highest mobile object that

would normally traverse it, would exceed a standard of paragraph (a) or (b) of this section.

(d) Any construction or alteration on any of the following airports and heliports:

(1) A public use airport listed in the Airport/Facility Directory, Alaska Supplement, or Pacific Chart Supplement of the U.S. Government Flight Information Publications.

(2) A military airport under construction or an airport under construction that will be available for public use.

(3) An airport operated by a Federal agency or the DOD.

(4) An airport or heliport with at least one FAA-approved instrument approach procedure.

(e) You do not need to file notice for construction or alteration of:

(1) Any object that will be shielded by existing structures of a permanent and substantial nature or by natural terrain or topographic features of equal or greater height, and will be located in the congested area of a city, town, or settlement where the shielded structure will not adversely affect safety in air navigation.

(2) Any air navigation facility, airport visual approach or landing aid, aircraft arresting device, or meteorological device meeting FAA-approved siting criteria or an appropriate military service siting criteria on military airports, the location and height of which are fixed by its functional purpose.

(3) Any construction or alteration for which notice is required by any other FAA regulation.

(4) Any antenna structure of 20 feet or less in height, except one that would increase the height of another antenna structure.

77.11 Supplemental notice requirements.

(a) You must file supplemental notice with the FAA when:

(1) The construction or alteration is more than 200 feet in height AGL at its site; or

(2) Requested by the FAA.

(b) You must file supplemental notice on a prescribed FAA form to be received within the time limits specified in the FAA determination. If no time limit

has been specified, you must submit supplemental notice of construction to the FAA within 5 days after the structure reaches its greatest height.

(c) If you abandon a construction or alteration proposal that requires supplemental notice, you must submit notice to the FAA within 5 days after the project is abandoned.

(d) If the 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.

Subpart C

STANDARDS FOR DETERMINING OBSTRUCTIONS TO AIR NAVIGATION OR NAVIGATIONAL AIDS OR FACILITIES

77.13 Applicability.

This subpart describes the standards used for determining obstructions to air navigation, navigational aids, or navigational facilities. These standards apply to the following:

(a) Any object of natural growth, terrain, or permanent or temporary construction or alteration, including equipment or materials used and any permanent or temporary apparatus.

(b) The alteration of any permanent or temporary existing structure by a change in its height, including appurtenances, or lateral dimensions, including equipment or material used therein.

77.15 Scope.

(a) This subpart describes standards used to determine obstructions to air navigation that may affect the safe and efficient use of navigable airspace and the operation of planned or existing air navigation and communication facilities. Such facilities include air navigation aids, communication equipment, airports, Federal airways, instrument approach or departure procedures, and approved off-airway routes.

(b) Objects that are considered obstructions under the standards described in this subpart are presumed hazards to air navigation unless further aeronautical study concludes that the object is not a hazard. Once further aeronautical study has been initiated, the FAA will use the standards in this subpart, along with FAA policy and guidance material, to determine if the object is a hazard to air navigation.

(c) The FAA will apply these standards with reference to an existing airport facility, and airport proposals received by the FAA, or the appropriate military service, before it issues a final determination.

(d) For airports having defined runways with specially prepared hard surfaces, the primary surface for each runway extends 200 feet beyond each end of the runway. For airports having defined strips or pathways used regularly for aircraft takeoffs and landings, and designated runways, without specially prepared hard surfaces, each end of the primary surface for each such runway shall coincide with the corresponding end of the runway. At airports, excluding seaplane bases, having a defined landing and takeoff area with no defined pathways for aircraft takeoffs and landings, a determination

must be made as to which portions of the landing and takeoff area are regularly used as landing and takeoff pathways. Those determined pathways must be considered runways and an appropriate primary surface as defined in §77.19 will be considered as longitudinally centered on each such runway. Each end of that primary surface must coincide with the corresponding end of that runway.

(e) The standards in this subpart apply to construction or alteration proposals on an airport (including heliports and seaplane bases with marked lanes) if that airport is one of the following before the issuance of the final determination:

(1) Available for public use and is listed in the Airport/Facility Directory, Supplement Alaska, or Supplement Pacific of the U.S. Government Flight Information Publications; or

(2) A planned or proposed airport or an airport under construction of which the FAA has received actual notice, except DOD airports, where there is a clear indication the airport will be available for public use; or,

(3) An airport operated by a Federal agency or the DOD; or,

(4) An airport that has at least one FAA-approved instrument approach.

77.17 Obstruction Standards.

(a) An existing object, including a mobile object, is, and a future object would be, an obstruction to air navigation if it is of greater height than any of the following heights or surfaces:

(1) A height of 499 feet above ground level at the site of the object.

(2) A height that is 200 feet AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 feet in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet.

(3) A height within a terminal obstacle clearance area, including an initial approach segment, a departure area, and a circling approach area, which would result in the vertical distance between any point on the object and an established minimum instrument flight altitude within that area or segment to be less than the required obstacle clearance.

(4) A height within an en route obstacle clearance area, including turn and termination areas, of a Federal Airway or approved off-airway route, that would increase the minimum obstacle clearance altitude.

(5) The surface of a takeoff and landing area of an airport or any imaginary surface established under §77.19, 77.21, or 77.23. However, no part of the takeoff or landing area itself will be considered an obstruction.

(b) Except for traverse ways on or near an airport with an operative ground traffic control service furnished by an airport traffic control tower or by the airport management and coordinated with the air traffic control service, the standards of paragraph (a) of this section apply to traverse ways used or to be used for the passage of mobile objects only after the heights of these traverse ways are increased by:

(1) 17 feet for an Interstate Highway that is part of the National System of Military and Interstate Highways where overcrossings are designed for a minimum of 17 feet vertical distance.

(2) 15 feet for any other public roadway.

(3) 10 feet or the height of the highest mobile object that would normally traverse the road, whichever is greater, for a private road.

(4) 23 feet for a railroad.

(5) For a waterway or any other traverse way not previously mentioned, an amount equal to the height of the highest mobile object that would normally traverse it.

77.19 Civil Airport Imaginary Surfaces.

The following civil airport imaginary surfaces are established with relation to the airport and to each runway. The size of each such imaginary surface is based on the category of each runway according to the type of approach available or planned for that runway. The slope and dimensions of the approach surface applied to each end of a runway are determined by the most precise approach procedure existing or planned for that runway end.

(a) Horizontal surface. A horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of specified radii from the center of each end of the primary surface of each runway of each airport and connecting the adjacent arcs by lines tangent to those arcs. The radius of each arc is:

(1) 5,000 feet for all runways designated as utility or visual;

(2) 10,000 feet for all other runways. The radius of the arc specified for each end of a runway will have the same arithmetical value. That value will be the highest determined for either end of the runway. When a 5,000-foot arc is encompassed by tangents connecting two adjacent 10,000-foot arcs, the 5,000-foot arc shall be disregarded on the construction of the perimeter of the horizontal surface.

(b) Conical surface. A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.

(c) Primary surface. A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; but when the runway has no specially prepared hard surface, the primary surface ends at each end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. The width of the primary surface is:

(1) 250 feet for utility runways having only visual approaches.

(2) 500 feet for utility runways having nonprecision instrument approaches.

(3) For other than utility runways the width is:

(i) 500 feet for visual runways having only visual approaches.

(ii) 500 feet for nonprecision instrument runways having visibility minimums greater than three-fourths statute mile.

(iii) 1,000 feet for a nonprecision instrument runway having a no precision instrument approach with visibility minimums as low as three fourths of a statute mile, and for precision instrument runways.

(iv) The width of the primary surface of a runway will be that width prescribed in this section for the most precise approach existing or planned for either end of that runway.

(d) Approach surface. A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of each runway based upon the type of approach available or planned for that runway end.

(1) The inner edge of the approach surface is the same width as the primary surface and it expands uniformly to a width of:

(i) 1,250 feet for that end of a utility runway with only visual approaches;

(ii) 1,500 feet for that end of a runway other than a utility runway with only visual approaches;

(iii) 2,000 feet for that end of a utility runway with a nonprecision instrument approach;

(iv) 3,500 feet for that end of a nonprecision instrument runway other than utility, having visibility minimums greater than three fourths of a statute mile;

(v) 4,000 feet for that end of a nonprecision instrument runway, other than utility, having a nonprecision instrument approach with visibility minimums as low as three fourths statute mile; and

(vi) 16,000 feet for precision instrument runways.

(2) The approach surface extends for a horizontal distance of:

(i) 5,000 feet at a slope of 20 to 1 for all utility and visual runways;

(ii) 10,000 feet at a slope of 34 to 1 for all nonprecision instrument runways other than utility; and,

(iii) 10,000 feet at a slope of 50 to 1 with an additional 40,000 feet at a slope of 40 to 1 for all precision instrument runways.

(3) The outer width of an approach surface to an end of a runway will be that width prescribed in this subsection for the most precise approach existing or planned for that runway end.

(e) Transitional surface. These surfaces extend outward and upward at right angles to the runway centerline and the runway centerline extended at a slope of 7 to 1 from the sides of the primary surface and from the sides of the approach surfaces. Transitional surfaces for those portions of the precision approach surface which project through and beyond the limits of the conical surface extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at right angles to the runway centerline.

77.21 Department of Defense (DOD) airport imaginary surfaces.

(a) Related to airport reference points. These surfaces apply to all military airports. For the purposes of this section, a military airport is any airport operated by the DOD.

(1) Inner horizontal surface. A plane that is oval in shape at a height of 150 feet above the established airfield elevation. The plane is constructed by scribing an arc with a radius of 7,500 feet about the centerline at the end of each runway and interconnecting these arcs with tangents.

(2) Conical surface. A surface extending from the periphery of the inner horizontal surface outward and upward at a slope of 20 to 1 for a horizontal distance of 7,000 feet to a height of 500 feet above the established airfield elevation.

(3) Outer horizontal surface. A plane, located 500 feet above the established airfield elevation, extending outward from the outer periphery of the conical surface for a horizontal distance of 30,000 feet.

(b) Related to runways. These surfaces apply to all military airports.

(1) Primary surface. A surface located on the ground or water longitudinally centered on each runway with the same length as the runway. The width of the primary surface for runways is 2,000 feet. However, at established bases where substantial construction has taken place in accordance with previous lateral clearance criteria, the 2,000-foot width may be reduced to the former criteria.

(2) Clear zone surface. A surface located on the ground or water at each end of the primary surface, with a length of 1,000 feet and the same width as the primary surface.

(3) Approach clearance surface. An inclined plane, symmetrical about the runway centerline extended, beginning 200 feet beyond each end of the primary surface at the centerline elevation of the runway end and extending for 50,000 feet. The slope of the approach clearance surface is 50 to 1 along the runway centerline extended until it reaches an elevation of 500 feet above the established airport elevation. It then continues horizontally at this elevation to a point 50,000 feet from the point of beginning. The width of this surface at the runway end is the same as the primary surface, it flares uniformly, and the width at 50,000 is 16,000 feet.

(4) Transitional surfaces. These surfaces connect the primary surfaces, the first 200 feet of the clear zone surfaces, and the approach clearance surfaces to the inner horizontal surface, conical surface, outer horizontal surface or other transitional surfaces. The slope of the transitional surface is 7 to 1 outward and upward at right angles to the runway centerline.

77.23 Heliport imaginary surfaces.

(a) Primary surface. The area of the primary surface coincides in size and shape with the designated takeoff and landing area. This surface is a horizontal plane at the elevation of the established heliport elevation.

(b) Approach surface. The approach surface begins at each end of the heliport primary surface with the same width as the primary surface, and extends outward and upward for a horizontal distance of 4,000 feet where its width is 500 feet. The slope of the approach surface is 8 to 1 for civil heliports and 10 to 1 for military heliports.

(b) Transitional surfaces. These surfaces extend outward and upward from the lateral boundaries of the heliport primary surface and from the approach surfaces at a slope of 2 to 1 for a distance of 250 feet measured horizontally from the centerline of the primary and approach surfaces.

Subpart D

AERONAUTICAL STUDIES AND DETERMINATIONS

77.25 Applicability.

(a) This subpart applies to any aeronautical study of a proposed construction or alteration for which notice to the FAA is required under §77.9.

(b) The purpose of an aeronautical study is to determine whether the aeronautical effects of the specific proposal and, where appropriate, the cumulative impact resulting from the proposed construction or alteration when combined with the effects of other existing or proposed structures, would constitute a hazard to air navigation.

(c) The obstruction standards in subpart C of this part are supplemented by other manuals and directives used in determining the effect on the navigable airspace of a proposed construction or alteration. When the FAA needs additional information, it may circulate a study to interested parties for comment.

77.27 Initiation of studies.

The FAA will conduct an aeronautical study when:

(a) Requested by the sponsor of any proposed construction or alteration for which a notice is submitted; or

(b) The FAA determines a study is necessary.

77.29 Evaluating aeronautical effect.

(a) The FAA conducts an aeronautical study to determine the impact of a proposed structure, an existing structure that has not yet been studied by the FAA, or an alteration of an existing structure on aeronautical operations, procedures, and the safety of flight. These studies include evaluating:

(1) The impact on arrival, departure, and en route procedures for aircraft operating under visual flight rules;

(2) The impact on arrival, departure, and en route procedures for aircraft operating under instrument flight rules;

(3) The impact on existing and planned public use airports;

(4) Airport traffic capacity of existing public use airports and public use airport development plans received before the issuance of the final determination;

(5) Minimum obstacle clearance altitudes, minimum instrument flight rules altitudes, approved or planned instrument approach procedures, and departure procedures;

(6) The potential effect on ATC radar, direction finders, ATC tower line-of-sight visibility, and physical or electromagnetic effects on air navigation, communication facilities, and other surveillance systems;

(7) The aeronautical effects resulting from the cumulative impact of a proposed construction or alteration of a structure when combined with the effects of other existing or proposed structures.

(b) If you withdraw the proposed construction or alteration or revise it so that it is no longer identified as an obstruction, or if no further aeronautical study is necessary, the FAA may terminate the study.

77.31 Determinations.

(a) The FAA will issue a determination stating whether the proposed construction or alteration would be a hazard to air navigation, and will advise all known interested persons.

(b) The FAA will make determinations based on the aeronautical study findings and will identify the following:

(1) The effects on VFR/IFR aeronautical departure/arrival operations, air traffic procedures, minimum flight altitudes, and existing, planned, or proposed airports listed in §77.15(e) of which the FAA has received actual notice prior to issuance of a final determination.

(2) The extent of the physical and/or electromagnetic effect on the operation of existing or proposed air navigation facilities, communication aids, or surveillance systems.

(c) The FAA will issue a Determination of Hazard to Air Navigation when the aeronautical study concludes that the proposed construction or alteration will exceed an obstruction standard and would have a substantial aeronautical impact.

(d) A Determination of No Hazard to Air Navigation will be issued when the aeronautical study concludes that the proposed construction or alteration will exceed an obstruction standard but would not have a substantial aeronautical impact to air navigation. A Determination of No Hazard to Air Navigation may include the following:

(1) Conditional provisions of a determination.

(2) Limitations necessary to minimize potential problems, such as the use of temporary construction equipment.

(3) Supplemental notice requirements, when required.

(4) Marking and lighting recommendations, as appropriate.

(e) The FAA will issue a Determination of No Hazard to Air Navigation when a proposed structure does not exceed any of the obstruction standards and would not be a hazard to air navigation.

77.33 Effective period of determinations.

(a) The effective date of a determination not subject to discretionary review under 77.37(b) is the date of issuance. The effective date of all other determinations for a proposed or existing structure is 40 days from the date

of issuance, provided a valid petition for review has not been received by the FAA. If a valid petition for review is filed, the determination will not become final, pending disposition of the petition.

(b) Unless extended, revised, or terminated, each Determination of No Hazard to Air Navigation issued under this subpart expires 18 months after the effective date of the determination, or on the date the proposed construction or alteration is abandoned, whichever is earlier.

(c) A Determination of Hazard to Air Navigation has no expiration date.

77.35 Extensions, terminations, revisions and corrections.

(a) You may petition the FAA official that issued the Determination of No Hazard to Air Navigation to revise or reconsider the determination based on new facts or to extend the effective period of the determination, provided that:

(1) Actual structural work of the proposed construction or alteration, such as the laying of a foundation, but not including excavation, has not been started; and

(2) The petition is submitted at least 15 days before the expiration date of the Determination of No Hazard to Air Navigation.

(b) A Determination of No Hazard to Air Navigation issued for those construction or alteration proposals not requiring an FCC construction permit may be extended by the FAA one time for a period not to exceed 18 months.

(c) A Determination of No Hazard to Air Navigation issued for a proposal requiring an FCC construction permit may be granted extensions for up to 18 months, provided that:

(1) You submit evidence that an application for a construction permit/license was filed with the FCC for the associated site within 6 months of issuance of the determination; and

(2) You submit evidence that additional time is warranted because of FCC requirements; and

(3) Where the FCC issues a construction permit, a final Determination of No Hazard to Air Navigation is effective until the date prescribed by the FCC for completion of the construction. If an extension of the original FCC completion date is needed, an extension of the FAA determination must be requested from the Obstruction Evaluation Service (OES).

(4) If the Commission refuses to issue a construction permit, the final determination expires on the date of its refusal.

Subpart E
PETITIONS FOR DISCRETIONARY REVIEW

77.37 General.

(a) If you are the sponsor, provided a substantive aeronautical comment on a proposal in an aeronautical study, or have a substantive aeronautical comment on the proposal but were not given an opportunity to state it, you may petition the FAA for a discretionary review of a determination, revision, or extension of a determination issued by the FAA.

(b) You may not file a petition for discretionary review for a Determination of No Hazard that is issued for a temporary structure, marking and lighting recommendation, or when a proposed structure or alteration does not exceed obstruction standards contained in subpart C of this part.

77.39 Contents of a petition.

(a) You must file a petition for discretionary review in writing and it must be received by the FAA within 30 days after the issuance of a determination under §77.31, or a revision or extension of the determination under §77.35.

(b) The petition must contain a full statement of the aeronautical basis on which the petition is made, and must include new information or facts not previously considered or presented during the aeronautical study, including valid aeronautical reasons why the determination, revisions, or extension made by the FAA should be reviewed.

(c) In the event that the last day of the 30-day filing period falls on a weekend or a day the Federal government is closed, the last day of the filing period is the next day that the government is open.

(d) The FAA will inform the petitioner or sponsor (if other than the petitioner) and the FCC (whenever an FCC-related proposal is involved) of the filing of the petition and that the determination is not final pending disposition of the petition.

77.41 Discretionary review results.

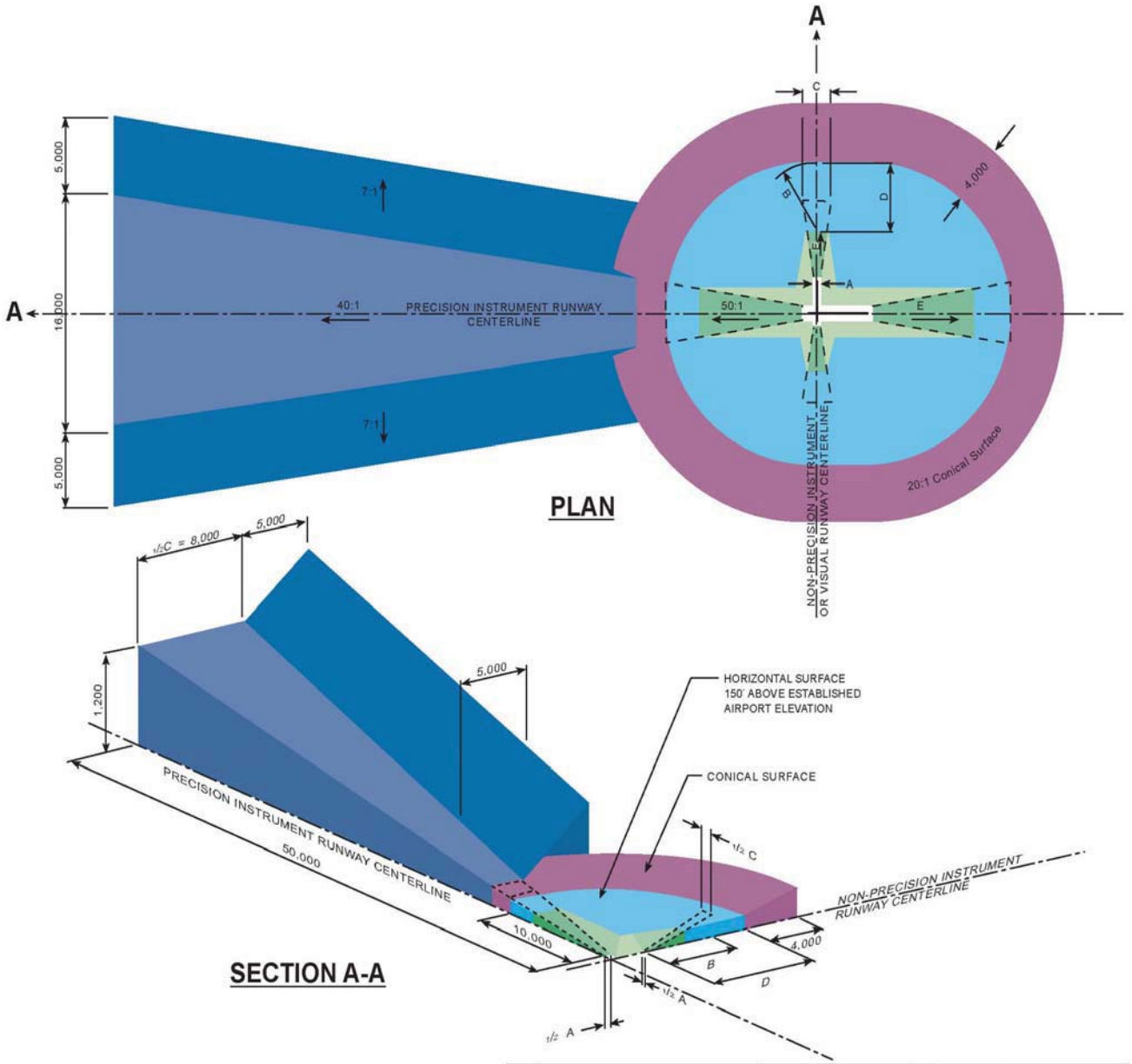
(a) If discretionary review is granted, the FAA will inform the petitioner and the sponsor (if other than the petitioner) of the issues to be studied and reviewed. The review may include a request for comments and a review of all records from the initial aeronautical study.

(b) If discretionary review is denied, the FAA will notify the petitioner and the sponsor (if other than the petitioner), and the FCC, whenever a FCC-related proposal is involved, of the basis for the denial along with a statement that the determination is final.

(c) After concluding the discretionary review process, the FAA will revise, affirm, or reverse the determination.

Editor's Note: The following pages include an example rendering of the Part 77 imaginary surfaces for a civil airport and a copy of FAA Form 7460-1 with filing instructions.

Part 77 Civil Airport Imaginary Surfaces



SURFACE SLOPE KEY

- HORIZONTAL SURFACE
- 20:1
- 7:1
- 7:1
- VARIES (SEE "E" VALUE IN TABLE BELOW)
- 40:1 (PRECISION INSTRUMENT RUNWAY ONLY)

DIM.	ITEM	DIMENSIONAL STANDARDS (FEET)					
		VISUAL RUNWAY		NON-PRECISION INSTRUMENT RUNWAY			PRECISION INSTRUMENT RUNWAY
		UTILITY	LARGER THAN UTILITY	UTILITY	LARGER THAN UTILITY X	LARGER THAN UTILITY Y	
A	WIDTH OF PRIMARY SURFACE AND APPROACH SURFACE WIDTH AT INNER END	250	500	500	500	1,000	1,000
B	RADIUS OF HORIZONTAL SURFACE	5,000	5,000	5,000	10,000	10,000	10,000
		VISUAL APPROACH		NON-PRECISION INSTRUMENT APPROACH			PRECISION INSTRUMENT APPROACH
		UTILITY	LARGER THAN UTILITY	UTILITY	LARGER THAN UTILITY X	LARGER THAN UTILITY Y	
C	APPROACH SURFACE WIDTH AT END	1,250	1,500	2,000	3,500	4,000	16,000
D	APPROACH SURFACE LENGTH	5,000	5,000	5,000	10,000	10,000	*
E	APPROACH SLOPE	20:1	20:1	20:1	34:1	34:1	*

X - VISIBILITY MINIMUMS GREATER THAN 3/4 MILE

Y - VISIBILITY MINIMUMS AS LOW AS 3/4 MILE

* - PRECISION INSTRUMENT APPROACH SLOPE IS 50:1 FOR INNER 10,000 FEET AND 40:1 FOR AN ADDITIONAL 40,000 FEET

Source: FAR Part 77, *Safe, Efficient Use, and Preservation of the Navigable Airspace*, Sec. 77.19. January 18, 2011.

Form 7460-1 – Notice of Proposed Construction or Alteration

Please Type or Print on This Form

Form Approved OMB No.2120-0001
Expiration Date: 7/31/07

U.S. Department of Transportation
Federal Aviation Administration

Failure To Provide All Requested Information May Delay Processing of Your Notice

Notice of Proposed Construction or Alteration

FOR FAA USE ONLY
Aeronautical Study Number

1. Sponsor *(person, company, etc. proposing this action):*
Attn. of: _____
Name: _____
Address: _____
_____
City: _____ State: _____ Zip: _____
Telephone: _____ Fax: _____

2. Sponsor's Representative *(if other than #1):*
Attn. of: _____
Name: _____
Address: _____
_____
City: _____ State: _____ Zip: _____
Telephone: _____ Fax: _____

3. Notice of: ☐ New Construction ☐ Alteration ☐ Existing

4. Duration: ☐ Permanent ☐ Temporary (____ months, ____ days)

5. Work Schedule: Beginning _____ End _____

6. Type: ☐ Antenna Tower ☐ Crane ☐ Building ☐ Power Line
☐ Landfill ☐ Water Tank ☐ Other _____

7. Marking/Painting and/or Lighting Preferred:
☐ Red Lights and Paint ☐ Dual - Red and Medium Intensity White
☐ White - Medium Intensity ☐ Dual - Red and high Intensity White
☐ White - High Intensity ☐ Other

8. FCC Antenna Structure Registration Number *(if applicable):*
_____

9. Latitude: _____ ° _____ ' _____ , _____ "

10. Longitude: _____ ° _____ ' _____ , _____ "

11. Datum: ☐ NAD 83 ☐ NAD 27 ☐ Other

12. Nearest: City: _____ State _____

13. Nearest *Public-use* *(not private-use)* or Military Airport or Heliport:
_____

14. Distance from #13. to Structure: _____

15. Direction from #13. to Structure: _____

16. Site Elevation *(AMSL)*: _____ ft.

17. Total Structure Height *(AGL)*: _____ ft.

18. Overall Height (#16 + #17) *(AMSL)*: _____ ft.

19. Previous FAA Aeronautical Study Number *(if applicable)*:
_____-OE

20. Description of Location: *(Attach a USGS 7.5 minute Quadrangle Map with the precise site marked and any certified survey)*

21. Complete Description of Proposal:

Frequency/Power (kW)	

Notice is required by 14 Code of Federal Regulations, part 77 pursuant to 49 U.S.C., Section 44718. Persons who knowingly and willingly violate the notice requirements of part 77 are subject to a civil penalty of $1,000 per day until the notice is received, pursuant to 49 U.S.C., Section 46301(a)

I hereby certify that all of the above statements made by me are true, complete, and correct to the best of my knowledge. In addition, I agree to mark and/or light the structure in accordance with established marking & lighting standards as necessary.

Date	Typed or Printed Name and Title of Person Filing Notice	Signature

FAA Form 7460-1 (2-99) Supersedes Previous Edition Electronic Version (Adobe) NSN: 0052-00-012-0009

Form 7460-1 – Notice of Proposed Construction or Alteration *(continued)*

A Notice of Proposed Construction or Alteration (Form 7460-1) must be filed with the Federal Aviation Administration (FAA).

If construction or alteration is not located on an airport, you may file electronically (i.e., e-filing) using the following web-link:

https://oeaaa.faa.gov/oeaaa/external/portal.jsp

If construction or alteration is located on an airport, you must file Form 7460-1 via US Postal Mail to:

Western Pacific Region
HI, CA, NV, AZ, GU
Western-Pacific Regional Office Air Traffic Division, AWP-520
15000 Aviation Boulevard Hawthorne, CA 90260
Tel: 310-725-6557

Form 7460-1 is available online in PDF format (data may be typed into form).

http://www.faa.gov/documentLibrary/media/form/faa7460_1.pdf

Note:

Original form on Federal Aviation Administration website contains interactive fields.

Source: Federal Aviation Administration, Form 7460-1, February 1999.

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Appendix D

Airport Noise Compatibility Considerations

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Appendix D

AIRPORT NOISE COMPATIBILITY CONSIDERATIONS

The Community Noise Equivalent Level (CNEL) metric is used in California for defining aircraft noise contours. The CNEL value represents the 24-hour, time-weighted cumulative noise level for an average day during the study year. CNEL is computed by summing the noise from all flights to and from an airport during an average day. The contours reflect the configuration and orientation of the runways, the utilization of the runways, and the flight tracks most heavily used by aircraft. In computing CNEL, noise events occurring during the evening hours (7 p.m. to 10 p.m.) are assigned an extra weight of 4.8 decibels, and events during the nighttime hours (10 p.m. to 7 a.m.) are assigned an extra ten decibels. These extra weights are intended to reflect increased human sensitivity to noise during the quieter periods of the day when most people are at home relaxing and sleeping.

D.1 STATE OF CALIFORNIA AIRPORT NOISE REGULATIONS

The State of California's airport noise standards declare that the "level of noise acceptable to a reasonable person residing in the vicinity of an airport is established as a CNEL of 65 dB…"[1] The board of supervisors of the county in which the airport is located is empowered to declare that the airport has a "noise problem" if it has incompatible land uses inside the CNEL 65 dB contour. The regulations consider the following uses to be incompatible:

- Residences
- Public and private schools
- Hospitals and convalescent homes
- Places of worship

The law stipulates that the following actions can render incompatible uses compatible:

- Acquisition by the airport of an avigation easement for aircraft noise
- Sound insulation sufficient to reduce the interior CNEL due to aircraft noise to 45 dB or less in habitable rooms

[1] California Code of Regulations, Title 21, Division 2.5, Chapter 6, Section 5006.

In areas where noise exposure (from any source) is greater than CNEL 65 dB (or DNL 65 dB), state housing law requires sound insulation for multi-family residential uses, hotels and motels, and schools.[2] State housing law states explicitly, however, that where a noise/land use incompatibility exists, removal of existing housing should be the last resort to remedy the incompatibility.

Under the state noise law, the area inside an airport's CNEL 65 dB contour that is occupied by incompatible uses is called the "noise impact area." Airports with a noise impact area are prohibited from operating without a variance from the state noise standards that is issued by the State Department of Transportation (Caltrans) Variances are typically conditioned upon the airport taking action to reduce its noise impact area to zero (i.e., no incompatible land uses within the CNEL 65 dB contour).

In 1972, the San Mateo County Board of Supervisors declared SFO to be a "noise problem airport," and the Airport was required to operate with variances from the state noise standards for a number of years thereafter. In March 2002, due to the Airport's efforts to help reduce the number of incompatible land uses in its noise impact area, the San Mateo County Board of Supervisors determined that the Airport had achieved a noise impact area of zero and therefore was no longer required by the State to operate under a variance from the state noise standards.

D.2 NOISE/LAND USE COMPATIBILITY GUIDELINES

Noise is a problem only if someone hears it and is annoyed by it. Research has shown that the tendency of people to be annoyed by noise varies systematically based on their activities at any given time. People are most likely to be annoyed when they are relaxing at home or trying to sleep. People also tend to be annoyed in places where they expect a certain amount of quiet for contemplation, concentration, or enjoying an artistic performance.

The concept of "noise/land use compatibility" is based on these systematic variations. Thus, land uses that are considered to be sensitive to or incompatible with noise above a certain level include housing, schools, places of worship, performing arts centers, hospitals, and nursing homes. Uses that are considered to be generally compatible with noise include commercial, industrial, and transportation and utilities.

D.2.1 Federal Noise/Land Use Compatibility Guidelines

Numerous sets of noise/land use compatibility guidelines have been promulgated over the years by various agencies and organizations. The Federal Aviation Administration's guidelines are included in Federal Aviation Regulation (FAR) Part 150 and are quoted in their entirety in **Table D-1**.

---

[2] DNL, day-night average sound level, is a cumulative noise metric similar to CNEL except that it does not include the extra 4.8-decibel weight for evening noise.

The FAR Part 150 guidelines describe residential land uses, schools, and outdoor music shells and amphitheaters as "noncompatible" with noise levels above DNL 65 dB.[3] Sound insulation to achieve an outdoor-to-indoor noise level reduction of 25 to 30 decibels is advised when a local community determines that residential uses and schools must be allowed in areas exposed to noise above DNL 65 dB. Hospitals, nursing homes, churches, auditoriums, and concert halls are considered noise-sensitive uses that require sound insulation if permitted within the DNL 65 dB contour.

The FAR Part 150 noise compatibility guidelines have been used as the basis for describing noise-impacted land uses in prior FAR Part 150 studies undertaken at SFO.

D.2.2 State Noise/Land Use Compatibility Guidelines

State planning law requires that each community's general plan include a noise element. The state General Plan Guidance manual includes definitions of noise-sensitive land uses and a chart of land use/noise compatibility guidelines (presented on **Figure D-1**). It recommends that land use decisions be made so as to avoid land use/noise conflicts.

The *California Airport Land Use Planning Handbook*, published in 2011 (the 2011 *Handbook*) provides recommendations for drafting airport noise provisions of a CLUP that are consistent with the state general plan noise element guidance and the state sound insulation regulation. For example, residential uses are indicated as compatible up to CNEL 60 dB, compatible up to CNEL 65 dB in noisy urban environments or near noise problem airports, and conditionally compatible above CNEL 65 dB with sound insulation. No new residential uses are considered compatible above CNEL 70 dB. The 2011 *Handbook* recommends that CLUPs require disclosure of the proximity to an airport for properties offered for sale that are located within an Airport Influence Area (AIA) boundary or within the CNEL 65 dB noise contour to help avoid noise compatibility conflicts and resulting litigation. State law AB 2776, adopted in 2002, formalized this advice to a large extent, requiring disclosure for all real property within an "airport influence area," the boundaries of which are to be determined through the CLUP process.[4]

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[3] The DNL metric – day-night average sound level – is the standard noise metric used in the United States, outside California. It is a 24-hour, time-weighted cumulative metric similar to CNEL. It differs from CNEL only in excluding the 4.8-decibel weight for evening noise. For most purposes, CNEL and DNL are interchangeable.

[4] This legislation is codified at Business and Professions Code, Section 11010.

Table D-1
FAR PART 150 LAND USE COMPATIBILITY GUIDELINES

Land Use	Yearly Day-Night Average Sound Level DNL					
	Below 65	65-70	70-75	75-80	80-85	Over 85
Residential						
Residential, other than mobile homes and transient lodgings	Y	N *(a)*	N *(a)*	N	N	N
Mobile home parks	Y	N	N	N	N	N
Transient lodgings	Y	N *(a)*	N *(a)*	N *(a)*	N	N
Public use						
Schools	Y	N *(a)*	N *(a)*	N	N	N
Hospitals and nursing homes	Y	25	30	N	N	N
Churches, auditoriums, and concert halls	Y	25	30	N	N	N
Governmental services	Y	Y	25	30	N	N
Transportation	Y	Y	Y *(b)*	Y *(c)*	Y *(d)*	Y *(d)*
Parking	Y	Y	Y *(b)*	Y *(c)*	Y *(d)*	N
Commercial use						
Offices, business and professional	Y	Y	25	30	N	N
Wholesale and retail – building materials, hardware, and farm equipment	Y	Y	Y *(b)*	Y (c)	Y *(d)*	N
Retail trade – general	Y	Y	25	30	N	N
Utilities	Y	Y	Y *(b)*	Y *(c)*	Y *(d)*	N
Communication	Y	Y	25	30	N	N
Manufacturing and production						
Manufacturing, general	Y	Y	Y *(b)*	Y *(c)*	Y *(d)*	N
Photographic and optical	Y	Y	25	30	N	N
Agriculture (except livestock) and forestry	Y	Y *(e)*	Y *(f)*	Y *(g)*	Y *(g)*	Y *(g)*
Livestock farming and breeding	Y	Y *(e)*	Y *(f)*	N	N	N
Mining and fishing, resource production and extraction	Y	Y	Y	Y	Y	Y
Recreational						
Outdoor sports arenas and spectator sports	Y	Y *(h)*	Y *(h)*	N	N	N
Outdoor music shells, amphitheaters	Y	N	N	N	N	N
Nature exhibits and zoos	Y	Y	N	N	N	N
Amusements, parks, resorts and camps	Y	Y	Y	N	N	N
Golf courses, riding stables, and water recreation	Y	Y	25	30	N	N

NOTE: The designations contained in this table do not constitute a Federal determination that any use of land covered by the program is acceptable or unacceptable under Federal, State, or local law. The responsibility for determining the acceptable and permissible land uses and the relationship between specific properties and specific noise contours rests with the local authorities. FAA determinations under Part 150 are not intended to substitute federally determined land uses for those determined to be appropriate by local authorities in response to locally determined needs and values in achieving noise compatible land uses.

Table D-1 *(page 2 of 2)*
FAR PART 150 LAND USE COMPATIBILITY GUIDELINES

DNL	=	Day-night average sound level, in A-weighted decibels.
Y (Yes)	=	Land use and related structures compatible without restrictions.
N (No)	=	Land use and related structures are not compatible and should be prohibited.
25, 30, 35	=	Land use and related structures generally compatible; measures to achieve a Noise Level Reduction (NLR) of 25, 30, or 35 dB must be incorporated into design and construction of structure.

(a) Where the community determines that residential or school uses must be allowed, measures to achieve outdoor-to-indoor NLR of at least 25 dB and 30 dB should be incorporated into building codes and be considered in individual approvals. Normal residential construction can be expected to provide a NLR of 20 dB; thus, the reduction requirements are often stated as 5, 10, or 15 dB over standard construction and normally assume mechanical ventilation and closed windows year round. However, the use of NLR criteria will not eliminate outdoor noise problems.

(b) Measures to achieve NLR of 25 dB must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise-sensitive areas, or where the normal noise level is low.

(c) Measures to achieve NLR of 30 dB must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise-sensitive areas, or where the normal noise level is low.

(d) Measures to achieve NLR of 35 dB must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise-sensitive areas, or where the normal noise level is low.

(e) Residential buildings require a NLR of 25 dB.

(f) Residential buildings require a NLR of 30 dB.

(g) Residential buildings not permitted.

(h) Land use compatible provided special sound reinforcement systems are installed.

Source: 14 Code of Federal Regulations Part 150, Airport Noise Compatibility Planning, Appendix A, Table 1.

D.3 EXISTING NOISE COMPATIBILITY CONFLICTS

While many noise-sensitive land uses remain within the CNEL 65 dB noise contour, as shown on **Figure D-2**, virtually all have been rendered "noise-compatible" through the Airport's noise mitigation programs, primarily the sound insulation programs administered by local governments.

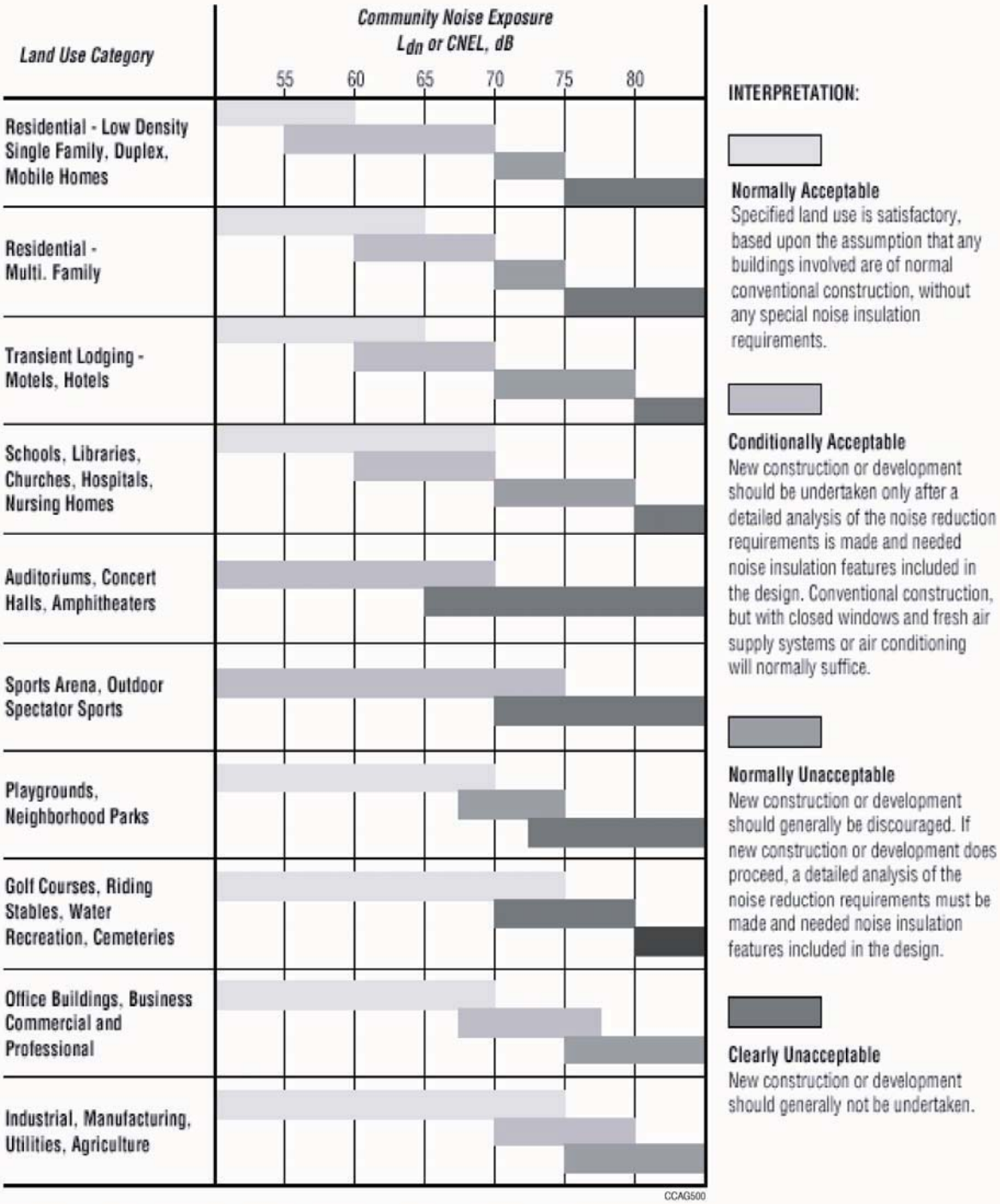
State housing law does not support removal of noise-impacted houses to address noise compatibility, and based on the Regional Housing Needs Assessment (RHNA), any housing removed would need to be replaced with an equal number of equally affordable new units. With a lack of available, affordable, vacant land, replacement of these residential units is unrealistic. These uses are here to stay, and have been made as compatible as possible. Similarly, all but a few residential uses in the CNEL 65 dB have been made compatible using sound insulation. Owners of those that are not insulated have declined assistance.

Other uses in the Airport vicinity meet the 2011 *Handbook* compatibility criteria, but some are identified by either the Airport or local governments as problematic due to noise impacts. In interviews conducted by the consultant as part of this study, Airport staff have indicated concern about recently completed residential developments, such as The Crossing in San Bruno and Terra Bay in South San Francisco, that are near enough to the Airport to experience noise levels that may disturb future residents. Although these uses comply with state sound insulation standards, the Airport noise office has expressed concern that new noise complaints would be generated there. A review of the first year of occupation of The Crossing, a corner of which touches the Airport CNEL 65 dB and all of which is within the DNL 70 dB contour for two freeways, revealed that the Airport received just one noise complaint from residents of the development. No similar information was available from Terra Bay, which is generally less affected by freeway noise.

In interviews in early 2008, some local government planning officials also identified residential land uses that, while outside the Airport's CNEL 65 dB and which are not technically incompatible, still experience substantial seasonal or overflight noise and are the source of numerous complaints. While these uses are technically compatible based on the relevant criteria and guidelines in the 2011 *Handbook*, the level of complaints suggests that the CNEL 65 dB threshold may not be low enough to ensure that all noise-related annoyances can be avoided.

Figure D-1

State Land Use Compatibility Guidelines for Noise Elements of Local General Plans



Source: State of California, *General Plan Guidelines*, 2003, page 250.

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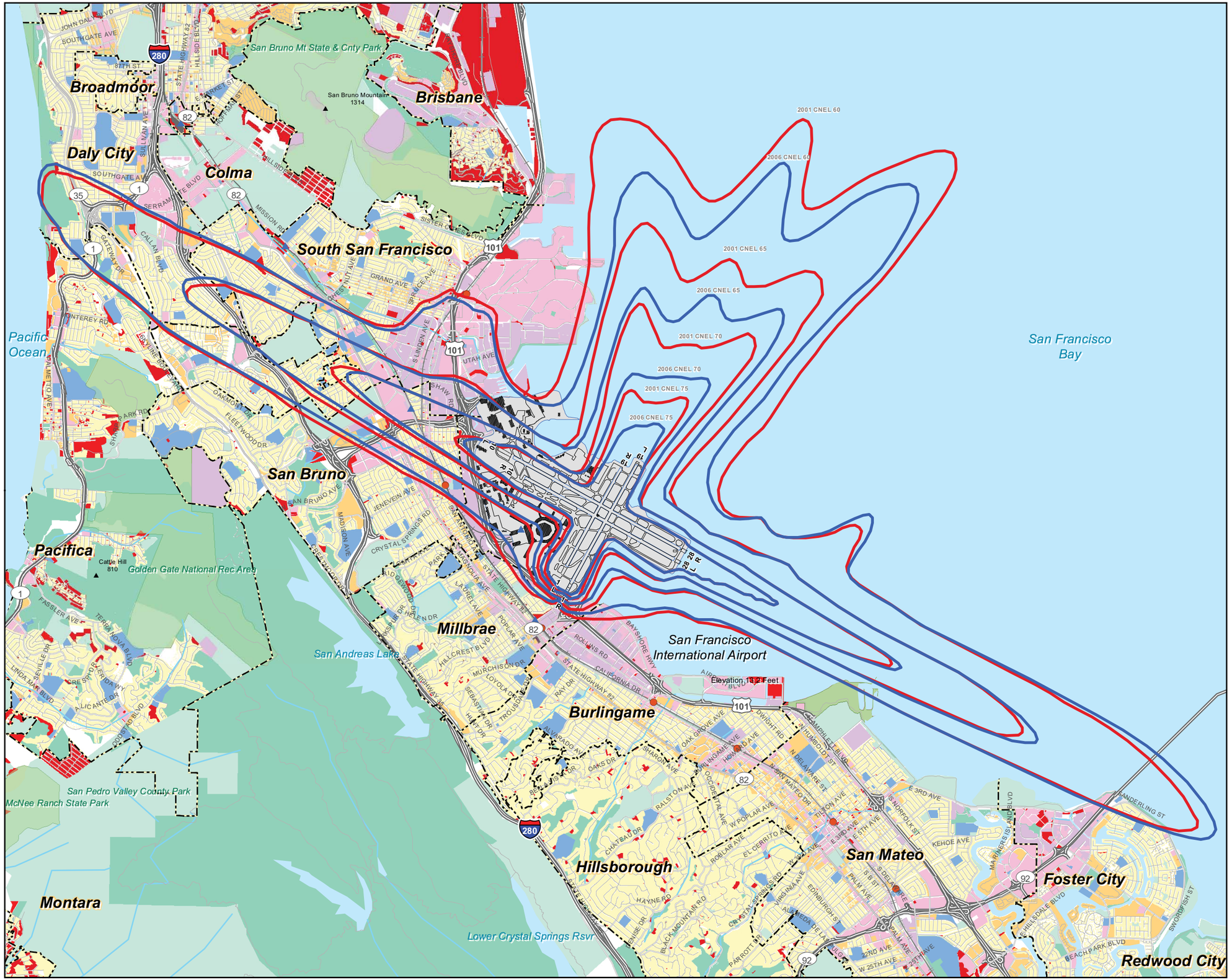

LEGEND

- 2006 CNEL Contours
- 2001 CNEL Contours
- Airport Property
- BART Stations
- CALTRAIN Stations
- Municipal Boundary
- Railroads
- Freeways
- Roads

Generalized Existing Land Use - 2007:

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

Sources:

Noise Contour Data:
- San Francisco International Airport
Noise Exposure Map Update - September 17, 2001

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

NORTH

0 0.3 0.6 1.2 Miles

Figure D-2
2001 AND 2006 NOISE EXPOSURE MAPS
Comprehensive Airport Land Use Plan
For The Environs of San Francisco International Airport

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

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D.4 NOISE COMPATIBILITY PLANNING ISSUES

D.4.1 Future Land Use Changes

There is very little likelihood of new incompatible residential land uses within the Airport's CNEL 70 dB contour. The noise abatement MOU prevents jurisdictions that are parties to it from approving development of new residential units inside the CNEL 70 dB. The 2001 and 2006 CNEL 70 dB contours are present only on lands under the jurisdiction of parties to the MOU.

New residential units in some locations within or very near the CNEL 65 dB contour are possible in the future. The built-out urban environment in the study area will likely require residential infill for local municipalities to meet their Regional Housing Needs Assessment (RHNA) goals, possibly in areas that are affected to a certain extent by Airport noise. As communities in the study area meet the state requirement to update their housing elements, they must identify locations where new residential units might be added in order to meet their Regional Housing Needs allocations. Many of the possible locations are in the Airport environs, and a number of those are in areas that the jurisdictions' general plans indicate as having airport noise impacts, including several transit-oriented development (TOD) locations. Some of these are within the current CNEL 65 dB contour, while others close by might be within the CNEL 65 dB contour in the future should the contour expand. Therefore, in some jurisdictions, locations that have been off-limits to residential are now being considered for new residential uses. In interviews with local officials, the consultants were told, for example, that in Daly City, the school district has suggested rezoning for residential use some of its surplus lands that experience frequent overflights. Local planners also reported that officials in South San Francisco have discussed the possibility of opening some of the industrial area east of Highway 101 for residential use, despite local land use plans that restrict residential in this area based on the potential impacts of frequent overflights that turn over this area to avoid other residential areas.

Above, a corner of The Crossing is inside the CNEL 65 dB contour. Below, Highway 380 viewed from The Crossing, in the DNL 70 dB freeway contour.

Any new multifamily units within the CNEL 65 dB contour will have to meet state sound insulation standards, and other new residential units will have to meet any applicable local requirements. Sound insulation, where required, will reduce to a certain extent the impact of noise (and would render any sensitive land uses inside the CNEL 65 dB contour "compatible" under state law). But in areas where noise exposure may be seasonally high, even though it is less than CNEL 65 dB as an annual average, future residents may find that they are annoyed by aircraft noise.

There is little likelihood of future non-residential incompatible land uses, such as schools, hospitals, and hotels, being developed inside the CNEL 70 dB contour, because few vacant sites are available. In interviews, all of the jurisdictions indicated plans to intensify land use in TOD areas and in other redevelopment areas in the airport environs and in overflight areas, but most did not yet know what specific uses might be proposed. The City of San Bruno Planning Director indicated that a redevelopment site near (but not in) the current CNEL 70 dB could be considered for hotel use. The state Noise Compatibility Guidelines, adopted by the city, list hotels as "conditionally compatible" in such noise environments. This Planning Director indicated interest in guidance on what measures might make a "conditionally compatible" hotel use compatible or otherwise acceptable to the Airport.

D.4.2 Future Changes to Noise Exposure

Future land use compatibility can also be altered by changes in the Airport noise contours. Over the past 20 years or more, the noise contours at SFO have been shrinking. The primary reason has been the replacement of older aircraft by newer, quieter aircraft. Airport management also has worked with airlines on a "fly quiet" program to specify approach paths that reduce noise in developed areas, such as by shifting approaches out over the Bay rather than over cities along the approach centerline, and in departure areas, by turning over industrial uses and out to the Bay. Nevertheless, it is possible that increases in noise could occur in the future.

- Changes in noise contours can be driven by the following factors:
- Changes in runways (new construction, closure, lengthening, shortening)
- Changes in runway use
- Changes in the number of operations (arrivals and departures)
- Changes in the location of heavily used flight tracks
- Changes in the type of aircraft using the airport

Airport plans, as presented in the airport layout plan (Chapter II, Exhibit II-6), anticipate no changes to the current runway system at SFO. Runway use, which is driven by prevailing winds and weather patterns and which is facilitated by the current system of instrument approaches, is unlikely to change enough in the future to alter the noise exposure pattern.

The two remaining factors, flight tracks and changes in aircraft type, could possibly lead to changes in noise exposure over time. Future increases in the volume of traffic during peak hours of the day could make it more difficult to adhere to certain noise abatement flight procedures, primarily involving arrival and departure paths. Any deviations from these procedures are unlikely to become so pervasive as to change the shape and size of the CNEL noise contours, but they could result in changes sufficient to be noticeable to sensitive people, resulting in greater levels of annoyance and noise complaints.

It is also possible that the increases in peak period demand, and the attendant increases in air traffic congestion and delay, could cause airlines to switch to larger aircraft in high-volume markets, rather than increasing the number of flights, to serve the demand. Since larger aircraft generally tend to be louder (although there are exceptions), a large-scale trend of this nature could lead to increases in the size of the CNEL noise contours.

D.5 SUMMARY OF NOISE COMPATIBILITY PLANNING ISSUES

The key noise compatibility planning issues can be summarized as follows:

- The very few vacant parcels available for development in the CNEL 70 dB contour mean little likelihood of new noise-incompatible development in that high-noise area.

- New incompatible residential development inside the CNEL 65 dB contour is possible in scattered areas of undeveloped land and in redevelopment areas, especially due to the interest in TOD and the need for local government compliance with RHNA.

- Revised local infill development policies to address noise compatibility requirements for isolated parcels of vacant land inside the CNEL 65 dB contour may be warranted. These would recognize the need for new development that is compatible with the surrounding area while, at the same time, mitigating adverse noise effects.

- State and local policy requirements for the provision of housing and moderate to high-density transit-oriented development (TOD) create tension with the state requirements and local goals to reduce noise incompatibilities.

- The promotion of long-term noise compatibility is complicated by the inherent uncertainty associated with future airport noise exposure.

D.6 UPDATED NOISE CONTOUR MAPS

As part of the environmental assessment for the proposed runway safety area program, updated noise exposure forecasts were prepared for SFO.[5] The updated noise contours are depicted in **Figure D-3**. The forecast 2020 noise contour map is the basis for the noise compatibility policies in this CLUP.

Most of the contour area lies over San Francisco Bay, reflecting the high proportion of the use of Runways 28L and 28R for arrivals and Runways 1L and 1R for departures. The contours northeast of Runways 1L and 1R are broad with distinct lobes, corresponding to the primary departure headings. This pattern is typical of a runway that is used predominantly for departures, where the aircraft tend to disperse soon after takeoff.

The contours southeast of the Airport are driven by approaches to Runways 28L and 28R. The contours northwest of the Airport toward the San Bruno Gap are driven by departures. The extended contours reflect the high proportion of Runway 28L and 28R departures that continue along the runway centerline through the Gap. These tend to be heavy jet aircraft headed for international or long-haul domestic destinations. The configuration of the very short contours to the southwest reflects the very low percentage of arrivals to Runways 1L and 1R and departures from Runways 19L and 19R.

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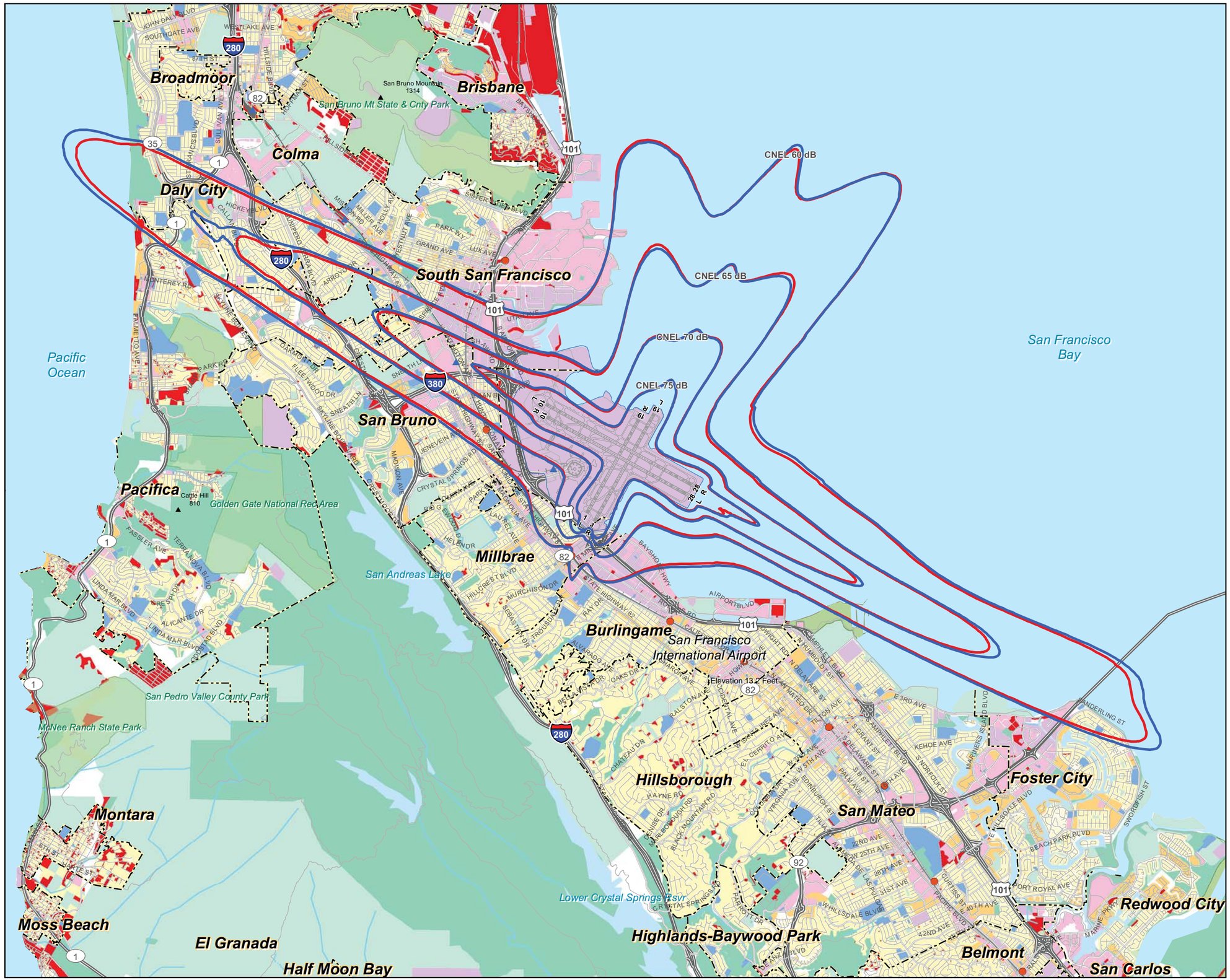
[5] URS Corporation and BridgeNet International. *Draft Environmental Assessment, San Francisco International Airport Proposed Runway Safety Area Program*, Appendix C.2, page A.14, June 2011.



LEGEND

- Forecast 2020 CNEL Contours
- Forecast 2015 CNEL Contours
- Airport Property
- BART Stations
- CALTRAIN Stations
- Municipal Boundary
- Railroads
- Freeways
- Roads

Generalized Existing Land Use - 2007:

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

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

Prepared by: Ricondo & Associates, Inc. 2011.

NORTH

0 0.3 0.6 1.2 Miles

Figure D-3
FORECAST 2015 AND 2020 NOISE EXPOSURE
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

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Appendix E

Airport Vicinity Safety Considerations

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Appendix E

AIRPORT VICINITY SAFETY CONSIDERATIONS

This appendix is provided as background, explaining the development of the safety compatibility zones and policies. It is based on working papers produced during the ALUCP update process. It explains the basis for the delineation of the safety zone boundaries. It also discusses the compatibility policy options that were considered.

The promotion of safety in the interaction between airports and surrounding land uses involves three key considerations:

1. The risk of injury to aircraft occupants
2. The safety of persons and property on the ground
3. The prevention of hazards to flight

Not all aircraft accidents involve aircraft that are out of control. In some situations, pilots retain a measure of control of the aircraft during an accident. These situations may involve forced landings, runway overshoots, or the failure to become airborne due to loss of power on takeoff. In many of these situations, the risk of fatalities and serious injuries to aircraft occupants can be reduced through the provision of adequate runway overruns and clear areas off the runway ends.

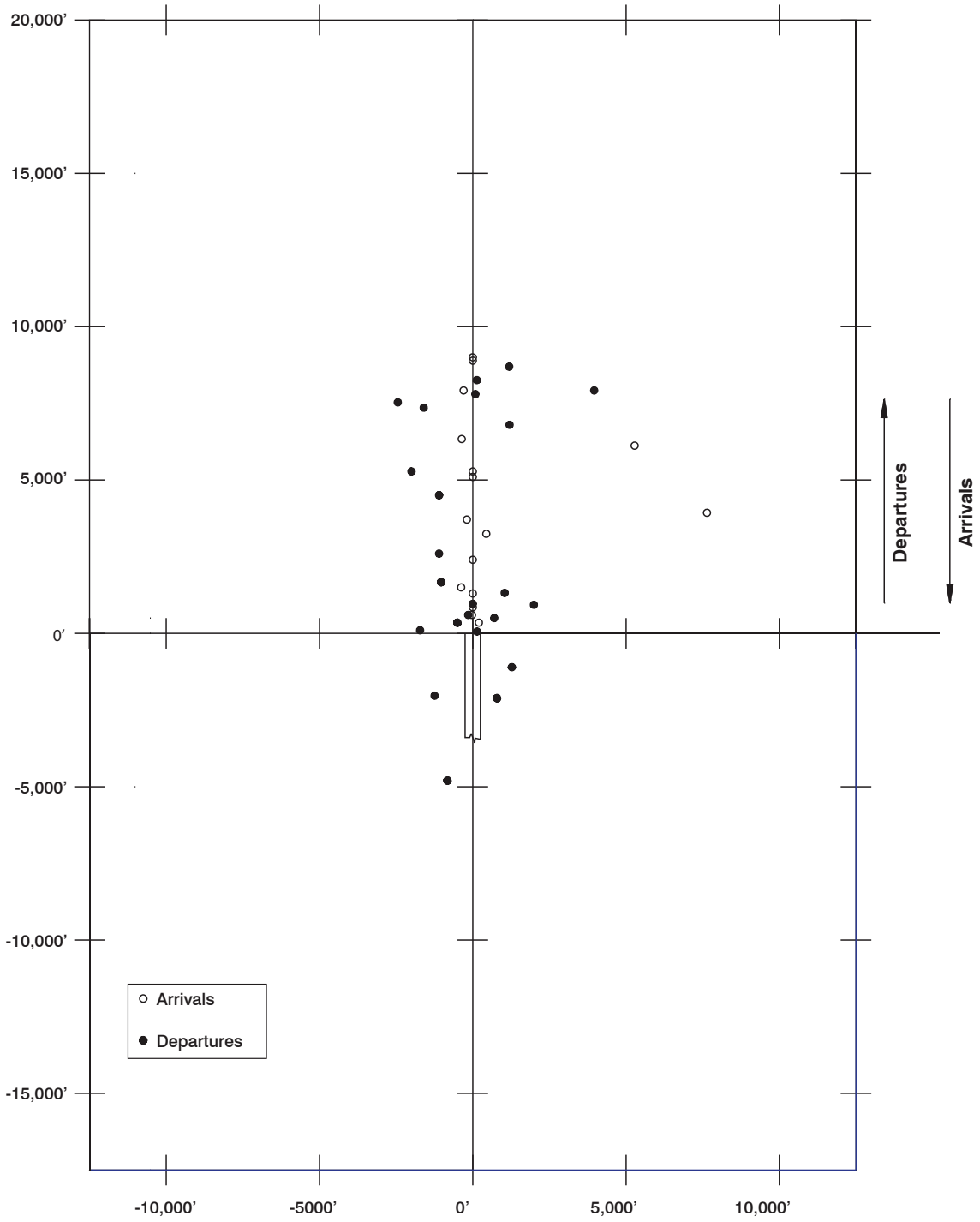
The severity of an aircraft accident can be greatly intensified by the nature of the land uses at an accident site. Aircraft accidents at hazardous materials storage facilities or high-density housing developments, for example, can be catastrophic.

Certain land uses or other features of urban development can create risks to aircraft in flight. These include uses that attract wildlife, especially large flocks of birds. Certain kinds of lighting and highly reflective surfaces can interfere with the vision of pilots in sighting the airport during approaches. In addition, electromagnetic interference from various communications facilities can disrupt aircraft communications and electronic navigational aids. Other land uses, such as large wind turbines, can interfere with radar transmission and reception.

E.1 AIRCRAFT ACCIDENT RISK

Risk is a function of the likelihood of the occurrence of an event and the severity of the consequences of the event. While aircraft accidents, especially those involving commercial aircraft, are very rare, the consequences of commercial aircraft accidents can be severe.

In order to determine where land use regulations to promote airport safety compatibility should be applied, it is necessary to consider the pattern of aircraft accident locations with respect to airport runways. Because of the extreme rarity of aircraft accidents, accident location studies pool data from accidents at many airports. The data are "standardized" by coding each accident location by distance from the runway landing threshold (for arrival accidents) or takeoff point (for departure accidents). **Figure E-1** shows the results of the most recent domestic study of commercial aircraft accidents, undertaken by the FAA in 1990.



Note:
Data derived from commercial aircraft accidents and incidents at U.S. commercial airports from 1978 to 1987. During that time, 246 accidents and incidents were reported. Locational data with sufficient detail to use for this chart were available for 39 cases.

Source:
State of California, Department of Transportation, Division of Aeronautics, California Airport Land Use Planning Handbook, Figure E6, p. E-23, October 2011.

Figure E-1
COMMERCIAL AIRCRAFT ACCIDENT LOCATION PLAN
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

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The pattern on Figure E-1 shows a distinct clustering of arrival accidents along the extended runway centerline, short of the runway threshold. Fourteen of the 16 arrival accidents are within approximately 500 feet of the centerline. All are within 10,000 feet of the runway end. The 23 departure accidents are more widely scattered, although all are within 10,000 feet of the runway end, and within 5,000 feet of the extended runway centerline. Four of the departure accidents are short of the runway end. Six departure accidents are within about 500 feet of the extended centerline. Another 7 are within 1,500 feet of the centerline, and 5 more are within 2,500 feet of the centerline. One accident lies between 2,500 and 5,000 feet from the extended centerline.

Aviation regulatory organizations in the United Kingdom and the Netherlands have developed sophisticated models to assess the geographic patterns of accident risk. When analyzing commercial aircraft accident data, these models show a distinct tendency for accident risk to be highest along the extended runway centerline. This is consistent with the accident location pattern shown on Figure E-1.[1]

E.2 FEDERAL SAFETY STANDARDS

The FAA has developed detailed guidance for airport operators related to the definition and regulation of safety areas in the immediate runway/taxiway environment.[2] These standards reflect the areas of highest accident risk, which are very near the runways on land that is typically owned by the airport.

These safety areas include:

- Runway safety area
- Runway object free area
- Obstacle free zone
- Taxiway safety area
- Taxiway and taxilane object free area
- Runway protection zone

The sizes of these areas vary depending on the type of aircraft using the airport and the nature of the approaches to the runway. With the exception of the runway protection zone (RPZ), all of these areas must be on airport property. The FAA strongly encourages airports to own all property within the RPZ, although it

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[1] Mead & Hunt, et al., Airport Cooperative Research Program Project 03-03, Enhancing Airport Land Use Compatibility, Preliminary Draft Final Report, Chapter 7, February 2009.

[2] FAA Advisory Circular 150/5300-13, Airport Design, Sections 210 through 212, 205 through 307, and 403 and 404.

recognizes that this is not always feasible. The FAA has established land use standards for the RPZ. Residences, places of public assembly, and fuel storage should be prohibited within the RPZ. In fact, the FAA describes it as "desirable" that all objects to be cleared within the RPZ.

E.2.1 Federal Guidance for Avoiding Hazards to Flight

While the FAA has no specific guidance relating to visual hazards or electromagnetic interference, it has published detailed guidance relating to the avoidance of hazardous wildlife attractants.[3] Data on which the guidelines are based indicate that among the 25 species most responsible for causing damage to aircraft, 23, not surprisingly, are birds. Species most commonly associated with aircraft damage include vultures, geese, cormorants and pelicans, cranes, eagles, ducks, and osprey. Interestingly, deer are responsible for the highest incidence of damage to aircraft, primarily during the takeoff roll and landing rollout.

The FAA has the authority to require airport operators to establish wildlife hazard management plans (WHMP) when specific triggering events occur on or near the airport, as specified in the Federal Aviation Regulations (FAR Part 139.337).

The FAA guidelines advise that hazardous wildlife attractants be avoided within 10,000 feet of the "airport operating area" (the runways, taxiways, and parking ramps) for airports serving jet aircraft. The guidelines further advise that hazardous wildlife attractants that could cause the movement of hazardous wildlife across departure or arrival airspace should be avoided within 5 miles of the airport operating area. According to the FAA, the following land uses may attract hazardous wildlife and should be avoided within the 10,000-foot and 5-mile areas:

- Municipal solid waste landfills
- Underwater discharges of solid waste
- Wastewater treatment facilities
- Wastewater discharge and sludge disposal
- Artificial marshes
- Dredge spoil containment areas
- Confined livestock feeding operations
- Golf courses

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[3] FAA Advisory Circular 150/5200-33B, *Hazardous Wildlife Attractants on or Near Airports*, August 28, 2007.

- Commercial fishing and shellfish harvesting
- Agriculture, particularly cereal grains

The FAA guidelines also suggest mitigation measures for stormwater detention ponds that must be located within the 10,000-foot and 5-mile areas to make them less attractive to birds.

E.3 STATE OF CALIFORNIA AIRPORT SAFETY REGULATIONS AND GUIDELINES

The only provision of state law that explicitly regulates land use in the vicinity of airports on the basis of safety compatibility relates to the siting of new schools. The State Education Code (Section 17215) requires that before acquiring property for a new school within two miles of a runway, school districts must notify the State Department of Education. The Department must, in turn, notify the State Department of Transportation, which must investigate the site with respect to the airport and prepare a written report. If the Department of Transportation does not favor acquisition of the property as a school site, no state or local funds can be used for acquisition of the property or construction on the property.

State law also requires that, in preparing and amending comprehensive airport land use plans, airport land use commissions "shall by guided by … the Airport Land Use Planning Handbook, published by the Division of Aeronautics…" The 2011 *Handbook* provides an assessment of aircraft accident location patterns and presents a number of guidelines relating to the establishment of airport safety zones and the regulation of land use in those zones. The guidance in the *Handbook* is based on a detailed analysis of aircraft accident locations and an assessment of risk factors.

The 2011 *Handbook* advises that the FAA's guidance relating to hazardous wildlife attractants be incorporated into ALUCPs. It also recommends that to avoid interfering with the vision of pilots, outdoor lights should be shielded so as not to be aimed above the horizon. The *Handbook* suggests that ALUCs should consider requesting FAA review of proposed development projects on a case-by-case basis if questions about potential electromagnetic or visual interference cannot otherwise be resolved.

E.3.1 Safety Compatibility Zone Boundaries

Figure E-2 shows the state's five suggested safety zones off the end of a runway used by large air carrier aircraft.

- Zone 1: Runway protection zone and object free area
- Zone 2: Inner approach/departure zone
- Zone 3: Inner turning zone

- Zone 4: Outer approach/departure zone
- Zone 5: Sideline zone

At airports with a large amount of general aviation activity, a sixth zone is suggested – a "traffic pattern zone" – corresponding with the area beneath the nominal traffic pattern. (Sometimes the FAR Part 77 horizontal or conical surface is taken as an approximation of the limits of the traffic pattern and is used as the Zone 6 boundary.) Zone 6 is an area of low accident risk, where only the highest density land uses need to be avoided, as well as land uses that can be hazardous wildlife attractants.

As at many large commercial airports, the "traffic pattern" at SFO can extend many miles on either end of a runway and several miles lateral to the runways. The traffic pattern typically associated with general aviation airports, and often used for touch-and-go activity associated with pilot training, does not exist at SFO.

The shapes of the zones indicated on Figure E-2 are based on three assumptions:

- A runway length of at least 8,000 feet
- A precision instrument approach
- Straight-in and straight-out approaches and departures

The 2011 *Handbook* advises that the shape of the safety zones should be adjusted whenever these conditions do not apply to a particular airport and runway.[4]

Zone 1 corresponds to the runway protection zone (RPZ) and object free area (OFA) defined by FAA airport design criteria. The dimensions of the RPZ vary depending on the visibility minimums associated with the approach to the runway. Figure E-2 shows the dimensions of the largest type of RPZ. The other four zones are specific to the *Handbook* and are not directly related to any FAA standards or criteria. Each zone is defined according to a general assessment of the risk of accidents, with the risk generally decreasing in each successive zone.

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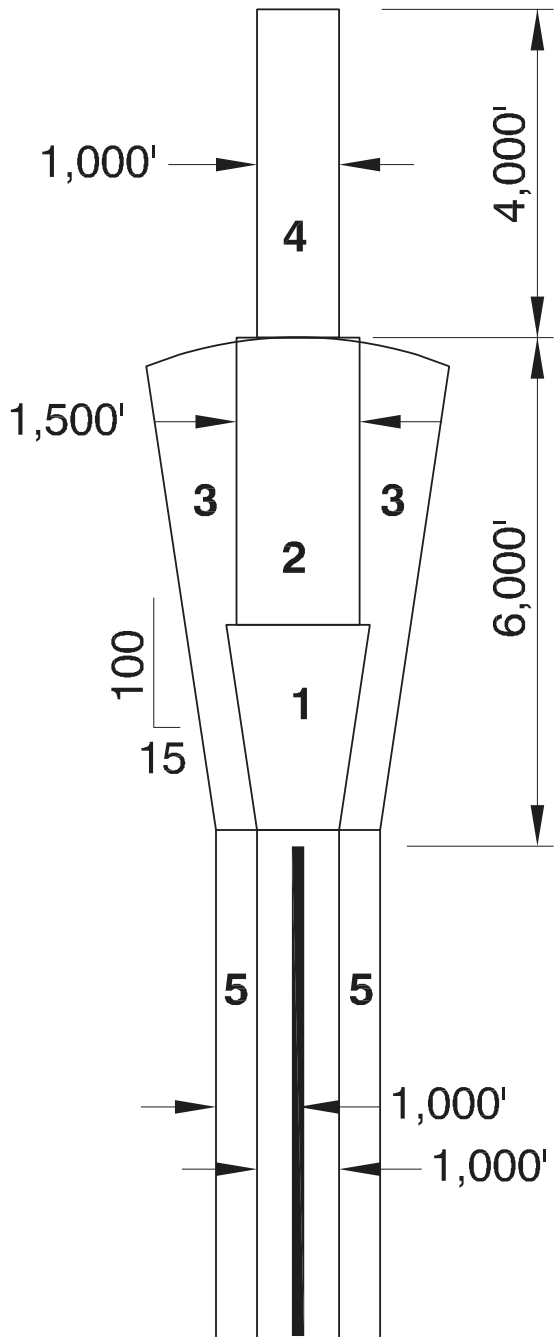
[4] California Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, October 2011, page 3-22.



Legend

1. Runway Protection Zone (Clear Zone)
2. Inner Approach/Departure Zone (Accident Potential Zone I)
3. Inner Turning Zone
4. Outer Approach/Departure Zone (Accident Potential Zone II)
5. Sideline Zone

Large Air Carrier Runway

Assumptions:
- Minimal light-aircraft general aviation activity
- Predominately straight-in and straight-out flight routes
- Approach visibility minimums < 3/4 mile
- Zone 1 = 1,000' x 1,750' x 2,500'

Source: State of California, Department of Transportation, Division of Aeronautics, California Airport Land Use Planning Handbook, Figure 3B, p. 3-19, October 2011.

Figure E-2
SAFETY ZONE EXAMPLE FOR A LARGE AIR CARRIER RUNWAY
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

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E.3.2 Safety Compatibility Land Use Guidelines

The 2011 *Handbook* provides general land use compatibility guidance for each zone, as summarized in **Table E-1**. The guidelines are most restrictive in the highest risk zones and become progressively less restrictive. Land uses of greatest concern include: residential, institutions involving vulnerable populations (namely, children, the elderly, and the ill or injured), uses attracting large numbers of people, and uses involving intrinsic hazards (such as bulk fuel and toxic materials storage, and electrical substations).

The 2011 *Handbook* also provides land use density and intensity guidelines for each of the zones, shown in **Table E-2**. In undeveloped areas, the guidelines suggest a maximum number of dwelling units per acre for residential uses and maximum number of people per gross acre for nonresidential uses. In dense urban areas, the *Handbook* advises that the density of new residential development and the intensity of new nonresidential development be limited to the average of surrounding development.

The guidelines shown in Table E-2 are suggested for areas that are already highly urbanized. The 2011 *Handbook* also includes density and intensity guidelines for rural areas and suburban areas, but they are clearly inappropriate for the SFO vicinity. The 2011 *Handbook* considers a single set of standards that would apply uniformly in all settings to be impractical. It notes that, "[t]he comparatively higher land values in urban areas are also worthy of recognition in setting safety compatibility criteria. Allowing only agricultural or other very low-intensity uses near airports may be quite feasible in rural areas, but not in urban areas… The established character of land uses in urban places may limit the options for future development."[5] Both land use regulation and the avoidance of risk inevitably involve tradeoffs. Land use regulatory decisions usually require a balancing of different societal objectives – between safe and pleasant residential neighborhoods and the need for commercial service and employment centers, for example. They also require the balancing of the welfare and safety of society with the rights of landowners to have a reasonable use of their property. Similarly, the reduction of risk ultimately involves an assessment of the costs or impacts or achieving a given level of risk avoidance.

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[5] California Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, October 2011, page 4-17.

Table E-1

BASIC SAFETY COMPATIBILITY GUIDELINES
CALTRANS HANDBOOK (2011)

Risk/Operational Factors	Land Use Guidelines
Zone 1: Runway Protection Zone (RPZ)	
Very high risk Less than 200 feet above runway Boundaries defined by FAA RPZ criteria	**Avoid** nonresidential uses except if very low intensity in character and confined to the outer sides; avoid parking lots, streets, and roads **Prohibit** all new structures and residential land uses [Airport ownership of property encouraged; uses on airport property subject to FAA standards]
Zone 2: Inner Approach/Departure Zone	
Substantial risk Low altitude overflights – 200 to 400 feet above runway elevation	Normally allow agriculture; non-group recreational areas; low-hazard materials storage, warehouses; low-intensity light industrial uses; auto, aircraft, marine repair services Limit single-story office buildings; nonresidential uses to activities that attract few people Avoid all residential uses except as infill in developed areas; multi-story uses; uses with high density or intensity; shopping centers, most eating establishments Prohibit theaters, meeting halls and other assembly uses; office buildings greater than 3 stories; labor-intensive industrial uses; children's schools, day care centers, hospitals, nursing homes; stadiums, group recreational uses; hazardous uses (e.g., aboveground bulk fuel storage)
Zone 3: Inner Turning Zone	
At GA airports, covers locations where aircraft are turning from base to final approach leg and descending from pattern altitude Less than 500 feet above runway, particularly on landing Covers area where departures are beginning turns	**Normally allow** uses allowed in Zone 2; greenhouses, low-hazard materials storage, mini-storage warehouses; light industrial, vehicle repair services **Limit** residential uses to very low densities; office and other commercial uses to low intensities **Avoid** hazardous uses (e.g., aboveground bulk fuel storage); commercial and other nonresidential uses with moderate to high usage intensities; buildings with more than 3 aboveground habitable floors **Prohibit** major shopping centers, theaters, meeting halls and other assembly facilities; children's schools, large daycare centers, hospitals, nursing homes; stadiums, group recreation areas

Table E-1 *(concluded)*

BASIC SAFETY COMPATIBILITY GUIDELINES

Zone 4: Outer Approach/Departure Zone	
Approaching aircraft usually below pattern altitude; altitude less than 1,000 feet above runway Particularly applicable for runways with straight-in instrument approaches and straight-out flight paths	**Normally allow** uses allowed in Zone 3; restaurants, retail, industrial **Limit** residential uses to low density **Avoid** high-intensity retail or office buildings **Prohibit** children's schools, large day care centers, hospitals, nursing homes; stadiums, group recreation areas
Zone 5: Sideline Zone	
Not normally overflown Primary risk is with aircraft losing directional control on takeoff Area usually on airport property	**Normally allow** Zone 4 uses (subject to height limitations for airspace protection); all common aviation-related activities provided that FAA height-limit criteria are met **Limit** nonresidential uses similarly to Zone 3 **Avoid** residential uses unless airport related (noise usually also a factor); high-intensity non-residential uses **Prohibit** stadiums, group recreational areas; children's schools, large day care centers, hospitals, nursing homes

Definitions:

Allow: Use is acceptable

Limit: Use is acceptable only if density/intensity restrictions are met

Avoid: Use should not be permitted unless no feasible alternative is available

Prohibit: Use should not be permitted under any circumstances

Children's schools: Through grade 12

Large day care centers: Commercial facilities defined in accordance with state law; family day care homes and noncommercial facilities ancillary to place of business are generally allowed

Aboveground bulk storage of fuel: Tank size greater than 6,000 gallons (based on Uniform Fire Code criteria which are more stringent for larger tanks)

Source: California Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, October 2011, Figures 4B to 4G, pages 4-20 to 4-25.

Table E-2

SAFETY COMPATIBILITY CRITERIA GUIDELINES
CALTRANS HANDBOOK (2011)

	Maximum Residential Density Safety Compatibility Zones *(a)*				
Current Setting	(1) Runway Protection Zone	(2) Inner Approach/ Departure Zone	(3) Inner Turning Zone	(4) Outer Approach/ Departure Zone	(5) Sideline Zone
Average number of dwelling units per gross acre					
Dense Urban Area	0	0	Allow infill at up to average of surrounding residential area		

	Maximum Nonresidential Intensity Safety Compatibility Zones				
Current Setting	(1) Runway Protection Zone	(2) Inner Approach/ Departure Zone	(b3) Inner Turning Zone	(4) Outer Approach/ Departure Zone	(5) Sideline Zone
Average number of people per gross acre *(a)*					
Dense Urban Area	0 *(b)*	See Note *(c)*	See Note *(c)*	See Note *(c)*	See Note *(c)*

(a) Also see Table E-1 for guidelines regarding uses which should be prohibited regardless of usage intensity.

(b) Exceptions can be permitted for agricultural activities, roads, and automobile parking provided that FAA criteria are satisfied.

(c) Allow infill at up to the average intensity of comparable surrounding uses.

Source: California Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, October 2011, Figures 4B to 4G, pages 4-20 to 4-25.

E.4 CURRENT LOCAL SAFETY REGULATIONS AND GUIDANCE

The 1996 CLUP for SFO has only limited safety guidelines in the Airport vicinity. No safety zones are defined, but specific land uses and land use characteristics are recognized as hazards to air navigation and are to be avoided in the area.[6] They include:

- Any use that would direct a steady or flashing light of white, red, green, or amber color toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in straight final approach toward a landing, other than FAA-approved navigational lights.
- Any use that would cause sunlight to be reflected toward an aircraft engaged in an initial straight climb following takeoff or engaged in straight final approach toward a landing.
- Any use that would generate smoke or rising columns of air.
- Any use that would attract large concentrations of birds within approach-climbout areas.
- Any use that would generate electrical interference that may interfere with aircraft communications or aircraft instrumentation.

A review of the planning and zoning documents of local municipalities did not reveal specific local laws or policies addressing airport safety-related land use or density requirements of the safety zones. The City of Millbrae does require density analysis of all development proposals for its own planning purposes.

E.5 APPLICATION OF STATE SAFETY ZONE EXAMPLE TO SFO

The nominal configuration of safety zones presented in the 2011 *Handbook* and shown on Figure E-2 must be adjusted for application at SFO. As noted in the *Handbook*, the zones shown on Figure E-2 assume a precision instrument approach to the runway[7] and that "essentially all flights are flown straight in and out along the extended runway centerline. To the extent that any of these assumptions do not strictly apply to a specific airport, then modifications of the indicated zones should be considered."[8]

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[6] Ciy/County Association of Governments of San Mateo County, *San Mateo County Comprehensive Airport Land Use Plan*, December 1996, Chapter V, p. V-19.

[7] State of California Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, October 2011, p. 3-19.

[8] State of California Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, October 2011, p. 3-26.

The nature of the aircraft activity off the northwest and southwest runway ends, in particular, differs from the assumptions upon which the *Handbook's* safety zones were based.

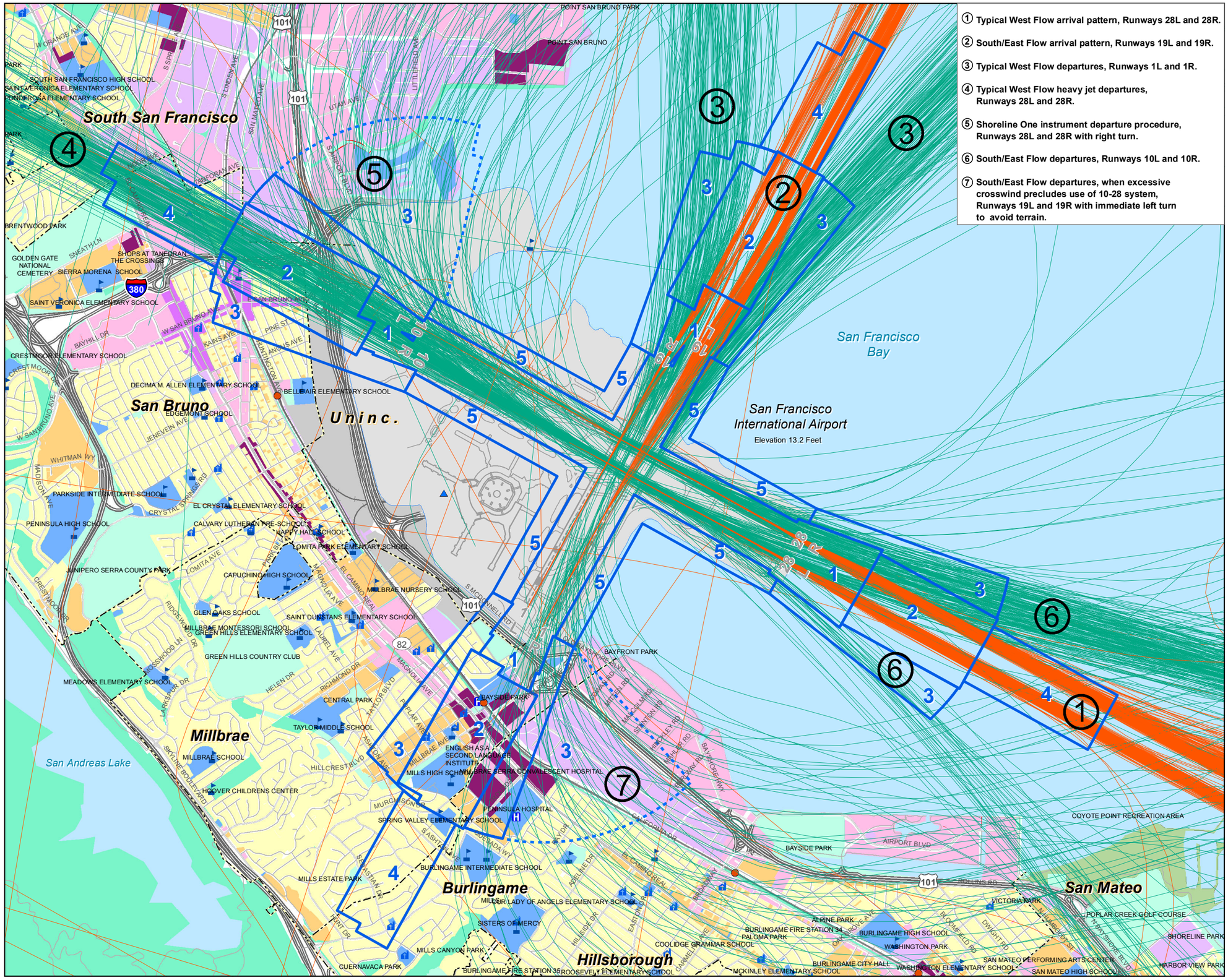
- South ends of Runways 1L-19R and 1R-19L:
  - RPZs off both runway ends are for visual approaches and are smaller than the RPZs shown in the example on Figure E-2. The boundaries of Zone 1 off these runway ends should reflect the actual size of the RPZs.
  - All departures on Runways 19L and 19R are required to make immediate left turns to avoid terrain. Zone 3 should be modified to reflect this standard turn.
- West ends of Runways 10L-28R and 10R-28L:
  - The RPZs off the west ends of these runways differ from the Caltrans example in that they are designed for nonprecision, rather than precision, instrument approaches. Zone 1 at SFO should be adjusted accordingly.
  - Many departures on Runways 28L and 28R make immediate right turns to remain east of US-101. Zone 3 should be adjusted to reflect these turns.

Figure E-3 depicts the Caltrans zones applied to SFO together with adjustments proposed for SFO. On the west and south sides of the Airport, adjusted boundaries are shown for Zone 3.

The Airport Noise Office provided a two-day sample of flight tracks from January 2008, shown on Figure E-3. The sample was selected to capture operations on all runways. Many of the departure turns off Runways 28L and 28R and 19L and 19R begin at or before the runway end and fly over close-in areas that would not have been covered by the Caltrans versions of Zone 3 (shown in solid blue lines).

Two revisions to the safety zones, as indicated by the dashed blue lines, are proposed.

- Off the departure ends of Runways 28L and 28R, the north ITZ boundary should be fanned further to the north (75 degrees from centerline heading) to capture the area overflown by aircraft taking the Shoreline Departure.
- Off the departure ends of Runways 19L and 19R, the east boundary of the east ITZ should be fanned 70 degrees to the east to reflect the location of departure overflights.



LEGEND

Caltrans Safety Compatibility Zones for Air Carrier Runways

- 1 - Runway Protection Zone-Object Free Area
- 2 - Inner Approach/Departure Zone
- 3 - Inner Turning Zone
- 4 - Outer Approach/Departure Zone
- 5 - Sideline Zonee

- Potential Expansion of Zone 3
- Arrival Flight Tracks
- Departure Flight Tracks
- 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:

Safety Compatibility Zones:
- Caltrans Division of Aeronautics, California Airport Land Use Planning Handbook, 2011, Figure 3B, p. 3-19; Jacobs Consultancy Team, 2009; Ricondo & Associates, Inc., 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

NORTH

0 0.125 0.25 0.5 Miles

Figure E-3
ADJUSTMENTS TO CALTRANS STANDARD SAFETY COMPATIBILITY ZONES
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

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E.6 EXISTING LAND USE AND POTENTIAL SAFETY INCOMPATIBILITIES

Figure E-3 shows that, for all but one runway end, the Zone 1 is either on airport property, over public highway right-of-way, or over the Bay. (The outer edge of Zone 1 off the south end of Runway 1R-19L extends onto property not owned by the Airport.) Zones 2 and 3 for Runways 1L and 1R extend off airport property to the south onto land in Millbrae and Burlingame. Zones 2, 3, and 4 for Runways 10L and 10R extend off the property to the northwest into San Bruno and South San Francisco.

Within the safety zones extending off Airport property there are some existing land uses that would be considered incompatible with the based on the 2011 *Handbook*, as presented in Tables E-1 and E-2, above. Existing retail and residential land uses in Zone 2 for Runways 1L and 1R are not consistent with the recommendations in the 2011 *Handbook*. One specific land use that is located within Zone 3 off the south end of Runway 1R-19L does not meet the 2011 *Handbook* guidelines. This is the Mills-Peninsula Hospital in Burlingame, due south of the runway end.

SFO is bordered on the north and east sides by open water and wetlands, which are uses that attract birds. These are obviously not the result of inappropriate land use decisions, but a result of the natural setting and a societal decision to promote wetlands preservation.

In interviews undertaken by the consultant in 2008, neither the Airport nor local jurisdictions identified any incompatible sources of glare or other visual hazards, smoke, or electromagnetic interference in the study area.

E.7 FUTURE LAND USE CHANGES

A seismic retrofit and redevelopment of the Mills-Peninsula hospital is currently underway that, when complete, will shift the facility further toward the northeast edge of the property. (See image, below, of current and redevelopment sites.)

Mills-Peninsula Hospital, showing excavated area for new construction.

In the future, infill development may increase densities and intensities in all safety zones. Several promising redevelopment areas around the Airport fall into parts of Safety Zones 2, 3, and 4. These include parts of downtown Millbrae, the TOD areas around the joint BART and Caltrain station in Millbrae, and the Caltrain station in San Bruno, near South San Francisco. At the latter, the safety zones fall within the CNEL

70 dB contour, and are therefore restricted from being developed for new residential development. It is possible that redevelopment will be proposed in these areas at greater densities and intensities than exist today. For example, Millbrae officials explained to the consultant that in order to for redevelopment projects to be financially feasible, developers and planners are exploring the potential to redevelop key sites in the downtown area with increased densities

E.8 FUTURE CHANGES TO ACCIDENT RISK

Significant changes to the risk of accidents in the safety zones are unlikely in the lifetime of the updated ALUCP. The risk of commercial accidents is already quite small. The continued development of improved navigational aids, radar and aircraft situation monitoring equipment, and safety-related aircraft and engine technologies may to further reduce accidents.

At the same time, increases in the number of flights, increases in peak period operations, and a trend toward an increased proportion of larger aircraft in the local fleet may, at the margins, counter some of the anticipated improvements in accident risk reduction. On the whole, there is no reason to anticipate changes in accident risk in the area.

E.9 PROPOSED SAFETY COMPATIBILITY POLICIES FOR SFO SAFETY ZONES

The policies proposed for the safety zones at SFO are based on the guidance provided in the Caltrans *Handbook*, summarized in Tables E-1 and E-2. The following factors were considered In adjusting the Caltrans guidance for application in the SFO area.

- The area within the safety zones is fully developed with urban uses, and is also subject to potentially intense development pressure. BART and Caltrain stations are in or adjacent to the safety zones off each set of runway ends. The four local governments with jurisdiction in these areas (South San Francisco, San Bruno, Millbrae, and Burlingame) are strongly committed to the redevelopment of these areas to capitalize on the transit stations. Each city is relatively small, so these areas are especially important to them as redevelopment sites because of the shortage (or absence) of comparable, alternative development sites.
- While a certain amount of redevelopment may be acceptable in the safety zones, the development of future land uses serving special populations with limited effective mobility (such as hospitals, nursing homes, and children's schools) could cause unacceptable risks in the case of aircraft accident. Other uses involving large congregations of people in confined areas, such as stadiums and arenas, could also lead to unacceptable risks, as could land

uses involving hazardous materials and public utilities critical to public health and safety.

- Redevelopment pressures in the safety zones could lead to high-rise development in the future. Limits on high-rise development would be consistent with the safety guidance in the Caltrans *Handbook* because it would limit the intensity of future nonresidential development (i.e., the number of people occupying those land uses per acre of land) and the density of future residential development (dwelling units per acre).
- The airspace off the departure ends of all runways is critical to protect. Penetration of those airspace surfaces by new development would compromise the ability of the runways to serve aircraft in any of the following ways:
  - Cause the raising of visibility minimums for instrument arrival and departure procedures, reducing the utility of the runway in periods of limited visibility.
  - Cause the displacement of runway thresholds to ensure required obstacle clearance between aircraft and underlying obstacles, thus reducing the runway length available for landing aircraft.
  - Cause aircraft operators to raise the rates of climb for their one-engine inoperative (OEI) departure procedures, which would be done by reducing allowable payloads or fuel loads. This could ultimately jeopardize the ability of airlines to effectively serve long-haul markets, such as Asia or Europe where large fuel loads and robust passenger loads are required. This would be a crucial economic blow to the region, as SFO is among the most important international gateway airports in the Western United States.

After consultation among the affected local municipalities and the Airport staff, It was decided to strike a balance between the needs of the local communities for redevelopment and the need for airport land use compatibility in the safety zones. The first component of a safety compatibility policy would be to prevent the development of hazardous land uses and other land uses posing unacceptable risks to the public or vulnerable populations. The second component would be to rely on strict airspace protection standards, preventing penetrations of the lowest combined airspace surfaces in the airport environs, thus indirectly limiting the intensity of future nonresidential development and the density of future residential development.

Table E-3 compares the guidance from the Caltrans *Handbook* with the proposed safety policies in the SFO ALUCP. The comparison shows that the land use policies of the ALUCP, while not identical, are similar to the Handbook guidelines.

Table E-3
COMPARISON OF CALTRANS HANDBOOK SAFETY GUIDANCE
AND SFO ALUCP SAFETY COMPATIBILITY CRITERIA

Safety Zone, Criteria	Handbook Guidance[1]	Proposed ALUCP
Safety Zone 1		
Uses to Prohibit	- All structures	- All new structures - Places of assembly not in structures - Hazardous uses - Critical public utilities
Uses to Avoid[2]	- Nonresidential uses except very low intensity - Parking lots, streets, roads;	- Nonresidential uses except very low intensity uses in the "controlled activity area."
Maximum Residential Density[3]	0	0
Maximum Nonresidential Intensity[4]	0	0

Table E-3 (*continued)*
COMPARISON OF CALTRANS HANDBOOK SAFETY GUIDANCE
AND SFO ALUCP SAFETY COMPATIBILITY CRITERIA

Safety Zone, Criteria	Handbook Guidance[1]	Proposed ALUCP
Safety Zone 2		
Uses to Prohibit	- Theaters, meeting halls and other assembly uses - Office buildings greater than 3 stories - Labor-intensive industrial uses - Children's schools, large daycare centers, hospitals, nursing homes - Stadiums, group recreational uses - Hazardous uses (e.g. aboveground bulk fuel storage)	- Theaters, meeting halls, places of assembly seating more than 300 people - Children's schools; large child day care centers and noncommercial employer-sponsored centers ancillary to a place of business; hospitals, nursing homes - Stadiums, arenas - Hazardous uses - Critical public utilities
Uses to Avoid[2]	- All residential uses except as infill in developed areas - Multi-story uses; uses with high density or intensity - Shopping centers, most eating establishments	None listed
Maximum Residential Density[3]	0	Allow infill up to maximum height allowed by airspace policies
Maximum Nonresidential Intensity[4]	Allow infill up to average of surrounding area.	Allow infill up to maximum height allowed by airspace policies

Table E-3 (*continued)*
COMPARISON OF CALTRANS HANDBOOK SAFETY GUIDANCE
AND SFO ALUCP SAFETY COMPATIBILITY CRITERIA

Safety Zone, Criteria	Handbook Guidance[1]	Proposed ALUCP
Safety Zone 3		
Uses to Prohibit	- Major shopping centers, theaters, meeting halls and other assembly facilities - Children's schools, large daycare centers, hospitals, nursing homes - Stadiums, group recreational uses	- Children's schools; large child day care centers; hospitals, nursing homes - Stadiums, arenas - Biosafety Level 3 and 4 facilities
Uses to Avoid[2]	- Commercial and other nonresidential uses having higher usage intensities - Building with more than 3 aboveground habitable floors - Hazardous uses (e.g., aboveground bulk fuel storage)	- Hazardous uses other than Biosafety Level 3 and 4 facilities - Critical public utilities
Maximum Residential Density[3]	Allow infill up to average of surrounding area.	Allow infill up to maximum height allowed by airspace policies
Maximum Nonresidential Intensity[4]	Allow infill up to average of surrounding area.	Allow infill up to maximum height allowed by airspace policies

Table E-3 (*continued)*
COMPARISON OF CALTRANS HANDBOOK SAFETY GUIDANCE
AND SFO ALUCP SAFETY COMPATIBILITY CRITERIA

Safety Zone, Criteria	Handbook Guidance[1]	Proposed ALUCP
Safety Zone 4		
Uses to Prohibit	- Stadiums, group recreational uses - Children's schools, large daycare centers, hospitals, nursing homes	- Stadiums, arenas - Children's schools; large child day care centers; hospitals, nursing homes - Biosafety Level 3 and 4 facilities
Uses to Avoid[2]	- High-intensity retail or office buildings	Hazardous uses other than Biosafety Level 3 and 4 facilities Critical public utilities
Maximum Residential Density[3]	Allow infill up to average of surrounding area.	Allow infill up to maximum height allowed by airspace policies
Maximum Nonresidential Intensity[4]	Allow infill up to average of surrounding area.	Allow infill up to maximum height allowed by airspace policies

Table E-3 (*concluded)*

COMPARISON OF CALTRANS HANDBOOK SAFETY GUIDANCE AND SFO ALUCP SAFETY COMPATIBILITY CRITERIA

Safety Zone, Criteria	Handbook Guidance[1]	Proposed ALUCP
Safety Zone 5		
Uses to Prohibit	- Stadiums, group recreational uses - Children's schools, large daycare centers, hospitals, nursing homes	- Stadiums, arenas - Children's schools; large child day care facilities and noncommercial employer-sponsored centers ancillary to a place of business; hospitals, nursing homes - Hazardous uses - Critical public utilities
Uses to Avoid[2]	- Residential uses unless airport related (noise usually also a factor) - High-intensity nonresidential uses	None listed
Maximum Residential Density[3]	Allow infill up to average of surrounding area.	Allow infill up to maximum height allowed by airspace policies
Maximum Nonresidential Intensity[4]	Allow infill up to average of surrounding area.	Allow infill up to maximum height allowed by airspace policies

1/ California Department of Transportation, Division of Aeronautics, *California Airport Land Use Handbook*, October 2011, Figures 4B through 4F.

2/ "Uses to Avoid" are those that should be allowed only if no feasible alternative locations are available.

3/ Residential density is measured in dwelling units per acre.

4/ Nonresidential intensity is measured in people (occupants) per acre.

- Safety Zone 1 – The ALUCP criteria are virtually identical to the Handbook guidance, differing only in levels of specificity.
- Safety Zone 2 – The uses that would be incompatible under the ALUCP policies are similar to those listed in the *Handbook* guidance. The *Handbook* advises prohibiting office buildings and labor-intensive industrial uses, but they would not be restricted under the ALUCP. On the other hand, the ALUCP would consider critical public utilities as incompatible, while the *Handbook* does not mention those uses. While the *Handbook* advises prohibiting housing in Safety Zone 2, allowing only infill in developed areas, the ALUCP imposes no direct limits on housing. The maximum height limits of the airspace protection policies, however, indirectly impose limits on the maximum number of housing units that can be developed in the safety zones.
- Safety Zone 3 – The proposed ALUCP considers children's schools, day care centers, hospitals, stadium, and arenas as incompatible uses, as does the *Handbook*. The ALUCP policies differ from the *Handbook* guidelines in allowing shopping centers, theaters, and meeting halls and prohibiting Biosafety Level 3 and 4 facilities. The proposed ALUCP and the *Handbook* guidelines are the same in listing hazardous uses as those to be avoided in Zone 3. The *Handbook* advises avoiding buildings with more than three stories and other uses with higher intensities in Zone 3, but these are not specifically mentioned in the ALUCP. On the other hand, the ALUCP lists critical public utilities as uses to be avoided, while the *Handbook* does not mention them.
- Safety Zone 4 -- The *Handbook* guidelines are very similar to the ALUCP criteria for Zone 4. The ALUCP is somewhat more restrictive in listing Biosafety Level 3 and 4 facilities as incompatible and advising the avoidance of other hazardous uses and critical public utilities. On the other hand, the *Handbook* advises the avoidance of high intensity retail and office buildings, which are not directly restricted under the ALUCP. The *Handbook* also advises limiting infill residential development to the average density of the surrounding area, while the ALUCP has no such requirement. As in Zones 2 and 3, the maximum height limits of the airspace protection policies, however, indirectly impose limits on the maximum number of housing units and the intensity of nonresidential uses that can be developed in the safety zones.
- Safety Zone 5 – The ALUCP policies are similar to the Handbook guidance, although the ALUCP policies consider additional land uses (hazardous uses and critical public utilities) as incompatible. In contrast to the *Handbook* guidance, the ALUCP policies do not address residential land uses. The ALUCP policies are essentially moot, however, since all of Safety Zone 5 is

on airport property. As such, the use of the property is governed by FAA airport design standards and enforced through the FAA's grant assurances. The FAA design guidance effectively imposes stricter land use controls than either the ALUCP or the *Handbook* guidance.

Figures 4 and **5** depict the safety zones off the south and west ends of the runways in relation to the runway ends and the street network. The exhibits also present elevation contours for the lowest combined airspace surfaces. New structures penetrating these surfaces would be incompatible with the updated ALUCP. Elevations of each airspace contour are indicated in feet above mean sea level. At any given point, the actual height of the airspace surfaces above the ground can be determined by using the Airport's iALP interactive tool (http://ialp.airplanonline.com). Appendix J of this ALUCP explains the use of the tool.

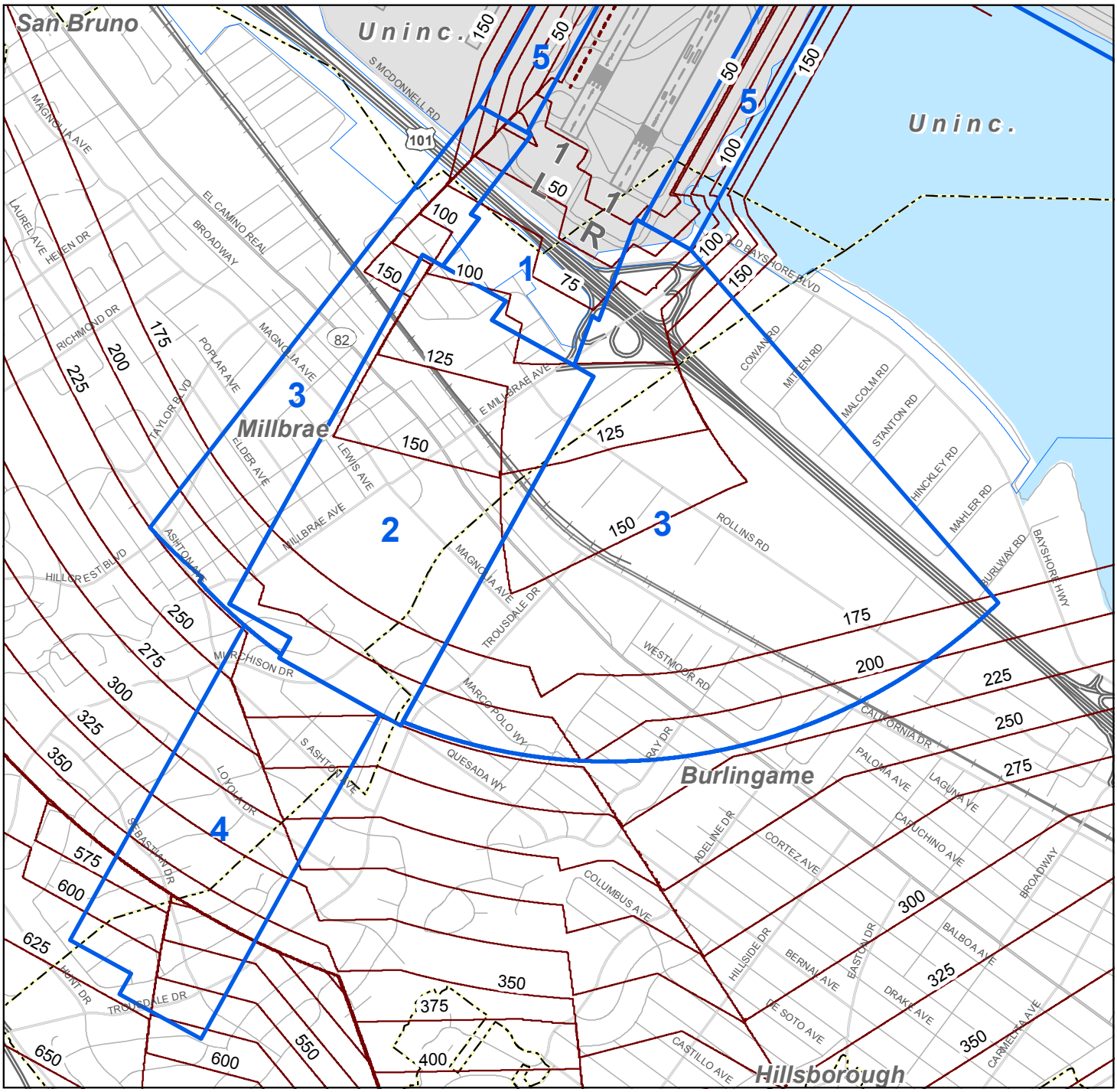
E.10.1 Effect in Burlingame

Figure E-3 depicts planned land uses and the proposed safety zones. Burlingame would be affected primarily by Zone 3, the inner turning zone. Most of the area inside Zone 3 is developed for retail or other commercial or industrial uses. At the outer east edge of Zone 3 between the railroad tracks and Quesada Way are single-family and multi-family residential neighborhoods. A small strip on the east side of Murchison Drive, south of El Camino Real (State Highway 82) is in Zone 2. This area includes commercial and multi-family residential development, with a small part of a single-family residential neighborhood to the south. There is an additional single-family residential neighborhood south of Sashton Avenue towards Trousdale Drive in the southeast portion of Zone 4. Although the parts of Burlingame within the safety zones are almost fully developed, it is possible that redevelopment projects could be proposed in these areas.

E.10.1.1 Relationship of Safety Standards to Local Plans

All of Burlingame within the proposed safety zones is subject to specific plans. The area between US 101 and the Bay, referred to as the Inner Bayshore Area, is covered by the Burlingame Bayfront Specific Plan. That plan calls for office, warehouse, and light manufacturing uses through most of the area within Zone 3. The design guidelines promote low-rise development, similar to the current character of the area.

The portion of the Inner Bayshore Area with frontage on Bayshore Highway and facing the Bay is designated for restaurants, hotels, and retail. This frontage would be unaffected by the proposed safety standards as it is outside Zone 3.



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
- Lowest Composite Airspace Surface (feet above mean sea level - MSL)

- Airport Property
- Municipal Boundary
- Railroad
- Freeway
- Major Road
- Road

Sources: Base Map: San Mateo County Planning & Building Department, 2007

Safety Zones: Ricondo & Associates, Inc. 2012

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

NORTH

0 0.125 0.25 0.5 Miles

Figure E-4

SAFETY ZONES AND LOWEST AIRSPACE SURFACES IN BURLINGAME AND MILLBRAE

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

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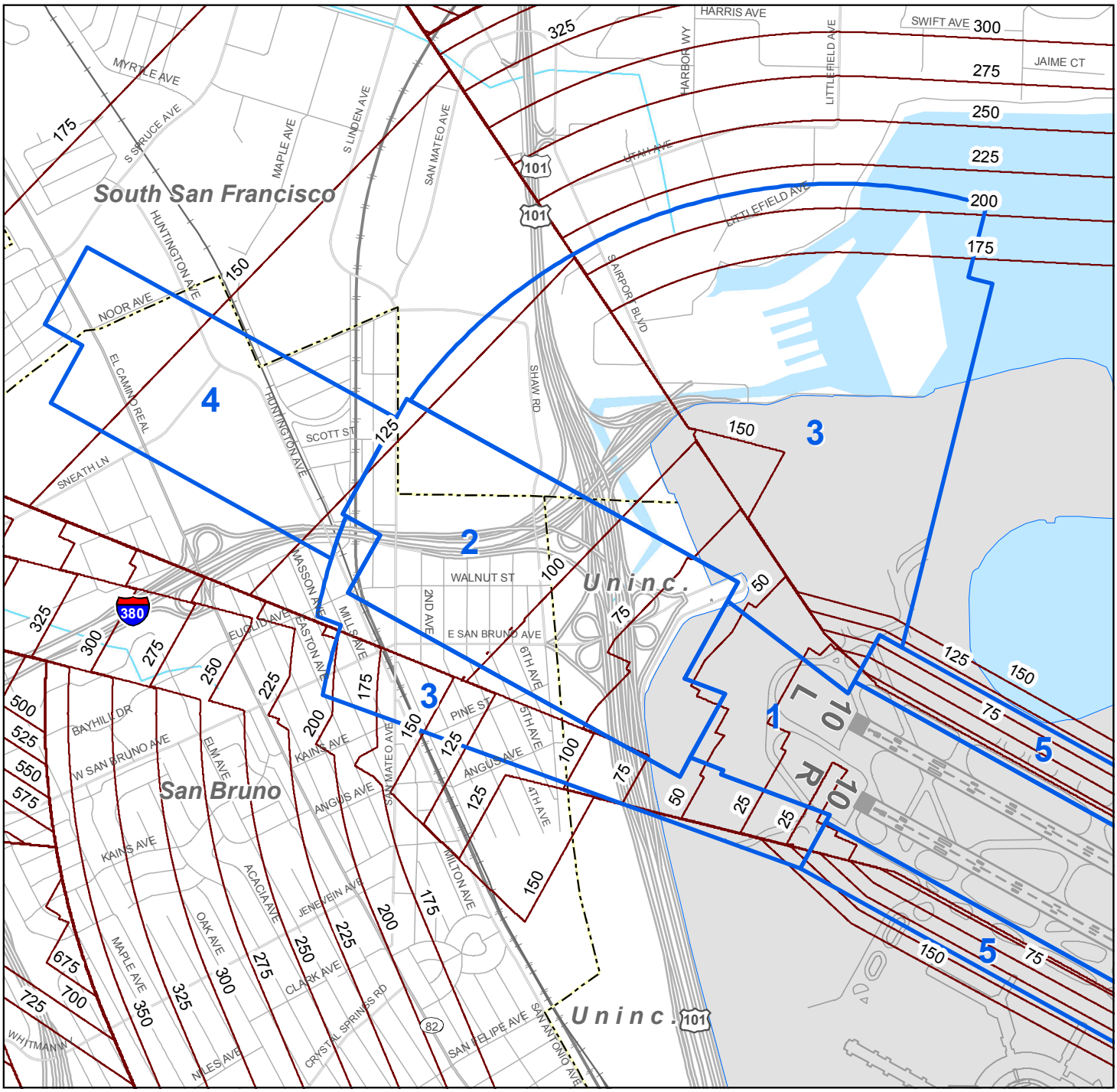

LEGEND

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
- Lowest Composite Airspace Surface (feet above mean sea level - MSL)
- Airport Property
- Municipal Boundary
- Railroad
- Freeway
- Major Road
- Road

Sources: Base Map: San Mateo County Planning & Building Department, 2007

Safety Zones: Ricondo & Associates, Inc. 2012

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

NORTH

0 0.125 0.25 0.5 Miles

Figure E-5

SAFETY ZONES AND LOWEST AIRSPACE SURFACES IN SOUTH SAN FRANCISCO AND SAN BRUNO

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

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The North Burlingame-Rollins Road Specific Plan covers nearly all of the rest of Burlingame within Zones 2 and 3. The area northeast of the railroad tracks is designated for industrial, office, and auto dealerships. This is generally consistent with the proposed safety standards.

Southwest of the railroad tracks, the Specific Plan calls for a mix of office, retail, multi-family residential and medical uses related to Mills Peninsula Hospital in Zones 2 and 3. The Specific Plan promotes high density residential as part of a mixed use development concept. The proposed safety compatibility criteria would not restrict this mixed use development concept, unless it included theaters, meeting halls, or places of assembly seating more than 300 people.

West of Trousdale Drive in Zone 4 are single-family residential neighborhoods and one place of worship. The proposed safety compatibility criteria would not affect these uses.

E.10.1.2 Potential Nonconforming Uses

A comprehensive land use inventory within the proposed safety zones has not been undertaken, so complete information about the number and extent of nonconforming uses is unknown. Mills Peninsula Hospital is the only nonconforming use specifically known to be in Zone 3. \

E.10.2 Effect in Millbrae

Figure E-3 Indicates that Millbrae is affected by Zones 1, 2, 3, and 4. As in Burlingame, most of the land in the safety zones in Millbrae is fully developed. From Magnolia Avenue northeast to the Airport, most of the development is a mix of commercial and industrial, although a single-family residential area lies just beyond the RPZ between Bayside Park and north of El Camino Real. The Millbrae BART/Caltrain station is near the center of Zone 2. A hospital is just northeast of the station. A mix of single-family and multi-family residential with two schools and a place of worship is southwest of Magnolia. Zone 4, directly along the extended center lines of the two runways south of Zone 2 includes a mix of single family residential with one school and place of worship.

E.10.2.1 Relationship of Safety Standards to Local Plans

The Millbrae General Plan designates the area in Zone 3 northeast of US 101 for industrial, utility, and general commercial uses. This is generally consistent with the proposed safety standards.

The General Plan also proposes the preservation of the existing residential neighborhood in Zone 2 between Bayside Park and the railroad tracks.

The Millbrae Station Area Specific Plan applies to the balance of the area in Zones 2 and 3. From Rollins Road northeast to US 101, the specific plan proposes general commercial use. The permitted uses in this area, which include service commercial, retail, restaurants, light manufacturing, warehousing and distribution, and auto sales, are generally consistent with the proposed safety standards. From Rollins Road southwest to the outer edge of Zone 2, the Specific Plan proposes a relatively high density, mixed use development plan to take full advantage of proximity to the transit station. Hotels are among the proposed uses. Although many proposed land uses in this area would be consistent with the proposed ALUCP, theaters and places of public assembly seating more than 300 people would be inconsistent with the Zone 2 land use criteria

E.10.2.2 Issues in the RPZ

The proposed safety compatibility criteria within Zone 1 would allow no new structures. Ideally, the RPZ would be entirely on Airport property. A small part of the Runway 1L RPZ extends off Airport property into Bayside Park. A small part of the outer edges of the Runway 1R RPZ is over residential and industrial property, although the industrial property is occupied by a parking lot, which is an acceptable use at the edge of the RPZ.

The requirement to prevent structures would pose no difficulties when applied to park land, as it is already in public ownership. This requirement, however, is a problem over privately owned land, as it may be claimed to amount to a taking of property without just compensation. The private property within the RPZ is developed, so this issue would only arise if redevelopment is proposed in the future.

E.10.2.3 Potential Nonconforming Uses

While a comprehensive land use inventory within the proposed safety zones has not been undertaken, and all potentially nonconforming uses are not known, three uses that would clearly be nonconforming in Zone 2 in Millbrae include the following:

- Hospital (on California Drive)
- Mills High School
- ESL Institute School, near Millbrae and Magnolia)
- Place of worship (on Magnolia) – possible nonconforming use if seating capacity exceeds 300

E.10.3 Effect in San Bruno

Figure E-3 shows planned land use and the safety zones off the west ends of the Runway 10-28 system. The northeast corner of San Bruno is inside Zones 2, 3, and 4. Within Zone 2 is a mix of single-family and commercial land uses. North of Interstate 380 in Zone 2 are industrial uses. Zone 3 is mostly commercial and single-family residential uses with pockets of multi-family residential uses. Most of Zone 4 is occupied by large-scale commercial development, including San Bruno Towne Center and the Shops at Tanforan. A BART station is near the center of Zone 4. Single-family residential is in the inner part of Zone 4. Only small parcels of undeveloped land remain within the safety zones.

E.10.3.1 Relationship of Safety Standards to Local Plans

The updated San Bruno General Plan calls for the densification of development in the regional commercial zoning district at San Bruno Towne Center and Tanforan, near the BART station in Zone 4. This includes the redevelopment of surface parking lots in the area. Among the uses encouraged, schools would be inconsistent with the proposed safety compatibility criteria.

In the commercial areas along San Mateo Avenue, West San Bruno Avenue, and Huntington Avenue within Zones 2, 3, and 4, transit-oriented development is encouraged. This includes a variety of uses that would conflict with the proposed safety compatibility criteria, including schools and, theaters, meeting halls, and places of assembly seating more than 300 people.

All existing residential neighborhoods in the safety zones are designated "conservation areas." City policies are intended to preserve the housing stock and character of these areas.

E.10.3.2 Potential Nonconforming Uses

A comprehensive land use inventory within the proposed safety zones has not been undertaken, so complete information about the number and extent of nonconforming uses is unknown.

E.10.4 Effect in South San Francisco

A small part of South San Francisco is inside Zones 2 and 4, and a larger portion is within Zone 3, as shown in Figure E-5. The affected parts of the city are almost fully developed for industrial or commercial uses, but redevelopment of obsolete industrial areas has been a major activity in recent years.

E.10.4.1 Relationship of Safety Standards to Local Plans

The part of Zone 3 east of US 101 is subject to the *East of 101 Area Plan*, adopted in 1994. The plan was created to guide the redevelopment of this traditional

industrial area that had become underused with the transformation of the national and Bay Area economies.

East of US 101, the western half of the area in Zone 3 is designated for "planned commercial use," including retail, offices, and business and professional services. This designation also includes day care centers, which would be inconsistent with the proposed safety compatibility criteria.

The eastern half of the area in Zone 3 is designated for light industrial use, including light manufacturing, distribution, warehousing, wholesale, office, and research and development uses. Incidental retail intended to serve the surrounding businesses and employees would also be permitted. Big box retail would also be permitted. These uses would be consistent with the proposed safety compatibility criteria. The plan notes that a number of above-ground fuel storage tanks are in the area. Under the plan, these are all nonconforming uses that cannot be replaced after they have been removed.

The area west of US 101 within Zones 2 and 3 is in the Lindenville planning subarea. The South San Francisco General Plan designates this area for "mixed industrial" use, subject to a loft overlay district which would permit residential use of upper floors. The loft overlay district is intended to permit development of a live/work environment in the area.

E.10.4.2 Potential Nonconforming Uses

A detailed land use inventory within the proposed safety zones has not been undertaken, so it is unknown whether nonconforming uses are present in the proposed safety zones.

E.10.5 Effect in Unincorporated San Mateo County

A small part of unincorporated San Mateo County lies outside the airport property within Zones 1, 2, and 3 for Runway 10L, as shown in Figures E-3 and E-5. Most of the area, including all of the RPZ, is on airport property. A small area at the northwest quadrant of the U.S. 101 San Bruno Avenue exit in Zone 2 is undeveloped. The suggested safety compatibility standards for Zone 2 would appear to have no adverse effects in this area.

Appendix F

Roles of Federal, State, and Local Government in Airspace Protection

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Appendix F

ROLES OF FEDERAL, STATE, AND LOCAL GOVERNMENT IN AIRSPACE PROTECTION

This appendix explains the roles and responsibilities of the Federal Aviation Administration (FAA) and the State of California Department of Transportation, Division of Aeronautics, in the protection of airport vicinity airspace and the authority of local governments in California to implement the findings of FAA aeronautical studies.

F.1 AIRPORT VICINITY AIRSPACE

The FAA has developed a system of standards and criteria for assessing the potential effect of tall structures and high terrain on safe air navigation. Among the criteria are those that portray critical airspace as three dimensional imaginary surfaces around airports. These include the criteria defined in Title 14, Code of Federal Regulations (14 CFR) Part 77, Subpart C, *Standards for Determining Obstructions to Air Navigation or Navigational Aids or Facilities*, and FAA Order 8260.3B, *U.S. Standard for Terminal Instrument Procedures* (TERPS).

- 14 CFR Part 77 – Subpart C of 14 CFR Part 77 sets forth criteria for the definition of imaginary surfaces around civil and military airports. The surfaces developed from these criteria establish obstruction standards used by the FAA in its review of proposed tall structures. Subpart C also defines obstruction standards as heights above ground or above airport elevation.

- TERPS – These surfaces are developed from criteria and standards defined in FAA Order 8260.3B, *U.S. Standard for Terminal Instrument Procedures*. There are multiple types of TERPS surfaces, each one protecting a specific segment of a published instrument flight procedure. In addition to 14 CFR Part 77 obstruction standards, TERPS surfaces are taken into consideration in FAA aeronautical studies.

F.2 DEFINITIONS

Several terms that have specific meanings as used in Federal regulations and guidelines must be defined in order to understand airspace analysis. The following definitions are taken from Airport Cooperative Research Program (ACRP) Report 38, *Understanding Airspace, Objects, and Their Effects on Airports*.[1]

Obstacle -- An object that does or would penetrate an OCS [obstacle clearance surface], or other specific clearance requirements, for a specific flight procedure. A controlling obstacle is the limiting factor around which a flight procedure must be designed.

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[1] LeighFisher, et al. 2010. ACRP Report 38, *Understanding Airspace, Objects, and Their Effects on Airports*. Airport Cooperative Research Program, pp. 9-10.

Obstruction -- An object that is determined by the FAA to be properly marked, lighted, and identified on aeronautical publications so that it may be easily recognized by pilots navigating through the airspace. Obstructions are subject to detailed aeronautical study to assess hazard status. Properly identifying objects as obstructions allows pilots to pay special attention to maintaining a safe distance from them.

Hazard -- An obstruction or other adverse object that an FAA aeronautical study concludes would have a "substantial adverse effect" to a "significant volume of aeronautical operations." Objects that are hazards to navigation have been so determined because they are not sufficiently clear from the normal pathways of aircraft, or because they result in certain other adverse effects, such as electromagnetic interference, control tower visibility hindrances, or pilot distraction.

MSL -- Abbreviation of Mean Sea Level or Above Mean Sea Level. These terms are used to indicate the absolute altitude or elevation of an aircraft or other object with respect to mean sea level. Aircraft altitudes and the vertical dimensions of airspace are reported in terms of MSL altitudes.

AGL -- Abbreviation of the term Above Ground Level. This term is used when the altitude or elevation of an object above the ground is the subject of interest.

F.3 FEDERAL AUTHORITY AND RESPONSIBILITIES

Federal law requires anyone proposing to build or alter a structure that would exceed FAA Notification Criteria to formally notify the FAA of the proposal. The FAA is required to undertake an aeronautical study of the proposed structure to determine whether it would constitute an obstruction or a hazard to safe air navigation. The FAA's obstruction evaluation/airport airspace analysis (OE/AAA) process is prescribed in 14 CFR Part 77, and is described in detail in FAA Order JO 7400.2H, *Procedures for Handling Airspace Matters*. At the conclusion of the OE/AAA process, the FAA issues a final determination.

The FAA has no direct power to restrict or limit the proposed construction, although it can indirectly influence local government decisions on the issuance of permits for structures that would be obstructions or hazards to air navigation. (This is discussed in greater detail in Section F.3.1.2, below.)

Figure F-1 presents a flow chart illustrating the steps in the FAA's review process for tall structures. The process is discussed in detail below.

F.3.1 Federal Requirements for Reporting Proposals to Build Structures

14 CFR Part 77, Subpart B, subsection 77.9, *Construction or Alteration Requiring Notice*, requires anyone proposing to build or alter a structure that would exceed any of the following height criteria to notify the FAA of the proposal.

- A height more than 200 feet above ground level (AGL) at its site.

- Within 20,000 feet of a runway more than 3,200 feet in length, a height exceeding a 100:1 slope (i.e., a surface rising 1 foot vertically for every 100 feet horizontally) from the nearest point of the nearest runway. (Steeper slopes apply near heliports and airports with no runways longer than 3,200 feet.)

- When requested by the FAA, any construction or alteration that would be in an instrument approach area and may exceed a 14 CFR Part 77 obstruction standard.

- Any construction or alteration on any public-use or military airport.

Proposed roadways, railroads, and waterways are evaluated by considering the maximum height of vehicles that will be travelling on them.

The project sponsor must file FAA Form 7460-1, Notice of Proposed Construction or Alteration, with the manager of the Air Traffic Division of the FAA Regional Office having jurisdiction over the area. The FAA then conducts an initial aeronautical study to determine whether the proposal would exceed obstruction standards of 14 CFR Part 77.17. An object constitutes an obstruction to air navigation if any of the following standards are exceeded:

- A height of 499 feet AGL at the object site (§77.17(1)).

- A height of 200 feet AGL or above the airport elevation, whichever is greater, within 3 nautical miles (NM) of the Airport Reference Point (ARP), with its longest runway more than 3,200 feet in actual length, and that height increases at a rate of 100 feet per NM up to 499 feet (§77.17 (2)).

- A height that increases a minimum instrument flight altitude within a terminal area. This standard references instrument procedure criteria such as TERPS (§77.17(3)).

- A height that increases a minimum obstacle clearance altitude under en-route criteria (§77.17(4)).

- The surface of a take-off and landing area of an airport (§77.17(5))or any imaginary surface established under §77.19 for civil airports, §77.21 for military airports, and §77.23 for heliports.

After conducting the initial aeronautical review, the FAA issues a Determination of No Hazard (DNH) or a Notice of Presumed Hazard (NPH).

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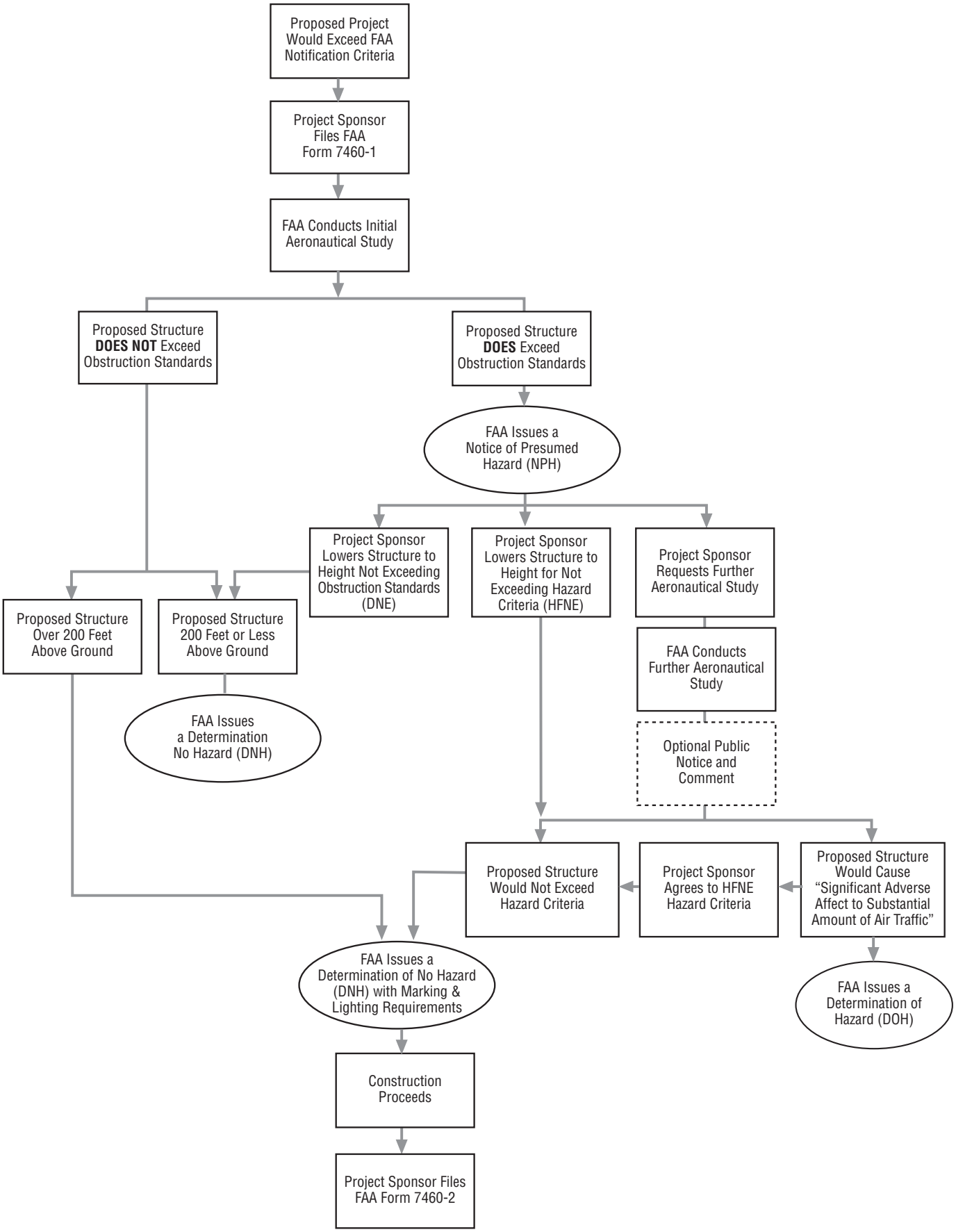
Figure F-1

THE FAA'S OBSTRUCTION EVALUATION / AIRPORT AIRSPACE ANALYSIS (OE/AAA) PROCESS



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F.3.1.1 FAA Determination of No Hazard

The FAA will issue a Determination of No Hazard to Air Navigation (DNH) when the aeronautical study concludes that the proposed construction or alteration will exceed an obstruction standard but would not have a substantial aeronautical impact to air navigation. The DNH will include appropriate marking and lighting recommendations, as appropriate. If the proposed structure would not exceed any obstruction standard, the DNH will include a Does Not Exceed (DNE) status determination, with no expiration date and no marking and lighting requirements.

A DNH also may be issued even if the proposed structure would exceed an obstruction standard as long as it would not have a substantial adverse impact on air navigation. In such cases, the DNH would be issued only after a preliminary FAA Notice of Presumed Hazard (NPH) and a subsequent, more detailed FAA study or the project sponsor's agreement to resolve the concerns raised in the NPH. In those cases, the DNH may include conditions, including:

- Limitations necessary to minimize potential problems, such as the use of temporary construction equipment.
- Supplemental notice requirements.
- Obstruction marking and lighting recommendations, as appropriate.

Unless it is extended, revised, or terminated, each Determination of No Hazard (without DNE status) expires 18 months after the effective date of the determination, or on the date the proposed construction or alteration is abandoned, whichever is earlier.[2]

F.3.1.2 FAA Notice of Presumed Hazard

If, after an initial aeronautical study, the FAA determines that a proposed project exceeds obstruction standards, it issues a Notice of Presumed Hazard (NPH). The NPH will either recommend lowering the proposed structure to the height not exceeding obstruction standards (DNE height) or cite a maximum "height for not exceeding" (HFNE), occasionally called "no effects height" (NEH), with respect to hazard criteria. The HFNE height may be noted if the proposal is near existing structures or other proposed structures that the FAA has already studied and for which it has already calculated hazard limitations. The FAA may also compute the HFNE if it anticipates that the project sponsor would not accept the DNE height and will want to obtain a DNH at the maximum feasible height.

The NPH is temporary, expiring after 60 days. If no resolution is attempted within 60 days, the FAA terminates the case. The project sponsor has several resolution options:

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[2] 14 CFR Part 77, Subpart D, *Aeronautical Studies and Determinations*, Section 77.33, "Effective Period of Determinations."

(1) The sponsor may agree to lower the proposed height of the structure so that it would not exceed obstruction standards (the DNE elevation). This routinely results in the FAA issuing a DNH.

(2) The sponsor may agree to lower the height of the structure to the HFNE height, if one was indicated on the NPH. This routinely results in the FAA issuing of a DNH, with marking and lighting requirements.

(3) The sponsor may request the FAA to perform further aeronautical study at the originally requested height.

(4) The sponsor may request the FAA to perform further aeronautical study for a structure at a height lower than the original proposal but not as low as the alternative height noted on the NPH letter.

Upon receiving a request for further aeronautical study, the FAA initiates a complex process which involves analyzing flight procedures, NAVAIDS, radar, and other factors in the airspace in the vicinity of the proposed structure. The objective of this detailed aeronautical study is to determine whether the proposed structure would have a significant adverse effect to a substantial amount of air traffic, and thereby constitute a hazard to air navigation. The most frequently applied criteria for hazard status determinations are TERPS criteria, but other criteria, such as visual flight rules (VFR) clearances, navigational aid (NAVAID) considerations, and air traffic procedures can be cited. Per 14 CFR Part 77, Subpart D, these factors can include:

(1) The impact on arrival, departure, and en route procedures for aircraft operating under visual flight rules;

(2) The impact on arrival, departure, and en route procedures for aircraft operating under instrument flight rules;

(3) The impact on existing and planned public use airports;

(4) Airport traffic capacity of existing public-use airports and public use airport development plans received before the issuance of the final determination;

(5) Minimum obstacle clearance altitudes, minimum instrument flight rules altitudes, approved or planned instrument approach procedures, and departure procedures;

(6) The potential effect on air traffic control (ATC) radar, direction finders, ATC tower line-of-sight visibility, and physical or electromagnetic effects on air navigation, communication facilities, and other surveillance systems;

(7) The aeronautical effects resulting from the cumulative impact of a proposed construction or alteration of a structure when combined with the effects of other existing or proposed structures.[3]

During the further aeronautical study phase, the FAA, at its discretion, may circulate the proposal under the Public Notice process. A Public Notice contains a basic description of the proposal and the amount by which it exceeds obstruction standards. It may also describe effects to published instrument procedures if the FAA has calculated those in the early review. The Public Notice is posted on the publicly available portion of the FAA's OE/AAA website (http://oeaaa.faa.gov), and can also be sent to local airport operators, airlines, pilots' associations, and other interested stakeholders.

FAA OE/AAA website subscribers who have requested to be notified of proposals, determinations, and public notices in proximity to specified airports will be automatically notified. Any interested stakeholder may submit comments by the specified due date, which is generally 35 to 40 days after the issuance of Public Notice. Public Notice is the formal, and sometimes the only, opportunity for third-party stakeholders (those other than the FAA and the project sponsor) to provide input in the OE/AAA process. The FAA must consider all comments of a significant aeronautical nature.

The FAA concludes the detailed aeronautical study process with a determination as to whether the proposed construction would constitute a hazard to air navigation, sending a copy of the determination to all interested parties. The FAA's determination becomes effective 40 days after issuance, unless an interested party files a petition for "discretionary review," which is an appeal to FAA Headquarters to overturn the determination. In that case, the determination becomes effective after the discretionary review process is concluded.

The FAA will issue a Determination of Hazard to Air Navigation (DOH) when the aeronautical study concludes that the proposed construction or alteration will exceed an obstruction standard and would have a substantial aeronautical impact, and where negotiations with the project sponsor have failed to result in acceptance of a height not exceeding obstruction standards or hazard standards. FAA DOHs have no expiration date.

The FAA has no direct jurisdictional authority through which it can require the project sponsor to alter the proposed structure to eliminate the hazard. That power rests with state and local land use regulatory authorities. While the FAA has no direct land use regulatory authority, it can exert leverage on jurisdictions with land use regulatory authority that are also airport operators. The failure of an airport operator with land use regulatory authority to enforce an FAA Hazard

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[3] 14 CFR Part 77, Subpart D, *Aeronautical Studies and Determinations*, 77.29, "Evaluating Aeronautical Effect."

Determination could be interpreted as a violation of Grant Assurances 20 and 21, which bind the airport operator to protect the approaches to the airport and to promote airport land use compatibility.[4]

F.3.2 One-Engine Inoperative (OEI) Procedures

The airworthiness standards in 14 CFR Part 25 require manufacturers of multi-engine transport category aircraft to design aircraft and develop operating procedures to achieve minimum safe climb performance with one engine inoperative as a condition of receiving an aircraft type certificate permitting operation of the aircraft in the United States (Sec. 25.121 and 25.107). Federal law also requires air carrier and commercial aircraft operators holding operating certificates issued under 14 CFR Part 119 to maintain operations specifications that require, among other things, a description of the limitations at all airports, including obstructions, at which they operate (Sec. 119.49). Operators are required to develop aircraft operating procedures for each airport to ensure safe climb performance on departure, clearing all obstacles, in case one engine becomes inoperative (14 CFR Part 121, Sections 181, 183, 191, 193, and 201). This requires carriers to maintain current obstruction surveys of the airports they serve. Among the operating criteria they must set are maximum payload limits permitting aircraft to safely climb above obstructions in case of loss of power to one engine. The airspace protection zones for the flight paths and climb gradients, as designed in the OEI procedures, can be mapped as three-dimensional surfaces, similar in appearance to TERPS or Part 77 surfaces. These OEI procedures are proprietary to each operator and vary by aircraft type.

While it is possible to depict aeronautical surfaces defined by each of these OEI procedures, the FAA does not routinely analyze OEI surfaces in the OE/AAA process, for the following reasons:

(1) Complexity – Each airline's OEI procedures for a given runway may be different. Therefore, there are often multiple overlapping procedures off any given runway.

(2) Adjustability – OEI procedures can be adjusted. Airlines can alter OEI procedures to avoid newly created obstacles, either by requiring lighter takeoff weights or developing turns to avoid the obstacle. Takeoff weight can be lessened by removing fuel, which can limit range, or by removing payload (passengers, baggage, cargo), which reduces revenue. These economic impacts on carriers can be substantial, potentially endangering their ability to continue offering a flight or serving a distant market. Traditionally, FAA has considered the economic effect of a proposed structure on an airline as an insufficient basis, in itself, for a hazard determination.

[4] Assurances, Airport Sponsors. Downloaded from FAA website, March 2011, www.faa.gov/airports/aip/grant_assurances/ (accessed January 26, 2012).

Airlines often submit comments during the FAA's further aeronautical study process in response to the Public Notice of the proposal. When they raise concerns about an adverse impact on their OEI procedures, the FAA's response is frequently that "economic impact to an airline is not, in itself, basis for a hazard determination." However, if multiple airlines submit comments and can demonstrate that the loss of clear airspace needed for OEI procedures would lead to an inability to use a runway or the loss of capability to fly critical routes, the FAA can interpret this as a "significant adverse effect to a substantial amount of air traffic." This would be grounds for a hazard determination.

In the recent past, several high-profile structures that would not exceed obstruction standards or impact TERPS procedures but that would impact OEI procedures have been proposed and built near major U.S. airports. The controversies arising from these proposals, and the pressure from airlines and airports to clarify OEI protection, has led the FAA to initiate the "OEI Pilot Program" at five airports where OEI protection has been an issue that has been addressed in some manner by the airport and its neighbors. These include Boston-Logan, Phoenix-Sky Harbor, Las Vegas-McCarran, Washington-Reagan National, and Miami international airports. Most of these airports have undertaken some type of OEI surface mapping effort similar to SFO, where airlines were polled to determine their OEI procedures, and aggregate OEI protection areas were developed that accommodate some or all of the individual airlines' procedures.

The consideration of OEI procedures in the definition of airport vicinity airspace protection surfaces can be an important enhancement to a locally administered comprehensive airport compatibility plan. Federal OEI requirements have two important implications for airport compatibility and airport protection.

1. Because the modification of OEI procedures at any given airport is not monitored on a comprehensive, real-time basis, the potential exists for some delay on the part of some carriers in modifying their procedures to address new obstructions.

2. The modification of OEI procedures to address new obstructions can require carriers to reduce allowable payloads for certain types of aircraft. This can ultimately result in payload penalties that are too severe to allow service to distant destinations, compromising the utility of the airport and wasting the public investment in transportation infrastructure.

F.4 CALIFORINIA STATE REQUIREMENTS

The State Aeronautics Act recognizes the 14 CFR Part 77 obstruction and hazard standards and provides the basis for local jurisdictions and the State Department of Transportation to enforce their protection. The law prohibits the construction of any structure more than 500 feet above the ground without the issuance of a permit by the Department (Article 2.7, "Regulation of Obstructions," Section 21656). The

Department is authorized to deny the permit if the proposed structure would obstruct the airspace so as to create an unsafe condition for aircraft in flight (i.e., would exceed hazard standards).[5]

A permit is not required if the FAA has determined that the proposed structure does not constitute a hazard to air navigation or an unsafe condition for aircraft in flight. Thus, permits are required only for structures that have been found to be a hazard to air navigation. Therefore, structures that exceed obstruction standards, and have not been issued a FAA DNH, and have not been issued a Caltrans permit, are in violation of PUC Section 21659. According to the Department's Division of Aeronautics, the Department has never issued a permit under this provision of state law.[6]

F.5 LOCAL GOVERNMENT AUTHORITY IN CALIFORNIA

Local governments in California have the authority to regulate airspace and enforce FAA hazard determinations through their land use regulatory powers. This authority was the basis for an order issued in 2009 by a Superior Court in California ruling on a case in San Diego. A brief explanation of the case is helpful in understanding the scope of local authority.

In February and March of 2006, Sunroad Enterprises applied for and received excavation, foundation, and framing permits from the City of San Diego to build a 180-foot tall office building near Montgomery Field, an airport operated by the City of San Diego. In April 2006, after receiving the permits and beginning construction, the developer filed a Form 7460-1 notifying the FAA of the project. Before the end of the month, the FAA issued a "Notice of Presumed Hazard," informing the developer and the City that the structure should be built no taller than 160 feet so as not to exceed obstruction standards, and requesting the developer to cease work on the project. The City advised the builder to amend its plans to conform to the FAA hazard determination, and the State Department of Transportation supported the City, insisting that, as a matter of state law, the developer was required to get a permit from the State since the building was found by the FAA to be a hazard. The builder decided to proceed with the original plan, claiming that it had a vested right by virtue of the City's issuance of the original permits.

Two years later, and after the building was finished, the developer agreed to remove the top 20 feet of the structure. The developer then sued the City for damages, claiming that the City was liable for the demolition costs and lost income caused by the delay in opening the building. In an order issued on May 14, 2009, the Superior Court dismissed the case.[7] The Court said that while the City did indeed make an error, the builder had an obligation under Federal law to file with the FAA a Notice

---

[5] Public Utilities Code, Section 21659, "Hazards Near Airports Prohibited."

[6] Terry Barrie, Chief, Office of Aviation Planning, California Division of Aeronautics. Interviewed by Mark R. Johnson, Ricondo & Associates, Inc., May 2009.

[7] City of San Diego v. Sunroad Centrum, L.P., et al., Case No. GIC 877054, Order Granting City's Motion for Summary Judgment on Sunroad's First Amended Cross Complaint.

of Proposed Construction or Alteration (Form 7460-1) and to comply with the findings of the FAA's ensuing aeronautical study. The City was acting within its authority to demand the builder reduce the height of the structure to comply with the FAA's airspace hazard determination.

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Appendix G

Implementation Documents

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Appendix G

IMPLEMENTATION DOCUMENTS

Three implementation documents are provided in this appendix: draft project review checklists; the real estate disclosure language relating to the proximity of an airport mandated by California law; and the avigation easement proposed for use in accordance with Policy NP-3 of this CLUP.

DRAFT PROJECT REVIEW CHECKLIST

LOCAL GOVERNMENT CHECKLIST 1 -- For use *before* local plans and land use ordinances have been made consistent with the Comprehensive Airport Land Use Compatibility Plan (CLUP) for the Environs of San Francisco International Airport.

___ Proposed action is a "land use policy action" in Airport Influence Area B, Project Referral Area (see Section 3.1 in Chapter 3 of CLUP and Exhibit IV-2 in Chapter 4).

___ Refer proposed project to C/CAG staff

___ Proposed project requires only ministerial action and is in Airport Influence Area B, Project Referral Area

___ Refer proposed project to C/CAG staff

___ Proposed project has a height of over 200 feet above the site elevation.

___ Applicant must file FAA Form 7460-1 with the Federal Aviation Administration (FAA).

___ Proposed project is within 20,000 feet of nearest runway at SFO, has height less than 200 feet above site elevation, but exceeds the filing requirement heights depicted on Exhibits IV-10, IV-11, and IV-12 in CLUP.

___ Applicant should verify that the proposed project exceeds the Form 7460-1 filing requirement heights by using the FAA's on-line Notice Criteria Tool:

https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToolForm

___ If proposed structure exceeds filing height, advise applicant to file FAA Form 7460-1 with the FAA. Check FAA website for up-to-date filing information:

https://oeaaa.faa.gov/oeaaa/external/content/oeaaaOffices.jsp

___ Proposed project would exceed, or may come close to exceeding, the heights of the SFO critical aeronautical surfaces as depicted in Chapter 4.

___ Contact the SFO Bureau of Planning and Environmental Affairs at (650) 821-8211.

___ Use SFO's online tool for aeronautical surface height evaluation to assess potential conflicts between the proposed structure and the critical aeronautical surfaces. Contact the SFO Bureau of Planning and Environmental Affairs at (650) 821-8211 for training and access to the tool.

___ Applicant must file FAA Form 7460-1 with the FAA.

LOCAL GOVERNMENT CHECKLIST 2 -- For use *after* local plans and land use ordinances have been made consistent with the airport/land use compatibility criteria and guidelines contained in the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport.

___ Proposed action is a "land use policy action" in Airport Influence Area B, Project Referral Area (see Section 3.1 in Chapter 3 of CLUP and Exhibit IV-2 in Chapter 4).

- ___ Refer proposed project to C/CAG staff

___ Proposed project requires only ministerial action and is in Airport Influence Area B, Project Referral Area

- ___ Local government processes proposed project

___ Check location of proposed project with respect to the most recent Quarterly Noise Contour Map for SFO. Contact the SFO Aircraft Noise Abatement Office at (650) 821-5100 for the most recent Quarterly Noise Contour Map.

- ___ If proposed project is within the CNEL 65 dB contour, an avigation easement must be granted to the City and County of San Francisco.

___ Proposed project is within Noise Compatibility Zones depicted on Exhibits IV-5 and IV-6 in CLUP.

- ___ Compare proposed project with noise/land use compatibility criteria in Table IV-1 of CLUP.
- ___ If compatible, no more action under noise compatibility criteria is required
- ___ If not compatible and no other conditions apply per Table IV-1, use is not permissible.
- ___ If use is either (1) conditionally compatible or (2) not compatible but permissible on an existing lot of record, check applicable conditions per policies NP-2, NP-3, and Table IV-1.

___ Proposed project is within Safety Compatibility Zones depicted on Exhibits IV-7, IV-8, and IV-9 in CLUP.

- ___ Compare proposed project with safety compatibility criteria in Table IV-2 of CLUP.
  - ___ If prohibited, use is not permissible.
  - ___ If use is to be "avoided," applicant shall be required to provide evidence of whether alternative locations for use are feasible.
  - ___ If a use that is to be "avoided" is permitted, 50 percent more exits than required by applicable codes must be required. (If the calculation of additional exits results in a fraction, round up the value to the nearest whole number.)

___ Proposed project has a height of over 200 feet above the site elevation.

___ Advise applicant to file FAA Form 7460-1 with FAA, San Francisco Airports District Office.

___ Proposed project is within 20,000 feet of nearest runway at SFO, has height less than 200 feet above site elevation, but exceeds the filing requirement heights depicted in Exhibits IV-10, IV-11, and IV-12 in CLUP.

___ Advise applicant to verify that the proposed project exceeds the Form 7460-1 filing requirement heights by using the FAA's on-line Notice Criteria Tool:

https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToolForm

___ If proposed structure exceeds filing height, advise applicant to file FAA Form 7460-1 with the FAA. Check FAA website for up-to-date filing information:

https://oeaaa.faa.gov/oeaaa/external/content/oeaaaOffices.jsp

___ Proposed project would exceed, or may come close to exceeding, the heights of the SFO critical aeronautical surfaces as depicted in Exhibits IV-17 and IV-18 in Chapter IV.

___ Contact the SFO Bureau of Planning and Environmental Affairs at (650) 821-8211.

___ Use SFO's online tool for aeronautical surface height evaluation to assess potential conflicts between the proposed structure and the critical aeronautical surfaces. Contact the SFO Bureau of Planning and Environmental Affairs at (650) 821-8211 for training and access to the tool.

___ If proposed project is confirmed to exceed the heights of the critical aeronautical surfaces the project is not permissible and must be modified so as not to exceed the heights of the critical aeronautical surfaces.

___ Receive from applicant the FAA's completed obstruction evaluation report, prepared pursuant to review of Form 7460-1 filing by applicant.

___ Condition project approval on applicant's compliance with recommendations in FAA's obstruction evaluation report.

C/CAG CHECKLIST for Airport Land Use Compatibility Review of Proposed Local Agency Land Use Policy Actions

Proposed project referred by local government is within Airport Influence Area B, Project Referral Area

Avigation Easement

___ Check location of proposed project with respect to the CNEL 65 dB aircraft noise contour in the most recent Quarterly Noise Report published by SFO. Contact the SFO Aircraft Noise Abatement Office at (650) 821-5100 for the most recent Quarterly Noise Contour Map.

___ If proposed project is within the CNEL 65 dB contour as referenced above, an avigation easement must be granted to the City and County of San Francisco.

Noise Compatibility

___ Proposed project is within Noise Compatibility Zones depicted on Exhibits IV-5 and IV-6 in CLUP.

___ Compare proposed project with noise/land use compatibility criteria in Table IV-1 of CLUP.

___ If compatible, no more action under noise compatibility criteria is required

___ If not compatible and no other conditions apply per Table IV-1, use is not permissible.

___ If use is either (1) conditionally compatible or (2) not compatible but permissible on an existing lot of record, check applicable conditions per policies NP-2, NP-3, and Table IV-1.

Safety Compatibility

___ Proposed project is within Safety Compatibility Zones depicted on Exhibits IV-7, IV-8, and IV-9 in CLUP.

___ Compare proposed project with the safety compatibility criteria in Table IV-2 of CLUP.

___ If prohibited, use is not permissible.

___ If use is to be "avoided," applicant shall be required to provide evidence of whether alternative locations for use are feasible.

___ If a use that is to be "avoided" is permitted, 50 percent more exits than required by applicable codes must be required. (If the calculation of additional exits results in a fraction, round up the value to the nearest whole number.)

Airspace Protection

___ Proposed project has a height of over 200 feet above the site elevation.

___ Advise applicant to file FAA Form 7460-1 with the FAA, San Francisco Airports District Office.

___ Proposed project is within 20,000 feet of nearest runway at SFO, has height less than 200 feet above site elevation, but exceeds the filing requirement heights depicted in Exhibits IV-10, IV-11, or IV-12 in CLUP.

___ Advise applicant to verify that the proposed project exceeds the Form 7460-1 filing requirement heights by using the FAA's on-line Notice Criteria Tool:

https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToolForm

___ If proposed structure exceeds filing height, advise applicant to file FAA Form 7460-1 with the FAA. Check the FAA website for up-to-date filing information:

https://oeaaa.faa.gov/oeaaa/external/content/oeaaaOffices.jsp

___ Proposed project would exceed, or may come close to exceeding, the heights of the SFO critical aeronautical surfaces as depicted in Chapter IV.

___ Contact the SFO Bureau of Planning and Environmental Affairs at (650) 821-8211.

___ Use SFO's online tool for aeronautical surface height evaluation to assess potential conflicts between the proposed structure and the critical aeronautical surfaces. Contact the SFO Bureau of Planning and Environmental Affairs at (650) 821-8211 for training and access to the tool.

___ If proposed project is confirmed to exceed the heights of the critical aeronautical surfaces, the project is not permissible and must be modified so as not to exceed the heights of the critical aeronautical surfaces.

___ Receive from applicant the FAA's completed obstruction evaluation report, prepared pursuant to review of Form 7460-1 filing by applicant.

___ Condition project approval on applicant's compliance with recommendations in FAA's obstruction evaluation report.

CALIFORNIA REAL ESTATE DISCLOSURE NOTICE

Re: Real Property for Sale within an Airport Influence Area (AIA) Boundary

Section 11010 of the California Business and Professions Code requires people offering subdivided property for sale to disclose the presence of all existing and planned airports within two miles of the property.[1] The law requires that, if the property is within an "airport influence area" designated by the airport land use commission, 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.

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1 California Business and Professions Code, Section 11010(b)(13).

GRANT OF AVIGATION EASEMENT

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

City and County of San Francisco
Real Estate Department
25 Van Ness Avenue, Suite 400
San Francisco, CA 94102

GRANT OF AVIGATION EASEMENT

(Civil Code Section 1468, Public Utilities Code Section 21652)

This Grant of Avigation Easement is executed and delivered as of this _____ day of _____, 2____, by _____ _____ (GRANTOR) and the City and County of San Francisco, a political subdivision of the State of California (CITY or GRANTEE), with reference to the following facts:

Recitals

A. GRANTOR is the owner of that certain property ("Real Property"), legally described in Exhibit "A," attached hereto and incorporated herein by reference, the street address of which is _____, California.

B. CITY is the owner and operator of the San Francisco International Airport ("SFO").

C. Pursuant to the relevant content in the Comprehensive Airport Land Use Compatibility Plan (CLUP) for the environs of SFO, as amended, as a condition of, and prior to, approval of a permit by the relevant land use authority (city or county) for the development or improvement of property within the 65 decibel (dB) Community Noise Equivalent Level (CNEL) boundary and higher as shown on the most recent quarterly noise contour map submitted to the State of California, Department of Transportation, Division of Aeronautics by SFO staff, in accordance with Section 5025 of Title 21 of the California Code of Regulations the grant by GRANTOR of a permanent non-exclusive easement, rights and servitudes (the "Avigation Easement") shall be required in favor of CITY. A copy of the most recent quarterly noise contour map referenced herein that illustrates the location of the GRANTOR's Real Property is attached hereto as Exhibit "B." The Avigation Easement shall be recorded in the chain of title in the County of San Mateo Assessor-Clerk-Recorder's Office prior to issuance of the permit.

D. All relevant CNEL noise contour maps and grid data needed to identify the aircraft noise levels for all properties located within the 65 dB CNEL aircraft noise contour and higher, to determine the application of this Avigation Easement as stated in Section 3.2 herein, are available from the www.flysfo.com website or from the Noise Abatement Office staff at San Francisco International Airport.

Grant of Avigation Easement

1. Grant. GRANTOR, individually and for the heirs, successors and assigns of GRANTOR, hereby grants, conveys and assigns to CITY and its successors, a perpetual and assignable Avigation Easement in and over the Real Property for the purposes described herein below.

1.1 Passage of Aircraft. The Avigation Easement shall include for the use and benefit of the public, the easement and continuing right to fly, or cause or permit the flight by any and all persons, of any aircraft, of any and all kinds now or hereafter known, in, through, across or about any portion of the airspace above and within the vicinity of the Real Property, with such rights of use and passage by aircraft without restriction as to frequency, type of aircraft and proximity to the surface of the Real Property, so long as the exercise of such rights is not in violation of then applicable federal laws governing flight operations.

1.2 Noise and Other Incidental Effects. The Avigation Easement shall include the right to cause within, and to enter or penetrate into or transmit through, any improved or unimproved portion of Real Property, and within all airspace above Real Property, such noise, sounds, vibrations, air currents, illumination, electronic interference and aircraft engine exhaust and emissions, dust, discomfort or other environmental effects incident to aircraft operations, and any and all resulting interference with use and enjoyment, and any consequent reduction in market value, all due to the operation of aircraft to and from SFO upon GRANTOR's Real Property.

1.3 Interference with Air Navigation/Communications. In furtherance of this Avigation Easement, GRANTOR covenants that it will not construct, install, permit or allow any building, structure, improvement, tree, or other object on the Real Property to constitute an obstruction to air navigation, or to use or permit the use of Real Property in such a manner as to create electrical or electronic interference with aircraft communications systems, aircraft navigation equipment, or with Federal Aviation Administration, airline, or airport personnel communication with any aircraft.

2. Baseline. The 65 dB Community Noise Equivalent Level (CNEL) noise contour shown on the most recent quarterly noise map filed by SFO staff with the State of California, Department of Transportation, Division of Aeronautics, in accordance with Section 5025 of Title 21 of the California

Code of Regulations, shall be the basis for determining the baseline level for the GRANTOR's Real Property.

3. Waiver of Legal Actions and Exceptions. GRANTOR, together with its successors in interest and assigns, hereby waives its right to legal action against CITY, its successors or assigns, for monetary damages or other redress due to impacts, as described in Section 1.2 of the granted rights of easement, associated with aircraft operations in the air or on the ground at SFO, including future increases in the volume or changes in location of said operations. However, this waiver shall not apply under the circumstances specified below.

3.1 For Property Located Outside the 65 dB CNEL Boundary (for non-CLUP easements). The waiver shall not be in effect for property located outside the 65 dB CNEL noise contour boundary as shown on the most recent quarterly noise map, if three (3) of any four (4) quarterly noise report maps, as reported to the State of California, for any calendar year show that the noise level imposed on GRANTOR's Real Property exceeds 68 dB CNEL or higher, and the waiver shall remain not in effect until two (2) consecutive subsequent quarterly noise maps show the level of noise to be at or lower than 68 dB CNEL.

3.2 For Property Located Within the 65 dB CNEL Boundary and Higher. The waiver shall not be in effect for property located within the 65 dB CNEL noise contour boundary and higher, as shown on the most recent quarterly noise map, if three (3) of any four (4) quarterly noise report maps, as reported to the State of California, for any calendar year show that the noise level imposed on GRANTOR's Real Property exceeds the baseline CNEL level as stated in Section 2 by more than 3 dB CNEL (68 dB CNEL and higher), and the waiver shall remain not in effect until two (2) consecutive subsequent quarterly noise maps show the level of noise to have been no more than 3 dB CNEL greater than the baseline.

3.3. Exceptions. Any change in the noise level, as reported on a quarterly noise map for SFO filed with the State of California, Department of Transportation, Division of Aeronautics, in accordance with Section 5025 of Title 21 of the California Code of Regulations, which reflects a change in noise level which results from the temporary increased use of certain runways, due to construction or repair of other runways, or due to any other cause or causes beyond the control of CITY (e.g., weather or wind conditions, but not flight pattern shifts authorized by the Federal Aviation Administration) shall not be used to compute the noise level imposed on GRANTOR's Real Property for the purposes of this Section 3.

4. Negligent or Unlawful Acts Excepted. This grant of Avigation Easement shall not operate to deprive the GRANTOR, its successors or assigns, of any rights which it may from time to time have against any air carrier or private operator for negligent and/or unlawful operation of aircraft to, from,

or in or about SFO, nor does this Avigation Easement include or authorize aircraft landing, explosion, crash, falling objects or other occurrences causing direct physical injury to persons or direct physical damage to property.

5. Easement Benefit. The Avigation Easement shall be deemed both appurtenant to and for the direct benefit of that real property which constitutes the San Francisco International Airport, and shall be deemed in gross, being conveyed to CITY for the benefit of the CITY and any and all members of the general public who may use said easement, taking off from, landing upon, or operating such aircraft in or about the said SFO, or otherwise flying through the airspace above or in the vicinity of Real Property.

6. Covenants Run with the Land. These covenants and agreements run with the land (Real Property) in perpetuity and any grantee, heir, agent, successor, assign of the GRANTOR who acquires any estate or interest in or right to use Real Property shall be bound by this Avigation Easement for the benefit of CITY, and its agents, successors and assigns.

7. Termination. This Avigation Easement shall terminate and have no further force and effect if the project for which the easement was granted is not built and the permit and any permit extensions authorizing the construction of the use have expired or been revoked. Upon notification by the city or county granting the permit, CITY shall record a Notice of Termination in the chain of title in the County of San Mateo Recorder's Office.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed this ___ day of _____, 20___.

GRANTORS

_____ _____

_____ _____

(STATE OF CALIFORNIA)
(COUNTY OF SAN MATEO)

On this ___ day of ____, in the year 20__, before me _____ a Notary Public in and for said State, personally appeared _____

_____

[ ] personally known to me OR

[ ] proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) 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.

ATTEST:

_____

WITNESS my hand and official seal

_____
Notary Public in and for said State

This is to certify that the Interest in real property conveyed by this deed dated _____ from the first part _____ to the City and County of San Francisco, a California municipal corporation, is hereby accepted by order of its Board of Supervisors' Resolution No. 18110, Series of 1939, approved August 7, 1957, and the grantee consents to recordation thereof by its duly authorized officer.

Dated: _____

By: _____
Director of Property

GRANTEE:
CITY AND COUNTY OF
SAN FRANCISCO

By:_____
Mayor

APPROVED AS TO FORM

DENNIS J. HERRERA
City Attorney

By: _____
Deputy City Attorney

Attachments: Exhibit "A" – Legal Description of Real Property
Exhibit "B" – Quarterly Noise Map Depicting Location of Real Property

EXHIBIT “A”

Lot ___ Block ___ Subdivision No. _____

_____, San Mateo County, California, as recorded on _____ in Book _____ of Official Maps at page(s) ___, ___.___.

Assessor’s Parcel Number: _____

EXHIBIT “B” – Quarterly Noise Map

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Appendix H

San Francisco International Airport/Community Roundtable

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Appendix H

SAN FRANCISCO INTERNATIONAL AIRPORT/COMMUNITY ROUNDTABLE

The San Francisco International Airport/Community Roundtable was created in 1981 to address aircraft noise impacts in neighborhoods and communities near SFO. The Roundtable was created by a Memorandum of Understanding between interested cities and Airport management to monitor the implementation of the recommendations of the 1980 Joint Land Use Study Final Technical Report.

The Roundtable's 45 representatives and alternates are elected officials representing the City and County of San Francisco, San Mateo County, and cities in San Mateo County. Advisory members include airline chief pilots and FAA staff. The SFO Airport Director and his staff support and attend Roundtable meetings presenting both special and regular reports. The Roundtable has been meeting on a regular basis since 1981, and it continues to pursue feasible mitigation actions to address aircraft noise and overflight issues in the communities and neighborhoods near SFO.

The Roundtable monitors a performance-based noise mitigation program implemented by airport staff, interprets community concerns and attempts to achieve noise mitigation through a cooperative sharing of authority among the aviation industry, the FAA, SFO management and local government.

The authority to control aircraft in flight and on the ground is vested exclusively in the FAA. The FAA, however, cannot control the number of flights or the time of day of aircraft operations. Federal law preempts any local government agency from implementing any action that is intended to control the routes of aircraft in flight. The Roundtable, local elected officials, nor airport management can control the routes of aircraft in flight or on the ground.

The Roundtable, one of the oldest and most respected community-based airport noise mitigation organizations in the country, is often used as a model by neighborhood groups wishing to work cooperatively with the aviation industry to improve noise abatement programs. Roundtable meetings are the forum for public discussion about airport noise abatement activities. Regular meetings are held on the first Wednesday of even-numbered months at 7:00 p.m. Meetings are held in the David Chetcuti Community Room at Millbrae City Hall, 450 Poplar Ave, Millbrae, CA 94030.

Agendas and meeting packets are available in advance on the Roundtable website (www.sforoundtable.org/). All meetings are open to the public, and non-members are offered an opportunity to participate.

The Roundtable has an established work plan that is pursued and discussed at meetings. Information is also available from the Roundtable's professional staff:

Roundtable Coordinator - *Steve Monowitz,* Deputy Director, San Mateo County Planning and Building Department, 650-363- 4161

Roundtable activities are funded through San Francisco International Airport, the County of San Mateo, and Roundtable Member Cities. These funds pay for staff and media consulting support including outreach to local press and the website listed above.

Appendix I

Airport Land Use Compatibility Planning Resources

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San Francisco International Airport Website

www.flysfo.com/

Websites of Cities influenced by San Francisco International Airport

Millbrae	www.ci.millbrae.ca.us/
South San Francisco	www.ci.ssf.ca.us/
Burlingame	www.burlingame.org/
San Bruno	http://sanbruno.ca.gov/
San Mateo	www.cityofsanmateo.org/
Foster City	www.fostercity.org/

Caltrans Division of Aeronautics Website

www.dot.ca.gov/hq/planning/aeronaut/index.html

Airport Cooperative Research Program

Project 03-03: *Enhancing Airport Land Use Compatibility*

www.trb.org/Publications/Blurbs/Enhancing_Airport_Land_Use_Compatibility_Volume_1_163344.aspx (accessed January 26, 2012)

Mineta Transportation Institute, San Jose State University

MTI Report 06-05: *Applying Smart Growth Principles and Strategies to Resolving Land Use Conflicts Around Airports*

http://transweb.sjsu.edu/mtiportal/research/publications/summary/0605.html (accessed January 26, 2012)

Federal Aviation Administration's Land Use Webpage

Federal Aviation Administration, "Compatible Land Use,"

www.faa.gov/airports/environmental/land_use/ (accessed January 26, 2012).

Federal Aviation Administration, Obstruction Evaluation / Airport Airspace Analysis (OE/AAA)

Webpage -- https://oeaaa.faa.gov/oeaaa/external/portal.jsp (accessed January

26, 2012).

Notice Criteria Tool --
https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToolForm (accessed January 26, 2012).

2011 California Airport Land Use Planning Handbook

California Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, October 2011.

http://www.dot.ca.gov/hq/planning/aeronaut/documents/AirportLandUsePlanningHandbook.pdf (accessed January 26, 2012).

Federal Aviation Regulations Part 150 (14 CFR Part 150)

GPOAccess.gov, "Title 14 Aeronautics and Space,"

http://www.access.gpo.gov/cgi-bin/cfrassemble.cgi?title=200314 (accessed January 26, 2012).

Other State Airport Land Use Planning Handbooks

Wisconsin

Wisconsin Department of Transportation, *Wisconsin Airport Development Handbook*,

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Appendix J

Interactive Airspace Tool

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Appendix J

INTERACTIVE AIRSPACE TOOL

San Francisco International Airport, a department of the City and County of San Francisco, in consultation with the City/County Association of Governments of San Mateo County (C/CAG), has developed a web-based, interactive tool to evaluate the relationship of proposed buildings with the critical airspace surfaces associated with the Airport. Known as the iALP Airspace Tool, it was designed for use by planners, developers, and other interested persons. The tool is intended to assist with the implementation of the airspace protection policies of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport.

Use SFO's online tool for aeronautical surface height evaluation to assess potential conflicts between the proposed structure and the critical aeronautical surfaces. Contact the SFO Bureau of Planning and Environmental Affairs at (650) 821-8211 for training and access to the tool.

The iALP Airspace Tool is provided by San Francisco International Airport and C/CAG as a planning tool. Use of the tool does not release a developer from the obligation to comply with Code of Federal Regulations, Title 14, Part 77 (Safe, Efficient Use and Preservation of the Navigable Airspace), Subpart B.

The remainder of this Appendix includes a tutorial explaining the use of the iALP Airspace Tool.

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iALP Airspace Tool Tutorial

INTRODUCTION

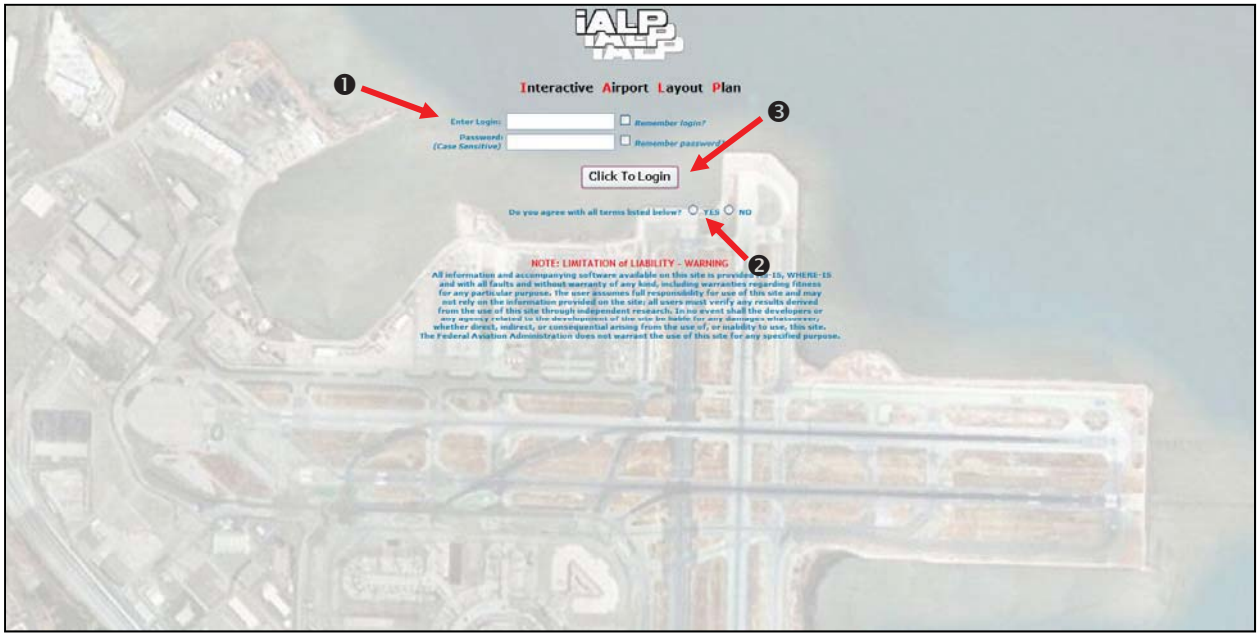
The purpose of C/CAG's iALP Airspace web tool is to allow the user to input information about a proposed construction project, such as its height and location, and find out if the proposed construction would penetrate airspace protection surfaces associate with aircraft arrival and departure operations at San Francisco International Airport (SFO).

This tutorial explains how to use C/CAG's iALP Airspace web tool to determine safe building heights relative to SFO critical airspace surfaces. Users will be able to use the tool to determine: (1) The maximum allowable building height at a given site, and (2) whether a building penetrates a critical airspace surface, and by how much, given a proposed building height at a specified site. Instructions for both uses are outlined in the following steps.

Note: Compatibility View Settings under "Tools" in Internet Explorer 8.0 must be set to "Display all Websites in Compatibility View" for the airspace evaluation tool to perform correctly.

STEP-BY-STEP TUTORIAL

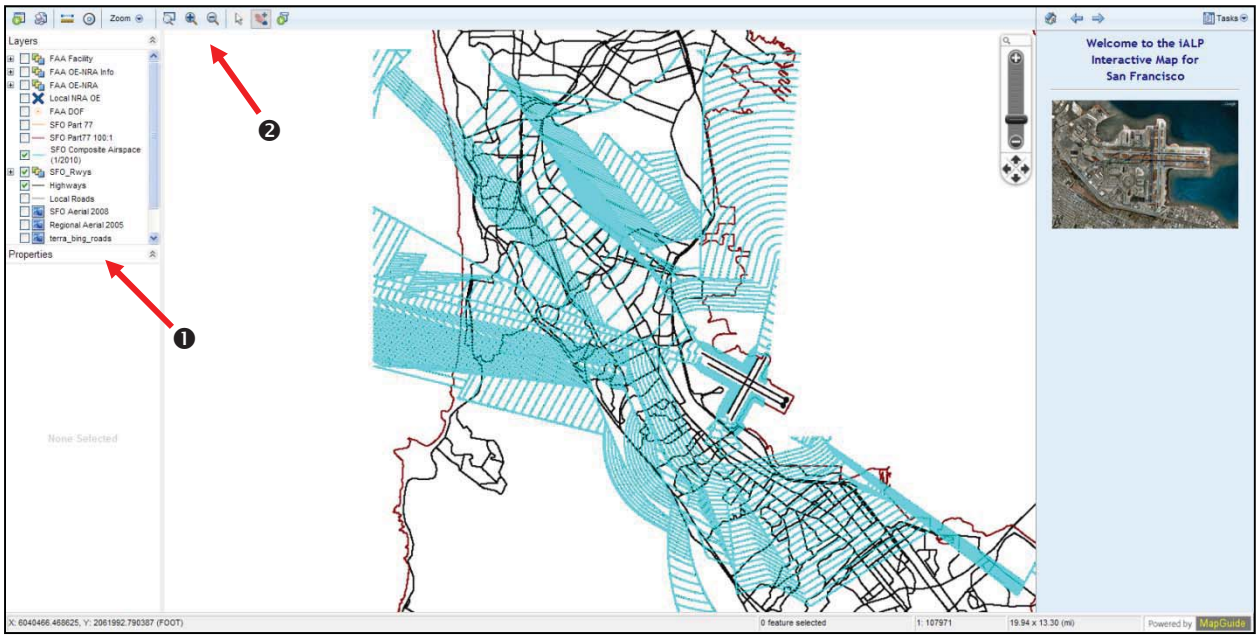
1. **Login.** Open a web browser (Internet Explorer 7.0 is recommended), and navigate to: http://ialp.airplanonline.com. ❶ Enter login as "**cplanner**" and enter password "**cplanner**". ❷ Agree to the Limitation of Liability Warning by selecting the "Yes" radio button. ❸ Then press the "Click to Login" button.



2. **Welcome Page**. Once the iALP welcome page loads, ❶ select “SFO” from the dropdown menu in the upper left hand corner.

3. **Select Map**. Once the SFO home page loads, ❶ select “MAP” then “iALP Map” from the navigation menu on the left side of the page. A new window opens.

4. **Map Page**. The new window will display a map of SFO and environs. ❶ The left sidebar displays the available GIS data layers, which can be toggled on and off from view. An explanation of the data layers that might be used in this exercise is provided in the table below. ❷ Map navigation tools are located in the top-left corner of the map window.

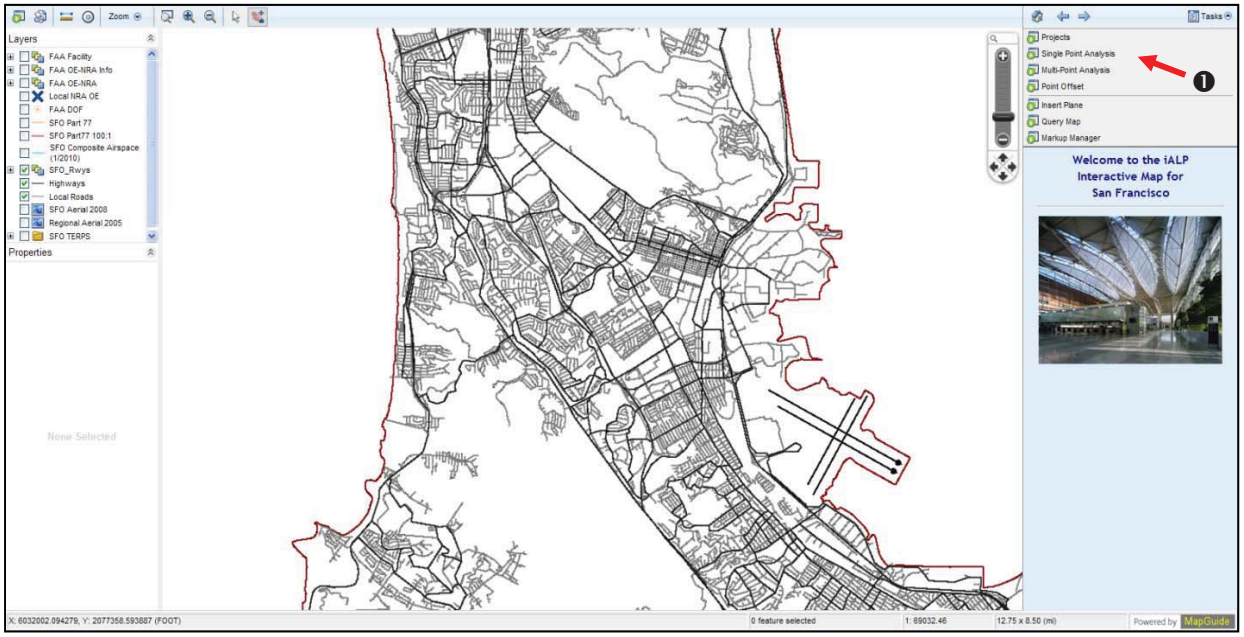


This screenshot shows a map with the Highways and Composite Airspace layers displayed.

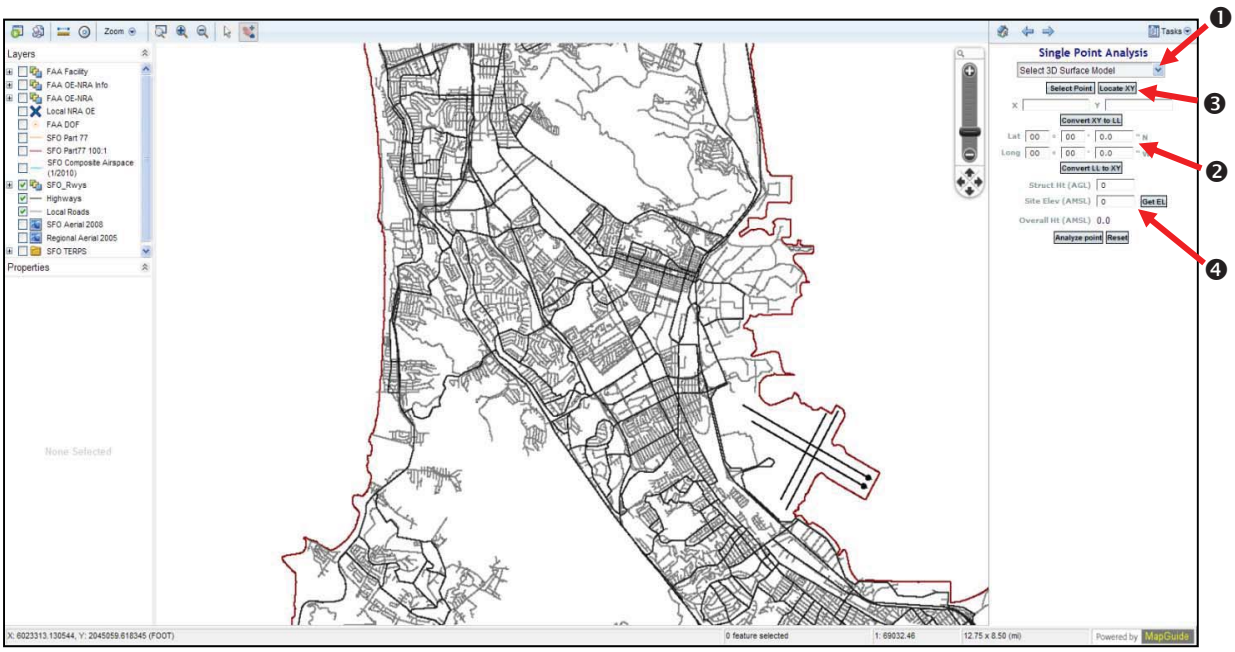
GIS Data Layers and Descriptions

GIS Data Layer	Description
FAA OE-NRA	Sites of previously proposed developments at or near SFO that have undergone aeronautical study
FAA DOF	Sites of previously proposed developments at or near SFO that have undergone aeronautical study and have either resulted in a determination or finding that required marking or lighting, or found the proposal to be a hazard to air navigation
FAA Facility	Various FAA facilities, including airports and heliports
SFO Part 77	Federal Aviation Regulations (FAR) Part 77.19 Civil Airport Imaginary Surfaces
SFO Part 77 100:1	FAR Part 77 notification surface; if a proposed construction would penetrate this surface it is necessary to notify the FAA of the project by filing a Form 7460-1 with the FAA
SFO Composite Airspace (1/2010)	Composite of all critical airspace surfaces considered in the obstruction analysis
SFO_Rwys	SFO Runways
Highways	Major streets and highways
Local Roads	Local roads
SFO Aerial 2008	Aerial photo overlay of SFO
Regional Aerial 2005	Aerial photo overlay of airport environs
SFO TERPS	U.S. Standard for Terminal Instrument Procedures; these show the airspace protection surfaces associated with each runway end at SFO

5. **Single Point Analysis Task**. ❶ Click on the “Tasks” dropdown menu in the upper right hand corner, and select “Single Point Analysis.”



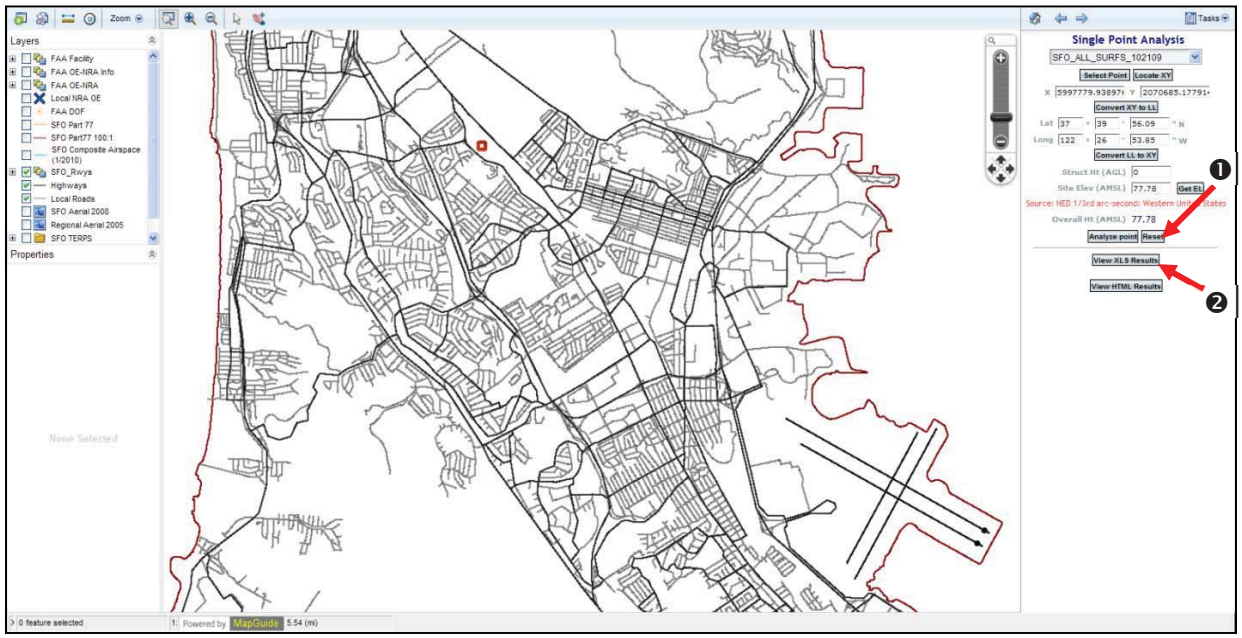
6. **Site Data**. ❶ From the “Select 3D Surface Model” dropdown menu, select “SFO_ALL_SURFS_102109”. ❷ Enter the latitude and longitude for the subject site in their respective fields, then click “Convert LL to XY.” Or, if the lat-long coordinates are unknown, use “Select Point” to choose a site on the map. ❸ Click “Locate XY” to mark the subject site with a symbol (zoom level may need to be adjusted to locate the symbol). ❹ If the site elevation is known, then enter it in the “Site Elev” field. Otherwise, click “Get EL” to retrieve the site elevation.



7. **Run Analysis**. From here you can determine either: (1) the maximum building height for the selected site, or (2) whether a proposed building penetrates a critical airspace surface. Both applications are outlined below.

1. Determine Maximum Building Height

Leave "0" in the "Struct Ht" field. ❶ Click "Analyze Point". ❷ Once the analysis is complete, the results can be viewed as an HTML webpage or Excel spreadsheet.



Understanding the Results. The "Under By" column returns the maximum height above the ground at the site (abbreviated as AGL) to which a structure could be built on this site without penetrating a critical airspace surface.

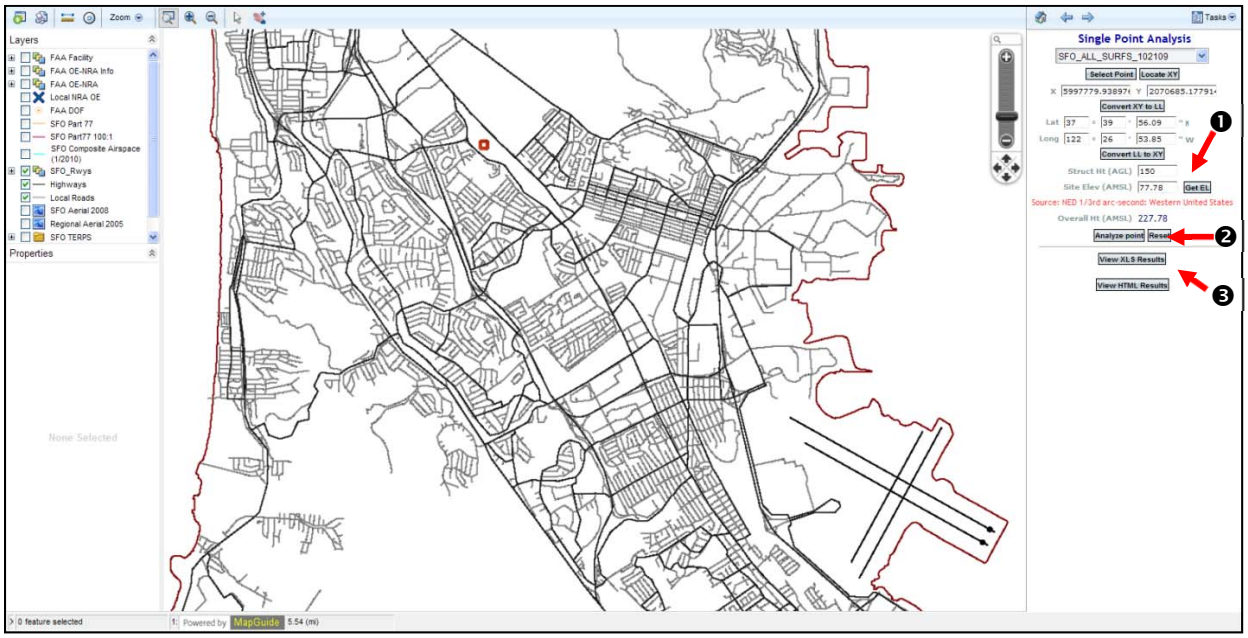
04396784_Report.xls [Read-Only]

	A	B	C	D	E	F	G	H	I
1	SURFACE INTERSECTION ANALYSIS INFORMATION - AIRPORT CODE "SFO"								
2	Coordinate System:			Date: 02/14/11			Model: SFO_ALL_SURFS_102109		
3									
4	Latitude	Longitude	Site El.(AMSL)	Struct Ht.(AGL)	Overall Ht.(AMSL)	Max Ht. (AMSL)	Exceeds By	Under By	Surface
5	37° 39' 56.0900"	122° 26' 53.8500"	77.78	0	77.78	321.24		243.46	SFO_RW28LR_OEI_Corridor_090309
6	37° 39' 56.0900"	122° 26' 53.8500"	77.78	0	77.78	514.06		436.28	SFO_RW28R_IFR_STND_Departure
7	37° 39' 56.0900"	122° 26' 53.8500"	77.78	0	77.78	548.34		470.56	SFO_RW28L_IFR_STND_Departure
8	37° 39' 56.0900"	122° 26' 53.8500"	77.78	0	77.78	691.5		613.72	SFO_RW28R_IFR_NonSTND_Departure_2000
9	37° 39' 56.0900"	122° 26' 53.8500"	77.78	0	77.78	695.08		617.3	SFO_RW28R_IFR_NonSTND_Departure
10	37° 39' 56.0900"	122° 26' 53.8500"	77.78	0	77.78	734.88		657.1	SFO_RW28L_IFR_NonSTND_Departure
11	37° 39' 56.0900"	122° 26' 53.8500"	77.78	0	77.78	768.29		690.51	SFO_RW28LR_DP_GAP3
12	37° 39' 56.0900"	122° 26' 53.8500"	77.78	0	77.78	802.29		724.51	SFO_RW10L_LNAV_Final_Approach_1
13	37° 39' 56.0900"	122° 26' 53.8500"	77.78	0	77.78	844.58		766.8	SFOF_RW28R_ILS_CAT2_Missed_Approach_F
14	37° 39' 56.0900"	122° 26' 53.8500"	77.78	0	77.78	853.22		775.44	SFO_RW28R_ILS_CAT2_Missed_Approach_11
15	37° 39' 56.0900"	122° 26' 53.8500"	77.78	0	77.78	929.59		851.81	SFO_RW01L_IFR_STND_Departure
16	37° 39' 56.0900"	122° 26' 53.8500"	77.78	0	77.78	953.1		875.32	SFO_RW01R_IFR_STND_Departure

In this example, the maximum height is 243.46 feet AGL.

2. ***Determine Whether A Proposed Structure Penetrates a Critical Airspace Surface – Example 1***

❶ Enter the proposed building height (AGL, in feet) in the "Struct Ht" field. The "Overall Ht" field should automatically return the sum of "Struct Ht" and "Site Elev." ❷ Click "Analyze Point". ❸ Once the analysis is complete, the results can be viewed as an HTML webpage or Excel spreadsheet.



In this example, we have entered a Structure Height of 150 feet AGL.

Understanding the Results. The results of this analysis will indicate whether the proposed structure penetrates a critical airspace surface.

- If there is a number under the "Exceeds By" column heading, the proposed structure ***does*** penetrate a critical airspace surface by the amount indicated.
- If there is a number under the "Under By" column heading, the proposed structure ***does not*** penetrate a critical airspace surface, and remains under the surface by the amount indicated.

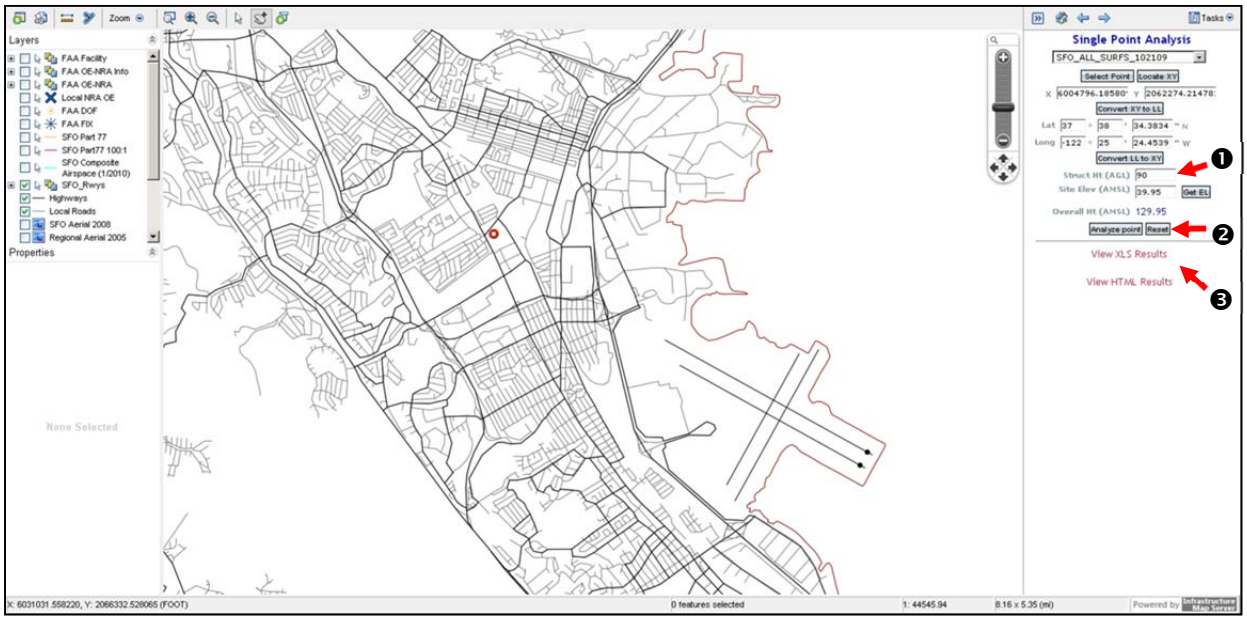
06216242_Report.xls [Read-Only]

	A	B	C	D	E	F	G	H	I
1	SURFACE INTERSECTION ANALYSIS INFORMATION - AIRPORT CODE "SFO"								
2	Coordinate System:			Date: 02/14/11			Model: SFO_ALL_SURFS_102109		
3									
4	Latitude	Longitude	Site El.(AMSL)	Struct Ht.(AGL)	Overall Ht.(AMSL)	Max Ht. (AMSL)	Exceeds By	Under By	Surface
5	37° 39' 56.0900"	122° 26' 53.8500"	77.78	150	227.78	321.24		93.46	SFO_RW28LR_OEI_Corridor_090309
6	37° 39' 56.0900"	122° 26' 53.8500"	77.78	150	227.78	514.06		286.28	SFO_RW28R_IFR_STND_Departure
7	37° 39' 56.0900"	122° 26' 53.8500"	77.78	150	227.78	548.34		320.56	SFO_RW28L_IFR_STND_Departure
8	37° 39' 56.0900"	122° 26' 53.8500"	77.78	150	227.78	691.5		463.72	SFO_RW28R_IFR_NonSTND_Departure_2000
9	37° 39' 56.0900"	122° 26' 53.8500"	77.78	150	227.78	695.08		467.3	SFO_RW28R_IFR_NonSTND_Departure
10	37° 39' 56.0900"	122° 26' 53.8500"	77.78	150	227.78	734.88		507.1	SFO_RW28L_IFR_NonSTND_Departure
11	37° 39' 56.0900"	122° 26' 53.8500"	77.78	150	227.78	768.29		540.51	SFO_RW28LR_DP_GAP3
12	37° 39' 56.0900"	122° 26' 53.8500"	77.78	150	227.78	802.29		574.51	SFO_RW10L_LNAV_Final_Approach_1
13	37° 39' 56.0900"	122° 26' 53.8500"	77.78	150	227.78	844.58		616.8	SFOF_RW28R_ILS_CAT2_Missed_Approach_F
14	37° 39' 56.0900"	122° 26' 53.8500"	77.78	150	227.78	853.22		625.44	SFO_RW28R_ILS_CAT2_Missed_Approach_11
15	37° 39' 56.0900"	122° 26' 53.8500"	77.78	150	227.78	929.59		701.81	SFO_RW01L_IFR_STND_Departure

In this example, the proposed structure is under the lowest critical airspace surface by 93.46 feet.

3. Determine Whether a Proposed Structure Penetrates a Critical Airspace Surface – Example 2

❶ Enter the proposed building height (AGL, in feet) in the "Struct Ht" field. The "Overall Ht" field should automatically return the sum of "Struct Ht" and "Site Elev." ❷ Click "Analyze Point". ❸ Once the analysis is complete, the results can be viewed as an HTML webpage or Excel spreadsheet.



In this example, the proposed Structure Height is 90 feet AGL.

Understanding the Results. As in Example 1, the results of this analysis indicate whether the proposed structure penetrates an airspace surface.

SURFACE INTERSECTION ANALYSIS INFORMATION - AIRPORT CODE "SFO"								
Coordinate System: CA83IIIF			Date: 08/06/12			Model: SFO_ALL_SURFS_102109		
Latitude	Longitude	Site El. (AMSL)	Struct Ht. (AGL)	Overall Ht. (AMSL)	Max Ht. (AMSL)	Exceeds By	Under By	Surface
37° 38' 34.3834"	-122° 25' 24.4539"	39.95	90.00	129.95	106.55	23.40		SFO_Part77_13_100to1 ← FAA Reporting Only.
37° 38' 34.3834"	-122° 25' 24.4539"	39.95	90.00	129.95	163.20		33.25	SFO_Part77_25_Horizontal ← Structure Height Limit
37° 38' 34.3834"	-122° 25' 24.4539"	39.95	90.00	129.95	164.64		34.69	SFO_RW28LR_OEI_Corridor_090309
37° 38' 34.3834"	-122° 25' 24.4539"	39.95	90.00	129.95	258.02		128.07	SFO_RW28R_IFR_STND_Departure
37° 38' 34.3834"	-122° 25' 24.4539"	39.95	90.00	129.95	290.27		160.32	SFO_RW28L_IFR_STND_Departure
37° 38' 34.3834"	-122° 25' 24.4539"	39.95	90.00	129.95	334.57		204.62	SFO_RW10R_VIZ_Straight_In
37° 38' 34.3834"	-122° 25' 24.4539"	39.95	90.00	129.95	346.66		216.71	SFO_RW28R_IFR_NonSTND_Departure_2000
37° 38' 34.3834"	-122° 25' 24.4539"	39.95	90.00	129.95	346.66		216.71	SFO_RW28R_IFR_NonSTND_Departure
37° 38' 34.3834"	-122° 25' 24.4539"	39.95	90.00	129.95	384.63		254.68	SFO_RW28LR_DP_GAP3
37° 38' 34.3834"	-122° 25' 24.4539"	39.95	90.00	129.95	390.04		260.09	SFO_RW28L_IFR_NonSTND_Departure
37° 38' 34.3834"	-122° 25' 24.4539"	39.95	90.00	129.95	442.39		312.44	SFO_RW10R_RNP_2Y_Final_Approach_O
37° 38' 34.3834"	-122° 25' 24.4539"	39.95	90.00	129.95	500.64		370.69	SFO_RW10L_VIZ_Circling

In this example, the proposed structure exceeds the “SFO_Part77_13_100to1” surface height by 23.40 feet. Unlike all other surfaces described in the iALP Tool, the “100to1” surface does NOT represent a maximum building height. Rather, it indicates that the project sponsor must file a Notice of Proposed Construction or Alteration (Form 7460-1) with the FAA. The next lowest surface, the “SFO_Part77_25_Horizontal” surface, which does establish a maximum height limit at this location, is 33.25 feet above the proposed building height.

Appendix K

Documentation of Local Consultation Process

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Project Advisory Committee

AIRPORT LAND USE COMPATIBILITY PLAN FOR THE ENVIRONS OF SAN FRANCISCO INTERNATIONAL AIRPORT

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Project Advisory Committee Meeting #1

February 28, 2008

COMPREHENSIVE AIRPORT LAND USE PLAN & SECTION 160 LAND USE COMPATIBILITY PLAN

for the Environs of San Francisco International Airport

Project Advisory Committee
Meeting #1

February 26, 2008

AGENDA

1. Welcome and introductions – Dave Carbone, C/CAG ALUC Staff
2. Purpose of the study – Dave Carbone
3. Role of the Project Advisory Committee – Mark R. Johnson, Jacobs Consultancy
4. Scope of work and schedule – Mark R. Johnson, Jacobs Consultancy
5. Airport compatibility concepts and issues – Mark R. Johnson, Jacobs Consultancy
    a. Noise compatibility
    b. Safety compatibility
    c. Airspace protection
6. Local government participation and responsibilities – Dave Carbone and Christopher Duerksen, Clarion Associates
7. Discussion: Airport compatibility-related development challenges in the area
8. Next meeting – schedule and preliminary agenda

Brisbane:

- Lots of open space, fill from 1906 earthquake → develop into commercial, new marina
    - Not higher than existing buildings
- Concerns about airport:
    - Shoreline departure – right turn east on front east at Route 101
    - If aircraft cross Route 101 further west, Brisbane and downtown old South San Francisco get a noise impact
- Extension at Geneva Avenue to Route 101, transit hub with 3rd Street

Burlingame:

- Not much new development
- Airport Boulevard empty lots – approved for office buildings, not now in economic downturn…Old Hyatt theaters may be redeveloped into hotels
- Redevelop commercial zone near Millbrae BART

County General:

- Concerned with noise impacts to major businesses

June (Daly City):

- Daly City is the second densest city in California behind San Francisco
- Expecting significant growth in Cow Palace/Geneva Avenue area, including housing, shopping, and schools
- Also, development is expected along Mission Street/El Camino
    - Replace dilapidated 3-story buildings
- New hotel at Daly City BART station, 8-10 stories
- Daly City has lots of housing, little jobs/commercial, 30% in poverty, 50% foreign born → communication with residents is difficult
- Biggest complaints are regarding noise – old houses, single-pane windows

San Bruno:

- Crossing development – 1,000 residential units across from the Tanforan mall
- Next Residential Housing Needs Assessment (RHNA) cycle – Transit Oriented Development (TOD) near BART/Caltrain
- No new housing within 70 DNL – but that's close to BART
- Caltrain relocating to downtown; will promote housing there
- Voter approval for any building over 50 feet in height, probably never over 75 feet

Caltrains Spokesperson:

- Commend everyone for getting together, first of its kind…only one public meeting?
    - No, other meetings will also be open to the public
- Roundtable, Airport Land Use Committee (ALUC), project website?
- C/CAG meeting soliciting comments
- San Mateo County unincorporated areas – Country Club and Broadmoor – residential, noise concern

John (San Mateo County):

- Who trumps who – city vs. airport? The impression is that cities hold trump cards
- General plans for future development should comply with the CLUP
- FAA requires notification (FOR an 7460-1) as Federal process
- FAA determination gives information for local authorities to factor into planning/zoning/building permits
- Caltrans – ok except for building height issue
- Runways too close together – need longer, more widely spaced runways
- Future runway configuration should be taken into account

Mark Johnson (Jacobs Consultancy):

- Yes, regulations require CLUP to take Master Plan/ALP development into account
- Master Plan/ALP don't show new runways

Mark (San Mateo County):

- Unincorporated areas – Burlingame Hills, San Mateo Highlands
- Built out new hotel at Montana
- 55 new residential units on coast north at Half Moon Bay
- San Mateo County is unique – 75% open space, 25% urban, dense 20 cities with shortage of land
- Pressure from state to develop housing
- Develop Grand Boulevard – El Camino Real corridor – infill with denser housing

Bert Ganouny:

- Work with community, tenants, and FAA to minimize noise impacts
- Outreach, openness

Susy (South San Francisco):

- East at Route 101 – biotech hub
    - No height limits, just FAA limits
    - 5 story biotech buildings are 100 feet tall
- Prohibit residential development east of Route 101
- RHNA pressure for 1,600 new housing units
- Grand Boulevard housing development
    - 50-foot height limit, but increasing to 7 or 8 stories
- Caltrain near downtown – 7-8 story residential development; also near San Bruno BART station

Danielle Rinsler (SFO):

- From a cost, mitigation, and environmental standpoint, new runways are not on the table; they are a last resort
- The regional airport planning committee is looking at alternatives to SFO, OAK, and SJC
- New large aircraft are quieter than existing aircraft
- SFO is trying to shrink environmental footprint and retain capacity
- Building heights are a sensitive issue – safety
- SFO is a regional asset, very constrained

Rich (Roundtable/ALUC):

- Document under development now that is very important
- Some proposed projects may not have been hazards necessarily, but were bad ideas
- There are places where housing ought not to be built

Mark Johnson (Jacobs Consultancy):

- CLUP is a balancing act
- Must help guide everyone – locate municipalities, ALUC, and SFO Roundtable

Jacobs Consultancy Team:

- Jacobs Consultancy – aviation focus
- Clarion Associates – municipality focus

Project Advisory Committee Meeting #2

May 20, 2008

COMPREHENSIVE AIRPORT LAND USE PLAN & SECTION 160 LAND USE COMPATIBILITY PLAN

for the Environs of San Francisco International Airport

Project Advisory Committee
Meeting #2

May 20, 2008

AGENDA

1. Welcome – Dave Carbone, C/CAG ALUC Staff
2. Review of PAC Meeting #1 – Mark R. Johnson, Jacobs Consultancy
3. Noise compatibility Issues – Johnson
4. Safety compatibility Issues – Johnson
5. Airspace protection – Johnson
6. Planning process – Christopher Duerksen, Clarion Associates
7. Potential policy approaches to issues – All
8. Discussion
9. Next meeting – schedule and preliminary agenda – Carbone, Johnson

SAN FRANCISCO INTERNATIONAL AIRPORT
COMPREHENSIVE AIRPORT LAND USE COMPATIBLITY PLAN (CLUP) UPDATE

Project Advisory Meeting – Number 2
May 20, 2008
Millbrae Recreation Center

	NAME	PHONE NUMBER	E-MAIL ADDRESS
1	Daniel Crney	650 43-5600	dorney@SAMCEDA.0126
2	KEN IBARRA	650 5594613	kibarra@ci.sanbruno.ca.us
3	Ann Keighran	650-340-9399	akeighran@burlingame.org
4	BILL MEEKER	650/558-7255	WMEEKER@BURLINGAME.ORG
5	JOHN LEE	(650) 888-5081	JLEE@CITYOFSANMATEO.ORG
6	Andrew Kubik	(916) 653-9603	andy.kubik@dot.ca.gov
7	Terry Barrie	(916) 654-4151	terry.barrie@dof.ca.gov
8	Elisha Novak	(650) 876-2778, Ext. 611	elisha.novak@faa.gov
9	Tatum Mothershead	650 991-8033	tmothershead@dalycity.org
10	Susy Kalkin	650 877-8535	susy.kalkin@ssf.net
11	Judith Christensen	650-756-3128	jcindc@earthlink.net
12	Sepi Richardson	415-999-9937 (Private) (Confidential)	Sepirichardson@sbcglobal.net
13	BERT GANOUNG	650-821-5117	bert.ganoung@flysfo.com
14	Nixon Lam	(650) 821-5347	nixon.lam@flysfo.com
15	Danielle Rinsler	(650) 821-2119	Danielle.Rinsler@flysfo.com

SAN FRANCISCO INTERNATIONAL AIRPORT
COMPREHENSIVE AIRPORT LAND USE COMPATIBLITY PLAN (CLUP) UPDATE

Project Advisory Meeting – Number 2
May 20, 2008
Millbrae Recreation Center

	NAME	PHONE NUMBER	E-MAIL ADDRESS
16	Mark Johnson - JC	913-642-4401	
17	Rawley Vaughan - JC		
18	Byron Thurber - JC		
19	Eric Bernhardt - JC		
20	Chris Duerkson - Clarion		
21	Erica Heller - Clarion		
22	Dave Carbone -		
23	Rich Napier		
24			
25			
26			
27			
28			
29			
30			

Meeting Notes for SFO CLUP PAC Meeting #2 **May 20, 2008**

Introduction:

- Dave Carbone reviewed overall meeting, introduction
- Mark Johnson provided an introduction to each person and reviewed PowerPoint slides
- Chris Duerksen – Policy implementation
- Erica Heller – Improve communication between airport and municipalities

Brisbane Planner:

- Noise contours don't cover Brisbane
- But, in reality, we get noise impacts – complaints
    - Dave Carbone – noise contours are average
    - Danielle R – flight track density analysis would help

San Bruno Planner:

- What change is proposed vs. current?
- Not much – need noise insulation and noise easements
- Not same as avigation easement – debate
- Need better definitions of noise vs. avigation easements
- Compliance with Title 21
    - What exactly is in each easement?

Rich Newman:

- CLUP should unify easement process, make consistent for all municipalities, compatible for airport and communities
- When was the CLUP mandated?
    - 1965
- Standards vs. guidelines → be specific
- Safety zones – consultant was casual…FAA study was 1991 → was for accident site distribution

Daly City:

- What about edges of noise contours that may grow in the near future?
- SQL → reduced shows impact – outside 65 DNEL, but bad
- Next working paper – boundary alternatives for coverage areas

Danielle R:

- When do localities have to adopt the CLUP into General Plans?
    - When the CLUP is finalized, although they can override with a super-majority
- New editions of General Plans must take the CLUP into account
- If the ALUC finds the General Plan is inconsistent with the CLUP, the municipality has to contest finding of inconsistency – override action by ALUC that the General Plan is not consistent with the CLUP
- Once the CLUP is finalized, the consultant performs consistency evaluations and makes recommendations
    - Pick one model community

Closing Remarks:

- Next meeting – 5th Tuesday in July – 7/29/2008
- Next working paper – Policy Alternatives

Project Advisory Committee Meeting #3

September 16, 2008

COMPREHENSIVE AIRPORT LAND USE PLAN & SECTION 160 LAND USE COMPATIBILITY PLAN
for the Environs of San Francisco International Airport

Project Advisory Committee
Meeting #3

September 16, 2008

AGENDA

1. Welcome – Dave Carbone, C/CAG ALUC Staff
2. Review of PAC Meeting #2 – Mark R. Johnson, Jacobs Consultancy
3. Noise compatibility policy alternatives – Johnson
4. Safety compatibility policy alternatives – Johnson
5. Airspace protection policy alternatives – Johnson
6. Airport Influence Area definition – Johnson
7. Potential planning coordination policies – Erica Heller, Clarion Associates
8. Update on project schedule – Carbone, Johnson

Meeting Notes for SFO CLUP PAC Meeting #3 **September 16, 2008**
prepared by E. Heller, Clarion Associates

Attendees:

Ann Keihgran – Burlingame
Bill Meeker – Burlingame
Susy Kalkin – South San Francisco
Judith Christensen – Daly City
Dan Cruey – San Mateo Economic Development
Danielle Rinsler, Nixon Lam, Bert Ganoug, John – SFO
Terry Barriem, Andy Kubik – Caltrans
Elisha Novak – FAA
Dave Carbone – C/CAG
Mark Johnson/Byron Thurber – Jacobs Consultancy
Erica Heller – Clarion Associates

NOISE Alternatives presentation by Mark Johnson

NOISE Discussion

Rinsler: How do the alternatives compare to the existing regulations, community by community? What about rebuilding? Is there a loophole in the prohibition on new residential that would allow rebuilding on the parcel that is not sound insulated?

Christensen: Unlike some of the other noise sensitive uses (NSUs) discussed, schools have a substantial outdoor component that is not addressed through sound insulation. Daly City is not impacted by this, so they will support the opinions of the jurisdictions that are.

Kalkin: We may not be able to treat churches as distinct from other public assembly uses because of RLUPA. Also, they have a choice where to locate/worship.

Meeker/Kalkin: Either of the alternatives is acceptable, with some preference for Alternative 2 because it is more flexible.

Novak: Prefer Alternative 1. State guidance is a better choice because every use has some outdoor components. Experience shows that this leads to annoyance and then complaints. It is better not to let the developers build NSUs right up next to the 70 DNL contour. There are cases where developers set up a model home in such a way that it faces away from the airport, and they have loud music playing so that when people come to visit they think they can live with it. Then the experience in their actual home is different

Barrie: Housing in the 65 DNL contour would be ok if an avigation easement requirement is in place. That would protect all parties.

Kalkin: South San Francisco already has an avigation easement requirement in place. It is required only with a new entitlement.

Carbone: There are two kinds of easements in the area now. One is associated with new land uses, and the other with the MOU for noise mitigation. Some of the MOU-type had a time limit and are set to expire. The airport has achieved zero noise impact and it is very important that it is maintained.

Rinsler: The focus should be on protecting the population, whether new or existing, whether or not there is an easement. The reality is that the 65 to 70 DNL is a tough place to live and we need to ask, should we add these uses?

Christensen: The problem is that more people are coming, and they need to live somewhere. That fact is coupled with the issue that the most affordable land is generally in the noisy places.

Rinsler/Christensen: We should also consider the social justice element of placing the lowest income people in the noisiest locations.

Terry: Both avigation easements and noise disclosure should be required for new and for existing residential uses.

SAFETY Alternatives presentation by Mark Johnson

SAFETY Discussion (begun before Alternatives presentation complete)

Kalkin/Meeker/Keihgran: From a practical standpoint it is difficult to deny a similar land use to one that is on the next lot over. To say that an additional nursing home is not safe but the existing ones are is a difficult message.

Christensen: If there is truly a safety issue, it is a concern and we need to protect people.

Kalkin: What has changed? This was not in the last CLUP. When did the state add this policy guidance?

Barrie: Research was done in 1986 and has been in the guidance for some time. General Plans will have to be made consistent with the CLUP.

Carbone: The CLUP policies will only apply to new land use actions, not previous entitlements.

Meeker/Kalkin: Any discretionary local land use decision must be consistent with the General Plan, which must be consistent with the CLUP, so in practice it may affect more than just new entitlements.

Various: Density/Intensity limitations for commercial uses simply don't make sense in such a heavily built environment.

[Similar discussion continues for some time]

Heller: In some other jurisdictions, once the State gives such guidance, if additional such uses are allowed and then an accident occurs, the local government has had to answer citizens asking why they did not heed the new evidence? This may be of concern as well.

Presentation of Alternative 2 by Johnson

Kalkin/Meeker/ Keihgran: But how can we say that an existing use is safe and the same, new use is not? There needs to be consistency in the land uses we allow.

Heller: One reason to make a distinction for certain institutional uses is that people have less choice about where to go when they need health care, or education than where they choose to live or shop.

Rinsler: Perhaps the risk in the zones off the end of the Runway 19s is different from the risk in those off the Runway 28s because so little of the annual air traffic occurs off the latter.

Thurber: But the use of the Runway 19s occurs in less-than ideal weather conditions.

Kalkin: Perhaps there could be a finer grain of zones, rather than such large swaths with uniform policies.

END of Group Discussion

Other comments received at the meeting but not in front of the group:

Kallkin: Why do the zones have notches? It looks arbitrary. Can we square them off? Some limits on certain uses may make sense, but we need more time to think this through.

Agency Coordination Meeting

February 16, 2012

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

CITY MANAGER AND PLANNING DIRECTOR PRESENTATION ON COMPREHENSIVE AIRPORT LAND USE COMPATIBILITY PLAN FOR THE ENVIRONS OF SAN FRANCISCO INTERNATIONAL AIRPORT

DATE:	Thursday, February 16, 2012
TIME:	**11:30 - 1:30 P.M. (Lunch Provided)**
PLACE:	Millbrae Library 45 Poplar Millbrae, CA
PARKING:	Available adjacent to and behind building.

****

1.0 Introductions

2.0 Overview of Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport

3.0 Questions and Answers

4.0 Next Steps

5.0 Adjourn

555 COUNTY CENTER, 5TH FLOOR, REDWOOD CITY, CA 94063 PHONE: 650.599.1420 FAX: 650.361.8227
www.ccag.ca.gov

Airport Land Use Committee Meeting

February 16, 2012

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

NOTICE OF REGULAR MEETING

C/CAG AIRPORT LAND USE COMMITTEE (ALUC)

DATE: **Thursday, February 16, 2012**

TIME: **4:00 p.m.**

PLACE: **City Council Chamber at Burlingame City Hall**
501 Primrose Road, Burlingame, CA 94010
TEL: 650/558-7203 (City Clerk)
(See attached Meeting Location Map)

A G E N D A

1. **Call to Order/Roll Call/Declaration of a Quorum Present** – Richard Newman, ALUC Chairperson/Richard Napier, ALUC Staff

2. **Information Item:** Public comment on relevant items **not** on the Agenda – Richard Newman ***NOTE:*** Speakers are limited to 2 minutes. The Committee cannot take action at this meeting on any topics/issues raised under this item.

Access for Persons with Disabilities: The C/CAG Airport Land Use Committee (ALUC) meetings are accessible to persons with disabilities. Individuals who need special assistance or a disability-related modification or accommodation to participate in this meeting or who wish to request an alternative format for all meeting materials, should contact **Nancy Blair, C/CAG ALUC Staff, at 650/599-1406,** during regular business hours (8 a.m. – 5 p.m.), at least three working days before the meeting date.

Access to Public Records: Public records that relate to any item on the open session Agenda for this meeting are available for public inspection. Those records that are distributed less than 72 hours prior to the meeting are available for public inspection at the same time they are distributed to all ALUC Members, or a majority of the members of the ALUC. The ALUC has designated the C/CAG Office, at 555 County Center, Fifth Floor, Redwood City, CA 94063, for the purpose of making those public records available for inspection. Persons requesting such information should ask for Nancy Blair at the C/CAG Office.

ALUC
Airport Land Use Committee

ALUC Chairperson:
Richard Newman
Aviation Representative

ALUC Vice Chairperson:
TBD,

Airport Land Use Committee (ALUC) Staff:
Richard Napier, Executive Director – C/CAG
Sandy Wong, Deputy Executive Director – C/CAG.

A G E N D A - continued

3. **Action Item:** Review and comments on the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport - Richard Napier **pp. 1**

Document is available at: www.ccag.ca.gov/plans_reports.html

Actions:
1. Hear ALUC staff and consultant presentation
2. Solicit Public Comment
3. Committee Discussion and comments

4. ***Action Item:*** Consideration of the Airport Land Use Committee Work-Plan for FY 11-12 - Richard Napier **pp. 5**

Actions:
1. Hear ALUC staff report
2. Solicit Public Comment
3. Committee Discussion
4. Take action (direct staff to submit an ALUC recommendation to the C/CAG Board, acting as the Airport Land Use Commission)

5. ***Action Item:*** Election of Airport Land Use Committee Chair and Vice Chair Richard Napier

Actions:
1. Take Nominations
2. Vote for Chair then Vice Chair

6. ***Information Item:*** Review of Correspondence/Information items – Richard Newman

7. ***Information Item:*** Member Communications/Announcements – Richard Newman

8. **Adjourn** – Richard Newman

Note to ALUC Representatives, Alternates, and Interested Persons: ***The next Regular Meeting of the ALUC is scheduled for Thursday, March 22, 2012, unless otherwise noticed.***

CCAG_ALUC Agenda 02_16_12ver1.doc

2-16-2012.

C/CAG ALUC meeting.

Name	organization	E-mail
Bill Kehoe	Midcoast Community Council	MCCBILLKEHOE@gmail.com
Carol Ford	ALUC Alternate Rich Newman	carol_fordesbeglobal.Net
James Wadleigh	San Mateo County Airports	jwadleigh@smcgov.org
Herb Perez	Foster City Council member	HPerez@fostercity.org
Bert Ganoung	San Francisco International Airport.	bert.ganoung@flysfo.
John Bergener	SFO - Planning	john.bergener@flysfo.com
Nixon Lam	SFO - Planning	nixon.lam@flysfo.com

C/CAG

Airport Land Use Committee
Minutes
February 16, 2012

1. Call to Order/ Roll Call/ Declaration of a Quorum.

George Auld	Aviation Representative
Richard Newman	Aviation Representative
Terry O'Connell	Brisbane
Allan Alifano	Half Moon Bay
Jeffrey Gee	Redwood City
David Pine	County of San Mateo
Ray Buenaventura	Daly City (5:00 P.M.)

2. Information Item:

None.

3. Action Item: Review and comments on the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport.

C/CAG staff provided an overview of the process and key issues in the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (ALUCP) and responded to questions.

Mark Johnson, Ricondo Associates, the consultant that developed the ALUCP provided a detailed overview and responded to questions.

Board Comments included the following:

Concern was expressed that the North County cities impacted by the plan were not in attendance.

Concern was expressed about the single event noise impact to Brisbane and that this plan does not address it.

A question was asked about how the ALUCP was funded and why funding was used from SFO.

It was clarified that the same avigation easement for SFO is used by all cities.

The staff proposal for Airport Influence Area (AIA) A was questioned. Shouldnt AIA area A cover the whole County. It was suggested that a similar approach be used with the Committee as was done for San Carlos Airport. This includes an interactive

ITEM 3

presentation from the SFO Noise Office such that the Committee could optimize the Airport Influence Area A boundary.

A question was asked on the age of the operations and monitoring data used.

The map should show at least two permanent Noise Monitoring stations for Brisbane.

On the AIA charts why average the number of flights?

Include Brisbane in the AIA A reporting area.

Make certain Daly City staff are engaged in the review process.

It was stated the ALUC review as required in AIA Area B is a double edged sword since it creates more work for the city staff.

Staff and the consultant will make changes to address the issues raised and will bring this back to the ALUC at the next meeting.

4. Action Item: Consideration of the Airport Land Use Work-Plan for FY 11-12.

This item was CONTINUED to the next ALUC meeting.

A copy of the Request for Proposal for Half Moon Bay Airport was requested.

5. Action Item: Election of Airport Land Use Committee Chair and Vice - Chair.

This item was CONTINUED to the next ALUC meeting.

8. Adjourn

Meeting was adjourned at 5:55 P.M.

C/CAG AGENDA REPORT

Date: February 16, 2012

TO: Airport Land Use Committee

From: Richard Napier - Executive Director, C/CAG

Subject: Review and comments on the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport

(For further information or response to questions, contact Richard Napier at 650 599-1420)

Recommendation:

Review and comments on the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport.

Fiscal Impact:

Annual cost impact of $25-50,000 annually. Function of the number of consistency reviews performed annually.

Source of Revenue:

No identified revenue source. Funds come from the General Fund. Need to work with the airport operator to get funds to support the normal Airport Land Use Commission (ALUC) activities for San Francisco International Airport.

Background:

C/CAG as the Airport Land Use Commission for San Mateo County is responsible for developing a Comprehensive Airport Land Use Compatibility Plan (CLUP) for all four airports in San Mateo County. These airports include San Francisco International Airport (SFIA), Half Moon Bay, San Carlos, and Palo Alto (shared with Santa Clara County Airport Land Use Commission). These plans must be developed consistent with the California Department of Transportation Division of Aeronautics *Airport Land Use Planning Handbook*, 2011. Because the update of the ALUCP was partially funding by a grant from the Federal Aviation Administration (FAA), the plan update process also must comply with Federal guidance. The ALUCP for all four airports are dated. C/CAG has begun updating the ALUCP. The first ALUCP (also called CLUP) to be updated is for San Francisco International Airport.

In addition to the FAA grant, C/CAG received grants from the California Division of Aeronautics, and SFIA to update the CLUP for San Francisco International Airport. This update was initiated in 2008. It was delayed due to FAA approval of updated noise contours, delay in

completing the Aeronautics Handbook 2011, and approval of the Runway Safety Area Program at SFIA. A draft of the Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport is completed and will be presented to the Airport Land Use Committee (ALUC). C/CAG originally hired Jacobs Consultancy, which subcontracted with Ricondo & Associates, Inc., to develop the ALUCP for SFIA.

Process:

C/CAG established a Project Advisory Committee to aid in the development of the ALUCP (CLUP) for San Francisco International Airport. The Committee met three times and received initial presentations from the consultant. It was clear given the complex issues for the update of the ALUCP (CLUP) for SFIA and the controversy raised at the Project Advisory Committee meetings that the process needed to be modified. The process that was followed was for the ALUC staff and the C/CAG Executive Director to meet individually with the City Managers and Planning Directors of the primary cities impacted. These included Daly City, Brisbane, South San Francisco, San Bruno, Millbrae, and Burlingame. ALUC staff and the C/CAG Executive Director then met with SFIA Director and Planning Manager. This approach was followed several times on the various critical issues such as noise contour, avigation easement and process, height limits, and Runway Safety Area Program. Each issue was worked until both the Cities and SFIA were satisfied with the approach. After all the major issues were addressed, Ricondo was directed to develop a draft of the Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport consistent with the agreement on the issues between the cities and San Francisco International Airport. The draft is completed and is being brought to the Airport Land Use Committee for their comments.

Major Issues:

Avigation Easement - The CLUP requires Avigation Easements to be granted to SFIA by developers of certain "conditionally compatible" land uses in the Airport Influence Area. The purpose of the Avigation Easement is to grant an easement to SFIA for the normal operation of aircraft. These include over-flight, vibration, and noise from normal aircraft operation. These easements allow SFIA to operate without a waiver required. The property owner retains all rights associated with regard to abnormal aircraft operation. The Avigation Easement includes a trigger that if the sound increases 3dB for three out of four quarters that the easement is no longer in effect until the noise level is reduced to below 3 dB. The easement must be granted upon receipt of the building permits. Upon notice from the cities that the project is not being built, SFIA must relinquish the Avigation Easement. The detailed language is shown in Appendix G pages 10 thru 17.

Noise - As a result of aircraft engine technology that significantly reduces the sound, the respective noise contours (60, 65, 70 dB CNEL) have significantly been reduced since the original CLUP was adopted. The old noise contour for 70dB is now essentially the current 60 dB contour. This has significantly reduced the overall noise impact from operations at San Francisco International Airport. It is unlikely that the noise contours will be significantly reduced in the future. The CLUP specifically defines the allowable land uses for the greater than 65, 70 75 dB CNEL areas. New housing, hospitals, schools, and places of public assembly

within the CNEL 65 dB contour must be sound-insulated. With one exception, these uses are not allowed within the CNEL 70 dB contour. New housing is allowed between the CNEL 70 and 75 dB contours on existing lots of record, subject to sound insulation. It is important to note that this does limit some housing development in San Bruno on El Camino Real. San Francisco International Airport has an ongoing noise monitoring program. The detailed noise contours are shown in Appendix D - Figure D-2 and Figure D-3.

Height

A mapping effort was done to illustrate the critical aeronautical surfaces. The aeronautical surfaces include those established in accordance with FAA Order 8260.3B, Terminal Instrument Procedures (TERPS), and One Engine Inoperative (OEI) departures from 28L (to the west through San Bruno Gap). These are mapped and shown in Exhibit IV-17 and Exhibit IV-18. These exhibits depict the lowest elevations from the combination of the OEI procedure surface and all TERPS surfaces. These surfaces indicate the maximum feasible height at which structures can be considered compatible with Airport operations.

An Interactive Airspace Tool has been developed that reflect the critical airspace surfaces that will allow Planners to easily determine the heights that are acceptable on a particular piece of property. This will significantly simplify the task for the city Planners.

Safety Zones

The Aeronautics Division Handbook (2011) advises the creation of five sets of safety zones associated with each runway at air carrier airports. For the SFIA CLUP, four safety zones were established for Runways 8L-26R and 8R-26L and the north end of Runways 1L-19R and 1R-19L. The fifth zone, the Sideline Zone, was considered to be unnecessary since all land covered by that zone is on Airport property and inside the Airport security fence. SFIA's obligations to comply with FAA airfield design requirements ensures that these areas will remain compatible with Airport operations. The four safety zones include Runway Protection Zone (RPZ), Inner Approach/ Departure Zone (IADZ), Inner Turning Zone (ITZ) and Outer Approach/ Departure Zone (OADZ). All the zones are shown in Exhibit IV-7.

Only three zones are defined off the south end of Runways 1L-19R and 1R-19L. Those include the RPZ, IADZ, and ITZ. No OADZ is designated in that area. In addition, the IADZ and the ITZ are smaller than suggested in the Caltrans guidance. Adjustments were made in these zones based on the very rare use of these runway ends and the flight procedures for these runways that avoid extended, straight-in final approaches and straight-out departures.

Land use restrictions in the safety zones would prohibit the development of new residential areas, schools, hospitals and nursing homes, places of public assembly, critical public utilities, and the manufacture, processing, and storage of hazardous materials. Because the areas within the safety zones are fully developed, however, the land use restrictions within the safety zones have little practical effect. Existing residences off the west and south ends of both sets of runways would become nonconforming uses. Off the south end of Runways 1L-19R and 1R-19L, two places of worship, one hospital and one school would become nonconforming. Parts of

Mills Peninsula Hospital and Mills High School are also inside the proposed safety zones and would become nonconforming uses. Nonconforming buildings may be modified, and they may be reconstructed if destroyed by calamity as long as the degree of nonconformity is not increased. This means that additional dwelling units cannot be added to nonconforming residences, and the size of nonresidential uses cannot be increased.

The safety zones off the north ends of Runways 1L-19R and 1R-19L and 10L-28R and 10R-28L have no impact since they are over San Francisco Bay.

CEQA Documentation

C/CAG has contracted with Ricondo and Associates to do the CEQA analysis of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport. This work is currently underway. The consultant is nearing completion of a CEQA Initial Study. Thus far, it appears that a Negative Declaration will likely be justified. A draft of the initial CEQA analysis is due in February. This will be brought to the Airport Land Use Committee at a future meeting. A recommendation will then be referred to the C/CAG Board for approval.

Next Steps:

C/CAG staff will make changes based on the comments provided at the 2/16/12 ALUC meeting. An ALUC meeting is scheduled for March 22, 2012 to review the document with the final changes. At the 3/22/12 meeting ALUC will be requested to recommend approval to the C/CAG Board. The C/CAG Board will review and consider approval of Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport at the May 10, 2012 meeting. The CEQA document will be submitted to ALUC on May 17, 2012 and to the C/CAG Board on June 8.

Document Availability:

Go to *www.ccag.ca.gov/plans_reports.html*

Airport Land Use Committee Meeting

March 22, 2012

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

NOTICE OF REGULAR MEETING

C/CAG AIRPORT LAND USE COMMITTEE (ALUC)

DATE: **Thursday, March 22, 2012**

TIME: **4:00 p.m.**

PLACE: **City Council Chamber at Burlingame City Hall**
501 Primrose Road, Burlingame, CA 94010
TEL: 650/558-7203 (City Clerk)

A G E N D A

1. **Call to Order/Roll Call/Declaration of a Quorum Present** – Richard Newman, ALUC Chairperson/Richard Napier, ALUC Staff

2. **Information Item:** Public comment on relevant items **not** on the Agenda – Richard Newman ***NOTE:*** Speakers are limited to 2 minutes. The Committee cannot take action at this meeting on any topics/issues raised under this item.

3. **Action Item -** Consideration/approval of Action Minutes for the February 16, 2012 ALUC Regular Meeting **pp. 1**

4. **Action Item** - Election Of ALUC Officers For Calendar Year 2012

   a. Election of ALUC Chairperson
      ACTION: Nominate/Elect Chairperson
   b. Election of ALUC Vice-Chairperson
      ACTION: Nominate/Elect Vice-Chairperson

Airport Land Use Committee

ALUC Chairperson:
Richard Newman
Aviation Representative

ALUC Vice Chairperson:
TBD,

Airport Land Use Committee (ALUC) Staff:
Richard Napier, Executive Director – C/CAG
Sandy Wong, Deputy Executive Director – C/CAG.

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5. **Action Item:** Review and comments on the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport - Richard Napier **pp. 5**

Document is available at: www.ccag.ca.gov/plans_reports.html

Actions:
1. Hear ALUC staff and consultant presentation
2. Solicit Public Comment
3. Committee Discussion and comments

6. **Action Item:** Review and comments on the Initial Study and Negative Declaration for the Comprehensive Land Use Plan for the Environs of San Francisco International Airport - Richard Napier **pp. 9**

Document is available at: www.ccag.ca.gov/plans_reports.html

Actions:
1. Hear ALUC staff and consultant presentation
2. Solicit Public Comment
3. Committee Discussion and comments

7. ***Action Item:*** Consideration of the Airport Land Use Committee Work-Plan for FY 11-12 - Richard Napier **pp. 11**

Actions:
1. Hear ALUC staff report
2. Solicit Public Comment
3. Committee Discussion
4. Take action (direct staff to submit an ALUC recommendation to the C/CAG Board, acting as the Airport Land Use Commission)

8. ***Information Item:*** Review of Correspondence/Information items – Richard Newman

Information: Request for Proposal (RFP) for Half Moon Bay Airport **pp. 13**

9. ***Information Item:*** Member Communications/Announcements – Richard Newman

10. **Adjourn** – Richard Newman

Note to ALUC Representatives, Alternates, and Interested Persons: ***The next Regular Meeting of the ALUC is scheduled for Thursday, April 19, 2012, unless otherwise noticed.***

Access for Persons with Disabilities: The C/CAG Airport Land Use Committee (ALUC) meetings are accessible to persons with disabilities. Individuals who need special assistance or a disability-related modification or accommodation to participate in this meeting or who wish to request an alternative format for all meeting materials, should contact **Nancy Blair, C/CAG ALUC Staff, at 650/599-1406,** during regular business hours (8 a.m. – 5 p.m.), at least three working days before the meeting date.

Access to Public Records: Public records that relate to any item on the open session Agenda for this meeting are available for public inspection. Those records that are distributed less than 72 hours prior to the meeting are available for public inspection at the same time they are distributed to all ALUC Members, or a majority of the members of the ALUC. The ALUC has designated the C/CAG Office, at 555 County Center, Fifth Floor, Redwood City, CA 94063, for the purpose of making those public records available for inspection. Persons requesting such information should ask for Nancy Blair at the C/CAG Office.

March 22, 2012 C/CAG Airport Land Use Committee (ALUC) meeting Sign-In Sheet

Name	E-Mail	Organization	Signature
Members/ Alternates			
Alifano, Allan	allana@hmbcity.com	Half Moon Bay	
Buenaventura, Raymond	rbuenaventura@dalycity.org	Daly City	
Deal, Jerry	jdeal@burlingame.org	Burlingame	
Ford, Carol	carol_ford@sbcglobal.net		Carol Ford
Garbarino, Rich	rich.garbarino@ssf.net	South San Francisco	
Gee, Jeffrey	jgee@redwoodcity.org	Redwood City	
Gottschalk, Robert	rgottschalk@svcglobal.net		Present
Grassilli, Bob	Wiryguy@aol.com	San Carlos	
Grocott, Matt	mgrocott@cityofsancarlos.org	San Carlos	
Ibarra, Ken	kibarra@ci.sanbruno.ca.us	San Bruno	
Keighran, Anne	akeighran@burlingame.org	Burlingame	Anne Keighran
Medina, Rico	rmedina-web@sanbruno.ca.gov	San Bruno	
Miller, Raymond	rmiller@ci.brisbane.ca.us	Brisbane	
Mullin, Kevin	Kevin.Mullin@ssf.net	South San Francisco	Kevin Mullin
Newman, Rich	rnewman@rochex.com		Present
O'Connell, Terry	toconnell@ci.brisbane.ca.us	Brisbane	T O'Connell
Okamoto, Steve	sokamoto@fostercity.org	Foster City	
Patridge, Naomi	naomip@hmbcity.com	Half Moon Bay	
Perez, Herb	hperez@fostercity.org	Foster City	
Pine, Dave	dave.pine@comcast.net	County of San Mateo	David Burn
Staff Support/Interested Parties			
Napier, Richard		C/CAG	Present
Wong, Sandy		C/CAG	
Johnson, Mark	m_johnson@ricondo.com	Ricondo Associates	
Bergener, John	john.bergenes@flysfo.com	SFO - Planning	
Ganoung, Bert	bert.ganoung@flysfo.com	SFIA	
Kehoe, Bill	mccbillkehoe@gmail.com	Midcoast Community Council	
Ketcham, Lisa	lisa.ketcham@comcast.net		
Lam, Nixon	nixon.lam@flysfo.com	SFO - Planning	
Stein, Laura	laura.stein@comcast.net		
Wadleigh, James	jwadleigh@smcgov.org	San Mateo County Airport	

March 22, 2012 C/CAG Airport Land Use Committee (ALUC) meeting Sign-In Sheet

Name	E-Mail	Organization	Signature
ALLEN GEORGE	george-auer@sbcglobal.net	HMB Pilots	
FARHAD MONTAZAVI	fmontazavi@ci.millbrae.ca.us	CITY of MILLBRAE	Farhad Montazavi
CLAYTON HOLSTINE	citymanager@ci.brisbane.ca.us	BRISBANE	

a

C/CAG

Airport Land Use Committee
Minutes
March 22, 2012

1. Call to Order/ Roll Call/ Declaration of a Quorum.

George Auld	Aviation Representative
Richard Newman	Aviation Representative
Terry O'Connell	Brisbane
Allan Alifano	Half Moon Bay
Jeffrey Gee	Redwood City
David Pine	County of San Mateo
Ray Buenaventura	Daly City
Kevin Mullin	South San Francisco
Ken Ibarra	San Bruno
Ann Keighran	Burlingame
Robert Gottschalk	
Carol Ford	Alternate

2. Information Item:

None.

3. Action Item: Consideration/Approval of Action Minutes for the February 16, 2012 ALUC Regular Meeting APPROVED.

4. Action Item: Election of Officers for Calendar Year 2012

a- Richard Newman was elected Chair
b- Ann Keighran was elected Vice Chair

5. Action Item: Review and comments on the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport.

C/CAG staff provided an overview of the process and key issues in the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (ALUCP) and responded to questions.

Mark Johnson, Ricondo Associates, the consultant that developed the ALUCP provided a detailed overview and responded to questions.

Board Comments included the following:

Airport Influence Area A/B - Show city boundaries under the flight track data.
Why the cutout on the coast?
Can we add all three airports together?
Provide handouts of flight track data for the next meeting.
Staff make a recommendation for both A and B
Does this represent the best practice?
Real Estate disclosure minimum is within 2 miles.
Purpose of disclosure is to notify that there will be overflights
Should ask SAMCAR to testify.
Should do the flight tracking data at 5,000/10,000 and unlimited

Public

Clay Holstine - Expressed concern about aircraft operations and real estate disclosure in Brisbane. Need to have education on this issue. Given the operational issues over Brisbane do not want to have rights subverted.

6- Action Item: Review and Comments on the Initial Study and Negative Declaration for the Comprehensive Land Use Plan for the Environs of San Francisco International Airport

Mark Johnson of Ricondo provided an overview of the Initial Study and Negative Declaration for the Comprehensive Land Use Plan for the Environs of San Francisco International Airport and responded to questions. This was an initial draft with work still to be done. It will be brought back at future ALUC meeting.

Board Comments included the following:

50% increase in the exits of a school/ hospital that is in nonconformance may be a problem. These additional exits should be in the expansion are. Staff agreed.
Does Peninsula Hospital violate airspace?

Board requested that staff resolve all the issues before bringing the item back to ALUC.

7. Action Item: Consideration of the Airport Land Use Work-Plan for FY 11-12.
APPROVED

8. Information Item: None

9. Information Item: None

10. Adjourn

Meeting was adjourned at 5:50 P.M.

Airport Land Use Committee Meeting

June 21, 2012

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

NOTICE OF REGULAR MEETING

C/CAG AIRPORT LAND USE COMMITTEE (ALUC)

DATE: **Thursday, June 21, 2012**

TIME: **4:00 p.m.**

PLACE: **City Council Chamber at Burlingame City Hall**
501 Primrose Road, Burlingame, CA 94010
TEL: 650/558-7203 (City Clerk)

A G E N D A

1. **Call to Order/Roll Call/Declaration of a Quorum Present** – Richard Newman, ALUC Chairperson/Richard Napier, ALUC Staff

2. **Information Item:** Public comment on relevant items **not** on the Agenda – Richard Newman ***NOTE:*** Speakers are limited to 2 minutes. The Committee cannot take action at this meeting on any topics/issues raised under this item.

3. **Action Item -** Consideration/approval of Action Minutes for the March 22, 2012 ALUC Regular Meeting **pp. 1**

4. **Action Item:** Review and comments on the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport - Richard Napier **pp. 5**

   Document is available at: www.ccag.ca.gov/plans_reports.html

   Actions:
   1. Hear ALUC staff and consultant presentation
   2. Public Comment
   3. Committee Discussion and comments
   4. Recommend ALUCP document for Initial Study and Negative Declaration

Airport Land Use Committee

ALUC Chairperson:
Richard Newman
Aviation Representative

ALUC Vice Chairperson:
TBD,

Airport Land Use Committee (ALUC) Staff:
Richard Napier, Executive Director – C/CAG
Sandy Wong, Deputy Executive Director – C/CAG.

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5. **Action Item:** Status update on the Initial Study and Negative Declaration for the Comprehensive Land Use Plan for the Environs of San Francisco International Airport - Richard Napier
   Document is available at: www.ccag.ca.gov/plans_reports.html

   Actions:
   1. Hear ALUC staff and consultant presentation
   2. Solicit Public Comment
   3. Committee Discussion and comments

6. ***Action Item:*** Consideration of the Scope of Work for the Half Moon Bay Airport Land Use Compatibility Plan – Sandy Wong **pp. 11**

   Actions:
   1. Hear ALUC staff report
   2. Solicit Public Comment
   3. Committee Discussion

7. ***Information Item:*** Review of Correspondence/Information items – Richard Newman
   See Attachment B

8. ***Information Item:*** Member Communications/Announcements – Richard Newman

9. **Adjourn** – Richard Newman

Note to ALUC Representatives, Alternates, and Interested Persons: ***The next Regular Meeting of the ALUC is scheduled for Thursday, July 19, 2012, unless otherwise noticed.***

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Airport Land Use Committee Meeting

August 23, 2012

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

C/CAG AIRPORT LAND USE COMMITTEE (ALUC)

NOTICE OF REGULAR MEETING

DATE: Thursday, August 23, 2012

TIME: 4:00 P.M.

PLACE: City Council Chamber at Burlingame City Hall
501 Primrose Road, Burlingame, CA 94010
Tel: 650 558-7203 (City Clerk)

AGENDA

1. **Call to Order/Roll Call/Declaration of a Quorum Present** – Richard Newman, ALUC Chairperson/Richard Napier, ALUC Staff

2. **Information Item:** Public comment on relevant items **not** on the Agenda – Richard Newman

   Note: Speakers are limited to 2 minutes. The Committee cannot take action at this meeting on any topics/issues raised under this item.

3. **Action Item** - Consideration/approval of Action Minutes for the June 21, 2012 ALUC Regular Meeting p. 1

4. **Action Item:** Review and comments on the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport - Richard Napier p. 5
   Document is available at: www.ccag.ca.gov/plans_reports.html

   Actions:
   1. Hear ALUC staff and consultant presentation
   2. Public Comment
   3. Committee Discussion and comments
   4. Recommend acceptance of ALUCP Changes

ALUC Chairperson:
Richard Newman
Aviation Representative

ALUC Vice Chairperson:
Ann Keighran
Burlingame

ALUC Staff:
Richard Napier, Executive Director – C/CAG
Sandy Wong, Deputy Executive Director – C/CAG

5. **Action Item:** Presentation and Public Hearing on the Initial Study and Negative Declaration for the Comprehensive Land Use Plan for the Environs of San Francisco International Airport – Richard Napier p. 23
Document is available at: www.ccag.ca.gov/plans_reports.html

Actions:
1. Hear ALUC staff and consultant presentation
2. Solicit Public Comment
3. Committee Discussion and comments
4. Recommend acceptance and provide modifications

6. **Action Item:** Receive the updated consultant Scope of Services and schedule for the Update of the Airport Land Use Compatibility Plan (ALUCP) for the Environs of Half Moon Bay Airport. – Sandy Wong p. 45

Actions:
1. Hear ALUC staff report
2. Solicit Public Comment
3. Committee Discussion

7. **Information item:** Information items – Richard Newman

8. **Information item:** Member Communications/Announcements – Richard Newman

9. **Adjourn** – Richard Newman

Note to ALUC Representatives, Alternates, and Interested Persons: The next Regular Meeting of the ALUC is scheduled for Thursday, September 27, 2012, unless otherwise noticed.

Access for Persons with Disabilities: The C/CAG Airport Land Use Committee (ALUC) meetings are accessible to persons with disabilities. Individuals who need special assistance or a disability-related modification or accommodation to participate in this meeting or who wish to request an alternative format for all meeting materials, should contact **Nancy Blair, C/CAG ALUC Staff, at 650/599-1406,** during regular business hours (8 a.m. – 5 p.m.), at least three working days before the meeting date.

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C/CAG

Airport Land Use Committee (ALUC)
Minutes
June 21, 2012

1. Call to Order/ Roll Call/ Declaration of a Quorum.

George Auld	Aviation Representative
Richard Newman	Aviation Representative
Terry O'Connell	Brisbane
Allan Alifano	Half Moon Bay
Jeffrey Gee	Redwood City
David Pine	County of San Mateo
Rich Garbarino	South San Francisco
Matt Grocott	San Carlos
Rico Medin	San Bruno
Robert Gottschalk	Millbrae

Staff and guests in attendance: RNapier and SWong (C/CAG), MJohnson (Ricondo), JBergner and NLam (SFO), BKehoe and LKetcham (MCC), JWadleigh (SM County Airport), SKalkin (SSF), MSullivan and AAknin (San Bruno), BMillar (Daly City), FMontazavi (Millbrae)

2. Information Item:

None.

3. Action Item: Consideration/Approval of Action Minutes for the March 22, 2012 ALUC Regular Meeting APPROVED.

4. Action Item: Review and comments on the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport.
APPROVED

C/CAG staff provided an overview of the process and key issues in the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (ALUCP) and responded to questions.

Mark Johnson, Ricondo Associates, the consultant that developed the ALUCP provided a detailed overview and responded to questions.

Board Comments included the following:

Avigation Easement goes with the project not the land.
Reference to policy GP - 5.3
Should only have a certain time to perform

Locals have their own timeline
Leave GP - 5.3 as proposed by Staff
Possibly survey validity of application
Proposed "Goes with the local timeframe or three years"

Disclosure Area A
Include the City of Half Moon Bay in the Disclosure
Include the whole County
Better to disclose more than less

Public:

John Bergener (Staff - SFO) - Supports GP 5.1 and GP 5.2. Requested GP-5.3 be deleted.

Suzy Kalkin (Staff - South San Francisco) - Requested GP-5.3 be included. Also provided some changes for consideration.

Aaron Aknin (Staff - San Bruno) - Height restrictions impacts the Crossings project. Questioned why the height limits changed.

Farhad Matazavo (Staff - Millbrae) - Requested his comment letter be included in the final ALUCP.

Action:

Action: Member O'Connell MOVED and Member Alifano SECONDED to include all of San Mateo County in the real estate disclosure Area A.. PASSED unanimously.

Action: Member Gee MOVED and Member Pine SECONDED to include the GP-5.3 language. PASSED unanimously.

With these changes the ALUCP is defined for the CEQA document.

5- Action Item: Status update on the Initial Study and Negative Declaration for the Comprehensive Land Use Plan for the Environs of San Francisco International Airport
NO ACTION TAKEN

Mark Johnson of Ricondo provided an overview of the Initial Study and Negative Declaration for the Comprehensive Land Use Plan for the Environs of San Francisco International Airport and responded to questions.

Board Comments included the following:
Requesting comments by the next ALUC meeting of 7/19/2012 is not adequate time.
Cancel 7/19/2012 ALUC meeting and reschedule for 8/23/2012 to provide more comment time.
Look at ALUCP with fresh set of eyes.

Action:
No action taken by the Committee.

ALUC 7/19/2012 meeting rescheduled to 8/23/2012 to allow more public comment time for the Initial Study and Negative Declaration.

6. Action Item: Consideration of the Scope of Work for the Half Moon Bay Airport Land Use Compatibilty Plan. APPROVED

Public:

Lisa Ketcham requested a meeting on the Mid-Coast

Action: Member Pine MOVED and Member Gee SECONDED the Scope of Work for the Half Moon Bay Airport Land Use Compatibilty Plan as presented by staff, and nominated members Pine, Alifano, and Auld to serve on the Project Advisory Team. PASSED unanimously.

7. Information Item: None

8. Information Item: None

9. Adjourn

Meeting was adjourned at 5:45 P.M.

C/CAG AGENDA REPORT

Date: August 23, 2012

TO: Airport Land Use Committee

From: Richard Napier - Executive Director, C/CAG

Subject: Review and comments on the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport

(For further information or response to questions, contact Richard Napier at 650 599-1420)

Recommendation:

Review and accept the staff recommended changes to the Comprehensive Airport Land Use Compatibility Plan (ALUCP) for the Environs of San Francisco International Airport.

Fiscal Impact:

$46,000 to complete the ALUCP. Annual cost impact of $25-50,000 annually. Function of the number of consistency reviews performed annually.

Source of Revenue:

No identified revenue source. Funds come from the General Fund and airport operators. Need to work with the airport operator to get funds to support the normal Airport Land Use Commission (ALUC) activities for San Francisco International Airport.

Background:

C/CAG as the Airport Land Use Commission for San Mateo County is responsible for developing a Comprehensive Airport Land Use Compatibility Plan (CLUP) for all four airports in San Mateo County. These airports include San Francisco International Airport (SFIA), Half Moon Bay, San Carlos, and Palo Alto (shared with Santa Clara County Airport Land Use Commission). These plans must be developed consistent with the California Department of Transportation Division of Aeronautics *Airport Land Use Planning Handbook*, 2011. Because the update of the ALUCP was partially funding by a grant from the Federal Aviation Administration (FAA), the plan update process also must comply with Federal guidance. The ALUCP for all four airports are dated. C/CAG has begun updating the ALUCP. The first ALUCP (also called CLUP) to be updated is for San Francisco International Airport.

In addition to the FAA grant, C/CAG received grants from the California Division of Aeronautics, and SFIA to update the CLUP for San Francisco International Airport. This update was initiated in 2008. It was delayed due to FAA approval of updated noise contours, delay in

completing the Aeronautics Handbook 2011, and approval of the Runway Safety Area Program at SFIA. A draft of the Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport is completed and will be presented to the Airport Land Use Committee (ALUC). C/CAG originally hired Jacobs Consultancy, which subcontracted with Ricondo & Associates, Inc., to develop the ALUCP for SFIA.

Outreach:

Since the June 21, 2012 ALUC meeting C/CAG staff and the consultant have been working with the stakeholders to make a final recommendation on the ALUCP for the Environs of San Francisco International Airport. The ALUCP was modified in accordance with the Committee recommendations. A revised ALUCP document was provided and distributed to the Committee and stakeholders as part of the circulation of the Initial Study and Negative Declaration for the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport.

Project Transition Issue:

At the June 21, 2012 Airport Land Use Committee meeting ALUC approved language for GP-5.3 to address projects caught between the transition of successive Airport Land Use Compatibility Plans. However, questions were raised if it was too broad and not well enough specified. C/CAG staff worked with the stakeholders to develop tighter language that was more specific but still met the intended goal.

Proposed Changes:

The following additional changes are recommended to the July 2012 ALUCP for the environs of San Francisco International Airport.

In Chapter III Page III-7 - Delete the current GP - 5.3 language in total:

~~***GP-5.3 Land Use Policy and Development Actions in the Review Process Before the Effective Date of this ALUCP***~~
~~Proposed land use policy or development actions for which applications were deemed complete per the Government Code by the local agency within six months prior to the effective date of this ALUCP are subject to the previous CLUP.~~

~~If any of the changes described in Policy GP-5.1 are proposed after the effective date of this ALUCP and before the land use policy or development actions are approved by the local agency, they must be reviewed for consistency with this ALUCP, even if previously reviewed by the Airport Land Use Commission (C/CAG Board).~~

In Chapter III Page III-7 insert after GP-5.2 the following:

GP-5.3 Development Actions in the Review Process Before the effective Date of this ALUCP

Any proposed development action located between the 2006 NEM and 2020 Forecast 70 dB CNEL noise contours, that has an application deemed complete per the California government

code by the local agency prior to adoption of this ALUCP, will be evaluated for noise consistency only under the 2006 NEM 70 db CNEL noise contour provided that the proposed development action meets all other requirements of this ALUCP. See attached Exhibit III-1.

In Chapter III Insert after Page III-8 create and add the following new Exhibit:
{Same as Exhibit 5 in Initial Study and Negative Declaration}

Exhibit III-1 Effects of Proposed ALUCP Noise Policies on Residential Areas Designated in General/ Specific Plans

In the Legend under the Orange add: **except as provided in Policy GP-5.3**

In Exhibit 5 of the Initial Study and Negative Declaration under the Legend next to Orange add: **except as provided in Policy GP-5.3**

Additional changes are shown in Attachment 1.

All the staff recommended changes shown in Attachment 1 are supported by both the City of South San Francisco and San Francisco International Airport.

Caltrans Division of Aeronautics Comments:

Attachment 2 provides a copy of the comment letter received from the Caltrans Division of Aeronautics. The main issues raised are 1- Policies should be traceable to the Airport Land Use Planning Handbook, 2- Would like specific policies pertaining to density and intensity of uses in safety zones, and 3- Provide clear policy direction. The consultant is reviewing the letter and will develop a response letter and any recommended changes to the ALUCP for the environs of San Francisco International Airport. The consultant will provide an initial response at the ALUC meeting.

Next Steps:

C/CAG staff has provided its recommendations based on the comments and discussions received to date. At the 8/23/12 meeting it is requested that ALUC accept the staff recommended changes. The CEQA document will also be submitted to ALUC on August 23, 2012. The Draft Initial Study and Negative Declaration was distributed the first week of July. A public hearing will be held to take public comments. It is suggested that ALUC have a September 27, 2012 to address any changes to the ALUCP and the CEQA document. At the September 27, 2012 meeting ALUC will be requested to recommend approval to the C/CAG Board.

The C/CAG Board will review and consider approval of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport at the October 11, 2012 meeting. The CEQA document will also be submitted to the C/CAG Board on October 11, 2012. The C/CAG Board will approve the ALUCP and the Initial Study and Negative Declaration at the November 8, 2012 meeting.

Attachments:

Attachment 1 - SFO ALUCP Proposed Changes
Attachment 2 - Caltrans Division of Aeronautics Comments

Document Availability:

Go to *www.ccag.ca.gov/plans_reports.html*

ATTACHMENT 1

SFO ALUCP PROPOSED CHANGES

SFO ALUCP PROPOSED CHANGES

In Chapter III Page III-7 - Delete the current GP - 5.3 language in total:

~~***GP-5.3 Land Use Policy and Development Actions in the Review Process Before the Effective Date of this ALUCP***~~
~~Proposed land use policy or development actions for which applications were deemed complete per the Government Code by the local agency within six months prior to the effective date of this ALUCP are subject to the previous CLUP.~~

~~If any of the changes described in Policy GP-5.1 are proposed after the effective date of this ALUCP and before the land use policy or development actions are approved by the local agency, they must be reviewed for consistency with this ALUCP, even if previously reviewed by the Airport Land Use Commission (C/CAG Board).~~

In Chapter III Page III-7 insert after GP-5.2 the following:

GP-5.3 Development Actions in the Review Process Before the effective Date of this ALUCP

Any proposed development action located between the 2006 NEM and 2020 Forecast 70 dB CNEL noise contours, that has an application deemed complete per the California government code by the local agency prior to adoption of this ALUCP, will be evaluated for noise consistency only under the 2006 NEM 70 db CNEL noise contour provided that the proposed development action meets all other requirements of this ALUCP. See attached Exhibit III-1.

In Chapter III Insert after Page III-8 create and add the following new Exhibit:
{Same as Exhibit 5 in Initial Study and Negative Declaration}

Exhibit III-1 Effects of Proposed ALUCP Noise Policies on Residential Areas Designated in General/ Specific Plans

In the Legend under the Orange add**: except as provided in Policy GP-5.3**

In Exhibit 5 of the Initial Study and Negative Declaration under the Legend next to Orange add:

except as provided in Policy GP-5.3

In Chapter III Page III-13:

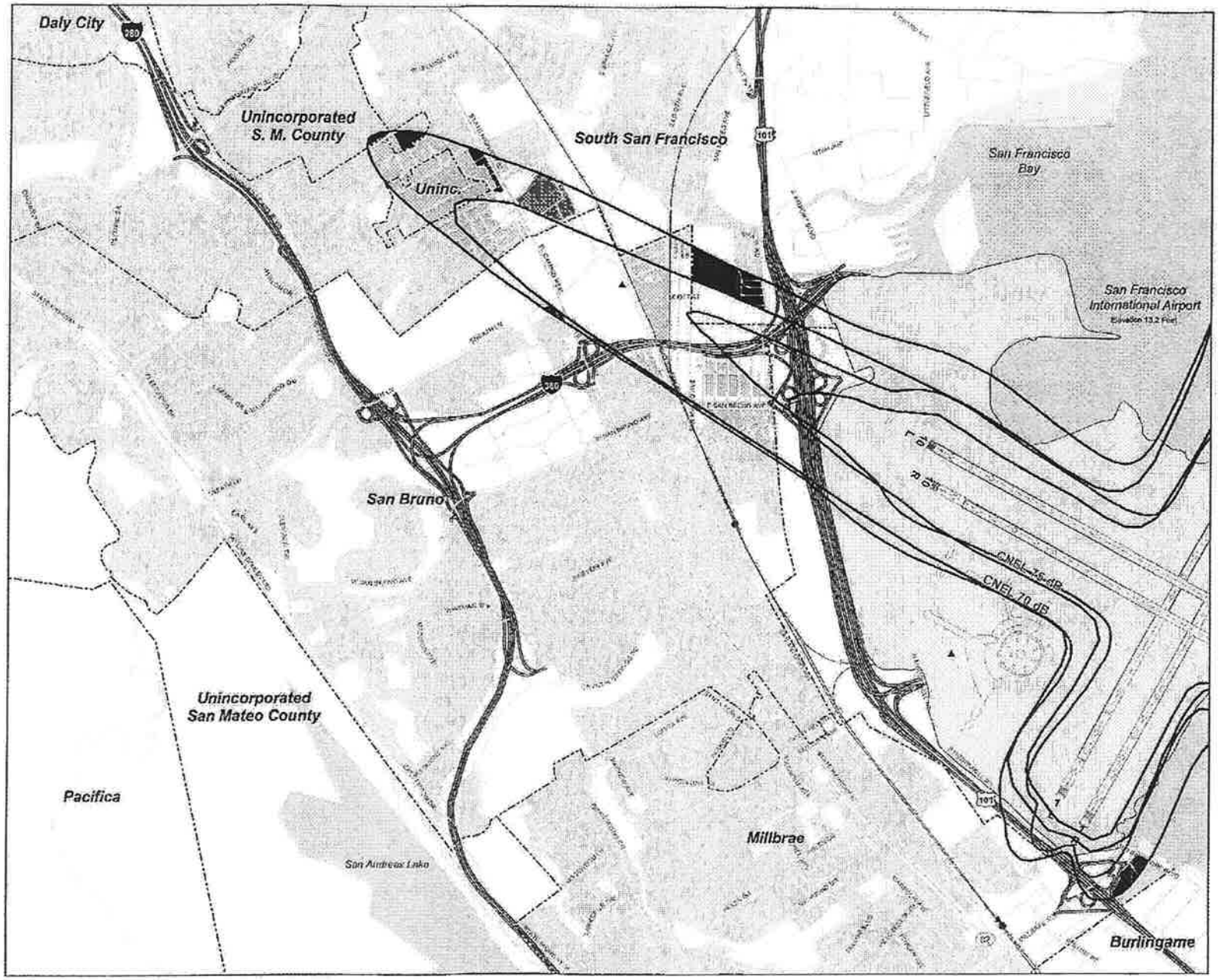
Renumber ~~Exhibit III-1~~ to Exhibit III-2

In Chapter III Page III-18 Section 3.3.3.2 Second Paragraph:

Renumber ~~Exhibit III-2~~ to Exhibit III-3

In Chapter III Page III-21:

Renumber ~~Exhibit III-2~~ to Exhibit III-3



LEGEND

- 1995 CLUP Noise Contour (2006 NEM)
- Updated ALUCP Noise Contour (2020 Forecast)
- BART Stations
- CALTRAIN Stations
- Airport Property
- Municipal Boundary
- Railroads
- Freeways
- Roads
- Residential Uses Allowed per General/Specific Plan and ALUCP
- Limited Residential Infill Development Allowed per ALUCP
- Residential Uses Allowed per General/Specific Plan - Not Allowed per ALUCP
- Residential Redevelopment Proposed per General/Specif Plan - Not Allowed per ALUCP

Sources:

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

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

Residential Uses/Redevelopment Allowed:
-City of South San Francisco General Plan, Housing Element, February 2010
-El Camino Real/Chesnut General Plan Amendment, February 2011
-City of San Bruno General Plan, Housing Element, March 2010
- U.S. Navy Site and its Environs Specific Plan, January 2002

NORTH

0 0.1 0.2 0.4 Miles

Exhibit 5

EFFECT OF PROPOSED ALUCP NOISE POLICIES ON RESIDENTIAL AREAS DESIGNATED IN GENERAL/SPECIFIC PLANS

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

In Appendix J After Page J-10 Add the following to Understanding the Results:

ADDITIONAL TIPS

Non-Critical Surfaces: The following surfaces are non-critical, (i.e. do not necessarily limit the buildable height of proposed structures to the elevation returned). These surfaces are generally not considered when evaluating maximum buildable height. Penetrations of these non-critical surfaces will, however, require filing of Form 7460-1 with the FAA for an official airspace hazard determination and may have marking/lighting requirements as determined through FAA review. Log on to http://oeaaa.faa.gov to find out more.

Surface Name	Description
SFO_Part77_13_100to1	FAA 100:1 notification surface; structures that penetrate this surface are required to file a form 7460-1 with the FAA; log on to http://oeaaa.faa.gov for more information.
SFO_Part77_25_Horizontal	FAR Part 77 imaginary surface for Visual Flight Rules. FAA may require marking and lighting.
SFO_Part77_25_Conical	FAR Part 77 imaginary surface for Visual Flight Rules. FAA may require marking and lighting.
SFO_RW28R_IFR_STND_Departure	Obstacle Departure Procedure, standard climb gradient for Runway 28R. FAA may require marking and lighting.
SFO_RW28L_IFR_STND_Departure	Obstacle Departure Procedure, standard climb gradient for Runway 28L. FAA may require marking and lighting.
SFO_RW19R_IFR_STND_Departure	Obstacle Departure Procedure, standard climb gradient for Runway 19R. FAA may require marking and lighting.
SFO_RW19L_IFR_STND_Departure	Obstacle Departure Procedure, standard climb gradient for Runway 19L. FAA may require marking and lighting.

Common Tricks/ Errors in Operating

- Don't forget to select the Pull Down as necessary (Step 6).
- Under Single Point Analysis don't forget to select the Pull Down ("SFO_ALL_SURFS_102109" as of the date of this tutorial).
- For each new evaluation point, enter the new ground elevation or click on 'Get EL' to set the ground elevation prior to clicking on Analyze Point. Otherwise, the ground elevation for the previously selected point will be retained.
- Pause the cursor on a feature and the name of the street will be identified. To make street name go away, move cursor away.

SURFACE INTERSECTION ANALYSIS INFORMATION - AIRPORT CODE "SFO"

Coordinate System: CA83IIIF | Date: 08/06/12 | Model: SFO_ALL_SURFS_102109

Latitude	Longitude	Site El. (AMSL)	Struct Ht. (AGL)	Overall Ht. (AMSL)	Max Ht. (AMSL)	Exceeds By	Under By	Surface	
37° 38' 34.3834"	-122° 25' 24.4539"	39.95	90.00	129.95	106.55	23.40		SFO_Part77_13_100to1	Form 7460A Reporting Only
37° 38' 34.3834"	-122° 25' 24.4539"	39.95	90.00	129.95	163.20		33.25	SFO_Part77_25_Horizontal	Form 7460A Reporting Only
37° 38' 34.3834"	-122° 25' 24.4539"	39.95	90.00	129.95	164.64		34.69	SFO_RW28LR_OEI_Corridor_090309	Height Limit
37° 38' 34.3834"	-122° 25' 24.4539"	39.95	90.00	129.95	258.02		128.07	SFO_RW28R_IFR_STND_Departure	
37° 38' 34.3834"	-122° 25' 24.4539"	39.95	90.00	129.95	290.27		160.32	SFO_RW28L_IFR_STND_Departure	
37° 38' 34.3834"	-122° 25' 24.4539"	39.95	90.00	129.95	334.57		204.62	SFO_RW10R_VIZ_Straight_In	
37° 38' 34.3834"	-122° 25' 24.4539"	39.95	90.00	129.95	346.66		216.71	SFO_RW28R_IFR_NonSTND_Departure_2000	
37° 38' 34.3834"	-122° 25' 24.4539"	39.95	90.00	129.95	346.66		216.71	SFO_RW28R_IFR_NonSTND_Departure	
37° 38' 34.3834"	-122° 25' 24.4539"	39.95	90.00	129.95	384.63		254.68	SFO_RW28LR_DP_GAP3	
37° 38' 34.3834"	-122° 25' 24.4539"	39.95	90.00	129.95	390.04		260.09	SFO_RW28L_IFR_NonSTND_Departure	
37° 38' 34.3834"	-122° 25' 24.4539"	39.95	90.00	129.95	442.39		312.44	SFO_RW10R_RNP_2Y_Final_Approach_O	
37° 38' 34.3834"	-122° 25' 24.4539"	39.95	90.00	129.95	500.64		370.69	SFO_RW10L_VIZ_Circling	

ATTACHMENT 2

Caltrans Division of Aeronautics Comments

DEPARTMENT OF TRANSPORTATION
DIVISION OF AERONAUTICS – M.S. #40
1120 N STREET, SUITE 3300
P. O. BOX 942873
SACRAMENTO, CA 94273-0001
PHONE (916) 654-4959
FAX (916) 653-9531
TTY 711
www.dot.ca.gov

Flex your power!
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SFO

August 6, 2012

Mr. Richard Napier, Executive Director
City/County Association of Governments of San Mateo County
City/County Office Building
555 County Center, Fifth Floor
Redwood City, California 94063-1665

Dear Mr. Napier:

The California Department of Transportation (Caltrans), Division of Aeronautics (Division), has reviewed the draft Final Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport, dated July 2012. We reviewed this plan pursuant to the California State Aeronautics Act, Public Utilities Code (PUC) section 21670 et seq., and other relevant State statutes. Division staff also reviewed the Airport Land Use Compatibility Plan (ALUCP) for concepts, principles, practices, and policies contained in the California Airport Land Use Planning Handbook (Handbook), dated October 2011. Our comments are intended to ensure that the requirements and processes of the PUC section 21670 et seq. and Handbook are properly implemented, but are not intended to establish land uses in the vicinity of San Francisco International Airport (SFO).

Caltrans Division of Aeronautics Comments

Preface, Requirements of California Law, Last Paragraph, First Sentence, P-1
The statement should be restated to specify that the policies apply to all uses except those uses considered existing or devoted to a specified use.

Section 3.2, General Policies, GP-4.4 Discontinuance of Nonconforming Use, Page III-6
Please include any discontinuance of a use for 24 months or longer that may have resulted in the establishment of a new use. The new use must comply with the ALUCP policies pertaining to new uses (Handbook H-26 through H-27).

Section 3.2, General Policies, GP-5.3 Land Use Policy and Development Actions in the Review Process Before the Effective Date of this ALUCP, Page III-7
Please reference the specific Government Code section being cited in this policy.

The Handbook does not provide guidance with respect to land use policy or development actions that have applications deemed complete as being subject to a previous Comprehensive Land Use Plan (CLUP). The only guidance provided is that general and specific plans must be consistent with the ALUCP. Please explain the basis for this policy and how it would be consistent with the PUC or Handbook, pertaining to general and specific plans being consistent with the ALUCP. The Division would not support policies that are not consistent with the Handbook, unless it can be reasoned that the alternative is in substantial compliance with the Handbook or the justification is consistent with existing conditions.

Section 3.2, General Policies, GP-7 Properties Divided by a Compatibility Zone Boundary, Page III-7
The Handbook provides guidance with respect to parcels divided by compatibility zones (Handbook 4-26 through 4-27). Please explain the basis for this policy and how it would be consistent with the PUC or Handbook. The Division would not support policies that are not consistent with the Handbook, unless it can be reasoned the alternative is in substantial compliance with the Handbook or the justification is consistent with existing conditions.

Section 4.3, Noise Compatibility Policies
A policy contained in this section should address secondary dwelling units, as allowed by State law.

Section 4.4, Safety Compatibility Policies, Pages IV-24 through IV-33
This section does not provide specific policies pertaining to use, density, and intensity. It is loosely connected to Appendix E, making the usefulness of the ALUCP difficult. Please see detailed comments regarding Appendix E below.

Section 4.4, Safety Compatibility Policies, Table IV-2, Page IV-33
Figures 4B through 4G of the Handbook present guidelines for safety compatibility zones. Types of uses that are "incompatible" or "to be avoided" listed in Figures 4B through 4G of the Handbook are not included in Table IV-2 of the ALUCP and subsequent discussion. Please explain.

Appendix E
To avoid confusion or misinterpretation, please change CLUP to ALUCP. Also, please provide a plan or map that shows the safety compatibility zones for large air carrier runways (Handbook, Figure 3B) overlain onto the proposed safety compatibility zones for SFO.

Appendix E, E.7 Future Land Use Changes, Page E-24
This section presents that local agency regulations are inadequate in addressing redevelopment and industrial plumes with respect to safety compatibility planning. Local governments must adopt safety policies that are consistent with the ALUCP. If the local agencies do not adopt safety policies to account for these issues, then their plans are inconsistent with the ALUCP. It is the responsibility of the ALUC to identify such inconsistencies and record them as part of the public record. (Handbook Pages 6-1 through 6-5)

Appendix E, E.9 Potential Safety Compatibility Policies for SFO Safety, Pages E-25 through E-43
This section does not identify the policy alternative that will be implemented as part of the ALUCP. Safety compatibility policy Alternative 1, if implemented, would ensure consistency with the Handbook. The other two alternatives would not be consistent with the Handbook guidance and do not sufficiently demonstrate that the policies would effectively address use, density, and intensity safety compatibility consistent with the Handbook guidance.

The means to ensuring compatible land use, densities, and intensities requires extensive research, data collection, and analysis. The Division understands that incompatible land uses, densities, and intensities surrounding SFO exist and that the compiling of a comprehensive land use inventory would be too cumbersome for the ALUC to include in the ALUCP. However, safety compatibility

policies can be included in the ALUCP that require local agencies to perform a project level comprehensive land use inventory that would demonstrate land use, densities, and intensities do not significantly exceed what currently exist in the safety zone, thereby being consistent with the Handbook.

In many instances, this section identifies potential development or redevelopment areas within the Airport Influence Area. This section states that potential and proposed development and redevelopment areas are "generally consistent" or "outside safety zones." These statements are too nebulous and are subject to misinterpretation. The ALUC would benefit by establishing policies directed at potential development and redevelopment areas that are less subject to misinterpretation and can be broadly applied. Project sponsors and proponents should demonstrate that a project is consistent with the ALUCP or demonstrate that the project clearly falls outside safety zones. As discussed above, safety compatibility policies can be included in the ALUCP that require local agencies to perform a comprehensive land use inventory that would demonstrate land use, densities, and intensities do not significantly exceed what currently exist, thereby being consistent with the Handbook.

Regarding nonconforming uses, it is unclear which of the two alternative policies would be implemented. The second alternative policy is not consistent with the Handbook (Handbook Page H-26). It would be beneficial for the ALUC to require local agencies to demonstrate that the expansion of a nonconforming use does not exceed the density or intensity existing in the applicable safety zone.

Regarding nonconforming uses within the Runway Protection Zone (RPZ), it is unclear which of the three alternative policies would be implemented. The Division recommends including policies that are consistent with the Handbook regarding nonconforming uses within RPZs in the ALUCP.

Regarding redevelopment opportunities, such as TOD and revitalization projects that would exceed density or intensity compatibility criteria of a safety zone, the ALUC would benefit by developing policies that are consistent with the Handbook. The Division understands the difficulty of balancing planning objectives associated with housing, employment, transportation, environment, and economics. Safety, however, is one of the primary objectives of the State Aeronautics Act. The Division would only support those policies and projects that are consistent with the safety guidance contained in the Handbook or that can be reasonably related to existing conditions.

If a local agency determines that other planning objectives "override" or offset the potential consequences of a calamity or accident, then the local agency would be required to overrule the ALUC's inconsistency determination. The local agency's overrule hearing process would present such factors to the public, and the public would decide whether such planning objectives offset the potential consequences. The Division would not support a proposed overrule by the local agency without being consistent with the Handbook.

Conclusion

The ALUC would benefit by establishing policies that are less subject to misinterpretation and can be broadly applied. All policies, consistent with the Handbook or that are consistent with existing

conditions, should be included in the ALUCP. Likewise, such policies can help ALUCs avoid complicated and costly controversial issues associated with land use actions.

The Division looks forward to collaborating with City/County Association of Governments of San Mateo County in connection with the draft ALUCP. Please contact me at (916) 654-5314 or via email at Robert.Fiore@dot.ca.gov, if you would like to discuss our comments in this letter in more detail or if we may provide additional information.

Sincerely,

Original signed by

ROBERT FIORE
Office of Aviation Planning

bc: Lee Taubeneck, District 4

Bob Fiore:jv u:\\OP\SFO ALUCP CMT

C/CAG AGENDA REPORT

Date: August 23, 2012

TO: Airport Land Use Committee

From: Richard Napier - Executive Director, C/CAG

Subject: Presentation and Public Hearing on the Initial Study and Negative Declaration for the Comprehensive Land Use Plan for the Environs of San Francisco International Airport

(For further information or response to questions, contact Richard Napier at 650 599-1420)

Recommendation:

Review, accept public comments, and provide comments on the Initial Study and Negative Declaration for the Comprehensive Land Use Plan for the Environs of San Francisco International Airport.

Fiscal Impact:

$46,000 to complete the Initial Study and Negative Declaration and the ALUCP.

Source of Revenue:

No identified revenue source. Funds come from the General Fund and airport operators. Need to work with the airport operator to get funds to support the normal Airport Land Use Commission (ALUC) activities for San Francisco International Airport.

Background:

At the June 26, 2012 Airport Land Use Committee (ALUC) meeting the Draft of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport was approved. The Initial Study and Negative Declaration for the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport was developed. The CEQA document and ALUCP were noticed and distributed for comments.

Noticing Requirements:

In accordance with the CEQA noticing requirements a Notice of Intent to Adopt a Negative Declaration for the Proposed Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport was drafted. The Notice of Intent was advertised in the San Mateo Times the first of July. See Attachment 1. C/CAG distributed both

the Initial Study and Negative Declaration for the Proposed Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport and the Draft Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (July 2012) to the key stakeholders and the Airport Land Use Committee. Note: Bring the latest documents to the Airport Land Use Committee meeting. Attachment 2 provides a copy of the NOI Distribution List for Notice of Intent to Adopt a Negative Declaration.

Initial Study and Negative Declaration for the Comprehensive Land Use Plan for the Environs of San Francisco International Airport:

The consultant will provide an overview of the Initial Study and Negative Declaration for the Comprehensive Land Use Plan for the Environs of San Francisco International Airport at the August 23, 2012 Airport Land Use Committee meeting.

Public Comments:

To date one public comment letter has been received from San Francisco International Airport. See Attachment 5 for the Draft San Francisco International Airport Comment Letter on the Negative Declaration. The comments were focused on policy GP-5.3. It is likely that the proposed new language for GP-5.3 proposed in Item 4 will address most of the concerns raised in this letter. The Committee should take additional public comments at the meeting. The comment period ends 8/23/2012. This provides over 45 days for comments. Any additional comments provided between now and the ALUC meeting will be provided to ALUC at the meeting.

Next Steps:

C/CAG staff has provided its recommendations based on the comments and discussions received to date. At the 8/23/12 meeting it is requested that ALUC accept the staff recommended changes to the ALUCP. The CEQA document will also be submitted to ALUC on August 23, 2012. The Draft Initial Study and Negative Declaration was distributed the first week of July. A public hearing will be held to take public comments. It is suggested that ALUC have a September 27, 2012 to address any changes to the ALUCP and the CEQA document. At the September 27, 2012 meeting ALUC will be requested to recommend approval to the C/CAG Board.

The C/CAG Board will review and consider approval of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport at the October 11, 2012 meeting. The CEQA document will also be submitted to the C/CAG Board on October 11, 2012. The C/CAG Board will approve the ALUCP and the Initial Study and Negative Declaration at the November 8, 2012 meeting.

Attachments:

Attachment 1 - Notice of Intent to Adopt a Negative Declaration for the Proposed Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport .
Attachment 2 - NOI Distribution List for Notice of Intent to Adopt a Negative Declaration
Attachment 3- Initial Study and Negative Declaration for the Comprehensive Land Use Plan for the Environs of San Francisco International Airport.
Attachment 4 - Draft Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (July 2012)
Attachment 5 - 8/09/2012 Draft San Francisco International Airport Comment Letter on the Negative Declaration.

Document Availability:

Go to *www.ccag.ca.gov/plans_reports.html*

Attachment 1

Notice of Intent to Adopt a Negative Declaration for the Proposed Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport .

NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION

FOR THE PROPOSED COMPREHENSIVE AIRPORT LAND USE COMPATIBILITY PLAN

FOR THE ENVIRONS OF SAN FRANCISCO INTERNATIONAL AIRPORT

The City/County Association of Governments of San Mateo County (C/CAG), acting in its capacity as the Airport Land Use Commission for the County of San Mateo, intends to adopt a Negative Declaration, prepared pursuant to the California Environmental Quality Act (CEQA)[1], for the proposed Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (the ALUCP or proposed project).

Brief Project Description: The basic function of the ALUCP is to promote compatibility between San Francisco International Airport (Airport) and the land uses that surround the Airport. The ALUCP includes specified limitations and conditions on the future development of new residential, commercial and other noise- and risk-sensitive uses surrounding the Airport. The ALUCP provides land use compatibility policies and criteria for the area surrounding the Airport, and includes components describing the Airport, existing and planned land use in the Airport environs, compatibility zone maps, compatibility policies and criteria, and procedural polices.

The geographic scope of the ALUCP includes the proposed Airport Influence Area (AIA). The AIA includes two parts, Areas A and B. The largest, Area A, covers all of San Mateo County. It is the area within which the real estate disclosure requirements of state law would apply.[2] Area B, the project referral area, includes portions of the Cities of Burlingame, Colma, Daly City, Hillsborough, Millbrae, Pacifica, San Bruno, San Mateo, South San Francisco and parts of unincorporated San Mateo County. Within Area B, agencies would be required to submit proposed general plan amendments, specific plans, and zoning ordinances and amendments to C/CAG, in its role as the Airport Land Use Commission, for determinations of consistency with the ALUCP. The AIA boundary will be established by the C/CAG Board after hearing and consultation with the involved agencies, consistent with the requirements of Section 21675(c) of the California Public Utilities Code.

Public Review Period: The Initial Study and Negative Declaration will be available for public review and comment for a 43-day period, beginning on Thursday, July 12, 2012, and ending on Thursday, August 23, 2012. Written comments must be received by mail, facsimile, or email no later than 5:00 p.m. on Thursday, August 23, 2012. Please direct all comments to:

Richard Napier
Executive Director
City/County Association of Governments of San Mateo County
555 County Center
Fifth Floor
Redwood City, California 94063

---

1 California Public Resources Code, §21000 et seq.
2 California Business and Professions Code, §11010(b)(13).

Fax: 650.361.8227
E-mail: rnapier@co.sanmateo.ca.us

Document Availability: Copies of the Initial Study, Negative Declaration, and all documents incorporated by reference therein, will be available during normal business hours (8:30 a.m. to 5:00 p.m., Monday thru Friday) at C/CAG's offices, located on the fifth floor of the county office building at 555 County Center, Redwood City, CA 94063. These documents also will be available online at http://www.ccag.ca.gov/plans_reports.html. Hard copies are available for review at the following public libraries:

Burlingame Library 480 Primrose Rd Burlingame, CA 94010 (650) 558-7400	San Bruno Public Library 701 Angus Ave W San Bruno, CA 94066 (650) 616-7078
Millbrae Library 1 Library Avenue Millbrae, CA 94030 (650) 697-7607	San Carlos Library 610 Elm Street San Carlos, CA 94070 (650) 591-0341
Pacifica Sharp Park Library 104 Hilton Way Pacifica, CA 94044 (650) 355-5196	South San Francisco Library 840 West Orange Ave South San Francisco, CA 94080 (650) 829-3862

Public Hearings: The C/CAG Airport Land Use Committee (ALUC) will hold a public hearing on the proposed Initial Study, Negative Declaration, and ALUCP on Thursday, August 23, 2012, 4:00 p.m., at the following location:

Burlingame City Hall
501 Primrose Road, Council Chambers
Burlingame, CA 94010

The C/CAG Board will hold a public hearing on the proposed Initial Study, Negative Declaration, and ALUCP on October 11, 2012, 6:30 p.m., at the following location:

San Mateo County Transit District Office
1250 San Carlos Avenue, Second Floor Auditorium
San Carlos, CA

No action or proceeding may be brought under CEQA to challenge C/CAG's adoption of the proposed Negative Declaration, or its approval of the proposed project, unless the alleged grounds for noncompliance were presented to C/CAG either orally or in writing by any person during the public comment period or prior to issuance of the notice of determination.

Attachment 2

NOI Distribution List for Notice of Intent to Adopt a Negative Declaration

NOI Distribution List for Notice of Intent to Adopt a Negative Declaration

Contact Name	Position	Jurisdiction	Address	Email	Phone
Brian Millar	Director of Economic and Community Development	City of Daly City	333 90th Street, Daly City, CA 94015-1895	bmillar@dalycity.org	650-991-8000
Patricia E. Martel	City Manager	City of Daly City	333 90th Street, Daly City, CA 94015	citymanager@dalycity.org	650-991-8127
John Swiecki	Community Development Director	City of Brisbane	50 Park Place, Brisbane, CA 94005-1310	jswiecki@ci.brisbane.ca.us	415-508-2120
Clay Holstine	City Manager	City of Brisbane	50 Park Place, Brisbane, CA 94005-1310	cholstine@ci.brisbane.ca.us	415-508-2110
Aaron Aknin	Community Development Director	City of San Bruno	567 El Camino Real, San Bruno, CA 94066-4299	aaknin@ci.sanbruno.ca.us	650-616-7074
Connie Jackson	City Manager	City of San Bruno	567 El Camino Real, San Bruno, CA 94066-4299	cjackson-web1@sanbruno.ca.gov	650-616-7056
Susy Kalkin	Planning Director	City of South San Francisco	P.O. Box 711, South San Francisco, CA 94083	susy.kalkin@ssf.net	650-877-8535
Barry Nagel	City Manager	City of South San Francisco	400 Grand Avenue, South San Francisco, CA 94083	barry.nagel@ssf.net	650-977-8500
Farhad Mortazavi	Community Development Director	City of Millbrae	621 Magnolia Avenue, Millbrae, CA 94030	fmortazavi@ci.millbrae.ca.us	650-259-2341
Marcia Raines	City Manager	City of Millbrae	621 Magnolia Avenue, Millbrae, CA 94030	mraines@ci.millbrae.ca.us	650-259-2334
Michael Laughlin	Acting City Planner	Town of Colma	1190 El Camino Real, Colma, CA 94014	michael.laughlin@colma.ca.gov	650-757-8888
Laura Allen	City Manager/City Clerk	Town of Colma	1198 El Camino Real, Colma, CA 94014	laura.allen@colma.ca.gov	650-997-8318
George White	Planning Director	City of Pacifica	1800 Francisco Blvd., Pacifica, CA 94044	whiteg@ci.pacifica.ca.us	650-738-7341
Stephen A. Rhodes	City Manager	City of Pacifica	170 Santa Maria Avenue, Pacifica, CA 94044	rhodess@ci.pacifica.ca.us	650-738-730
Maureen Brooks	Planning Manager	City of Burlingame	501 Primose Road, Burlingame, CA 94010-3997	mbrooks@burlingame.org	650-558-7250
Bill Meeker	Community Development Director	City of Burlingame	501 Primose Road, Burlingame, CA 94010-3997	wmeeker@burlingame.org	650-668-7255
Anthony Constantouros	City Manager	Town of Hillsborough	1600 Floribunda Avenue, Hillsborough, CA 94010	mail@hillsborough.net	650-375-7412
Elizabeth Cullinan	Building and Planning Director	Town of Hillsborough	1600 Floribunda Avenue, Hillsborough, CA 94010	ecullinan@hillsborough.net	650-375-7416
Jim Hardy	City Manager	City of Foster City	610 Foster City Blvd., Foster City, CA 94404	manger@fostercity.org	650-577-0983
Curtis Banks	Community Development Director	City of Foster City	610 Foster City Blvd., Foster City, CA 94404	cdddirector@fostercity.org	650-286-3232
Greg Scoles	City Manager	City of Belmont	One Twin Pines Land, Belmont, CA 94002	cmanager@ci.belmont.ca.us	650-595-7408
Bob Bell	City Manager	City of Redwood City	1017 Middlefield Road, Redwood City, CA 94064-0391	mail@redwoodcity.org	650-780-7300
Jeff Maltbie	City Manager	City of San Carlos	600 Elm Street, San Carlos, CA 94070	jmaltbie@cityofsancarlos.org	650-802-4228
Alex D. McIntyre	City Manager	City of Menlo Park	701 Laurel Street, Menlo Park, CA 94025	admcintyre@menlopark.org	650-330-6610
Theresa DellaSanta	Interim City Manager/City Clerk	Town of Atherton	93 Station Lane, Atherton, CA 94027	tdellasanta@ci.atherton.ca.us	650-752-0529
Laura Martinez	Mayor	City of East Palo Alto	2217 Addison, East Palo Alto, CA 94303	Lauramartinezforepa@gmail.com	650-714-5337
Kevin Bryant	Town Manager	Town of Woodside	2955 Woodside Road, Woodside, CA 94062, (650) 851-6790	kbryant@woodsidetown.org	650-851-6790
Nick Pegueros	Town Manager	Town of Portola Valley	765 Portola Road, Portola Valley, CA. 94028	npegueros@portolavalley.net	650-851-1700x215
Laura Snideman	City Manager	City of Half Moon Bay	501 Main Street, Half Moon Bay, CA 94019	lsnideman@hmbcity.com	650-726-8270
Thomas Yang	Partner for Architecture	Jensen and Partners	950 South Grand Avenue, 4th Floor, Los Angeles, CA 90015	tyang@jensenpartners.com	213-748-3431
Jim Eggemeyer	Director	County of San Mateo Planning and Building Department	455 County Center, 2nd Floor, Redwood City, CA 94063	JEggemeyer@co.sanmateo.ca.us	650-363-4161
--	--	San Mateo County Clerk's Office	555 County Center, 1st Floor, Redwood City, CA 94063-1665	countyclerk@smcare.org	650-363-4500
Robert Fiore	Associate Transportation Planner	Caltrans Aeronautics Division	MS 40 P. O. Box 942874, Sacramento, CA 94274-0001	robert.fiore@dot.ca.gov	916-654-5314
Grace Crunican	General Manager	Bay Area Rapid Transit (BART)	P.O. Box 12688		510-464-6060
Michael J. Scanlon	Executive Director	Caltrain	P.O. Box 3006, San Carlos, CA 94070-1306		1-800-660-4287
Michael J. Scanlon	Executive Director	San Mateo County Transportation Authority	P.O. Box 3006, San Carlos, CA 94070-1306	info@smcta.com	650-508-6200
Michael J. Scanlon	General Manager/CEO	San Mateo County Transit District	P.O. Box 3006, San Carlos, CA 94070-1306		1-800-660-4287
Steve Heminger	Executive Director	Metropolitan Transportation Commision	101 Eighth Street, Oakland, California 94607	sheminger@mtc.ca.gov	510-817-5810
Kenneth Kirkey	Planning Director	Association of Bay Area Governments	101 Eighth St. Oakland CA 94607	kennethk@abag.ca.gov	510-464-7955
John Bergener	Airport Planning Manager	San Francisco International Airport	P.O. Box 8097, San Francisco, CA 94128	john.bergener@flysfo.com	650-821-7867
John L. Martin	Airport Director	San Francisco International Airport	P.O. Box 8097, San Francisco, CA 94129	john.martin@flysfo.com	650-821-5000
Maggie MacIsaac	Superintendent	Burlingame School District	1825 Trousdale Drive, Burlingame, CA 94010-5704	mmacisaac@bsd.k12.ca.us	650-259-3800
Anthony Ranii	Superintendent	Hillsborough City Elementary School District	300 El Cerrito Avenue, Hillsborough, CA 94010	aranii@hcsd.k12.ca.us	650-342-5193
Thomas Minshew	Superintendent	Jefferson Union High School District	699 Serramonte Blvd., #100, Daly City, California 94015	tminshew@juhsd.net	650-550-7960
Linda Luna	Superintendent	Millbrae Elementary School District	555 Richmond Drive, Millbrae, CA 94030	lluna@mesd.k12.ca.us	650-697-5693x29
David Hutt	Superintendent	San Bruno Park Elementary School District	500 Acacia Avenue, San Bruno, CA 94066-4298	dhutt@sbpsd.k12.ca.us	650-624-3100
Ron Galatolo/Sue Harrison	Chancellor/Chancellor's Assistant	San Mateo County Community College District	3401 CSM Drive, San Mateo, CA 94402	harrisons@smccd.edu	650-358-6755
Cynthia Simms	Superintendent	San Mateo Foster City Elementary School District	1170 Chess Drive, Foster City, CA 94404	csimms@smfc.k12.ca.us	650-312-7348
Scott Laurence	Superintendent	San Mateo Union High School District	650 North Delaware Street, San Mateo, CA 94401-1732	slaurence@smuhsd.org	650-558-2201
Alejandro Hogan	Superintendent	South San Francisco Unified School District	398 B Street, South San Francisco, CA 94080	ahogan@ssfusd.org	650-588-8113
Kevin Brown	Wastewater Operations	North San Mateo County Sanitation District	333 90th Street, Daly City, CA 94015-1895	kbrown@dalycity.org	650-991-8127
Cheryl A. Fama	Chief Executive Officer	Peninsula Health Care District	1600 Trousdale Drive, Suite 1210, Burlingame, CA 94010	cheryl.fama@peninsulahealthcaredistrict.org	650-697-6900
James C. Porter	Director	San Mateo County Flood Control District	555 County Center, 5th Floor, Redwood City, CA 94063	jporter@co.sanmateo.ca.us	650-599-1421
James J. Tucker	Board of Comissioners, President	San Mateo County Harbor District	400 Oyster Point Blvd., Suite 300, South San Francisco, CA 94080	harbordistrict@smharbor.com	650-583-4611
Samuel Lerner	Board of Trustees, President	San Mateo County Mosquito & Vector Control District	1351 Rollins Road, Burlingame, CA 94010		650-344-8592

Attachment 3

Initial Study and Negative Declaration for the Comprehensive Land Use Plan for the Environs of San Francisco International Airport.

Document Availability:

Go to *www.ccag.ca.gov/plans_reports.html*

Attachment 4

Draft Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (July 2012)

Document Availability:

Go to *www.ccag.ca.gov/plans_reports.html*

Attachment 5

8/09/2012 Draft San Francisco International Airport Comment Letter on the Negative Declaration.

SFO

San Francisco International Airport

August 9, 2012

Richard Napier
Executive Director
City/County Association of Governments of San Mateo County
555 County Center, 5th Floor
Redwood City, California 94063

Subject: ***Final Draft Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport and Proposed Initial Study/Negative Declaration***

Dear Mr. Napier:

San Francisco International Airport (SFO or the Airport) has reviewed the draft final of the Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (ALUCP) and draft Initial Study and Negative Declaration (IS/ND). We appreciate this opportunity to provide the Airport's comments to C/CAG, acting in its role as the Airport Land Use Commission for San Mateo County and the Airport Land Use Committee (ALUC), in considering and evaluating potential land use compatibility issues concerning SFO.

With regard to the proposed ALUCP, the Airport is primarily concerned with the inclusion of General Policy 5.3 (GP-5.3), which deals with land use policies and development actions in the review process before the effective date of the proposed ALUCP. This new policy has far-reaching implications that may be detrimental to the Airport Land Use Commission's role in preventing the encroachment of incompatible land uses around SFO.

GP-5.3 exempts certain "proposed land use policy or development actions" from review under the proposed ALUCP. There are several problems with this policy. First, it is unclear what is meant by the word "proposed." The word "proposed" is not defined, making the policy ambiguous and its reach unknown and not addressed in the IS/ND.

More problematic however, is that this exemption is inconsistent with state law and with General Policy 9, which is based on a requirement of state law (Gov. Code, Section 65302.3), that local agencies amend their general plans, specific plans, and zoning ordinances to be consistent with the adopted ALUCP. By grandfathering proposed policies currently under review, local agencies are allowed to bypass this requirement of State law, defeating a major objective of the State Aeronautics Act. The purpose of airport land use compatibility planning is to foster the orderly expansion of airports by protecting against the encroachment of new incompatible land uses in areas affected by aircraft noise. As the IS/ND (p. 3) acknowledges ". . . the airport land use commission statutory mandate is intended to provide appropriate prospective land use planning through the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports, to the extent that such areas do not already contain incompatible uses." The ALUCP provides a basis for local agencies to develop

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compatible local land use policies with airport use; local agencies should not be authorized by the ALUCP to promote incompatible land use policies.

The Draft Initial Study/Negative Declaration for the proposed SFO ALUCP does not discuss GP-5.3 and as a result the analysis in the IS/ND is incomplete and inaccurate. Section 4.1.1 states that "[w]ithin the CNEL 70-75 dB range, dwellings are incompatible and would not be allowable, although exceptions for proposed dwellings on existing lots of record zoned exclusively for residential use are acceptable." In fact, by allowing proposed land policies and development actions to proceed under a prior ALUCP, the draft ALUCP potentially permits dwelling units within the 70-75 dB range. The IS/ND, however, does not acknowledge this policy, does not analyze the potential number of new dwelling units that might be allowed within the 70-75 dB range as a result of this policy, and fails to analyze the environmental impacts of this policy, including the effects of exposing persons to aircraft noise above acceptable standards.

The section entitled "Potential Displacement Due to Noise Policies" (IS/ND Section 4.1) discusses the displacement of housing opportunity from Housing Opportunity Sites 9 and 10 in South San Francisco and concludes that "[a] total of 322 units would be displaced from this area with implementation of the proposed ALUCP." (p.23). This information is inaccurate in that the IS/ND has not taken into consideration the possible application of proposed GP-5.3 to the opportunity sites and the resulting environmental impacts. Similarly the IS/ND discussion under "Population and Housing" (p. 77) ignores GP-5.3 and omits any analysis of the effects of GP-5.3's potential for exposing persons to aircraft noise above acceptable noise standards.

GP-5.3, which deals with land use policies and development actions currently in the review process, would allow certain proposed policy and development actions to move forward, even if they are inconsistent with the noise policies of the proposed ALUCP, exceed the State's noise standards, or a local agency's own general plan noise standards. As long as the ALUCP includes provisions for a local land use policy that allows for new housing within the CNEL 70 dB noise contour, the Initial Study analysis must consider the environmental consequences of residential development in high noise areas and propose mitigation as necessary. Perhaps more importantly, the Initial Study must evaluate how such an apparent inconsistency between GP-5.3 and the State Aeronautics Act as embodied in General Policy 9 in the ALUCP can be considered to have less than significant impact in the IS/ND.

Within the Land Use issue area (IS/ND, p. 71), potential conflicts with any applicable land use plan, policy, or regulation is considered a "Less than Significant Impact" based on the requirement of state law for local agencies to amend their land use plans or to overrule the updated ALUCP as provided by law. While this is generally a possible resolution to policy conflicts between the ALUCP and local land use plans, the inclusion of GP-5.3 undercuts this approach by explicitly allowing cities with qualifying policy or development action proposals to retain these pending actions that are inconsistent with the current ALUCP, even though they may have been consistent under the previous ALUCP's policies. Therefore the analysis in the Land Use section of the Initial Study is inaccurate and must be re-evaluated in light of proposed GP-5.3.

Within the Noise issue area (IS/ND, p. 75), potential exposure of people residing or working in the project area to excessive noise levels is considered a "Less than Significant Impact." The explanation states that "the proposed ALUCP would result in a beneficial impact by reducing the potential number of future dwellings and other noise-sensitive use within the Airport noise

contours." This statement is not accurate since GP-5.3 of the ALUCP's policies would permit future dwelling units within high-noise areas notwithstanding inconsistency with the new ALUCP. In this regard, the new ALUCP would permit residential uses within the 70-75 dB range whereas the current policy prohibits such residential uses within the 70-75 dB range. The Negative Declaration fails to analyze the impacts of this change in policy. The analysis must consider the consequences of exposing future residents to excessive noise levels in all applicable areas of its review.

The following are additional comments regarding the ALUCP and Negative Declaration, listed by page number:

Draft Final ALUCP

Page	Comment
II-9	Exhibit II-3: The general plan designations displayed should be based on the most current local plans. For example, South San Francisco updated its General Plan in 2004.
IV-11	AIA Policy IP-2: The list of municipalities within Area B is incomplete. Additional cities should be listed here.

Negative Declaration

Page	Comment
iii	The Project Location description of AIA Area B is incomplete. All affected municipalities should be included.
25	Exhibit 5: The parcels fronting the west side of El Camino Real between Northwood Drive and Country Club Drive are part of the South El Camino Real area specific plan and are designated for mixed use.; they should be colored orange. The orange area in San Bruno and the dark brown area in South San Francisco closest to the Airport should not be colored, per their respective general plan designations. The dark brown areas in unincorporated San Mateo County should not be colored, per their general plan designations.
43	Table 6: "Tanforan" is misspelled. Area 1 is not shown on Figure 5B in the Appendix, and should be shown.
53	The first paragraph under Section 5.1 refers to a Section 4.3, Narrative Evaluation of Potential Environmental Impacts. This section was omitted from the draft.
A-5	Figure 5B should show Area 1 Seton Medical Center site.

The Airport appreciates your consideration of these comments. Should you have any questions regarding the Airport's comments, please do not hesitate to contact John Bergener at (650) 821-7867 or at john.bergener@flysfo.com.

Very truly yours,

John L. Martin
Airport Director
San Francisco International Airport

cc: Tryg McCoy, COO
John Bergener, SFO Planning Manager
Melba Yee, SFO Legal
Nixon Lam, SFO Environmental Affairs Manager

C/CAG AGENDA REPORT

Date: August 23, 2012

To: ALUC

From: Richard Napier

Subject: Receive the updated consultant Scope of Services and schedule for the Update of the Comprehensive Airport Land Use Compatibility Plan (ALUCP) for the Environs of Half Moon Bay Airport

(For further information or questions contact Sandy Wong at 599-1409)

RECOMMENDATION

That the ALUC receive the updated consultant Scope of Services and schedule for the Update of the Comprehensive Airport Land Use Compatibility Plan (ALUCP) for the Environs of Half Moon Bay Airport.

FISCAL IMPACT

The cost of this project is $171,000 in consulting services plus necessary staff time.

FUND SOURCE

The State of California has allocated $135,000 for this project. C/CAG is requesting $50,000 from the County of San Mateo. C/CAG member fee will be used primary as in-kind match.

BACKGROUND/DISCUSSION

At the June 21, 2012 ALUC meeting, the Committee recommended approval of the consultant Scope of Services for the update of the Comprehensive Airport Land Use Compatibility Plan (ALUCP) for the Environs of Half Moon Bay Airport. The ALUC also approved the composition of the Project Advisory Team (PAT) for this project and nominated ALUC members Pine, Alifano, and Auld to be on the Project Advisory Team. Other PAT members will include a member of Mid-Coast Community Council, staff from C/CAG, City of HMB, County of San Mateo, and the Half Moon Bay Airport.

On July 25, 2012, C/CAG Executive Director Richard Napier and San Mateo County Airport Manager James Wadleigh attended a Mid-Coast Community Council meeting to initiate a dialogue with the Mid-Coast Community Council regarding the ALUCP update.

Staff has continued to work with Coffman Associates to further refine the consultant Scope of Services to ensure sufficient outreach to the impacted communities and entities is built into the scope and budget. The substantive changes in the Scope of Services included:

1. The CEQA process is deleted. The reason is the original RFP did not include this element. Therefore, the CEQA process will be handled outside of the Coffman contract. (This change caused a contract cost decrease.)
2. Additional PAT meeting, public workshop, and material preparation were added. (This change caused a contract cost increase.)
3. Other edits were made for clarification.

ATTACHMENT

- Revised Scope of Services for ALUCP for the environs of Half Moon Bay Airport.
- Outreach schedule schematic.

EXHIBIT A

SCOPE OF SERVICES
for an update of the
AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP)
for the Environs of
HALF MOON BAY AIRPORT

Introduction

The Airport Land Use Compatibility Plan (ALUCP) Update Scope of Services is being prepared pursuant to initiation of the study to establish the goals of the project and framework from which all parties to the project may participate. The objective of the ALUCP Update is to provide the community and public officials with proper guidance for future land use which will be compatible with airport development. Additionally, this study has the specific objective of re-examining recommended direction from the 1996 ALUCP while incorporating subsequent changes in the latest edition of the CALTRANS *Airport Land Use Planning Handbook* and circumstances that may have invalidated previous recommendations. Still valid policies may be retained, while new policies may be developed for those policies no longer valid or considered to be unacceptable or unworkable. Coordination between City/County Association of Governments of San Mateo County (C/CAG) (***Sponsor***) and Coffman Associates (***Consultant***) will be essential to bring together all facts and data relevant to the ALUCP Update and to develop a mutual agreement regarding future land use development in the vicinity of the Half Moon Bay Airport.

ELEMENT 1 - INITIATION

Task 1.1 - Refine the Scope of Services Description

Description: Detailed descriptions of each item of work required for completion of the ALUCP Update will be prepared. Guidelines provided by the Sponsor will be integrated into the Scope of Services. Initial and final draft copies of the work program will be prepared and delivered to the Sponsor for comments. The final product of this task will be the Scope of Services which will be attached and made a part of the project contract documents. Charts of the project schedule and work flow will be included if requested.

Responsibilities:

Consultant: Prepare description of each work item (task) included in the Scope of Services.

Sponsor: Review and negotiate the Scope of Services to ensure proper attention is paid to critical areas.

Product: A refined description of the Scope of Services, which will be made a part of the Project contract documents.

Task 1.2 - <u>Establish Project Budget and Schedule</u>

Description: Each work effort outlined under Task 1.1 will be evaluated to estimate the number of person-hours necessary to accomplish the work efforts based on the billing classifications of the planning professionals assigned. Expenses for travel, subsistence, materials, computer time, reproduction and printing, and miscellaneous study-related costs will also be estimated. When estimated person-hours have been established, they will provide input to the development of a project schedule identifying allowable time frames for major phases of the study. This schedule will also identify milestones for deliverables of each element to be submitted for review. A detailed element-by-element itemization of project person-hours and costs with a final project time schedule in graphic form will be attached to all copies of the final Scope of Services defined under Task 1.1.

Responsibilities:

Consultant: Establish project budget and schedule.

Sponsor: Review and negotiate project budget and schedule.

Product: A budget and schedule which will be made part of the Project contract documents.

Task 1.3 - <u>Public Outreach Plan</u>

Description: Prepare a handout and planning process graphic outlining the public outreach and schedule for this project. Public outreach items to be included in this handout include: project website, establishment of a Planning Advisory Team (PAT), PAT meetings (5), C/CAG ALUC meetings (3), C/CAG Board meetings (3), public workshop (1), and public hearing/workshop (1). This handout will be distributed at the first PAT meeting.

Responsibilities:

Consultant: Prepare public outreach plan handout.

Sponsor: Review and comment.

Product: 25 Copies of the public outreach plan handout.

Task 1.4 - <u>Project Web Site</u>

Description: Each working paper (draft chapter) as well as a summary of the Preliminary Draft Airport Land Use Compatibility Plan will be hosted on the Consultant's web page until the plan is approved/accepted by the Sponsor. All material will be removed from the Consultant's web page after plan acceptance/approvals are obtained from the Sponsor.

Responsibilities:

Consultant: Host the working papers and Preliminary Draft Airport Land Use Compatibility Plan on its web page.

Sponsor: Review and comment.

Product: Public web page access to the working papers and Preliminary Draft Airport Land Use Compatibility Plan.

Task 1.5 - <u>Establish Project Advisory Team</u>

Description: Potential members will be identified and asked to serve on a non-voting Project Advisory Team (PAT). The PAT will include representatives from C/CAG Airport Land Use Committee (ALUC), technical representatives from local jurisdictions affected by the ALUCP, and other relevant stakeholders. The PAT will advise the full ALUC, C/CAG Board and Consultant on the content and recommendations of the land use plan through meetings and review of draft reports. The PAT will be limited to no more than 10 members.

Responsibilities:

Consultant: Provide all necessary coordination to ensure interested parties are contacted.

Sponsor: Extend invitations to potential Project Advisory Team members.

Product: A non-voting Project Advisory Team of up to 10 members which will meet during the course of the preparation of the ALUCP.

ELEMENT 2 - INVENTORY

Description: The purpose of this study element is to assemble and organize relevant information, data, and mapping to be used throughout the study in support of various analyses. This element will maximize the use of existing information and will prepare new data and documentation only when existing information is unavailable, incomplete, or outdated.

Task 2.1 - <u>Secure Baseline Data and Documents and Hold Project Advisory Team Meeting</u>

Description: This element will develop a preliminary assessment of the potentially important issues which must be addressed in the ALUCP Update. Changes which have occurred since the last ALUCP in the surrounding communities will be identified, as will preliminary issues of concern to affected agencies and airport users. Work on the project will begin immediately after receipt of the Notice to Proceed. Project staff will coordinate with the Sponsor and make appointments with airport staff at the airport, local planning agencies, and others as deemed necessary by the Sponsor or consultant.

The intent of these meetings is to secure all necessary data and to discuss with the affected agencies their impressions of current noise and airport land use compatibility issues. It is essential to establish coordination with key agencies from the very beginning of the study. The local land use agencies, for example, have sole control over potentially important aspects of the program. It is crucial that the consultant develop good working relationships with their representatives and clearly understand their concerns.

A kickoff meeting with the PAT will be held to discuss goal, objectives, and planning issues for the ALUCP update. An agenda, presentation graphics, and signup sheets will be prepared. Summary meeting minutes will be taken.

This element will result in background information describing existing conditions and planning issues. It will bring together updated information needed to prepare the preliminary draft ALUCP.

Responsibilities:

Consultant: Coffman Associates will obtain all relevant existing documents, perform on-site inspection of facilities, and conduct interviews with local officials. Prepare meeting notices and materials for the PAT kickoff meeting.

Sponsor: Assist Consultants with collection of data, including coordinating any necessary interviews with tenants. Assist Consultant with identification of relevant land use control documents. Provide a meeting location and send meeting notices to PAT members.

Product: Data on airport facilities, operations, airspace and air traffic control, and land use controls for input to later tasks. PAT kickoff meeting and summary meeting minutes.

Task 2.2 - <u>Report on San Mateo County Airport Overlay Zoning District Regulations</u>

Description: Research the history of, need for, and impacts of the County's Airport Overlay zoning district and regulations. Identify and analyze alternatives to the Airport Overlay that address state and federal noise and safety standards while minimizing restrictions on land use.

Responsibilities:

Consultant: Coffman Associates will conduct work under this task.

Sponsor: Assist Consultants with collection of data. Review Consultant's research and analysis.

Product: Report that (1) summarizes the history, need, and impacts of the County's Airport Overlay zoning districts, and (2) analyzes alternatives to the Airport Overlay Zoning District.

Task 2.3 - <u>Base Mapping</u>

Description: Based on locally available geographical information system (GIS) digital maps, prepare digital mapping for the airport study area. If local GIS digital mapping does not exist, the newest available digital photogrammetric quality aerial photography will be used. Local maps will be used as necessary to ensure the map is up-to-date. Base maps will show the street and railroad network, the major facilities on the airport, the airport property line, major streams and ponds, and political boundaries. This base mapping will provide the basis for detailed maps developed throughout the planning process. The maps will be prepared for use in the report and for public presentations.

Responsibilities:

Consultant: Coffman Associates will prepare a digital base map.

Sponsor: Assist Consultant with collection of the existing airport layout plans and property maps for the airport. Assist in collecting mapping from local communities. Review consultant-developed maps.

Product: Base maps to be used throughout the study.

Task 2.4 - <u>Aerial Photography</u>

Description: The most recent digital aerial photography will be obtained that encompasses an area somewhat larger than the anticipated Part 77 conical surface for the airport. The aerial will be imported into the GIS mapping software for the purposes of update/determining existing land uses.

Responsibilities:

Consultant: Coffman Associates will obtain aerial photography and import into GIS software environment.

Sponsor: Assist with aerial photography acquisition and review.

Product: Aerial photography coverage of an area somewhat larger than the anticipated Part 77 conical surface for the airport.

Task 2.5 - <u>Existing Land Use</u>

Description: Review existing GIS land use maps (if available), aerial photography, general plans, and other documentation of existing land use in the study area. A windshield survey will be conducted as needed to verify land uses that cannot be determined with the aerial photography. Data will be obtained for the airport study area.

Responsibilities:

Consultant: Coffman Associates will conduct work under this task.

Sponsor: Assist Consultant with the collection of land use maps and data, as available. Review Consultant's land use map.

Product: Existing land use map and non-compatible land use data for input to later tasks.

Task 2.6 - <u>Future Land Use Controls and Plans</u>

Description: Review existing zoning ordinances, subdivision regulations, building codes, land use and transportation plans, area capital improvement programs, and other documentation of land use management in the study area. Tables and exhibits of the zoning, future land use plan designation, and improvement project information will be prepared.

Responsibilities:

Consultant: Coffman Associates will review reports and documents from area planning agencies.

Sponsor: Review.

Product: Tables and exhibits for analysis in later tasks.

ELEMENT 3 – PRELIMINARY DRAFT ALUCP

Task 3.1 - Review Existing Airport Land Use Compatibility Guidelines, policies, and criteria

Description: Review noise, overflight, safety, and airspace compatibility guidelines, policies, and criteria from a variety of sources, including the current *San Mateo County Comprehensive Airport Land Use Plan*, 14 CFR Federal Aviation Regulation Parts 77 and 150, FAA Advisory Circulars 150/5200-33 and 150/5300-13, the latest edition of the CALTRANS *Airport Land Use Planning Handbook*, and other sources in the consultant's library.

Responsibilities:

Consultant: Primary responsibility for task.

Sponsor: Review

Product: Summary of noise, overflight, safety, and airspace land use guidelines, policies, and criteria from a variety of sources that have influence on the ALUCP update.

Task 3.2 - Identify Height Limit Surfaces for Airspace Protection

Description: Based on the review of information in Task 3.1 and the most recent Part 77 surfaces (prepared as part of the Airport Layout Plan update in 2012) for the airport and available terrain data, height limit surfaces will be determined using geographic information system software.

Responsibilities:

Consultant: Coffman Associates will be responsible for this task.

Sponsor: Review.

Product: Half Moon Bay Part 77 drawing, maps and analysis of height limit surfaces.

Task 3.3 - Identify and Analyze Accident Risk to Develop Safety Compatibility policies and criteria

Description: Based on the review of information in Task 3.1 and accident data from the most recent version of the *California Airport Land Use Compatibility Handbook*, accident risk potential will be determined in the vicinity of the airport. Geographic information system software is anticipated to be used for this analysis.

Responsibilities:

Consultant: Coffman Associates will be responsible for this task.

Sponsor: Review.

Product: Maps and analysis of accident risk potential and implications, and draft safety compatibility policies and criteria.

Task 3.4 - <u>Define Noise and Overflight Implications</u>

Description: Based on the review of information in Task 3.1 and noise exposure contours and flight track data developed in the 2012 Environmental Assessment for construction of a parallel taxiway will be used to determined noise and overflight implications. If necessary, additional noise exposure contour CNEL levels (55 and 60 CNEL) will be prepared. Geographic information system software and base mapping from Element 2 are anticipated to be used for this analysis.

Responsibilities:

Consultant: Coffman Associates will be responsible for this task.

Sponsor: Review.

Product: Maps and analysis of noise and overflight implications. Noise contour map, based on baseline and 5-year projection, for Half Moon Bay Airport including 55, 60, 65, and 70 DB CNEL, and proposed safety compatibility criteria and policy.

Task 3.5 - <u>Identify Airport Land Use Compatibility Issues and Policies, and develop draft Airport Influence Area (AIA) Boundary</u>

Description: Identify noise, overflight, safety, and airspace compatibility issues based on existing land use patterns, potential future development patterns, existing and forecasted noise contours, and the compatibility guidelines reviewed in the previous task. Based on these issues, identify land use compatibility policies for consideration. Develop draft Airport Influence Area (AIA) boundary for policy implementation.

Responsibilities:

Consultant: Primary responsibility for task.

Sponsor: Review.

Product: Documentation of airport land use compatibility issues and policies. Draft Airport Influence Area (AIA) Boundary map.

Task 3.6 - Summary of the Noise Compatibility, Overflight, Safety Compatibility and Airspace Protection Analysis and Results

Description: The analysis and results Tasks 3.1, 3.2, 3.3, 3.4 and 3.5 will be summarized in a white paper for presentation to the PAT.

Responsibilities:

Consultant: Coffman Associates will prepare a white paper and upload it to website for download access.

Sponsor: Review, print and distribute to PAT members.

Product: White paper summarizing the analysis and results of Tasks 3.1, 3.2, 3.3, 3.4, and 3.5.

Task 3.7 - PAT Meeting

Description: Meet with and give a presentation to the Project Advisory Team to discuss the analysis and results of Tasks 3.1, 3.2, 3.3, 3.4 and 3.5. The purpose of the meeting will be to discuss the Preliminary Draft ALUCP in order to obtain input into the final recommended land use compatibility policies.

Responsibilities:

Consultant: Provide presentations and necessary graphics for the meetings. Prepare summary minutes as appropriate.

Sponsor: Coordinate jointly with Consultant. Provide for meeting locations and any meeting notice or mailing, if determined to be appropriate.

Product: Project Advisory Team meeting and summary minutes, including record of input on analysis and alternative compatibility policies.

Task 3.8 - Refinement of Noise, Overflight, Safety Compatibility and Airspace Protection Compatibility Policies and Implementation materials, including refinement of Airport Influence Area (AIA) Boundary map.

Description: Based on the results of Tasks 3.1, 3.2, 3.3, 3.4 and 3.5 and PAT meeting refined noise compatibility, overflight, safety compatibility and airspace protection policies will be developed.

Responsibilities:

Consultant: Coffman Associates will be responsible for this task.

Sponsor: Review.

Product: Refined noise, overflight, safety, and airspace protection compatibility policies and AIA map.

Task 3.9 - <u>Prepare Preliminary Draft ALUCP</u>

Description: Information gathered and analyzed in Elements 2 and 3 will be summarized in a report format to facilitate further coordination and consideration by the Project Advisory Team, ALUC, C/CAG Board, key stakeholders such as the Mid-Coast Community Council, and general public. The following outline of the document will be used.

CHAPTER 1

I. Introduction
   - A. Scope of the Plan
   - B. State Authorization
   - C. Description of Airport Land Use Commission
   - D. Authority of Airport Land Use Commission

II. General Policies and Plan Implementation Overview
   - A. Plan Purpose and Need
   - B. Amendments of the ALUCP
   - C. Applicability of the ALUCP
   - D Airport Influence Area (AIA) Boundrary
   - E. General Land Use Compatibility Policies
   - F. ALUCP Implementation

CHAPTER 2

I. Half Moon Bay Airport Environs
   - A. Airport Setting
   - B. Study Area
   - C. Existing Land Use
   - D. Land Use Planning Policies and Regulations
   - E. Airport Noise Exposure and Noise Abatement/Mitigation Programs

CHAPTER 3

I. Half Moon Bay Airport
   - A. Airport Facilities

B. Airport Activity Data
C. Future Airport Improvements

CHAPTER 4

A. Safety Compatibility Policies and Criteria
B. Noise Compatibility Policies and Criteria
C. Height Compatibility Policies and Criteria
D. Airspace Protection Compatibility Policies and Criteria

APPENDICES

A. Airport Noise Analysis
B. Safety Compatibility Issues and Alternatives, including description/analysis of existing Airport Overlay zone
C. Noise Compatibility Issues and Alternatives
D. Height Restriction Issues and Alternatives
E. Implementation Materials

Responsibilities:

Consultant: Primary responsibility for task.

Sponsor: Review and coordination.

Product: Preliminary Draft ALUCP. Twenty (20) copies shall be provided to the Sponsor.

ELEMENT 4 – PRELIMINARY DRAFT ALUCP COORDINATION

Task 4.1 - <u>C/CAG ALUC & PAT Meeting</u>

Description: Meet with and give a presentation to the C/CAG ALUC and Project Advisory Team to discuss the Preliminary Draft ALUCP. The purpose of the meeting will be to discuss the Preliminary Draft ALUCP in order to obtain input into the final recommended land use compatibility policies.

Responsibilities:

Consultant: Provide presentations and necessary graphics for the meetings. Prepare summary minutes as appropriate.

Sponsor: Coordinate jointly with Consultant. Provide for meeting locations and any meeting notice or mailing, if determined to be appropriate.

Product: C/CAG ALUC and Project Advisory Team meeting and summary minutes, including record of input on land use compatibility policies.

Task 4.2 - <u>C/CAG Board Meeting</u>

Description: Attend C/CAG Board meeting and give a presentation on the Preliminary Draft ALUCP. The purpose of the presentation will be to discuss the Preliminary Draft ALUCP in order to obtain input into the final recommended land use compatibility policies.

Responsibilities:

Consultant: Provide presentations and necessary graphics for the meetings.

Sponsor: Coordinate jointly with Consultant. Provide for meeting locations and any meeting notice or mailing, if determined to be appropriate.

Product: C/CAG Board presentation.

Task 4.3 - Key Stakeholder Meetings

Description: Attend at least two meetings with key stakeholder(s) such as the Mid-Coast Community Council and give presentations on the Preliminary Draft ALUCP. The purpose of the presentation will be to discuss the Preliminary Draft ALUCP in order to obtain input into the final recommended land use compatibility policies.

Responsibilities:

Consultant: Provide presentations and necessary graphics for the meetings.

Sponsor: Coordinate jointly with Consultant. Provide for meeting locations and any meeting notice or mailing, if determined to be appropriate.

Product: Meetings and presentation.

Task 4.4 - <u>Public Workshop</u>

Description: A public workshop will be held to provide an opportunity for the general public to participate in ALUCP update process. The purpose of the workshop will be to discuss the Preliminary Draft ALUCP and obtain input into the final recommended land use compatibility policies. The public workshop will be held the following evening after the C/CAG ALUC and Planning Advisory Committee identified in Task 4.1. An open house format is planned for this workshop.

Responsibilities:

Consultant: Provide meeting notices, print ads, presentations and necessary graphics for the meetings.

Sponsor: Coordinate jointly with Consultant. Provide for meeting locations, send meeting notices or mailing, and publish print ads if determined to be appropriate.

Product: Public workshop.

ELEMENT 5 – DRAFT FINAL ALUCP

Task 5.1 - <u>Revision of Noise, Overflight, Safety Compatibility and Airspace Protection Compatibility Policies and Implementation Materials as needed</u>

Description: Based on the results of the ALUCP coordination meetings and workshop identified in Element 4, refinements to the noise compatibility, overflight, safety compatibility, and airspace protection policies will be made as needed.

Responsibilities:

Consultant: Coffman Associates will be responsible for this task.

Sponsor: Review.

Product: Refined noise, overflight, safety, and airspace protection compatibility policies and criteria

Task 5.2 - <u>San Mateo County General Plan and Local Coastal Program Consistency Determination Analysis</u>

Description: Address the relationship of the ALUCP update to (1) the San Mateo County General Plan and the Local Coastal Program (LCP) and (2) the City of Half Moon Bay General Plan and Local Coastal Program (LCP); identify any changes or actions required to achieve and maintain consistency among those Plans and comply with Coastal Act requirements; identify the review/approval authority of the California Coastal Commission related to the ALUCP update.

Responsibilities:

Consultant: Primary responsibility for task.

Sponsor: Review and coordination.

Product: San Mateo County General Plan and Coastal Program Consistency Determination Analysis.

Task 5.3 - <u>Prepare Draft Final ALUCP</u>

Description: Information gathered Element 4 and analyzed in Task 5.1 and 5.2 will be used to prepare the Draft Final ALUCP and to facilitate further coordination and consideration by the Planning Advisory Committee, C/CAG Board, and general public. The following outlined in Task 3.9 of the document will be used.

Responsibilities:

Consultant: Primary responsibility for task.

Sponsor: Review and coordination.

Product: Preliminary Draft ALUCP. Twenty (20) copies shall be provided to the Sponsor.

ELEMENT 6 –COORDINATION, PUBLIC HEARING & FINAL ALUCP

Task 6.1 - <u>C/CAG ALUC & PAT Meeting</u>

Description: Meet with and give a presentation to the C/CAG ALUC and Project Advisory Team to discuss the Draft Final ALUCP. The purpose of the meeting will be to discuss the Draft Final ALUCP in order to obtain input into the final recommended land use compatibility policies.

Responsibilities:

Consultant: Provide presentations and necessary graphics for the meetings. Prepare summary minutes as appropriate.

Sponsor: Coordinate jointly with Consultant. Provide for meeting locations and any meeting notice or mailing, if determined to be appropriate.

Product: C/CAG ALUC and Project Advisory Team meeting and summary minutes.

Task 6.2 - <u>C/CAG Board Meeting</u>

Description: Attend C/CAG Board meeting and give a presentation on the Draft Final ALUCP. The purpose of the presentation will be to discuss the Preliminary Draft Final ALUCP in order to obtain input into the final recommended land use compatibility policies.

Responsibilities:

Consultant: Provide presentations and necessary graphics for the meetings.

Sponsor: Coordinate jointly with Consultant. Provide for meeting locations and any meeting notice or mailing, if determined to be appropriate.

Product: C/CAG Board presentation.

Task 6.3 - **Public Hearing**

Description: A public hearing will be held to solicit final comments from the public. The format of the hearing will be designed with the objective of encouraging maximum two-way communication while discouraging an overtly confrontational situation. The format can be selected from a variety of options incorporating the formal hearing with an informal workshop. The budget is based on a hearing held in conjunction with a public information workshop.

Responsibilities:

Consultant: Provide mock-up of legal notices for publication. Provide presentations and necessary graphics for the hearings.

Sponsor: Approve meeting notices. Arrange and pay for public hearing locations and publication of hearing notices in newspapers. Provide for preparation of the transcripts for each public hearing.

Product: Public hearing and public workshop.

Task 6.4 - **Response to Public Hearing Comments**

Description: Responses will be prepared to all comments raised at the public hearing and submitted in writing during the official comment period.

Responsibilities:

Consultant: Prepare responses to comments. Submit them to Sponsor for review.

Sponsor: Review and approval of responses to comments.

Product: Responses to comments received at public hearing.

Task 6.5 - **Prepare Final Airport Comprehensive Airport Land Use Plan Update Plan and Implementation Materials**

Description: Prepare the Final Airport Comprehensive Airport Land Use Plan Update Plan and Implementation Materials.

Responsibilities:

Consultant: Design, write, and print a final report.

Sponsor: Review and distribute.

Product: A final report documenting the complete Airport Land Use Compatibility Plan Update. Thirty (30) copies shall be provided. A digital version of the plan will also be provided on CD.

ELEMENT 7 – FLOATING PLANNING ADVISORY TEAM/COORDINATION MEETING

Task 7.1 –PAT Meeting/Coordination Meeting

Description: Meet with and give a presentation to the Planning Advisory Team or coordination meeting as request. The purpose of this meeting will be to discuss topics as requested by the Sponsor at anytime during the ALUCP update process.

Responsibilities:

Consultant: Provide presentations and necessary graphics for the meetings. Prepare summary minutes as appropriate.

Sponsor: Coordinate jointly with Consultant. Provide for meeting locations and any meeting notice or mailing, if determined to be appropriate.

Product: C/CAG ALUC and Planning Advisory Team meeting and summary minutes as requested by the sponsor.

ELEMENT 8 – GIS IMPLEMENTATION TOOL

Task 8.1 - Develop GIS Implementation Tool

Description: Work with Sponsor to assemble information to be put on GIS Website Tool. This includes vector datasets, aerial photography, and website functionality. Land use dataset as part of the ALUCP Update is to be included as part of data collection. Gather information about hardware and internet connection speeds and any Information Technology (IT) issues at the airport with a focus on internet access. Discuss web browsers used at the airport. GIS Website Tool function will include land use compatibility, obstruction analysis, and reporting. Web based collaboration will be used through web-meeting technology and conference call.

Coordinate with the Sponsor on the name and appearance of GIS Website Tool. Discuss website security requirements and passwords. Discuss website functionality and look-and-feel through available web technology. Demonstrate a sample site to facilitate the discussion. After the appearance of the website, security issues, and browsers are determined, load previously discussed data onto Coffman Associates' servers and create the GIS Website Tool. Notify Sponsor of the website and allow 30 days for comments. Web based collaboration will be used through web-meeting technology and conference call.

The Sponsor's website and data will be hosted by Coffman Associates for a period of two years under this scope of services agreement.. This includes backup of the Sponsor's data, and maintenance of the Sponsor's GIS Website Tool. After the two year host period, monthly website and data hosting fees will be charged based upon the storage file size needed for the Sponsor's data and data updates as requested.

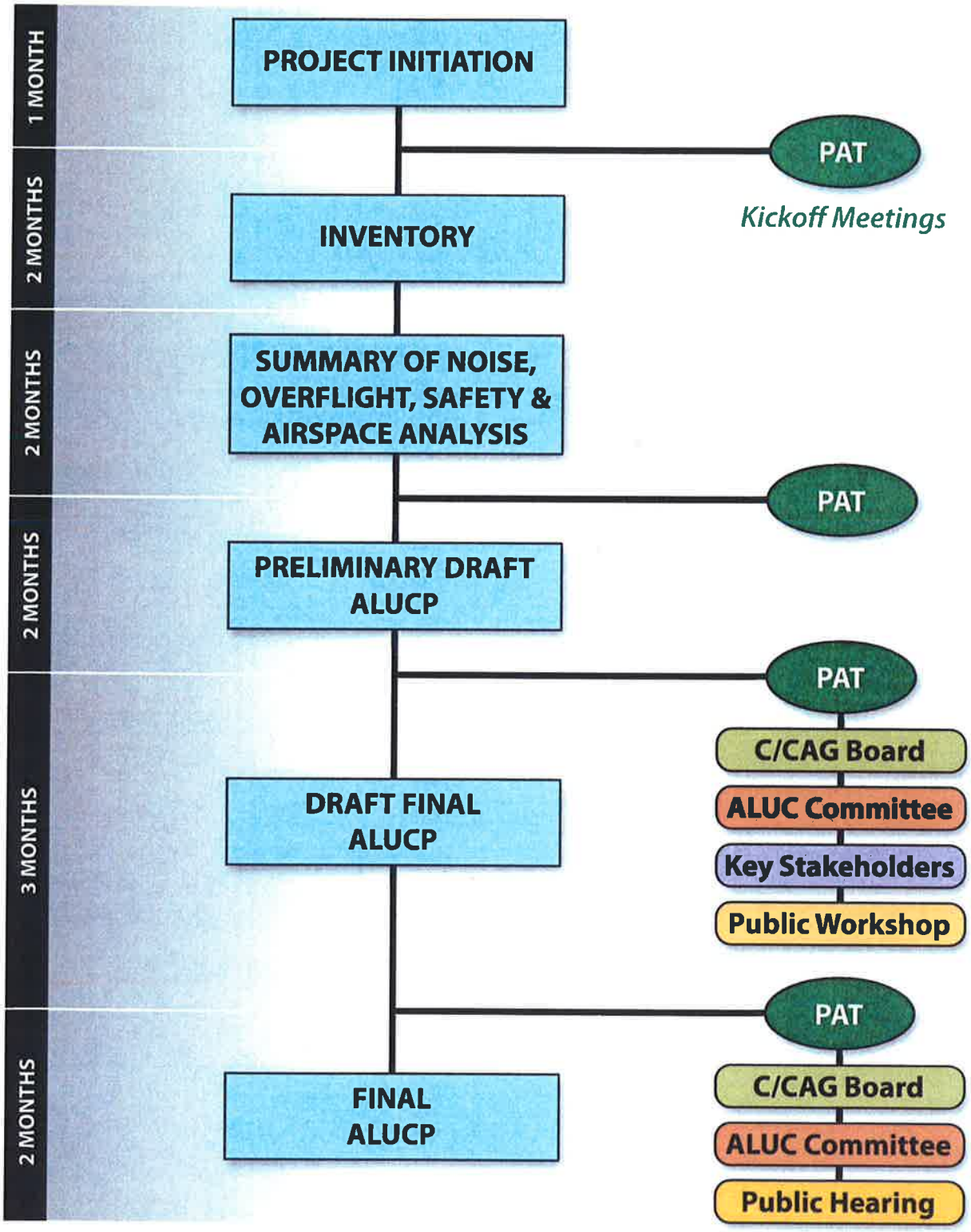
Responsibilities:

Consultant: Responsible for this task.

Sponsor: Coordinate jointly with Consultant. Provide source data and comments as necessary.

Product: GIS Website Tool and two year website hosting agreement.

Airport Land Use Compatibility Plan Schedule for
Half Moon Bay Airport



** An optional coordination meeting is also available if needed*

KEY:

ALUCP - Airport Land Use Compatibility Plan
ALUC - Airport Land Use Committee
PAT - Planning Advisory Team
C/CAG - City/County Association of Governments

Airport Land Use Committee Meeting

September 27, 2012

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

C/CAG AIRPORT LAND USE COMMITTEE (ALUC)

NOTICE OF REGULAR MEETING

DATE: Thursday, September 27, 2012

TIME: **4:00 P.M.**

PLACE: City Council Chamber at Millbrae City Hall
621 Magnolia Avenue,
Millbrae, CA 940300
Tel: 650 259-2334 (City Manager's Office)

PLEASE NOTE NEW LOCATION

AGENDA

1. **Call to Order/Roll Call/Declaration of a Quorum Present** – Richard Newman, ALUC Chairperson/Richard Napier, ALUC Staff

2. **Information Item:** Public comment on relevant items **not** on the Agenda – Richard Newman
Note: Speakers are limited to 2 minutes. The Committee cannot take action at this meeting on any topics/issues raised under this item.

3. **Action Item -** Consideration/approval of Action Minutes for the August 23, 2012 ALUC Regular Meeting p. 1

4. **Information Item:** Presentation on the San Bruno Transit Corridors Plan. – Mark Sullivan

5. **Action Item:** Recommendation to the C/CAG Board (Airport Land Use Commission) for adoption of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport - Richard Napier p. 9
Document is available at: www.ccag.ca.gov/plans_reports.html

Actions: 1. Hear ALUC staff and consultant presentation
2. Public Comment
3. Committee Discussion and comments

Airport Land Use Committee

ALUC Chairperson:
Richard Newman
Aviation Representative

ALUC Vice Chairperson:
Ann Keighran
Burlingame

ALUC Staff:
Richard Napier, Executive Director – C/CAG
Sandy Wong, Deputy Executive Director – C/CAG

4. Recommend approval of recommendation to the C/CAG Board for adoption

6. **Action Item:** Recommendation to the C/CAG Board (Airport Land Use Commission) for adoption of the Initial Study and Negative Declaration for the Comprehensive Land Use Plan for the Environs of San Francisco International Airport – Richard Napier p. 29
Document is available at: www.ccag.ca.gov/plans_reports.html

Actions:
1. Hear ALUC staff and consultant presentation
2. Solicit Public Comment
3. Committee Discussion and comments
4. Approval of recommendation to the C/CAG Board (Airport Land Use Commission) for adoption

7. **Action Item:** Status report on Update of the Airport Land Use Compatibility Plan (ALUCP) for the Environs of Half Moon Bay Airport. – Sandy Wong

Actions:
1. Hear ALUC verbal staff report
2. Public Comment
3. Committee Discussion

8. **Information item:** Information items – Richard Newman p.37

8.1 Memorandum on Airport Land Use Commission Funding.

9. **Information item:** Member Communications/Announcements – Richard Newman

10. **Adjourn** – Richard Newman

Note to ALUC Representatives, Alternates, and Interested Persons: The next Regular Meeting of the ALUC is scheduled for Thursday, November 22, 2012, unless otherwise noticed.

Access for Persons with Disabilities: The C/CAG Airport Land Use Committee (ALUC) meetings are accessible to persons with disabilities. Individuals who need special assistance or a disability-related modification or accommodation to participate in this meeting or who wish to request an alternative format for all meeting materials, should contact **Nancy Blair, C/CAG ALUC Staff, at 650/599-1406,** during regular business hours (8 a.m. – 5 p.m.), at least three working days before the meeting date.

Access to Public Records: Public records that relate to any item on the open session Agenda for this meeting are available for public inspection. Those records that are distributed less than 72 hours prior to the meeting are available for public inspection at the same time they are distributed to all ALUC Members, or a majority of the members of the ALUC. The ALUC has designated the C/CAG Office, at 555 County Center, Fifth Floor, Redwood City, CA 94063, for the purpose of making those public records available for inspection. Persons requesting such information should ask for Nancy Blair at the C/CAG Office.

C/CAG

Airport Land Use Committee (ALUC)
Minutes
August 23, 2012

1. Call to Order/ Roll Call/ Declaration of a Quorum.

George Auld	Aviation Representative
Richard Newman	Aviation Representative
Terry O'Connell	Brisbane
Jeffrey Gee	Redwood City
David Pine	County of San Mateo
Kevin Mullin	South San Francisco
Ken Ibarra	San Bruno
Robert Gottschalk	Millbrae
Raymond Buenaventura	Daly City

Staff and guests in attendance: RNapier (by phone) and SWong (C/CAG), MJohnson (Ricondo), JBergner, BGanoung, and JKim (SFO), LKetcham (MCC), MVanDuyn and GBeaudin (SSF), MSullivan (San Bruno), BMillar (Daly City), FMontazavi (Millbrae), ECullinan (Hillsborough), and BMitchell (Sequoia)

2. Information Item:

Chair Newman received input from member Grocott regarding the need for public comments on the agenda.

3. **Action Item: Consideration/Approval of Action Minutes for the June 21, 2012 ALUC Regular Meeting. Ibarra motioned/Gee seconded. APPROVED.**

4. Action Item: Review and comments on the Comprehensive Airport Land Use Compatibility Plan (ALUCP) for the Environs of San Francisco International Airport. **APPROVED**

Rich Napier, C/CAG Executive Director, and Mark Johnson, Ricondo Associates, provided overview of the changes made to the draft ALUCP based on comments received.

ALUC member comments included the following: Need to bring back detail budget including proposed revenue sources for the ALUCP update.

Public:

John Bergener (Staff - SFO) – provided comments (shown as attachment to these minutes).

Farhad Matazavo (Staff - Millbrae) – A comment letter from City of Millbrae was submitted to C/CAG, but has not been provided to ALUC committee as of this meeting. Mr. Matazavo Requested his comment letter be included.

Marty Van Duyn of the City of South San Francisco stated his satisfaction with C/CAG staff's response to City's comments.

Action: Member Mullin MOVED and Member Gee SECONDED to accept the revision to GP 5.3 of the ALUCP, and to direct staff to provide a copy of the Millbrae comment letter, and to direct staff to bring back more detail on budget. PASSED UNANIMOUSLY.

5. Action Item: Presentation and Public Hearing on the Initial Study and Negative Declaration for the Comprehensive Land Use Plan for the Environs of San Francisco International Airport **APPROVED**

Mark Johnson of Ricondo Associates provided a brief overview of the Initial Study and Negative Declaration for the Comprehensive Land Use Plan for the Environs of San Francisco International Airport.

Richard Napier, C/CAG Executive Director, provided a description of the public comment process, including the publication of a "Notice of intent to adopt a Negative Declaration for the proposed Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport".

Chair Newman opened the Public Hearing.

Public:

John Bergener (Staff - SFO) – provided comments (shown as attachment to these minutes).

ALUC members encourage the notification to affected property owners of the ALUCP update.

Action:
Closed Public Hearing.

6. Action Item: Receive the updated consultant Scope of Services and schedule for the update of the ALUCP for the Environs of Half Moon Bay Airport. **APPROVED**

Sandy Wong, C/CAG Deputy Director, provided a brief overview of the changes in consultant Scope of Services for the update of the ALUCP for the Environs of Half Moon Bay Airport.

Action: ALUC members accepted the update and requested to be informed of project schedule as well as to be informed of future Project Advisory Team meetings and Public Outreach meetings.

7. Information Item: None

8. Information Item: None

9. Adjourn

Meeting was adjourned at 5:45 P.M.

City of Millbrae

621 Magnolia Avenue, Millbrae, CA 94030

MARGE COLAPIETRO
Mayor

GINA PAPAN
Vice Mayor

NADIA V. HOLOBER
Councilwoman

WAYNE J. LEE
Councilman

ROBERT G. GOTTSCHALK
Councilman

August 15, 2012

Richard Napier
Executive Director
City/County Association of Governments of San Mateo County
555 County Center, 5th Floor
Redwood City, CA 94063

Dear Richard,

Thank you for giving me the opportunity to review and comment on the Draft Final Comprehensive Airport Land Use Compatibility Plan (draft final). I have previously portrayed my concerns regarding the document's effects on City of Millbrae land use policies including its General Plan and Millbrae Station Area Specific Plan (MSASP). After reviewing the latest document, I would like to forward additional comments provided below.

As it is indicated in Section E.10.2.1, page E-34 and 35 of the document, the Millbrae's BART station at the center of the Inner Approach/Departure Zone (IADZ) has given rise to conflicts. Millbrae's intermodal station is the largest station of its kind west of Mississippi, plus, the station is one of only four stops by the future High Speed Rail in the Bay Area - it is considered the City's main gateway and landmark. The IADZ covers most of MSASP which is the City's most vital source of high density, mixed-used development - plan to take full advantage of the proximity to the BART's station, as noted in the draft final.

The aforementioned area is the main source of MSASP's future high density residential units and tax revenue for the City, and by definition, it calls for larger and more intense development, different architecture, more height, etc than what is currently there. The draft final's future development regulations in IADZ, reverses the goals of MSASP. Also, the document stipulates the loss of developments on Site 7 and part of Site 6 of MSASP which constitutes for special accommodation to be made.

Regarding Section E.10.2.2 – Issues in the RPZ on page E-35 of draft final, I believe it would be more sensible to opt for "Alternative 1, Transfer of Development Rights" rather than the other alternatives as they are either too complicated or not a long-term solution. In addition, corrections need to be made to the final draft on; (a) Section E.10.2 - last sentence should read "A hospital is just *southwest* of the station, and (b) top portion of page E-36 should read "specific ordinance by the City of *Millbrae*".

Thank you again for allowing the City to comment on this draft final document. We look forward to your response and to work with you and your staff to resolve the listed comments and concerns.

Sincerely,

Farhad Mortazavi
Community Development Director

San Francisco International Airport

Comments from San Francisco International Airport (SFO or the Airport)
ALUC Meeting – August 23, 2012
Airport Land Use Compatibility Plan for the Environs of SFO and Proposed Negative Declaration

Item #4 – Action Item for Comprehensive Airport Land Use Compatibility Plan (ALUCP) for the Environs of SFO

- **Source of Revenue**: Annual costs for Airport Land Use Commission (ALUC) consistency review activities should not be the responsibility of the airport operator. Developers seeking a permit, or cities seeking a general plan amendment or re-zoning, which triggers a need for a consistency determination are responsible for paying fees for consistency determinations.

  State law does not authorize ALUCs to charge a general "annual fee". ALUCs are authorized to establish and impose fees for consistency determinations based on a specific triggering action, such as a development permit, rezoning or general plan amendment, and the proponent of the action pays the fee. Further, the fees are not to exceed the reasonable cost of the service. California Public Utilities Code Section 21671.5(g) provides:

  (f) The commission may establish a schedule of fees necessary to comply with this article. Those fees shall be charged to the proponents of actions, regulations, or permits, shall not exceed the estimated reasonable cost of providing the service, and shall be imposed pursuant to Section 66016 of the Government Code. Except as provided in subdivision (g), after June 30, 1991, a commission that has not adopted the airport land use compatibility plan required by Section 21675 shall not charge fees pursuant to this subdivision until the commission adopts the plan.

- **Proposed change to GP-5.3**: As noted at the prior meeting of the ALUC, SFO's position on GP-5.3 is that it should not be included in the proposed ALUCP as GP-5.1, GP-5.2, and GP-10.1 address the issue of review timing and the need or lack thereof for re-review of proposed development actions under the updated ALUCP. As noted, this new policy would result in the inclusion of new residential development in a future 70 - 75 CNEL noise contour and subject new residents to noise exposures that otherwise may not have been allowed by this ALUC. In addition, the Airport notes that Caltrans in their comments requested an explanation regarding the consistency of GP-5.3 with the State Aeronautics Act, Public Utilities Code section 21670 et seq., and the California Airport Land Use Handbook.

  Despite the Airport's previously stated objections to its inclusion, it is recognized that at the prior meeting, this ALUC voted to keep GP-5.3 in the ALUCP update document. As such, we agree with C/CAG staff that the proposed language change to GP-5.3 provides additional clarity on when this proposed policy would be implemented and we thank C/CAG staff for their continued outreach to stakeholders and work on refining the language of this policy language to more narrowly define its scope.

AIRPORT COMMISSION CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE *MAYOR* | LARRY MAZZOLA *PRESIDENT* | LINDA S. CRAYTON *VICE PRESIDENT* | ELEANOR JOHNS | RICHARD J. GUGGENHIME | PETER A. STERN | JOHN L. MARTIN *AIRPORT DIRECTOR*

Post Office Box 8097 San Francisco, California 94128 Tel 650.821.7) Fax 650.821.5005 www.flysfo.com

- **Next steps:** Last sentence of the second paragraph in the Next Steps section of the staff report seems to "predetermine" the action by stating, "The C/CAG Board will approve the ALUCP and the Initial Study..." The word, 'approve", should be changed to "consider" or "consider for approval".

Item #5 – Action Item for Public Hearing on Proposed Initial Study and Negative Declaration

- The proposed Negative Declaration does not but should include a land use policy and noise analysis of GP-5.3. Without this analysis, the environmental document is incomplete and there is no basis to find that the proposed ALUCP will not have significant environmental impacts.

- **Noise Compatibility Policies:** Currently, Section 4.1.1 of the IS/ND states (p.18), that dwellings are incompatible and would not be allowed within the 70-75 CNEL dB range, yet, GP-5.3 of the proposed ALUCP would allow in certain instances for construction of proposed development actions that have been deemed complete and reviewed under the prior ALUCP even though vested rights in the development actions may not have been obtained before approval of the updated ALUCP. This would set a precedent by allowing proposed development actions consistent with a prior ALUCP, and where the ALUCP update now shows those proposed dwelling units within the 70-75 dB range. This new policy is inconsistent with the declarative statement in Section 4.1.1. In fact, around 322 dwelling units could potentially be developed in the 70-75 CNEL dB range under GP-5.3.

- **Population and Housing:** This section of the proposed Initial Study (p.77) ignores the potential for GP-5.3 of the proposed ALUCP to expose persons to aircraft noise above acceptable noise standards, which in the Noise Compatibility Policies section on p. 18 indicated that 322 units are proposed in a 70-75 dB noise contour.

- **Land Use:** The discussion on p.71 of the proposed Negative Declaration states that potential conflicts with any applicable land use plan, policy, or regulation are considered a less than significant impact because local agencies may amend their land use plans or overrule the ALUCP as provided by State Law. The inclusion of GP-5.3 undercuts this approach by explicitly allowing local agencies with qualifying development action proposals to retain development rights that are inconsistent with the ALUCP and the purpose and intent of the State Aeronautics Act and as implemented in the California Airport Land Use Handbook. The Land Use section of the proposed Initial Study is inaccurate and must be re-evaluated in light of the implications of the new policy GP-5.3

- **Noise:** The proposed Initial Study fails to consider the consequences of exposing future residents to excessive noise levels in the 70-75 dB noise range by not considering the potential noise impacts as described and evaluated on p.75. In this regard, the new policy GP-5.3 in the proposed ALUCP would permit residential uses within the 70-75 dB range whereas the current ALUCP would prohibit such residential uses in the 70-75 dB range. As currently written, the proposed IS/ND provides no basis that potential exposure of people residing or working in the project area to excessive noise levels can be considered a less than significant impact.

C/CAG AGENDA REPORT

Date: September 27, 2012

TO: Airport Land Use Committee

From: Richard Napier - Executive Director, C/CAG

Subject: Recommendation to the C/CAG Board (Airport Land Use Commission) for adoption of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport

(For further information or response to questions, contact Richard Napier at 650 599-1420)

Recommendation:

Recommendation to the C/CAG Board (Airport Land Use Commission) for adoption of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport in accordance with the staff recommendation.

Fiscal Impact:

Function of the number of consistency reviews performed annually. Approximately $25-50,000 annually. Approximately $4,000 to $8,000 per consistency review.

Source of Revenue:

Funding is provided in the adopted C/CAG Budget under the General Fund. Staff is pursuing funding from the airport operators and other sources to reduce the funding necessary from the General Fund.

Background:

C/CAG as the Airport Land Use Commission for San Mateo County is responsible for developing a Comprehensive Airport Land Use Compatibility Plan (CLUP) for all four airports in San Mateo County. These airports include San Francisco International Airport (SFIA), Half Moon Bay, San Carlos, and Palo Alto (shared with Santa Clara County Airport Land Use Commission). These plans must be developed consistent with the California Department of Transportation Division of Aeronautics *Airport Land Use Planning Handbook*, 2011. Because the update of the ALUCP was partially funding by a grant from the Federal Aviation Administration (FAA), the plan update process also must comply with Federal guidance. The ALUCP for all four airports are dated. C/CAG has begun updating the ALUCP. The first ALUCP to be updated is for San Francisco International Airport.

In addition to the FAA grant, C/CAG received grants from the California Division of Aeronautics, and SFIA to update the ALUCP for San Francisco International Airport. This update was initiated in 2008. It was delayed due to FAA approval of updated noise contours, delay in completing the Aeronautics Handbook 2011, and approval of the Runway Safety Area Program at SFIA. A draft of the Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport is completed and the latest changes will be presented to the Airport Land Use Committee (ALUC) at the 9/27/12 meeting. C/CAG hired Jacobs Consultancy, which subcontracted with Ricondo & Associates, Inc., to develop the ALUCP for SFIA.

Outreach:

C/CAG staff and the consultant have been working with the stakeholders and the Airport Land Use Committee to make a final recommendation on the ALUCP for the Environs of San Francisco International Airport. ALUC Meetings were held on February 16, 2012, March 22, 2012, June 21, 2012, and August 23, 2012 to review, comment and provide direction on the SFIA ALUCP. All the ALUC meetings were noticed on the C/CAG Website with the August 23, 2012 and September 27, 2012 meetings also noticed in the newspaper.

Proposed Changes:

The ALUCP has been modified in accordance with the Committee recommendations and in response to the comment letters received . Changes are shown in the attached "Addendum to the Draft Final Comprehensive Airport Land Use Plan for the Environs of San Francisco International Airport". This clearly shows the changes to the ALUCP. The major changes include the following:

1- Revised GP 5.3 language adopted at the 8/23/2012 ALUC Meeting.
2- General Revisions to address the Caltrans Department of Aeronautics letter dated 8/6/12.
3- Revisions to Appendix E Airport Vicinity Safety Considerations to better connect it with the Caltrans Airport Land Use Planning Handbook.
4- Revisions to Appendix L - Real Estate Disclosure and Overflight Notification Considerations.

Next Steps:

ALUC staff has provided its recommendations based on the comments and discussions received to date. At the 9/27/12 meeting it is requested that ALUC accept the staff recommended changes. ALUC staff referral to the C/CAG Board (Airport Land Use Commission) for adoption of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport in accordance with the staff recommendation. The Initial Study and Negative Declaration for the Comprehensive Airport Land Use Plan for the Environs of San Francisco International Airport document will also be submitted to ALUC on September 27, 2012 for a recommendation to the C/CAG Board (Airport Land Use Commission).

The C/CAG Board will review and consider approval of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport at the October 11, 2012 meeting. The Initial Study and Negative Declaration will also be submitted to the C/CAG Board on October 11, 2012. The Board will hold a public hearing. The C/CAG Board is expected to approve the ALUCP and the Initial Study and Negative Declaration at the November 8, 2012 meeting.

Attachments:

Attachment 1 - Addendum to the Draft Final Comprehensive Airport Land Use Plan for the Environs of San Francisco International Airport" - Provided Separately in Packet.
Attachment 2 - Responses to letters received.

Document Availability:

Go to www.ccag.ca.gov/plans_reports.html

Attachment 1

Addendum to the Draft Final Comprehensive Airport Land Use Plan for the Environs of San Francisco International Airport

Provided Separately in Packet.

Attachment 2

Response to letters received

1- Caltrans Division of Aeronautics dated 8/6/12.
2- City of Millbrae dated August 15, 2012.
3- Town of Colma dated August 21 ,2012.
4- SFO Comments provided at 8/23/12 ALUC Meeting.

C/CAG

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September 11, 2012

Robert Fiore
Office of Aviation Planning
Department Of Transportation
Division Of Aeronautics – M.S. #40
1120 N Street, Suite 3300
P. O. Box 942873
Sacramento, CA 94273-0001

Dear Mr. Fiore:

Thank you for your letter of August 6, 2012 offering comments on our draft Airport Land Use Compatibility Plan (ALUCP) for San Francisco International Airport. We appreciate your assistance and guidance as we bring our planning process to a close.

C/CAG staff appreciated you and Terry Barrie being available to participate in the conference call on 8/22/12 to discuss the draft ALUCP. This allowed C/CAG staff and our consultant to better understand your letter and provided us the opportunity to conceptually frame the approach that was taken in developing the Airport Land Use Compatibility Plan (ALUCP) for San Francisco International Airport. C/CAG delayed the draft ALUCP over a year in order allow completion of the updated Handbook such that its guidance could be incorporated in the ALUCP. Based on the direction of the completed Handbook, changes were made to the configuration of safety zones in the draft ALUCP.

It is important to keep in mind that San Francisco International Airport is located in an urban area with established development on three sides. This locational context resulted in three key objectives for the ALUCP update: 1- Protect all aspects of the operations of SFO, 2- Reasonably balance acceptable land uses in this already densely populated and developed area, and 3- Balance and address the relevant political issues in the surrounding cities. A key approach taken was to use height to control density. This was especially significant given that the terrain increases in height toward the west. We believe this ALUCP sets the strongest height limit requirements for any airport.

This letter responds to your comments, answering questions and explaining changes in the Draft ALUCP that we are making to address your suggestions and concerns. Your comments are addressed individually in the order in which they appear in your letter.

Preface, Requirements of California Law, Last Paragraph, First Sentence, P-1, regarding ALUCP applicability and existing land uses

The sentence and paragraph have been revised to more clearly describe the applicability of state law to proposed and existing land uses.

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Section 3.2, General Policies, GP-4.4 Discontinuance of Nonconforming Use, Page III-6

We are uncertain about the purpose of the language you suggest in your letter. As we read it, the language in the sample implementation document on pages H-26 and H-27 of the Handbook is consistent in its essential content with the language in GP-4.1, 4.2, 4.3, and 4.4 of the SFO ALUCP. Please let us know if we are misunderstanding your comment.

Section 3.2, General Policies, GP-5.3 Land Use Policy and Development Actions in the Review Process before the Effective Date of this ALUCP, Page III-7

This section has been revised by deleting the original section in its entirety and replacing it with the following:

> "Any proposed development action located between the 2006 NEM and 2020 Forecast 70 dB CNEL noise contours, that has an application deemed complete per Section 65943 of the California Government Code by the local agency prior to adoption of this ALUCP, will be evaluated for noise consistency only under the 2006 NEM 70 dB CNEL noise contour provided that the proposed development action meets all other requirements of this ALUCP."

The policy is intended to allow proposed projects that have been in the detailed planning stages and which have been prepared to comply with the former ALUCP to proceed without having to be revised to comply with the updated ALUCP. The language has been rewritten to apply narrowly only to such projects. The rewritten policy would not apply to proposed specific plans or general plan amendments.

Section 3.2, General Policies, GP-7 Properties Divided by a Compatibility Zone Boundary, Page III-7

This policy, requiring that parcels split by a compatibility zone boundary be treated as separate parcels for purposes of ALUCP administration, is a typical way of handling this situation in conventional zoning ordinances. It would be consistent with the Handbook in ensuring that each part of a split parcel would be subject to the corresponding compatibility policies of the ALUCP.

We cannot find any guidance in the Handbook specifically addressing the treatment of properties split by a compatibility zone boundary. (The pages cited in your letter appear to relate to the calculation of nonresidential development intensities.)

Section 4.3, Noise Compatibility Policies, Second Homes

Policy NP-4.2 on page IV-18 addresses "second homes."

Section 4.4, Safety Compatibility Policies, Pages IV-24 through IV-33

Table IV-2 presents a list of land uses that are considered incompatible within the five safety zones and lists other uses that are to be avoided in the safety zones. The "incompatible uses" would not be allowed in the safety zones. Several revisions to Table IV-2 are being made, as described more fully in the response to the next comment.

The safety standards do not include direct limits on residential density or nonresidential intensity. Early in the planning process, the decision was made to

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rely on the maximum height limits in the airspace protection policies as indirect limits on the density and intensity of development in the safety zones. Several factors led to this decision:

- The area within the safety zones is fully developed with urban uses, but is subject to potentially intense development pressure. BART and Caltrain stations are in or adjacent to the safety zones off each set of runway ends. The four local governments with jurisdiction in these areas (South San Francisco, San Bruno, Millbrae, and Burlingame) are strongly committed to the redevelopment of these areas to capitalize on the transit stations.
- The airspace off the departure ends of Runways 28L and 28R is critical to protect from encroachment by new development. These are the primary runways for long-haul international departures at this important international gateway airport. While the FAA construction review process ensures that planned new structures that would constitute hazards to navigation are identified, the FAA has no authority to regulate or prevent the construction of such buildings. Furthermore, the FAA is not obligated to cite penetrations of the imaginary surfaces associated with one-engine inoperative (OEI) departure procedures as hazards to air navigation. To ensure the long-term protection of the OEI surfaces, local action is needed.
- It was decided to strike a balance between the needs of the local communities for redevelopment and the needs of the Airport and the public for airport land use compatibility off the runway ends. The solution was to effectively prohibit the development of land uses posing the greatest risks to the safety of the public (such as schools, hospitals, nursing homes, and hazardous uses), while allowing other development up to the height of the airspace protection surfaces. The airspace protection surfaces have been mapped by the Airport. Maps of the lowest combined surfaces are includes as Exhibits IV-17 and IV-18 in the ALUCP. These surfaces reflect the lowest of the OEI surfaces off each pair of runway ends, the TERPS surfaces, and the Part 77 airport obstruction surfaces. The airspace protection surfaces are particularly low off the departure ends of Runways 28L and 28R and 19L and 19R, reflecting the OEI departure surfaces. It was understood that this approach to limiting the height of structures would be an indirect method of limiting the density and intensity of future development in the safety zones. The attached Figures E-4 and E-5 were prepared to show the relationship between the safety zones and the lowest airspace surfaces. They will be included in the final version of Appendix E.

Section 4.4, Safety Compatibility Policies, Table IV-2, Page IV-33

The attached table compares the safety compatibility guidelines from Figures 4B through 4G of the Handbook with the safety policies in the SFO ALUCP. The comparison shows that the land use policies of the ALUCP, while not identical, are similar to the Handbook guidelines.

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- Safety Zone 1 – The ALUCP criteria are virtually identical to the Handbook guidance, differing only in levels of specificity.

- Safety Zone 2 – The uses that would be prohibited under the ALUCP policies are similar to those listed in the Handbook guidance. The Handbook advises prohibiting office buildings and labor-intensive industrial uses, but they would not be restricted under the ALUCP. (Note that we are proposing to add theaters and meeting halls seating over 300 people and stadiums and arenas to the list of prohibited uses in Zone 2.) On the other hand, the ALUCP would prohibit critical public utilities, while the Handbook does not mention those uses. While the Handbook advises prohibiting housing in Safety Zone 2, allowing only infill in developed areas, the ALUCP imposes no direct limits on housing. The maximum height limits of the airspace protection policies, however, indirectly impose limits on the maximum number of housing units that can be developed in the safety zones.

- Safety Zone 3 – The proposed ALUCP would prohibit children's schools, day care centers, hospitals, and stadium arenas as advised in the Handbook guidelines. The ALUCP policies differ from the Handbook guidelines in allowing shopping centers, theaters, and meeting halls and prohibiting Biosafety Level 3 and 4 facilities. The proposed ALUCP and the Handbook guidelines are the same in listing hazardous uses as those to be avoided in Zone 3. The Handbook advises avoiding buildings with more than three stories and other uses with higher intensities in Zone 3, but these are not specifically mentioned in the ALUCP. On the other hand, the ALUCP lists critical public utilities as uses to be avoided, while the Handbook does not mention them.

- Safety Zone 4 --
  The Handbook guidelines are very similar to the ALUCP criteria for Zone 4. The ALUCP is somewhat more restrictive in prohibiting Biosafety Level 3 and 4 facilities and advising the avoidance of other hazardous uses and critical public utilities. On the other hand, the Handbook advises the avoidance of high intensity retail and office buildings, which are not directly restricted under the ALUCP. The Handbook also advises limiting infill residential development to the average density of the surrounding area, while the ALUCP has no such requirement. As in Zones 2 and 3, the maximum height limits of the airspace protection policies, however, indirectly impose limits on the maximum number of housing units and the intensity of nonresidential uses that can be developed in the safety zones.

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- Safety Zone 5 – The ALUCP policies are similar to the Handbook guidance, although the ALUCP policies prohibit additional land uses (hazardous uses and critical public utilities). In contrast to the Handbook guidance, the ALUCP policies do not address residential land uses. The ALUCP policies are essentially moot, however, since all of Safety Zone 5 is on airport property. As such, the use of the property is governed by FAA airport design standards and enforced through the FAA's grant assurances. The FAA design guidance effectively imposes stricter land use controls than either the ALUCP or the Handbook guidance.

Appendix E, Reference to "CLUP," Caltrans Safety Zones

References in Appendix E to the "CLUP" will be changed to "ALUCP." Figure E-3 has been revised to depict the safety compatibility zones for large air carrier runways from Figure 3B in the Handbook with the proposed safety compatibility zones for SFO.

Appendix E, E.7 Future Land Use Changes, Page E-24, Observation Regarding Lack of Consistency of Local Land Use Regulations with ALUCP Policies regarding Redevelopment and Industrial Plumes

This observation is acknowledged. It is understood that local agencies must revise their land use plans and regulations to be consistent with the updated ALUCP, unless they act to overrule the updated ALUCP.

Appendix E, E.9 Potential Safety Compatibility Policies for SFO Safety, Pages E-25 through E-43

Appendix E is intended as a broad discussion of the basis for the safety zones and safety compatibility policies established in Chapter IV. We agree that, in its current form, this section does not achieve that purpose. (The original version of Appendix E was adapted from a working paper prepared early in the planning process in 2009.)

This part of Appendix E is being revised to explain the basis for the proposed safety zones and safety compatibility policies described in Chapter IV. The Attached Figures E-4 and E-5 have been revised for additional clarification.

Other changes referenced above will be provided as an Addendum when available.

Again, thank you for your comment and suggestions. Please call me if you have any questions. We will be sure to keep you informed about future meetings and hearings and the posting of documents relating to this project.

Sincerely,

Richard Napier

Richard Napier
Executive Director

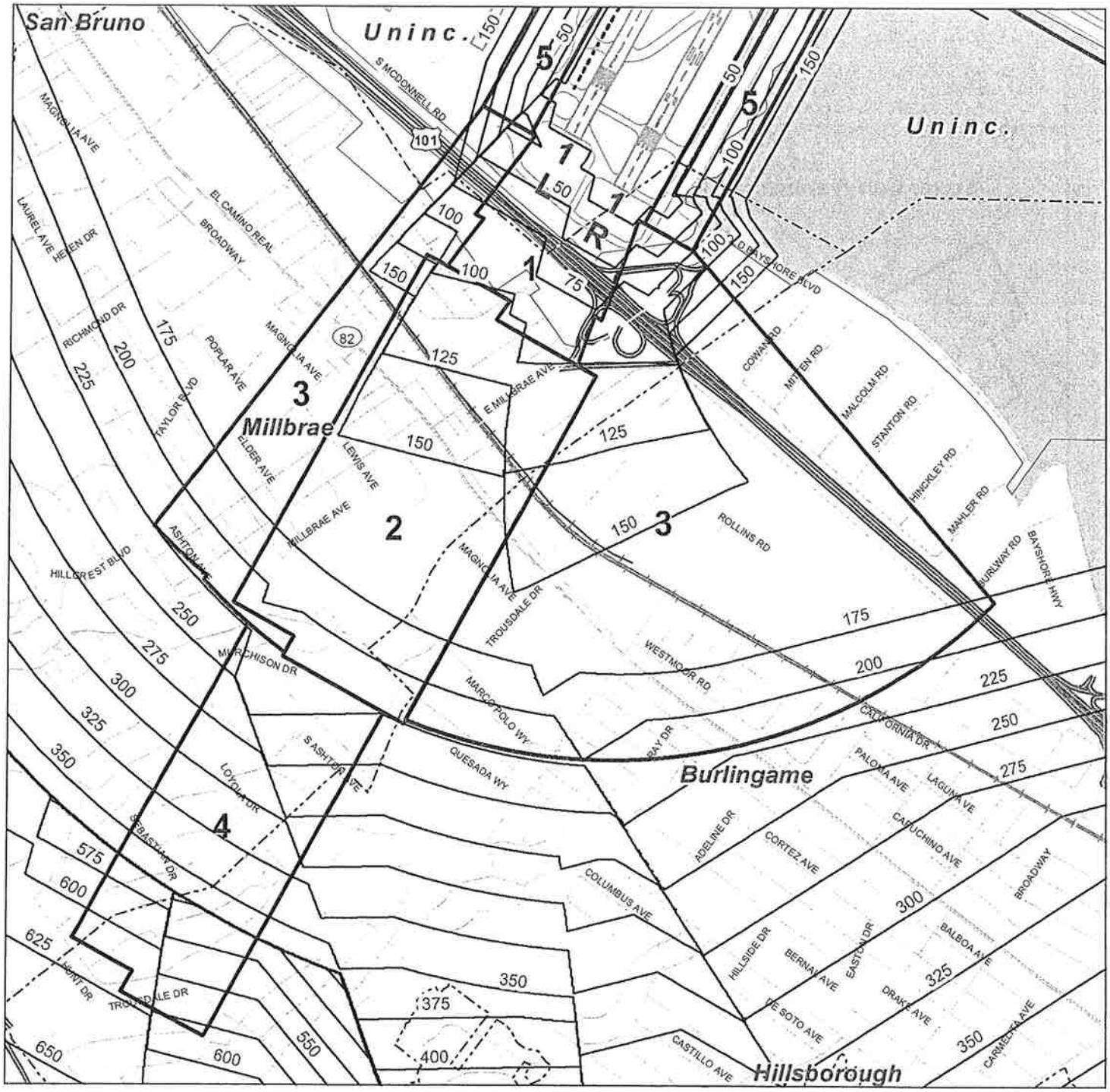
555 County Center Fifth Floor, Redwood City, CA 94063 Phone: 650.599.1406 Fax: 650.361.8227

Comparsion -- 2011 Handbook Safety Guidance vs. SFO ALUCP Safety Compatibility Criteria

	Handbook Guidance	Proposed ALUCP
Safety Zone 1		
Uses to Prohibit	- All structures	- All new structures - Places of assembly not in structures - Hazardous uses - Critical public utilities
Uses to Avoid	- Non res'l uses except very low intensity - Parking lots, streets, roads;	- Nonresidential uses except very low intensity uses in the "controlled activity area."
Max Res'l Density	0	0
Max Nonres'l Intensity	0	0
Safety Zone 2		
Uses to Prohibit	- Theaters, meeting halls and other assembly uses - Office buildings greater than 3 stories - Labor-intensive industrial uses - Children's schools, large daycare centers, hospitals, nursing homes - Stadiums, group recreational uses - Hazardous uses (e.g. aboveground bulk fuel storage)	*- Theaters, meeting halls, places of assembly seating more than 300 people* - Children's schools; Large child day care centers and noncommercial employer-sponsored centers ancillary to a place of business; Hospitals, nursing homes *- Stadiums, arenas* - Hazardous uses - Critical public utilities
Uses to Avoid	- All residential uses except as infill in developed areas - Multi-story uses; uses with high density or intensity - Shopping centers, most eating establishments	None listed
Max Res'l Density	0	Allow infill up to maximum height allowed by airspace protection policies
Max Nonres'l Intensity	Allow infill up to average of surrounding area.	Allow infill up to maximum height allowed by airspace protection policies
Safety Zone 3		
Uses to Prohibit	- Major shopping centers, theaters, meeting halls and other assembly facilities	

	- Children's schools, large daycare centers, hospitals, nursing homes - Stadiums, group recreational uses	- Children's schools; Large child day care centers; Hospitals, nursing homes *- Stadiums, arenas* - Biosafety Level 3 and 4 facilities
Uses to Avoid	- Commercial and other nonresidential uses having higher usage intensities - Building with more than 3 aboveground habitable floors - Hazardous uses (e.g., aboveground bulk fuel storage)	*- Hazardous uses other than Biosafety Level 3 and 4 facilities* - Critical public utilities
Max Res'l Density	Allow infill up to average of surrounding area.	Allow infill up to maximum height allowed by airspace protection policies
Max Nonres'l Intensity	Allow infill up to average of surrounding area.	Allow infill up to maximum height allowed by airspace protection policies
Safety Zone 4		
Uses to Prohibit	- Stadiums, group recreational uses - Children's schools, large daycare centers, hospitals, nursing homes	*- Stadiums, arenas* - Children's schools; Large child day care centers; Hospitals, nursing homes - Biosafety Level 3 and 4 facilities
Uses to Avoid	- High-intensity retail or office buildings	Hazardous uses other than Biosafety Level 3 and 4 facilities2/ Critical public utilities2/
Max Res'l Density	Allow infill up to average of surrounding area.	Allow infill up to maximum height allowed by airspace protection policies
Max Nonres'l Intensity	Allow infill up to average of surrounding area.	Allow infill up to maximum height allowed by airspace protection policies
Safety Zone 5		
Uses to Prohibit	- Stadiums, group recreational uses - Children's schools, large daycare centers, hospitals, nursing homes	*- Stadiums, arenas* - Children's schools; Large child day care facilities and noncommercial employer-sponsored centers ancillary to a place of business; Hospitals, nursing homes - Hazardous uses - Critical public utilities
Uses to Avoid	- Residential uses unless airport related (noise usually also a factor) - High-intensity nonresidential uses	None listed
Max Res'l Density	Allow infill up to average of surrounding area.	Allow infill up to maximum height allowed by airspace protection policies
Max Nonres'l Intensity	Allow infill up to average of surrounding area.	Allow infill up to maximum height allowed by airspace protection policies

* Underlined and italicized land uses are to be added to Table IV-2, Safety Compatibility Criteria



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
- Lowest Composite Airspace Surface (feet above mean sea level - MSL)
- Airport Property
- Municipal Boundary
- Railroad
- Freeway
- Major Road
- Road

Sources: Base Map: San Mateo County Planning & Building Department, 2007

Safety Zones: Ricondo & Associates, Inc. 2012

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

NORTH

0 0.125 0.25 0.5 Miles

Figure E-4

SAFETY ZONES AND LOWEST AIRSPACE SURFACES IN BURLINGAME AND MILLBRAE

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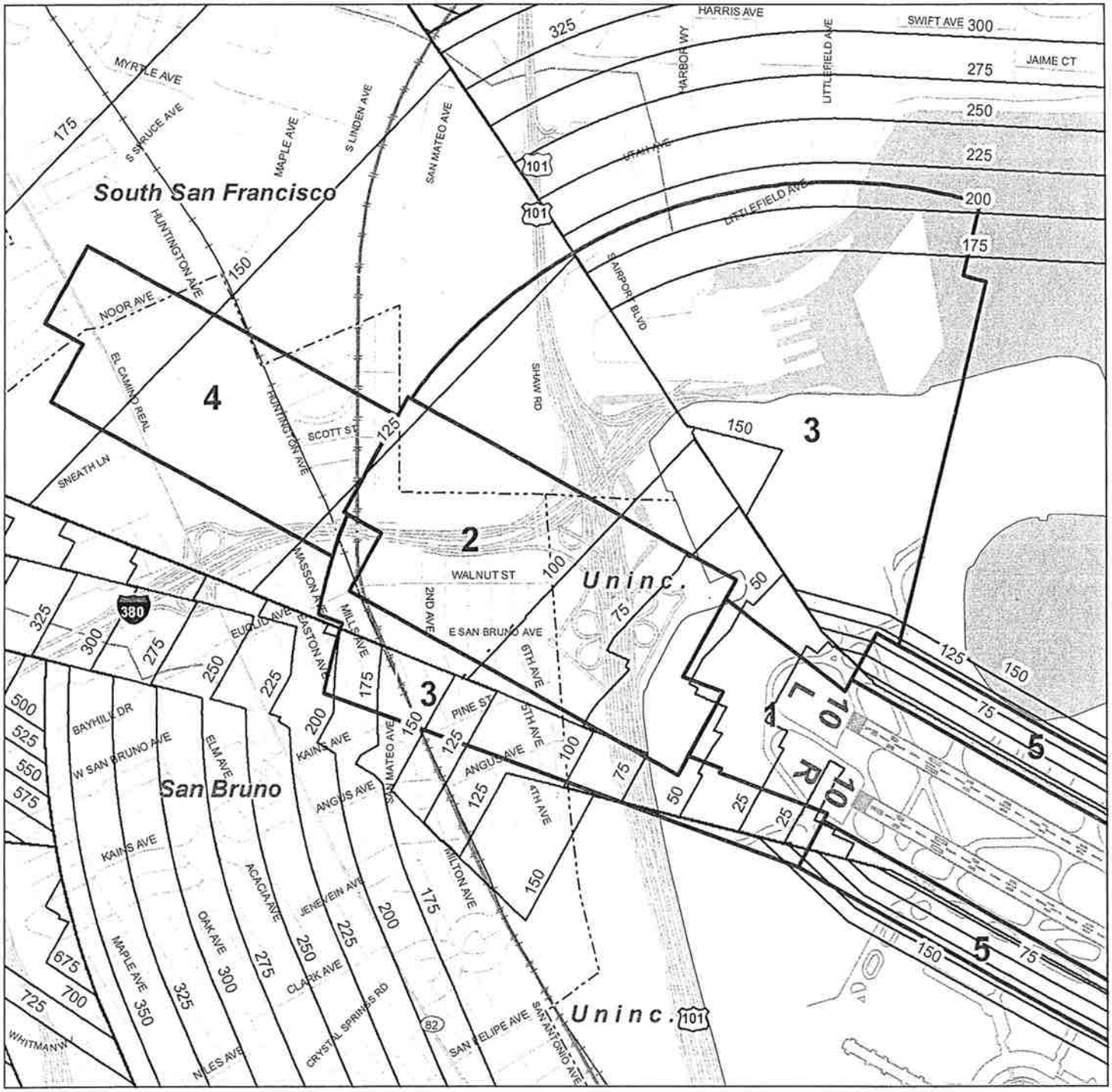

LEGEND

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
- Lowest Composite Airspace Surface (feet above mean sea level - MSL)

- Airport Property
- Municipal Boundary
- Railroad
- Freeway
- Major Road
- Road

Sources: Base Map: San Mateo County Planning & Building Department, 2007

Safety Zones: Ricondo & Associates, Inc. 2012

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

NORTH

0 0.125 0.25 0.5 Miles

Figure E-5

SAFETY ZONES AND LOWEST AIRSPACE SURFACES IN SOUTH SAN FRANCISCO AND SAN BRUNO

Comprehensive Airport Land Use Plan for the Environs of San Francisco International Airport

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

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September 21, 2012

Mr. Farhad Mortazavi
Community Development Director
City of Millbrae
621 Magnolia Ave.
Millbrae, CA 94030

Dear Mr. Mortazavi:

Thank you for your letter of August 15 commenting on the Draft Final Comprehensive Airport Land Use Compatibility Plan (ALUCP) for San Francisco International Airport. This letter responds to your comments.

BART Station and Millbrae Station Area Specific Plan (MSASP)

The safety and airspace policies of the Draft ALUCP would affect the City of Millbrae and the Millbrae Area Specific Plan. (As discussed in Section 4.1.2 of the Draft CEQA Initial Study evaluating the Draft ALUCP, the City of Millbrae is not affected by the noise policies of the Draft ALUCP.) These effects are evaluated in Sections 4.2.3 (safety) and 4.3.2 (airspace) of the Draft Initial Study.

Safety: The safety discussion notes that only two off-airport parcels within the MSASP would be affected by the safety-related land use policies. One is within Zone 1 and is currently used for a parking lot, consistent with the proposed safety policy. The other is the public works storage yard in Zone 2 (which the MSASP notes could be potentially redeveloped for a nursing home or similar public or quasi-public use). The largest proportion of the MSASP area within Zone 1 is actually owned by the Airport and would not be available for private development in any case. This is depicted in Exhibit 9 in the Initial Study.

Changes in the safety policies within Zone 2 are being proposed in response to comments filed by the Caltrans Aeronautics Department. Those changes would add the following uses to those considered incompatible within Zone 2:

- Stadiums and arenas
- Theaters and meeting halls seating over 300 people

The areas designated "commercial – mixed use" in the MSASP could be affected by incompatibility of large theaters and meeting halls in Zone 2. The MSASP envisions these areas as vibrant pedestrian and transit-oriented areas with a mix of retail and entertainment uses. While smaller theaters and cinemas would be acceptable in these areas, large megaplexes and similar facilities would be incompatible. An addendum to the CEQA Initial Study is being prepared to assess this proposed change in the ALUCP.

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Airspace: Exhibit 5E in Appendix A of the Draft Initial Study depicts the heights of the lowest airspace surfaces above Millbrae and the MSASP. In roughly one-third of the MSASP, buildings would be limited to heights between 100 and 120 feet, in another one-third to heights between 80 and 100 feet, and in the remaining area, heights between 60 and 80 feet. In very small parts of MSASP, buildings would be limited to heights as low as 35 feet, but those areas are very near the airport and are mostly within Zone 1, where limited development would be allowed under the ALUCP.

The height limits are the highest that can be allowed without interfering with protected airspace needed to ensure safe separation of aircraft from obstacles when aircraft are using the south end of Runways 1L-19R and 1R-19L. At the same time, these height limits are sufficient to allow an increase in development intensity within most of the MSASP.

Appendix E, Airport Vicinity Safety Considerations:

Appendix E in the Draft Initial Study is adapted from a working paper that was produced early in the ALUCP process in 2009. It is being revised for the final version of the Initial Study to simply describe the basis for the establishment of the safety zone boundaries and the proposed safety policies. The corrections you note in your letter will be made as needed.

The policy alternatives discussed in Section E.10.2.2 describe potential methods of promoting airport land use compatibility in critical areas. Transfer of development rights is an option that is available to local governments with land use regulatory authority. As you suggest, it may be applicable to the situation in Millbrae. C/CAG, as the airport land use commission for San Mateo County, lacks the authority to implement a transfer of development rights ordinance. After C/CAG adopts the updated ALUCP, local governments would be free to implement the ALUCP policies using any means they deem appropriate, whether that be conventional zoning, overlay zoning, transfer of development rights, or other means.

Thank you again for your comments and for your participation in the preparation of the updated plan. Please give me a call at 650 599-1420 if you have any other questions or concerns.

Sincerely,

Richard Napier

Richard Napier
Executive Director

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September 21, 2012

Michael Laughlin
Acting City Planner
Town of Colma Planning Department
1190 El Camino Real
Colma, CA 94014-3212

Re: Comments on Airport Land Use Compatibility Plan (ALUCP) for San Francisco International Airport (SFO)

Dear Mr. Laughlin,

Thank you for your email of August 21 commenting on the proposed ALUCP for SFO. Your comments were submitted to the ALUC at its August 23 meeting.

I appreciate your concerns about the portrayal of existing land use in the City of Colma. As you point out, the existing land use map is based on conditions as of 2007. We have taken care to update the map as warranted near the Airport, in areas subject to ALUCP land use policies. We have insufficient resources to comprehensively update existing land use throughout our study area, though.

We will, however, make the corrections you request relating to the name of Serramonte Boulevard and the errant school shown in Colma.

Thank you again for your comments and for your participation in the preparation of the updated plan. Please give me a call at 650 599-1420 if you have any other questions or concerns.

Sincerely,

Richard Napier

Richard Napier
Executive Director

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September 21, 2012

John Bergener
San Francisco International Airport
Post Office Box 8097
San Francisco, CA 94128

Re: Comments on Airport Land Use Compatibility Plan (ALUCP) for San Francisco International Airport (SFO)

Dear Mr. Bergener,

Thank you for commenting on the proposed ALUCP for SFO and the CEQA Initial Study at the Airport Land Use Committee's meeting on August 23. This letter responds to the written comments that you submitted on behalf of the San Francisco International Airport staff at that meeting.

Sources of Revenue for ALUCP Consistency Reviews:

I appreciate your frank comments and suggestions on this point. As I mentioned at the meeting, the exercise of our responsibility to review proposed projects for consistency with the ALUCP has posed a budgeting challenge for C/CAG through the years. I will be working with the C/CAG member jurisdictions to develop an appropriate and reliable source of funding to support this important function. Your comments will be helpful in that effort.

Proposed Changes to Policy GP-5.3, Relating to the Review of Development Applications Received Prior to Adoption of Updated ALUCP:

We understand your concerns with this proposed policy. At the same time, we believe that the City of South San Francisco has made a compelling argument that fairness should be accorded to the developer who has been working in good faith with the City for an extended period of time on this locally important project, relying on the applicability of the current CLUP. As we have discussed, and as you observed in your comments, we have tried to write this policy as narrowly as possible to ensure that it does not become a loophole which would unintentionally undermine the noise compatibility policies of the ALUCP.

Next Steps in Process:

Thank you for your suggested change in language. I agree that the change is appropriate.

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CEQA Initial Study and Draft Negative Declaration – Policy GP-5.3 Should be Addressed:

As you have requested, we are preparing an addendum to the Initial Study that will describe Policy GP-5.3 and analyze its potential effects on three CEQA impact categories: land use and planning, noise, and population and housing. That addendum will be distributed in the ALUC's packet for the September 27 meeting.

Thank you for your participation in this planning process and the help that you and your staff have provided. I will keep you informed as the proposed ALUCP moves forward toward adoption.
Please give me a call at 650 599-1420 if you have any other questions or concerns.

Sincerely,

Richard Napier

Richard Napier
Executive Director

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C/CAG AGENDA REPORT

Date: September 27, 2012

TO: Airport Land Use Committee

From: Richard Napier - Executive Director, C/CAG

Subject: Recommendation to the C/CAG Board (Airport Land Use Commission) for adoption of the Initial Study and Negative Declaration for the Comprehensive Land Use Plan for the Environs of San Francisco International Airport

(For further information or response to questions, contact Richard Napier at 650 599-1420)

Recommendation:

Recommendation to the C/CAG Board (Airport Land Use Commission) for adoption of the Initial Study and Negative Declaration for the Comprehensive Land Use Plan for the Environs of San Francisco International Airport in accordance with the staff recommendation.

Fiscal Impact:

$46,000 to complete the Initial Study and Negative Declaration and the ALUCP.

Source of Revenue:

Funding is provided in the adopted C/CAG Budget under the General Fund. Staff is pursuing funding from the airport operators and other sources to reduce the funding necessary from the General Fund.

Background:

At the June 26, 2012 Airport Land Use Committee (ALUC) meeting the Draft of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport was approved. The Initial Study and Negative Declaration for the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport was developed. The Initial Study and Negative Declaration and ALUCP were noticed and distributed for comments. A public hearing was held at the 8/23/12 ALUC meeting on the Initial Study and Negative Declaration for the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport. Comments were received at the 8/23/12 ALUC meeting.

Noticing Requirements:

In accordance with the CEQA noticing requirements a Notice of Intent to Adopt a Negative Declaration for the Proposed Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport was drafted. The Notice of Intent was advertised in the San Mateo Times the first of July. The notice listed the 8/23/12 and 9/27/12 ALUC meetings and the 10/11/12 and 11/8/12 Airport Land Use Commission (C/CAG Board) meetings.

Public Comments:

To date one public comment letter has been received from San Francisco International Airport. The comments were focused on policy GP-5.3. The new language for GP-5.3 approved at the 8/23/12 ALUC meeting addresses most of the concerns raised in this letter. The public comment period ended 8/23/2012. See Attachment 2 for the response to the letter.

Proposed Changes:

The Initial Study and Negative Declaration for the Comprehensive Land Use Plan for the Environs of San Francisco International Airport has been modified in accordance with the Committee recommendations and in response to the comment letters received. Changes are shown in the attached Addendum to the Initial Study and Negative Declaration for the Comprehensive Land Use Plan for the Environs of San Francisco International Airport. This clearly shows the changes to the Initial Study. The major changes include the following:

1- Exhibit 5, 6, and 7 were changed to clarify the impacted housing opportunities due to the growth in the 70 dB CNEL Noise Contour.
2- Miscellaneous additions to the Safety Impact.
3- Miscellaneous additions to the Noise Impact.

Next Steps:

ALUC staff has provided its recommendations based on the comments and discussions received to date. At the 9/27/12 meeting it is requested that ALUC accept the staff recommended changes. ALUC staff recommends approval of recommendation to the C/CAG Board (Airport Land Use Commission) for adoption of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport in accordance with the staff recommendation. The Initial Study and Negative Declaration for the Comprehensive Airport Land Use Plan for the Environs of San Francisco International Airport document will also be submitted to ALUC on September 27, 2012 for a recommendation of approval to the C/CAG Board (Airport Land Use Commission).

The C/CAG Board will review and consider approval of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport at the October 11, 2012 meeting. The Initial Study and Negative Declaration will also be submitted to the C/CAG Board on October 11, 2012. The Board will hold a public hearing. The C/CAG Board will

approve the ALUCP and the Initial Study and Negative Declaration at the November 8, 2012 meeting.

Attachments:

Attachment 1- Addendum to the Initial Study and Negative Declaration for the Comprehensive Land Use Plan for the Environs of San Francisco International Airport.
Attachment 2 - Response to the 8/09/2012 Draft San Francisco International Airport Comment Letter on the Initial Study Negative Declaration.

Document Availability:

Go to *www.ccag.ca.gov/plans_reports.html*

Attachment 1

Addendum to the Initial Study and Negative Declaration for the Comprehensive Land Use Plan for the Environs of San Francisco International Airport.

Provided Separately in Packet.

Attachment 2

Response to the 8/09/2012 Draft San Francisco International Airport Comment Letter on the Initial Study Negative Declaration.

C/CAG

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September 21, 2012

John Bergener
San Francisco International Airport
Post Office Box 8097
San Francisco, CA 94128

Re: Comments on Airport Land Use Compatibility Plan (ALUCP) for San Francisco International Airport (SFO)

Dear Mr. Bergener,

Thank you for commenting on the proposed ALUCP for SFO and the CEQA Initial Study at the Airport Land Use Committee's meeting on August 23. This letter responds to the written comments that you submitted on behalf of the San Francisco International Airport staff at that meeting.

Sources of Revenue for ALUCP Consistency Reviews:

I appreciate your frank comments and suggestions on this point. As I mentioned at the meeting, the exercise of our responsibility to review proposed projects for consistency with the ALUCP has posed a budgeting challenge for C/CAG through the years. I will be working with the C/CAG member jurisdictions to develop an appropriate and reliable source of funding to support this important function. Your comments will be helpful in that effort.

Proposed Changes to Policy GP-5.3, Relating to the Review of Development Applications Received Prior to Adoption of Updated ALUCP:

We understand your concerns with this proposed policy. At the same time, we believe that the City of South San Francisco has made a compelling argument that fairness should be accorded to the developer who has been working in good faith with the City for an extended period of time on this locally important project, relying on the applicability of the current CLUP. As we have discussed, and as you observed in your comments, we have tried to write this policy as narrowly as possible to ensure that it does not become a loophole which would unintentionally undermine the noise compatibility policies of the ALUCP.

Next Steps in Process:

Thank you for your suggested change in language. I agree that the change is appropriate.

555 COUNTY CENTER FIFTH FLOOR, REDWOOD CITY, CA 94063 PHONE: 650.599.1406 FAX: 650.361.8227

CEQA Initial Study and Draft Negative Declaration – Policy GP-5.3 Should be Addressed:

As you have requested, we are preparing an addendum to the Initial Study that will describe Policy GP-5.3 and analyze its potential effects on three CEQA impact categories: land use and planning, noise, and population and housing. That addendum will be distributed in the ALUC's packet for the September 27 meeting.

Thank you for your participation in this planning process and the help that you and your staff have provided. I will keep you informed as the proposed ALUCP moves forward toward adoption.
Please give me a call at 650 599-1420 if you have any other questions or concerns.

Sincerely,

Richard Napier

Richard Napier
Executive Director

555 COUNTY CENTER FIFTH FLOOR, REDWOOD CITY, CA 94063 PHONE: 650.599.1406 FAX: 650.361.8227

C/CAG AGENDA REPORT

Date: September 27, 2012

TO: Airport Land Use Committee

From: Richard Napier - Executive Director, C/CAG

Subject: Airport Land Use Commission Funding

(For further information or response to questions, contact Richard Napier at 650 599-1420)

I apologize for the confusion created about funding for the Airport Land Use Commission. The Commission and the Airport Land Use Committee has always been funded primarily from the C/CAG General Fund. Attached is a copy of the adopted C/CAG Budget for FY 2012-13 relative to the Airport Land Use Commission functions. The $90,000 in Grants identified is the grant received from Caltrans Department of Aeronautics ($65,000) and County of San Mateo ($25,000) for the Airport Land Use Compatibility Plan update for Half Moon Bay Airport. Based on the projected cost of $198,000 it means that $90,000 will come from the grants and $108,000 from the General Fund Revenue.

The ALUC cost has increased significantly due to the need to update the Airport Land Use Compatibility Plans for SFIA, Half Moon Bay and San Carlos airports. Therefore, staff has placed a focus on getting grants to reduce the amount needed from the General Fund. When I mentioned in one of the 8/23/12 staff reports that there was no dedicated funding source I was referring to no funding other than the General Fund. Staff is placing a focus on getting additional outside funds to support this important function. Without additional funding it would be necessary to delay or spread out the ALUCP updates. C/CAG is in the process of executing an additional grant for $135,000 for updating the ALUCP for San Carlos Airport from Caltrans Department of Aeronautics and $50,000 over a two year period from the County of San Mateo. Hopefully, this clarifies the funding for the Airport Land Use Commission. The C/CAG Adopted Budget includes all the funding necessary for the Airport Land Use Commission work plan for FY 2012-13.

ADMINISTRATIVE PROGRAM - GENERAL FUND (01)
FY 2012-13 PROGRAM BUDGET
JULY 1, 2012 - JUNE 30, 2013

BEGINNING BALANCE		22,590								22,590		
RESERVE BALANCE		43,346										43,346
PROJECTED REVENUES		General Operation C1341000	Gen. Oper. Shared C1341000	ALUC C1342000	Waste Management C1343000				ADMINISTRATIVE PROGRAM GENERAL FUND			
Interest Earnings	409100	2,000							2,000			
Member Contribution	4810XX	250,024							250,024			
Cost Reimbursements-SFIA	440304								0			
MTC/ Federal Funding	481022								0			
Grants	420501			90,000					90,000			
DMV Fee	420602								0			
NPDES Fee	480002								0			
TA Cost Share	481023								0			
Miscellaneous/ SFIA	480008								0			
Street Repair Funding	480003								0			
PPM-STIP	420604								0			
Assessment	420603								0			
TLSP									0			
									0			
Total Revenues		252,024	0	90,000	0	0	0		342,024			
TOTAL SOURCES OF FUNDS											364,614	
PROJECTED EXPENDITURES		General Operation C1341000	Gen. Oper. Shared C1341000	ALUC C1342000	Waste Management C1343000				ADMINISTRATIVE PROGRAM GENERAL FUND			
Administration Services	520314	65,000		34,000	8,500				107,500			
Professional Services	520320		125,000	50,000					175,000			
Consulting Services	520303			100,000					100,000			
Supplies	520201		60,000	1,000					61,000			
Prof. Dues & Memberships	520501	250		1,500					1,750			
Conferences & Meetings	520503		5,000	1,000	2,000				8,000			
Printing/ Postage	520204		20,000	8,000					28,000			
Publications	520504		2,000	2,000					4,000			
Distributions	522724								0			
Contractor	522725								0			
Miscellaneous	520509	3,000		500	500				4,000			
Bank Fee	520202		2,000						2,000			
Audit Services	520301		13,510						13,510			
Project Management	522722								0			
Total Expenditures		68,250	227,510	198,000	11,000	0	0		504,760			
TRANSFERS												
Transfers In	490001								0			
Transfers Out	590001	0							0			
Administrative Allocation			-198,824						-198,824	To General Fund C001		
Total Transfers		0	-198,824	0	0	0	0		-198,824			
NET CHANGE		183,774	-28,686	-108,000	-11,000	0	0		36,088			
TRANSFER TO RESERVES									0			
TOTAL USE OF FUNDS											305,936	
ENDING FUND BALANCE											58,678	
RESERVE FUND BALANCE												43,346

Note: 1- Beginning/ Ending Reserve Fund Balance is not included in Beginning/ Ending Fund Balance
2- Manage at Fund Level
3- ALUC - Airport Land Use Commission (C/CAG)

Written Comments Received

CITY OF DALY CITY

333-90TH STREET

DALY CITY, CA 94015-1895

PHONE: (650) 991-8000

February 28, 2012

Richard Napier
Executive Director
City/County Association of Governments of San Mateo County
555 County Center, 5th Floor
Redwood City, CA 94063

Re: Draft Comprehensive Airport Land Use Compatibility Plan

Mr. Napier:

This letter provides the following general comments for the City of Daly City on the Draft Comprehensive Airport Land Use Compatibility Plan (ALUCP) for San Francisco International Airport, dated February 2012:

1. General Policy GP-4.1 (page III-5) and the corollary definition of Non-Conforming Uses should be clarified to reflect that uses which can demonstrate a conditionally-compatible condition, such as allowance of residential uses within the 65-70 dB noise contour identified in Table IV-1 (page IV-18), would in fact be considered conforming uses.

2. Airspace Protection Policy AP-3 (page IV-53) provides that "in order to be deemed consistent with the CLUP, the maximum height of a new building must be the lower of the height shown on the SFO critical aeronautical surfaces map ..." However, the corresponding map (Exhibit IV-17) identifies a range of maximum heights of critical aeronautical surfaces. For example, at locations identified on Exhibit IV-17 where the Feet Above Ground Level (AGL) is identified as being between 65 and 100 feet, it is unclear what the effective limit may be. Clarification of this policy would help reduce potential for confusion over how this height is measured.

Please be advised that the City is presently completing a comprehensive update of the General Plan, a draft copy of which may be viewed at www.dalycity.org/gp. The City is now in the process of initiating the environmental review process for the Plan and the

City hereby requests that the ALUC advise us of any ALUC action that may be necessary before the City proceeds to adopt the Plan.

Should you have any questions about the City's comments on the ALUCP or the City's Draft General Plan, please feel free to contact Mike Van Lonkhuysen, our General Plan Project Manager, at (650) 991-8033.

Sincerely,

Brian Millar
Director of Economic and Community Development

C/CAG

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OF SAN MATEO COUNTY

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April 6, 2012

Planning Director:

C/CAG released a draft of the Airport Land Use Compatibility Plan for the environs of San Francisco International Airport for review and comments on January 30, 2012. Numerous comments have been received and responded to and two Airport Land Use Committee meetings have been held. For the March 22, 2012 meeting a change document was created for Chapters 3 and 4 to show the recommended changes. The complete initial report can be found at www.ccag.ca.gov/plans_reports.html. The changed Chapter 3 and Chapter 4 can be found at www.ccag.ca.gov/aluc.html. **It is requested that any remaining comments on the document be provided to C/CAG by 4/20/2012.**

C/CAG staff will then develop the final draft that will be completed and released by 4/27/2012. This will not be placed on the ALUC Committee agenda until 6/21/2012 such that any policy issues that may occur can be taken to the respective Council for direction. This will then be placed on the agenda for the 6/21/2012 ALUC Committee meeting with a staff recommendation that the ALUC Committee recommend that it be approved by the Airport Land Use Commission (C/CAG Board). This will then be place on the agenda for the 8/9/2012 Airport Land Use Commission (C/CAG Board) meeting for final approval.

Thank you for your comments and participation.

Sincerely;

Richard Napier

Richard Napier
Executive Director

555 COUNTY CENTER FIFTH FLOOR, REDWOOD CITY, CA 94063 PHONE: 650.599.1406 FAX: 650.361.8227

Richard,

Thanks again for taking the time to come to Daly City this week and meet with me to discuss the ALUC Plan. At this point, our intent is to await receipt of the updated Draft next week. We will then use the intervening period to review the document and offer any additional comments. As I mentioned, I think the key issues for Daly City will focus on height limitations that may impact the potential Seton Medical Center project (how height is measured under the ALUC, and effective height limits for new construction), the 65-70 decibel noise contour and corollary noise mitigation that would be required for new construction, and the proposed use of avigation easements.

Cordially,

Brian Millar

From: Richard Napier [mailto:rnapier@smcgov.org]
Sent: Friday, April 06, 2012 5:05 PM
To: Aaron Aknin; Brian Millar; Farhad Mortazavi; John Bergener; John Swiecki; susy.kalkin@ssf.net; William CD/PLG-Meeker
Cc: m_johnson@ricondo.com; Sandy Wong
Subject: Airport Land Use Compatibility Plan for the Environs of SFIA: COMMENTS DUE 4/20/2012

Please provide final comments on the Airport Land Use Compatibility Plan by 4/20/2012

Please send comments to

Richard Napier
555 County Center Fifth Floor
Redwood City, CA 94063
650 599-1420

CITY OF BRISBANE

50 Park Place
Brisbane, California 94005-1310
(415) 508-2100
Fax (415) 467-4989

April 16, 2012

Richard Napier
C/CAG
555 County Center 5th Floor
Redwood City CA 94063

Re: SFO Airport Land Use Compatibility Plan

Dear Mr. Napier:

Thank you for the opportunity to review the above–referenced document. The City appreciates the changes made to the document preface in response to our previous discussions, clarifying that nothing in the Plan precludes or inhibits the City's ability to continue working with SFO to address ongoing noise concerns.

The City has other concerns related to the same matter. The City recommends that Section 2.2.4 of the draft plan be modified to clarify that the use of CNEL as a noise measurement to define airport noise contours does not reflect the occurrence of single noise events and the potential for such single noise events to be disruptive or annoying within local communities such as Brisbane. As such, in no way should the airport noise contours be construed or assumed to define the geographical limits of the airport's noise impacts on local communities. Additionally, the City does not see the value of creation of Area "A" Airport Influence for the purpose of disclosure. We see this as complicating and confusing issues over single event airport noise and are concerned that the disclosure will potentially be used as a defense against claims or lawsuits regarding this issue. If the plan is going to institute an Area "A" we request exclusion.

Thank you for your consideration in this matter. Please contact me at 415.508.2110 should you have any questions regarding this letter.

Sincerely,

Clay Holstine
City Manager

C: John Swiecki, Community Development Director

Providing Quality Services

CITY OF SAN BRUNO
COMMUNITY DEVELOPMENT DEPARTMENT

Aaron Aknin
Community Development Director

April 20, 2012

Rich Napier, Executive Director
C/CAG
County Office Building
555 County Center
Fifth Floor
Redwood City, California 94063

Dear Rich:

Thank you for giving the City of San Bruno the opportunity to comment on the draft Comprehensive Airport Land Use Compatibility Plan for the Environs of the San Francisco International Airport (CLUP). As you know from our previous discussions, the CLUP is of paticular importance to the City of San Bruno, given San Bruno's location and land-use planning objectives. Even minor, unexpected changes to the CLUP can have significant impact on San Bruno's land use plans and land values. With that in mind, I am submitting the following comments and questions about the CLUP. For each comment, I have referenced the applicable page and/or policy number.

- **P-3, Table P-1:** Point number 6 should specifically mention public outreach to property owners and residents within the affected areas of each City. It is a best planning practice to have the public outreach meeting happen prior to the mandatory environmental review period.

- **Page 1-12:** The City understands that the CLUP is intended to regulate land uses that may conflict with airport operations. Stronger statements should be made, however, that acknowledge that cities will work together to encourage new technology, flight scheduling and flight paths that reduce impacts to nearby residents and property owners. For example, late night cargo plane flights should be discouraged, and technology that reduces airplane noise should be encouraged. Land use is just one half of the equation, airport operations also factor.

- **Page I-13, Policy I-13**: Please clarify whether the recent runway expansions have impacts on maximum height limitations. During the airport's environmental review outreach process, the City was told the runway expansions would not impact height limits, however height limits appear to have become more restrictive.

567 El Camino Real, San Bruno, CA 94066-4299
Voice: (650) 616-7074 • Fax: (650) 873-6749
http://sanbruno.ca.gov

- **Page I-14, First paragraph after bullet points:** Please clarify or define what "expanded or significantly enlarged means". For example, can a single-family home add a second story? Would an owner of an older apartment building be allowed to tear down the building and construct the same number of units?

- **Page I-15, First Paragraph:** The plan is clear that new restrictions do not apply to existing, incompatible land uses. However, please clarify whether this exemption extends to projects that are entitled through a specific plan or entitlement action, but not yet constructed.

- **Exhibit II-3:** The correct date of the San Bruno General Plan is March 24, 2009. Please review the approved land use exhibits in the approved General Plan and verify that land uses shown in the CLUP are consistent. General Plan diagrams are available online. A hard copy can also be provided.

- **Page II-12:** Add a bullet point under "Development Pressures" that acknowledges that SFO itself increases demand for development in the immediate area.

- **Page II-30, 2.3.2.5:** If more information is available about the frequency of large cargo jets, please provide that information in the plan, as well. The City of San Bruno has received complaints that there has been an increasing amount of large-night cargo jets in recent years.

- **Page III-4 (General Policies):** If possible, it would be useful to see a breakdown comparing this CLUP's goals versus previous CLUP goals.

- **Page III-5: Policy GP-4.1:** Similar to the comment above, please provide clarification whether a property owner can tear down and rebuild the same number of units? Also, would second units (in-law units) be allowed as provided for under state law?

- **Page III-6: Policy GP-5.1:** Please provide examples about where the "in-fill" provision may be applicable. For example, could a property owner with a vacant lot, build a new single-family home in a 70db area?

- **Page III-7 (GP-8.1, 8.2):** These policies appear to grant SFO greater land use authority than previous CLUPs. It should be clarified that all local land use decisions are still under the authority of the City, and should be reviewed by the ALUC in certain circumstances. In addition to encouraging the cities to meet with SFO staff to discuss development, SFO staff should be encouraged to meet with the cities to discuss proposed changes in operation.

- **Page III-8: GP9:** Has any analysis been done regarding how many policies will be impacted? Can this deadline be extended if changes require General Plan amendments or public outreach processes?

- **Page III-17. GP13.3:** This policy seems to imply that if the airport updates its master plan, then the CLUP must be updated. As we know from previous sections of the plan, if the CLUP is updated, then the City's plan must be updated. If this is true, then the airport is essentially empowered with local land use authority. If this is not the case, please clarify within the plan.

- **Page IV-18. Table IV-1**: Please provide a comparison chart detailing which land uses have been added or removed in this CLUP from the allowed, permitted or non-compatible categories.

- **Page IV-11, Policy IP-2:** This policy states that the CLUP shall exercise statutory duties to proposed land use actions including new general plans... "and related development proposals". It is the City's understanding that only legislative changes to land use categories need to go to the ALUC, not development approvals. Please revise this policy accordingly.

- **Page IV-17, Policy NP-2:** Strike the phrase "shall not be permitted". "Not compatible" appears to be more consistent with California guidelines.

- **Page IV-17, Policy IV-17:** This policy aims to protect the airport, not the resident. Real estate disclosure rules are already in place to notify the resident. Therefore, we would recommend that this policy be more straightforward, and to delete the second point made in the policy that states "to provide notice to real property owners...".

- **Page IV-18:** Strike the word "prohibited". As noted above, "non-compatible" is more consistent with California language.

- **Page IV-20, SP-1:** The introduction of these new zones, specifically the IADZ, is a major concern as this puts additional restrictions on San Bruno property owners. Please see specific comments below.

- **IV-15, SP-2:** Same comment about using the term "prohibited uses."

- **IV-25, Inner Approach Zone:** Per our meeting, certain ancillary uses must still be allowed. For example, employer sponsored child daycare centers are becoming an integral part of many major companies. Also state law requires that daycares be allowed in single-family residential homes, therefore residential daycares should continue to be an allowed use. Critical facilities should also be better defined. For example, water pump stations need to be located in these areas, would they be considered non-compatible city facilities?

- **Page IV-53, Policy AP-3:** The Crossing Specific Plan was approved by the City Council in 2002. San Bruno voters also approved the height limit a decade ago. At that time, an EIR was circulated to the airport and the State. The plan was also reviewed by the ALUC. If the computer models are now correct, this would significantly reduce the allowed height on the hotel parcel which allows a

maximum height of 111 along El Camino. As measured by the new tool, the maximum height would be 72′. This will have a substantial impact of the viability of the site and would reduce the value of the site significantly. In addition, throughout the CLUP process, the City was under the impression that the maximum heights would be well above maximum heights allowed in the Transit Corridors Plan. The City would appreciate an analysis detailing the maximum heights allowed under the CLUP for specific sites in San Bruno, and how those compare to the allowed heights in the Draft TCP.

Thanks you once again for meeting with San Bruno staff and allowing the City to comment on this draft. We also appreciate the many years of hard work that went into this plan. We look forward to working with you, your staff and plan consultants on resolving the comments and questions listed above.

Sincerely,

Aaron Aknin, AICP
Community Development Director

San Francisco International Airport

April 20, 2012

Richard Napier
Executive Director
City/County Association of Governments of San Mateo County
555 County Center, 5th Floor
Redwood City, California 94063

Subject: ***Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport – Comments on March 2012 Draft***

Dear Mr. Napier:

Thank you for notifying San Francisco International Airport (SFO or the Airport) of the opportunity to comment on the latest version of the Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (ALUCP). We appreciate this opportunity to coordinate with C/CAG, acting in its role as the Airport Land Use Commission for San Mateo County and the Airport Land Use Committee (ALUC), in considering and evaluating potential land use compatibility issues concerning SFO.

Since the November 2011 revision of the draft ALUCP, the policies have undergone several substantive changes. Notably, the November 2011 revision was updated with the 2020 CNEL noise forecast, and the March 2012 revision introduces new policy concepts in response to these updated contours. With regard to the scope and content of the current draft ALUCP, the Airport has the following comments:

1. Page IV-18, Table IV-1 lists noise-land use compatibility criteria by land use type. Table note (a) specifies a condition under which new residential dwellings could be considered compatible in the CNEL 70 dB contour: "[Residential] use is compatible only under the following conditions: (1) on an existing lot of record if zoned for residential use, (2) on a lot abutting El Camino Real (the Grand Boulevard), or (3) on a lot immediately adjacent to a BART Station."

   The Airport is highly concerned by this new and unprecedented direction taken by the ALUC to set CNEL 70 dB as an appropriate noise level for land use compatibility planning standard. This move is contrary to evolving views by the State of California, and supported by the FAA, that for many airports, "65dB CNEL may be too high of a noise level to be appropriate a standard of land use compatibility planning." Airport Land Use Planning Handbook, Section 4.2.2. By allowing residential development in the even higher CNEL 70 dB, ALUC is setting compatibility planning policies that are contrary to current views on acceptable noise standards.

AIRPORT COMMISSION CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE *MAYOR* | LARRY MAZZOLA *PRESIDENT* | LINDA S. CRAYTON *VICE PRESIDENT* | ELEANOR JOHNS | RICHARD J. GUGGENHIME | PETER A. STERN | JOHN L. MARTIN *AIRPORT DIRECTOR*

Post Office Box 8097 San Francisco, California 94128 Tel 650.821.5000 Fax 650.821.5005 www.flysfo.com

Of particular concern is the South El Camino Real area in the City of South San Francisco, since several parcels in this area have recently been re-designated for mixed-use residential uses. The portion of the South El Camino Real area within the CNEL 70 dB contour encompasses approximately 30 acres. With potential residential densities of up to 60 dwelling units per acre, this represents a significant portion of South San Francisco's planned housing. According to build-out projections in South San Francisco's general plan, the South El Camino Real area could see an additional 840 housing units; if constructed, approximately 340 of these units could be unduly impacted by aircraft noise within the CNEL 70 dB contour.

Section 4.3 Noise Compatibility Policies of the current draft ALUCP states that the noise compatibility policies exist "to protect the public health, safety, and welfare by minimizing the exposure of residents and occupants of future noise-sensitive development to excessive noise." (page IV-12) All residential uses should be considered incompatible within the CNEL 70 dB noise contour, regardless of context. The prevention of new residential uses within the CNEL 70 dB noise contour has been the longstanding position of the ALUC. The 1996 Comprehensive Airport Land Use Plan for SFO deems residential uses "incompatible; new construction or development should not be undertaken."

The State of California Noise Standards describes the CNEL 65 dB noise contour as the airport's noise impact boundary, defining it as the maximum level "acceptable to a reasonable person residing in the vicinity of an airport." California Code of Regulations, Title 21, Division 2.5, Chapter 6, Section 5006. Any area beyond the CNEL 65 dB contour, including the CNEL 70 dB contour, should be considered unacceptable for new residential uses.

Existing policies in local general plans further reflect the current policy stance on prohibiting new residential uses within the CNEL 70 dB contour. Both the City of South San Francisco and City of San Bruno have existing policies in their respective general plans pertaining to restricted residential development on aircraft noise-impacted lands:

- South San Francisco General Plan Policy 9-I-11: Do not allow new residential or noise sensitive development in the CNEL 70 dB+ areas impacted by SFO operations, as required by Airport Land Use Commission infill criteria.
- South San Francisco Housing Plan Policy 4-4: The City shall not allow new residential or noise sensitive development in the 70 dB+ CNEL areas impacted by SFO operations and shall require avigation easements for new residential development in the area between 65 and 69 dB CNEL SFO noise contours.
- San Bruno General Plan Policy HS-40: Prohibit new residential development within the 70+ Airport CNEL areas, as dictated by Airport Land Use Commission infill criteria.

Furthermore, several jurisdictions around SFO, including the City of South San Francisco and the City of San Bruno were beneficiaries of federal funds from the Federal Aviation Administration's (FAA) Airport Improvement Program (AIP) for noise insulation programs, which the Airport began in 1983. As a condition for receiving the federal grants, individual signatory cities provided assurances that were incorporated into and became part of the grant agreement with the federal government. These grant assurances included "taking appropriate action, including adoption of zoning laws, to the extent

reasonable, to restrict use of land adjacent to or in the immediate vicinity of the Airport to activities and purposes compatible with normal Airport operations, including landing and takeoff of aircraft" and "maintaining zoning and land uses within its jurisdiction that would not reduce the compatibility of the Airport or federally financed noise compatibility measures."

In the adoption of an airport land use compatibility plan, the ALUC is to be guided by the Airport Land Use Planning Handbook prepared by the Division of Aeronautics of the Department of Transportation. California Public Utilities Code Section 21674.7. The Handbook provides the following:

"For purposes of airport land use compatibility planning, Caltrans advises that 65 dB CNEL is not an appropriate criterion for new noise-sensitive development around most airports. At a minimum, communities should assess the suitability and feasibility of setting a lower standard for new residential and other noise-sensitive development." (Handbook, p.4-7).

While the caution against using the CNEL 65 dB for most airports may or may not be applicable to the communities around SFO, providing for residential development within the CNEL 70 dB would certainly be contrary to Caltrans' view of compatibility planning.

Nor could the requirement for sound-insulation substitute for compatibility planning purposes:

"Rather than accepting the use of sound insulation as a mitigation action, ALUC's primary objective should be to prevent development of land uses that are basically incompatible with the noise conditions." (Handbook, p. 4-11). "*With regard to new development, sound insulation should be regarded as a measure of last resort. It is not a substitute for good land use compatibility planning in the first place.* [emphasis in original] Exterior noise levels should generally be the primary consideration in evaluation of proposed land uses, especially residentially development and other land uses where noise-sensitive outdoor activities are normal and important features." (Handbook, p. 4-11)

Similarly, the requirement for the granting of an avigation easement to the airport is no substitute for good land use planning:

"First is the fundamental fact that avigation easements do not change the noise environment. . . . Consequently, ALUCs should not use avigation easement dedication as a principal factor in determining whether a proposed land use is compatible with airport activity. *Unless no feasible alternatives exist, noise-sensitive land uses should be prohibited in high-noise locations regardless of whether an easement is dedicated*." [emphasis in original]

While SFO recognizes that local and regional planning calls for intensification along major transit corridors such as El Camino Real, compatibility with ongoing aircraft operations is also a necessary goal for sustaining the viability of the Airport as a regional asset. Allowing new residential uses to encroach into the CNEL 70 dB noise contour does not serve to reinforce this goal, and therefore should not be supported by changing a

longstanding ALUCP policy. The Airport Land Use Compatibility Plan for the SFO Environs should be consistent with the overall goals and objectives of the noise standards for California airports, and Table IV-1 should be amended to prohibit any residential development within the CNEL of 70-75 dB.

2. On page III-6, General Policy GP-5.1 describes the application of noise compatibility policies to infill development: "The proposed project may be deemed consistent with this ALUCP if the proposed project is compatible with the character of the surrounding area *and is otherwise consistent with the applicable general plan or specific plan*." [emphasis added] As described previously, new residential development within South San Francisco, including the South El Camino Real area, would not be consistent with this ALUCP policy since current local general plan policy precludes the development of infill residential within the CNEL 70 dB contour. Allowing an exception for residential development within the CNEL 70 dB contour would conflict with the direction of General Policy GP-5.1 because local policy consistency with the ALUCP is required with any land use action.

3. Page III-5, General Policy GP-4.2 describes the applicability of ALUCP policies to existing nonconforming schools and hospitals. It is important to ensure that modifications and reconstructions of existing nonconforming uses do not worsen their degree of nonconformity. Similar to General Policy GP-4.3, the following language should be added to GP-4.2: "In all cases, modifications and reconstructions of nonconforming schools and hospitals shall comply with the noise compatibility and airspace protection policies of this ALUCP."

The Airport appreciates your consideration of these comments. Should you have any questions regarding the Airport's comments, please do not hesitate to contact me at (650) 821-7867 or at john.bergener@flysfo.com.

Sincerely,

John Bergener
Airport Planning Manager
San Francisco International Airport
Bureau of Planning and Environmental Affairs

cc: John L. Martin, Airport Director
Tryg McCoy, COO
Melba Yee, SFO Legal
Nixon Lam, SFO Planning

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April 20, 2012

Richard Napier, Executive Director
City/County Association of Governments
555 County Center – 5th Floor
Redwood City, Ca 94063

RE: SSF Comments – Draft Comprehensive Airport Land Use Compatibility Plan (ALUCP)

Dear Mr. Napier:

The City of South San Francisco has reviewed the Draft ALUCP for SFO and offers the following comments:

- *Table IV-1 footnote a.* We have discussed this issue with C/CAG staff and the consultant and appreciate the acknowledgement of the competing issues of the ALUCP and other regional plans with respect to housing location & production. The recent addition of language included in the amended Chapter 4 that addresses housing on properties along El Camino Real (the Grand Blvd.), which are projected to be impacted by the 70-75 dB CNEL contour, is quite helpful in balancing the competing issues of noise compatibility and smart growth housing policies. Similarly, the City would ask that for the same reasons consideration be given to providing the opportunity for housing within ¼ mile of the San Bruno BART station. It is therefore requested that footnote (a) be amended to read:

  " or (3) on a lot ~~immediately adjacent to~~ within ¼ mile of a BART Station…"

- *Table IV-2.* The City notes the recent addition of "biosafety Level 3 & 4 facilities" in the incompatible land use criteria for the Inner Turning Zone (ITZ), which includes a fairly significant swath of the City's industrial area East of US 101. We are very concerned about the implications of this prohibition and its potential impact on the City's growing/thriving biotechnology industries, and request additional explanation/clarification.

- *Exhibit IV-11. Airspace Protection.*

  - The map and corresponding text appear to require any new building or alteration within a red designated area, where existing terrain penetrates the Airspace Surface, be required to file an FAA form 7460-1 for its review and determination, regardless of the height of the building or

addition. As most of this area is comprised of existing single family residences, where building heights are limited to 30-35 feet, it seems unduly onerous to trigger this requirement down to this level. The City would request that consideration be given to adding a more reasonable threshold, or providing a single family home exemption.

- More broadly, the City has concern about how this map was derived and implications for future development opportunities (height limitations) within the City, and would appreciate speaking to C/CAG staff and/or the consultant for a better understanding. The map appears to dramatically reduce the potential heights that the City is trying to achieve within its Priority Development Areas along El Camino Real and in its Downtown, as well as throughout the East of US 101 area, which is obviously very troubling.

Thank you for the opportunity to comment on the Draft ALUCP. We look forward to taking the time necessary to work through these remaining issues with C/CAG staff prior to bringing this to hearing. Thank you in advance for your consideration.

Sincerely,

Susy Kalkin
Chief Planner

Cc: City Manager
Assistant City Manager

JENSEN + PARTNERS

May 3, 2012

C/CAG of San Mateo County
County Office Building
555 County Center
Fifth Floor
Redwood City, California 94063

Attn: Mr. Richard Napier, Executive Director

Re: Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport

Mr. Napier:
My company, Jensen + Partners is acting as program manager for a new replacement Hospital tower at the Seton Medical Center in Daly City. As you are aware, Seton has recently completed Schematic Architectural Design for a replacement inpatient hospital tower on its campus, this replacement in response to State of California Senate Bill 1953 seismic upgrade mandates. In the course of recent conversation with the City of Daly City, Seton became aware of airspace height restrictions contained in the C/CAG Draft EIR for the San Francisco International Airport (SFO) Comprehensive Airport Land Use Compatibility Plan (CLUP). In its review of the C/CAG document, Daly City has queried Seton concerning the vertical height of both the existing and planned hospital towers, which we believe may be close to or penetrating of critical aeronautical surfaces used by SFO aircraft.

On behalf of the Seton Medical Center, we write to express concern about conflicts between the airspace height restrictions and the design for Seton's new hospital tower. We request clarification of these requirements and consideration of changes to them as necessary to allow continuation of the hospital project's design and construction. Below is a summary of the hospital's situation and recent conversation with the agencies involved with the C/CAG CLUP.

The Seton Replacement Tower project originated with determinations in the 1996 State of California SB1953 Alquist Act legislation, augmented in SB306, which requires Seton to replace seismically deficient inpatient acute care facilities by 1/1/2020. These plans are documented in a 2010 SB306 Master Plan accepted by the California Office of Statewide Health Planning and Development (OHSPD), and further developed in a multi-million dollar Schematic Architectural Design accepted by the Daughters of Charity Health System (DOCHS) Board in January, 2012. This investment represents a significant exposure for the DOCHS because of their charity mission, among other factors. Because of patient care operational planning protocols, the new 10 story tower design rises 179 feet above the site's elevation, 414 feet above sea level. This height is more than thirty feet taller than the existing 1963-vintage 10 story tower.

In the course of interaction with the City of Daly City and subsequent recent conversations with C/CAG, SFO administration and their consultants, we've come to understand the following about process and intentions of the airport's current Land Use Compatibility Planning effort. The plan generally is intended to "provide for the orderly growth of airports and the surrounding areas 'to

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JENSEN + PARTNERS

minimize the public's exposure to excessive noise and safety hazards…'". As part of the current study, a new set of graphic and text documents have been created to document the geometry and geography of critical aeronautical surfaces which describe flight path activity of the airport's operations. In the past an offline FAA review procedure has been used to evaluate potential physical interactions between proposed new construction development and these aeronautical surfaces above the SFO region. As we understand it, that FAA process, using a Form 7460 review request, has historically used evaluation tools which have not been broadly published or available to the public or local municipal planning agencies for anticipatory planning. A purpose of the new documentation is to allow awareness and anticipatory planning so that unnecessary conflicts will be less frequent in the future, after adoption of the 2012 CLUP.

In late February 2012, during its review of the C/CAG CLUP draft document, the City of Daly City noticed low height limit designations in the CLUP for the Seton Hospital site, and made inquiries both with the C/CAG for clarification of the requirements, and also to Seton for specific height descriptions of the existing and proposed hospital towers. During March and April, Jensen + Partners has conducted further clarifying conversations with City of Daly City, C/CAG, SFO administration and their consultants which explain the CLUP review process as conducted primarily, or perhaps exclusively among the constituent municipal government agencies and C/CAG. Seton's awareness of the CLUP came at the initiation of the City of Daly City during its review.

By C/CAG and SFO descriptions, the critical aeronautical surfaces newly documented in the CLUP have been in use for many years, and have been developed by extensive and time consuming analysis by the FAA with participation by each air carrier operating from the airport. Anecdotally, the existing 1963 Seton Tower served as a key element in defining the airspace surfaces currently in use.

We hope that further discussion of these topics can occur very soon and can influence final determinations in the SFO Comprehensive Land Use Compatibility Plan. Please feel free to contact me at (213) 748-3431; tyang@jensenpartners.com, or Robert Walter of the Daughters of Charity Health System at (626) 744-3688; RobertWalter@dochs.org. Thank you for your consideration.

Sincerely,

Thomas Yang
Partner for Architecture
Jensen + Partners

Cc: Robert Walter – DOCHS, Larry Mandel – Seton Medical Center, Sarah Jensen – Jensen Partners; Jeanne Naughton – City of Daly City

C/CAG

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Ms. Suzy Kalkin - Chief Planner
Department of Economic and Community Development
City of South San Francisco
315 Maple Avenue P.O. Box 711
South San Francisco, CA 94083

Reference: Letter dated 4/20/2012 Re: ALUCP for San Francisco International Airport

Dear Ms. Kalkin:

Thank you for your letter of April 20, 2012 commenting on the March 2012 Draft of the Airport Land Use Compatibility Plan (ALUCP) for the Environs of San Francisco International Airport. As a result of your comments and others, it became clear the importance of providing a clear message in the ALUCP and a consistency in dealing with the issues raised by the cities, County, and SFO. Our responses to your comments are provided in this letter.

Table IV-1, footnote (a): Since our discussions with you and the release of the preliminary revisions to the Draft ALUCP in March, C/CAG has reconsidered the policy refinement that would have allowed limited residential use within the CNEL 70 dB contour. After further consideration, it was decided that it is important to maintain the established policy of no housing in the CNEL 70dB. Therefore, Note (a) in Table IV-1 is being revised to state: "[Residential] use is compatible only on an existing lot of record if zoned for residential use." Language relating to proximity to a BART station or within the Grand Boulevard area has been stricken.

The basis or justification for this reconsideration is as follows:

1- It is difficult to create an exception that doesn't open the door for other exceptions. There, was never any intent to open up the CNEL 70dB for housing.
2- The policy of no housing in the CNEL 70 dB has been in effect for over 25 years. There is no compelling reason to change this established policy.
3- The avoidance of new residential development within the CNEL 70 dB contour is justified by the guidance in the Caltrans Airport Land Use Planning Handbook and in federal guidance provided in 14 CFR Part 150, Appendix A, Table 1.
4- Allowing an exception in the CNEL 70dB would create confusion instead of the desired clarity of no housing in the CNEL 70dB.

Table IV-2, Biosafety Levels 3 &4 Facilities: C/CAG has attempted to set the safety standards for biomedical facilities with a view toward the importance of this industry in the local area, restricting only those facilities that pose the most serious public health and environmental risks. We referred to the *Biosafety in Microbiological and Biomedical Laboratories*, 5th Edition [BMBL], for guidance in setting standards. (This publication

was prepared by the U.S. Department of Health and Human Services, Public Health Service, Centers for Disease Control and Prevention, and National Institutes of Health (HHS Publication No. (CDC) 21-1112, Revised December 2009.) pp. 34 – 45). Biomedical facilities are classified in four biosafety levels.

Biosafety Level 1 facilities are not subject to any restrictions under the proposed ALUCP. They are defined in the BMBL as follows:

> Biosafety Level 1 is suitable for work involving well-characterized agents not known to consistently cause disease in immunocompetent adult humans, and present minimal potential hazard to laboratory personnel and the environment (BMBL, 30.)

Biosafety Level 2 facilities are considered "hazardous uses" that would be incompatible in Safety Zones 1 and 2 under the proposed ALUCP and uses to be "avoided" in the other safety zones.

> Biosafety Level 2 builds upon BSL-1. BSL-2 is suitable for work involving agents that pose moderate hazards to personnel and the environment. It differs from BSL-1 in that: 1) laboratory personnel have specific training in handling pathogenic agents and are supervised by scientists competent in handling infectious agents and associated procedures; 2) access to the laboratory is restricted when work is being conducted; and 3) all procedures in which infectious aerosols or splashes may be created are conducted in BSCs or other physical containment equipment (BMBL, p. 33).

Biosafety Level 3 and 4 facilities pose the greatest risks and are considered incompatible within all safety zones under the Draft ALUCP. They are defined in the BMBL as follows:

> Biosafety Level 3 is applicable to clinical, diagnostic, teaching, research, or production facilities where work is performed with indigenous or exotic agents that may cause serious or potentially lethal disease through the inhalation route of exposure (BMBL, p. 34).
>
> Biosafety Level 4 is required for work with dangerous and exotic agents that pose a high individual risk of aerosol-transmitted laboratory infections and life-threatening disease that is frequently fatal, for which there are no vaccines or treatments, or a related agent with unknown risk of transmission (BMBL, p. 45).

Given the potentially lethal consequences of public exposure to these agents, it is prudent to avoid the development of these facilities in the airport safety zones.

Exhibit IV-11, Airspace Protection: ExhibitIV-11 portrays the requirements of 14 CFR Part 77, Subpart B, related to the filing with the FAA of Notices of Proposed Construction or Alteration (Form 7460-1). This is a federal regulation over which C/CAG, as the airport land use commission, has no control. The proposed ALUCP is not imposing this requirement; rather, it is disclosing this federal requirement as an informational aid to local planning officials and developers. This map depicts an

imaginary surface rising at a slope of 100 to 1 for a horizontal distance of 20,000 feet from the edge of each runway. The sponsor of any proposed structure that would penetrate this imaginary surface must file Form 7460-1 with the FAA.

This exhibit does not depict maximum allowable structure heights. The maximum height limits proposed in the Draft ALUCP are depicted in Exhibits IV-17 and IV-18. Those maps portray the lowest combined airspace surfaces that provide required clearance of obstacles in accordance with longstanding FAA criteria. Those exhibits describe the maximum height to which structures can be built without receiving a Determination of Hazard from the FAA through the aeronautical/obstruction evaluation study process that begins with the filing of Form 7460-1. State law prohibits the construction of any object deemed by the FAA to be a hazard to air navigation, without receiving a construction permit from Caltrans. (Caltrans has never issued a permit for construction of an object deemed a hazard by the FAA.)

It is important to understand that the airspace surfaces depicted in Exhibits IV-17 and IV-18 have existed for many years and have been the basis for FAA obstruction and hazard determinations for many years. The significant change proposed in the Draft ALUCP is that these maps, courtesy of work undertaken by the Airport, are now available for use by local planners and developers to aid in construction planning early in the design and planning process.

In a very real sense, the Draft ALUCP is proposing no new substantive airspace policies and standards. Rather, it clarifies that compliance with Federal standards and state law is sufficient for compatibility with the airspace protection objectives of the ALUCP.

The FAA's airspace requirements are admittedly complex and perhaps confusing. I will request our consultant to give you a call and review the proposed airspace protection requirements of the ALUCP.

Thank you again for your comments and for your participation throughout the preparation of the updated plan. The official Draft ALUCP is posted on our website at the following location: www.ccag.ca.gov/plans_reports.html.

Sincerely,

Richard Napier

Richard Napier
Executive Director

C/CAG

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June 12, 2012

Mr. Aaron Aknin, AICP - Community Development Director
City of San Bruno
567 El Camino Real
San Bruno, CA 94066-4299

Reference: Letter dated 4/20/2012 Re: ALUCP for San Francisco International Airport

Dear Mr. Aknin:

Thank you for your letter of April 20, 2012 commenting on the March 2012 Draft of the Airport Land Use Compatibility Plan (ALUCP) for the Environs of San Francisco International Airport. C/CAG's responses to your comments are provided in this letter.

P-3, Table P-1: C/CAG will consider your suggestion regarding outreach to property owners and residents of the areas affected by the updated ALUCP.

Page 1-12: C/CAG agrees with your point regarding the importance of aircraft noise abatement, the role of C/CAG as the airport land use commission for San Mateo County is limited, by statute, to land use planning. Airport land use commissions have no authority over airport operations or flight procedures. Thus, the purpose and need statements on page 1-12 are appropriate for the ALUCP document.

Page 1-13, Section 1.6.1: This comment appears to relate to the planned runway safety area improvements reflected in the draft, updated airport layout plan and discussed in this section. Those proposed improvements will result in the relocation of the runway ends, but will not result in the lengthening or expansion of the runways. Those proposed improvements will not result in any material changes in the airspace surfaces and will not affect maximum height limitations in the airport environs.

Page I-14, first paragraph after bullet points: This paragraph is intended only as a general overview of the intent of the ALUCP policies. This specific provision is explained in detail in Chapter III, Policy GP-4 beginning on page III-5. The relevant portions of the policy are quoted below:

GP-4.1 Modifications to Nonconforming Uses

Modification of existing nonconforming land uses shall be permissible, provided that the modification does not increase the magnitude of the nonconformity. The magnitude of nonconformity shall be measured by:

1. For residential land uses, the number of dwelling units on the lot;

2. For nonresidential land uses, the size of the nonconforming use in terms of lot area and building floor area.

Where bedrooms or sleeping rooms are added to residential uses that are nonconforming with the noise compatibility policies of this ALUCP, those rooms must be sound-insulated to achieve an indoor noise level of CNEL 45 dB from exterior sources. In all cases, building modifications shall be subject to the airspace protection policies of this ALUCP.

GP-4.2 Reconstruction of Nonconforming Use

Nonconforming uses may be rebuilt to a density (for residential uses, dwelling units per acre) or size (for nonresidential uses, building floor area) not exceeding that of the original construction. In all cases, however, reconstructed nonconforming uses shall comply with the noise compatibility and airspace protection policies of this ALUCP.

Page I-15, First paragraph: This is explained in the definitions of "Existing Land Use" and "Vested Right" in Chapter III, pages III-3 and III-4, quoted below:

Existing Land Use: The actual use of land or the proposed use of the land evidenced by a ***vested right*** in the land as of the effective date of this ALUCP.

Vested Right: A right to the proposed use of land as demonstrated by any of the following:

(a) A vesting tentative map that has been approved pursuant to California Government Code section 66498.1, and has not expired; or

(b) A development agreement that has been executed pursuant to California Government Code section 65866, and remains in effect; or

(c) A valid building permit that has been issued, substantial work that has been performed, and substantial liabilities that have been incurred in good faith reliance on the permit, pursuant to the California Supreme Court decision in *Avco Community Developers, Inc. v. South Coast Regional Com* (1976) 17 Cal.3d 785,791, and its progeny.

Exhibit II-3: Thank you for your information about the correct date of the San Bruno General Plan. We will review the plan document and verify that the land uses depicted in the Draft ALUCP are correct.

Page II-12: Your point regarding the effect of SFO itself on local development pressures is valid. We will consider the revision you suggest.

Page II-30, 2.3.2.5: C/CAG has no specific information about the frequency of large cargo jets. The airport activity forecasts that provided the basis for the forecast noise contour maps presented in the ALUCP projects an increase in air cargo operations (takeoffs and landings) of about 2,500 from 2009 to 2020. This equates to an average increase of about 3.4 arrivals and 3.4 departures per day. (See Jacobs Consultancy, February 2010, Technical Memorandum, Aviation Demand Forecasts, San Francisco International Airport, page 26.) The overall **percentage distribution** of operations by time-of-day is projected to remain constant from 2010 to 2020. Because of the forecast increase in total operations from 2010 to 2020, however, the **number of flights** during the evening and nighttime hours is projected to increase in direct proportion to the overall increase in total operations. See pages II-30 and II-31 in Chapter II of the Draft ALUCP.

Page III-4 (General Policies): C/CAG will address this suggestion in the CEQA Initial Study.

Page III-5, Policy GP-4.1: Policy GP-4.2 explains that "nonconforming uses may be rebuilt to a density (for residential uses, dwelling units per acre) or size (for nonresidential uses, building floor area) not exceeding that of the original construction." These buildings may be rebuilt if torn down or destroyed by any cause. The construction of new, second dwellings, as described in state law, would not be allowed in areas where housing would be considered incompatible with the updated ALUCP. This situation would apply only in Safety Zone 1 and within the CNEL 70 dB contour.

Page III-6, Policy GP-5.1: This provision was intended to apply to new residential development proposed on vacant lots in residential only zoned areas within the CNEL 70 dB contour. After reviewing this proposed policy, we have decided to delete it because it is unduly complicated. The intent is achieved with simpler language in the revised version of Note (a) in Table IV-1 in Chapter IV, page IV-19.

Page III-7, Policies GP-8.1 and GP-8.2: Policies GP-8.1 and GP-8.2 are intended only to ensure that the Airport staff is informed of proposed land use policies and projects early enough in the review and approval process to provide comments to the ALUC and local governments. These policies would not grant the Airport any land use planning authority. Note that Policy GP-8.3, involving the formation of an Airport Vicinity Development Committee encourages consultation among local cities and the Airport staff on airport development proposals as well off-airport development.

Because C/CAG, as the airport land use commission for San Mateo County, has no authority over airport operations and because the SFO/Community Roundtable has been created to discuss airport operations and procedures, it is inappropriate and unnecessary for the ALUCP to include provisions advising the Airport staff to discuss proposed operational changes with local cities.

Page III-8, Policy GP-9: No detailed analysis of the specific impact of the updated ALUCP on general plan policies has been undertaken. It is acknowledged that general plan revisions to address the updated ALUCP could require longer than six months. Failure to meet the statutory deadline carries no specific sanctions. The only consequence is that C/CAG would continue to review proposed land use projects, in addition to proposed plan and zoning amendments.

Page III-17, Policy GP-13.3: This policy reflects state law, which requires that ALUCPs must reflect the master plan or airport layout plan for the subject airport. While the ALUCP must be updated to reflect changes in the airport master plan, the nature of any updated policies or compatibility zone boundaries is a decision to be made by C/CAG, not the airport. SFO has no land use regulatory authority.

Page IV-18, Table IV-1: The requested comparison chart will be provided in the final CEQA Initial Study.

Page IV-11, Policy IP-2: Under state law, airport land use commissions may require local agencies to submit all proposed development projects for determinations of consistency with the ALUCP until the local agencies have made their local plans and zoning codes consistent with the ALUCP or they have overridden the ALUCP as provided by law. Pub. Util. Code, Section 21676.5(a)). See Policy GP-10 in Chapter III, pageIII-9.

Page IV-17, Policy NP-2: The proposed language change will be made as suggested.

Page IV-17, Policy NP-3: While the primary purpose of the easement is to provide a measure of protection to the airport, easements also provide a fair disclosure function. We have added an explanation that the easement requirement is also intended to ensure compliance with the State noise law.

Page IV-18: The proposed language change will be made as suggested.

Page IV-20, SP-1: This comment, which introduces the subsequent comments in the letter, does not require a response.

Page IV-15, SP-2: The proposed language change will be made as suggested.

Page IV-25, Inner Approach Zone: In Table IV-2, the requirements of Safety Zone 2, the Inner Approach/Departure Zone, have been revised to exempt home day care centers from the list of incompatible uses to avoid conflict with state law. We have chosen not to accept your request to allow day care centers as ancillary uses in businesses within Safety Zone 2. We recognize that child day care centers are often included in modern office and commercial buildings. At the same time, the potential risks in Safety Zone 2 indicate that land uses serving particularly vulnerable populations, such as children requiring supervision in case of an evacuation, should not be allowed in that zone. This is consistent with the guidance provided in the most recent edition of the *California Airport Land Use Handbook* (page 4-21) published by Caltrans in 2011.

As you suggested, C/CAG has refined the definition of "critical public utilities." They include <u>only</u> electrical power generation plants, electrical substations; wastewater treatment plants, and public water treatment plants. (Water pump stations and sewage lift stations would not be covered under this definition.)

Page IV-53, Policy AP-3: The former CLUP did not include as much detail as the proposed ALUCP related to airspace protection and height limits. At the same time, however, the substantive policies of the proposed ALUCP remain the same as the previous CLUP. The airspace policies of the proposed ALUCP are written to allow developers maximum flexibility in setting building heights, consistent with federal regulations and state law.

The proposed ALUCP includes a comprehensive explanation of federal and state laws and regulations relating to airspace protection, which have been in effect for many years and which apply regardless of the specific policies in the ALUCP. The intent of the ALUCP, with respect to airspace protection policies, is to explain the federal regulations that apply to proposed new construction, to facilitate compliance with those regulations, and to provide information allowing planners and builders to determine, in advance of FAA-required aeronautical evaluations, the potential for FAA Determinations of Hazard. The maximum height limits depicted in Exhibits IV-17 and IV-18 represent the heights above which proposed buildings are likely to be found by the FAA to be hazards to air navigation. These airspace surfaces have existed for many years and have been the basis for FAA obstruction and hazard determinations for many years. Under state law, structures determined by the FAA to be hazards can be built only upon issuance of a permit by the State Department of Transportation. Caltrans has never issued a permit for the construction of an object found to be a hazard.

The significant change proposed in the Draft ALUCP is that these maps, courtesy of work undertaken by the Airport, are now available for use by local planners and developers to aid in construction planning early in the design and planning process. The iALP tool developed by the SFO Planning Office allows users to determine the heights of the critical airspace surfaces above the ground throughout the SFO environs. Your staff should be able to develop the height analysis

you request in your letter with the aid of the tool. The iALP tool is easy to use, but may require some instruction to interpret its results. The tool reports two kinds of results:

1. The height above which the sponsor of a proposed project must file a Notice of Proposed Construction or Alteration (Form 7460-1) with the FAA, in accordance with federal regulations (14 CFR Part 77, §77.9).
2. The height above which the FAA is likely to determine that a proposed structure is a hazard to air navigation.

The FAA's airspace requirements are admittedly complex and perhaps confusing. Please give me a call if you would like me to arrange for our consultant to answer questions about the regulations and ALUCP policies or if you would like help with the use of the iALP airspace tool.

Thank you again for your comments and for your participation throughout the preparation of the updated plan. The official Draft ALUCP is posted on our website at the following location: www.ccag.ca.gov/plans_reports.html.

Sincerely,

Richard Napier

Richard Napier
Executive Director

C/CAG

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June 12, 2012

Mr. John Bergener - Airport Planning Manager
San Francisco International Airport
Bureau of Planning and Environmental Affairs
P.O Box 8097
San Francisco, CA 94128

Reference: Letter dated 4/20/2012 Re: ALUCP for San Francisco International Airport

Dear Mr. Bergener:

Thank you for your letter of April 20, 2012 commenting on the March 2012 Draft of the Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport. Our responses to your comments are numbered in accordance with the numbering in your letter.

Comment 1: The C/CAG staff and our consultant acknowledge your concerns relating to the preliminary draft policy that would have allowed limited residential use within the CNEL 70 dB contour under certain circumstances. After further consideration, C/CAG has decided to revise "Note (a)" in Table IV-1 to state: "[Residential] use is compatible only on an existing lot of record if zoned for residential use." Language relating to proximity to a BART station or within the Grand Boulevard area has been stricken.

Based on the discussion at the March 22 ALUC meeting and consultations with local city officials, we decided that any policies opening the door to new residential development within the CNEL 70 dB contour would be unwise. The avoidance of new residential development within the CNEL 70 dB contour has been a longstanding policy for over 25 years in the area and is amply justified by the guidance in the Caltrans Airport Land Use Planning Handbook and in federal guidance provided in 14 CFR Part 150, Appendix A, Table 1.

Comment 2: The revisions to the Draft Plan discussed above will also address this comment.

Comment 3: The revision to Policy GP-4.2 in Chapter 3 (page III-5) relating to the reconstruction of nonconforming schools and hospitals has been made and is reflected in the official Draft ALUCP posted on our website.

Thank you again for your comments. An updated Draft ALUCP is posted on our website at the following location: www.ccag.ca.gov/plans_reports.html.

Sincerely,

Richard Napier

Richard Napier
Executive Director

C/CAG

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June 12, 2012

Mr. Brian Millar, Director of Economic and Community Development
City of Daly City
333 90th Street
Daly City, CA 94015-1895

Reference: Letter dated 2/28/2012 Re: ALUCP for San Francisco International Airport

Dear Mr. Millar:

Thank you for your letter of February 20, 2012 commenting on the January2012 Draft of the Airport Land Use Compatibility Plan (ALUCP) for the Environs of San Francisco International Airport. C/CAG's responses to your comments are provided in this letter.

1- **General Policy GP4.1 (page iii-5)** relative to nonconforming uses have been further clarified in the ALUCP. Residential uses are nonconforming uses within the CNEL 65-70dB noise contours. However, residential can be allowed by insulating the property to achieve a CNEL of 45dB interior and by executing an avigation easement (Appendix G Page 8).

2- **Airspace Protection Policy AP-3:** The former CLUP did not include as much detail as the proposed ALUCP related to airspace protection and height limits. At the same time, however, the substantive policies of the proposed ALUCP remain the same as the previous CLUP. The airspace policies of the proposed ALUCP are written to allow developers maximum flexibility in setting building heights, consistent with federal regulations and state law. The proposed ALUCP includes a comprehensive explanation of federal and state laws and regulations relating to airspace protection, which have been in effect for many years and which apply regardless of the specific policies in the ALUCP. The intent of the ALUCP, with respect to airspace protection policies, is to explain the federal regulations that apply to proposed new construction, to facilitate compliance with those regulations, and to provide information allowing planners and builders to determine, in advance of FAA-required aeronautical evaluations, the potential for FAA Determinations of Hazard. The maximum height limits depicted in Exhibits IV-17 and IV-18 represent the heights above which proposed buildings are likely to be found by the FAA to be hazards to air navigation. These airspace surfaces have existed for many years and have been the basis for FAA obstruction and hazard determinations for many years. Under state law, structures determined by the FAA to be hazards can be built only upon issuance of a permit by the State Department of Transportation. Caltrans has never issued a permit for the construction of an object found to be a hazard.

   The significant change proposed in the Draft ALUCP is that these maps, courtesy of work undertaken by the Airport, are now available for use by local planners and developers to aid in construction planning early in the design and planning process. The iALP tool developed by the SFO Planning Office allows users to determine the heights of the critical airspace surfaces above the ground throughout the SFO environs. Your staff should be able to

develop the height analysis you request in your letter with the aid of the tool. The iALP tool is easy to use, but may require some instruction to interpret its results. The tool reports two kinds of results:

1. The height above which the sponsor of a proposed project must file a Notice of Proposed Construction or Alteration (Form 7460-1) with the FAA, in accordance with federal regulations (14 CFR Part 77, §77.9).
2. The height above which the FAA is likely to determine that a proposed structure is a hazard to air navigation.

The FAA's airspace requirements are admittedly complex and perhaps confusing. Please give me a call if you would like me to arrange for our consultant to answer questions about the regulations and ALUCP policies or if you would like help with the use of the iALP airspace tool.

Thank you again for your comments and for your participation throughout the preparation of the updated plan. The official Draft ALUCP is posted on our website at the following location: www.ccag.ca.gov/plans_reports.html.

Sincerely,

Richard Napier

Richard Napier
Executive Director

C/CAG

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June 12, 2012

Mr. Brian Millar, Director of Economic and Community Development
City of Daly City
333 90th Street
Daly City, CA 94015-1895

Reference: E-mail dated 4/20/2012 Re: ALUCP for San Francisco International Airport

Dear Mr. Millar:

Thank you for your e-mail of April 20, 2012 commenting on the March 2012 Draft of the Airport Land Use Compatibility Plan (ALUCP) for the Environs of San Francisco International Airport. C/CAG's responses to your comments are provided in this letter.

1- **Height Limitations and Seton Hospital (Airspace Protection Policy AP-3):** C/CAG has had discussions with Seton Hospital relative to any potential height conflicts. Attached is a copy of the letter sent to Seton. It is important to keep in mind that this update to the ALUCP is not changing the height requirements. Rather it is providing addition information to reduce that chance that the FAA will make a negative determination on the height. This will enable any issue to be caught earlier in the design process. It is important for Seton to work closely with San Francisco International Airport to ensure that the Seton Hospital Tower design does not have a height conflict.

   The former CLUP did not include as much detail as the proposed ALUCP related to airspace protection and height limits. At the same time, however, the substantive policies of the proposed ALUCP remain the same as the previous CLUP. The airspace policies of the proposed ALUCP are written to allow developers maximum flexibility in setting building heights, consistent with federal regulations and state law. The proposed ALUCP includes a comprehensive explanation of federal and state laws and regulations relating to airspace protection, which have been in effect for many years and which apply regardless of the specific policies in the ALUCP. The intent of the ALUCP, with respect to airspace protection policies, is to explain the federal regulations that apply to proposed new construction, to facilitate compliance with those regulations, and to provide information allowing planners and builders to determine, in advance of FAA-required aeronautical evaluations, the potential for FAA Determinations of Hazard. The maximum height limits depicted in Exhibits IV-17 and IV-18 represent the heights above which proposed buildings are likely to be found by the FAA to be hazards to air navigation. These airspace surfaces have existed for many years and have been the basis for FAA obstruction and hazard determinations for many years. Under state law, structures determined by the FAA to be hazards can be built only upon issuance of a permit by the State Department of Transportation. Caltrans has never issued a permit for the construction of an object found to be a hazard.

The significant change proposed in the Draft ALUCP is that these maps, courtesy of work undertaken by the Airport, are now available for use by local planners and developers to aid in construction planning early in the design and planning process. The iALP tool developed by the SFO Planning Office allows users to determine the heights of the critical airspace surfaces above the ground throughout the SFO environs. Your staff should be able to develop the height analysis you request in your letter with the aid of the tool. The iALP tool is easy to use, but may require some instruction to interpret its results. The tool reports two kinds of results:

1. The height above which the sponsor of a proposed project must file a Notice of Proposed Construction or Alteration (Form 7460-1) with the FAA, in accordance with federal regulations (14 CFR Part 77, §77.9).
2. The height above which the FAA is likely to determine that a proposed structure is a hazard to air navigation.

The FAA's airspace requirements are admittedly complex and perhaps confusing. Please give me a call if you would like me to arrange for our consultant to answer questions about the regulations and ALUCP policies or if you would like help with the use of the iALP airspace tool.

2- 65-70 dB Noise Contour Mitigation - General Policy GP4.1 (page iii-5) relative to nonconforming uses have been further clarified in the ALUCP. Residential uses are nonconforming uses within the CNEL 65-70dB noise contours. However, residential can be allowed by insulating the property to achieve a CNEL of 45dB interior and by executing an avigation easement (Appendix G Page 8).

3- Avigation Easements (Appendix G Page 8) - Avigation easements are used to allow residential uses within the CNEL 65-75 dB noise contour. Appendix G Page 8 provides the specific avigation easement language required.

Thank you again for meeting with us and your comments and for your participation throughout the preparation of the updated plan. The official Draft ALUCP is posted on our website at the following location: www.ccag.ca.gov/plans_reports.html.

Sincerely,

Richard Napier

Richard Napier
Executive Director

C/CAG

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June 12, 2012

Mr. Thomas Yang - Partner for Architecture
Jensen and Partners
950 South Grand Avenue 4th Floor
Los Angeles, CA 90015

Reference: Letter dated 5/03/2012 Re: ALUCP for San Francisco International Airport

Dear Mr.Yang:

Thank you for your letter of May 3, 2012 commenting on the March 2012 Draft of the Airport Land Use Compatibility Plan (ALUCP) for the Environs of San Francisco International Airport. C/CAG's responses to your comments are provided in this letter. Your letter expressed concerns about conflict between the airspace height restriction and the design for Seton's new hospital tower.

Page IV-53, Policy AP-3: It is important to keep in mind that this ALUCP is not changing the height restrictions in any way. It is essentially providing additional information such that Seton will know in advance the likelihood of whether the FAA will allow the height.

The former CLUP did not include as much detail as the proposed ALUCP related to airspace protection and height limits. At the same time, however, the substantive policies of the proposed ALUCP remain the same as the previous CLUP. The airspace policies of the proposed ALUCP are written to allow developers maximum flexibility in setting building heights, consistent with federal regulations and state law.

The proposed ALUCP includes a comprehensive explanation of federal and state laws and regulations relating to airspace protection, which have been in effect for many years and which apply regardless of the specific policies in the ALUCP. The intent of the ALUCP, with respect to airspace protection policies, is to explain the federal regulations that apply to proposed new construction, to facilitate compliance with those regulations, and to provide information allowing planners and builders to determine, in advance of FAA-required aeronautical evaluations, the potential for FAA Determinations of Hazard. The maximum height limits depicted in Exhibits IV-17 and IV-18 represent the heights above which proposed buildings are likely to be found by the FAA to be hazards to air navigation. These airspace surfaces have existed for many years and have been the basis for FAA obstruction and hazard determinations for many years. Under state law, structures determined by the FAA to be hazards can be built only upon issuance of a permit by the State Department of Transportation. Caltrans has never issued a permit for the construction of an object found to be a hazard.

The significant change proposed in the Draft ALUCP is that these maps, courtesy of work undertaken by the Airport, are now available for use by local planners and developers to aid in construction planning early in the design and planning process. The iALP tool developed by the SFO Planning Office allows users to determine the heights of the critical airspace surfaces above the ground throughout the SFO environs. You should be able to develop the height analysis with the aid of the tool. The iALP tool is easy to use, but may require some instruction to interpret its results. The tool reports two kinds of results:

1. The height above which the sponsor of a proposed project must file a Notice of Proposed Construction or Alteration (Form 7460-1) with the FAA, in accordance with federal regulations (14 CFR Part 77, §77.9).
2. The height above which the FAA is likely to determine that a proposed structure is a hazard to air navigation.

The FAA's airspace requirements are admittedly complex and perhaps confusing. Please give me a call if you would like me to arrange for our consultant to answer questions about the regulations and ALUCP policies or if you would like help with the use of the iALP airspace tool.

C/CAG would urge you to work closely with San Francisco International Airport to establish accurate height limitations for the site. This updated ALUCP will provide the necessary height data to ensure the new hospital towers are compatible with the appropriate flight surfaces. The official Draft ALUCP is posted on our website at the following location: www.ccag.ca.gov/plans_reports.html.

Sincerely,

Richard Napier

Richard Napier
Executive Director

C/CAG

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June 18, 2012

Mr. Clay Holstine - City Manager
City of Brisbane
50 Park Place
Brisbane, CA 94005-1310

Reference: Letter dated 4/16/2012 Re: ALUCP for San Francisco International Airport

Dear Mr. Holstine:

Thank you for your letter of April 16, 2012 commenting on the March 2012 Draft of the Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport. Our responses to your comments are provided in this letter.

CNEL Noise Metric and Contours: The following language has been added to page IV-13 to address your comment.

> The CNEL noise contours presented in Exhibit IV-6 designate the area where noise exposure is great enough to warrant land use controls to promote noise compatibility. It is acknowledged that aircraft noise at levels below CNEL 65 dB can be disturbing to some people.

Airport Influence Area, Boundary of Area A: The Brisbane city limits are less than three miles from the airport property, and data presented in the Draft ALUCP clearly indicate that the city is subject to regular aircraft overflights. (See Exhibits II-7 and II-8 in Chapter 2 of the Draft ALUCP.) The intent of the state legislature in establishing the airport disclosure requirements was to ensure that prospective buyers of residential property are informed of the potential for airport-related impacts, including noise and overflights. Under state law, this requirement applies within the Airport Influence Area (AIA) defined in the applicable ALUCP (Bus. & Prof. Code, §11010). Given the exposure of Brisbane to SFO-related aircraft activity, it is reasonable for the Brisbane to be included within the AIA.

Relationship to Airport Operations: Preface Page 2 The following language was added to address Brisbane's concern relative to operations:

> "In adopting this ALUCP, the C/CAG Board acknowledges those forecasts and airport development plans as providing an appropriate foundation for airport land use compatibility planning in the SFO environs. C/CAG and its member jurisdictions, however, retain the right to consult and negotiate with the San Francisco Airport Commission and the SFO staff on all matters relating to airport development and operations, including noise abatement procedures."

Thank you again for your comments. The official Draft ALUCP is posted on our website at the following location: www.ccag.ca.gov/plans_reports.html.

Sincerely,

Richard Napier

Richard Napier
Executive Director

City of Millbrae

621 Magnolia Avenue, Millbrae, CA 94030

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Mayor

GINA PAPAN
Vice Mayor

NADIA V. HOLOBER
Councilwoman

WAYNE J. LEE
Councilman

ROBERT G. GOTTSCHALK
Councilman

June 20, 2012

Richard Napier, Executive Director
City/County Association of Governments of San Mateo County
555 County Center, 5th Floor
Redwood City, CA 94063

Dear Richard,

I was given the opportunity to review and comment on the Draft Comprehensive Airport Land Use Compatibility Plan (ALUCP). Accompanied with the draft document, I received your letter to all planning directors on April 6, 2012, requesting that the comments on the draft document be provided to C/CAG by April 20, 2012. Upon my review and analysis of the document, I forwarded you my comments on April 18, 2012, via email, two days prior to the set deadline.

Today, I opened the package you sent me which contains the revised document, the June 21st meeting agenda and an attachment regarding "comments and responses to letters". By reviewing the attachment, I realized my comments regarding the ALUCP were not included in the attachment and also a reminder that I did not receive any response back from you on my comments provided on April 18, 2012.

Considering the ALUC meeting is taking place tomorrow and since my comments were not included in the received documents, I have great concerns regarding the draft document's procedure and its effects on the City of Millbrae land use policies including its General Plan and Millbrae Station Area Specific Plan (MSASP). I would like to reiterate my concerns regarding the draft document by including it in this letter and ask that the content of this letter be included in the ALUS meeting and future review of ALUCP.

Copied from word document sent on April 18, 2012:

<u>Comments on February 2012 Draft ALUCP</u>

<u>General Comments</u>

1. We still need the consultant to respond to our request for info on what the airport safety zone was at time of MSASP adoption in 1998.

2. BART should be informed of the document and the process since their property located on the northeast side of Millbrae Avenue and Rollins Road intersection (site 6 of MSASP) will be severely affected by the proposal.
3. All mentions of ALUCP should maybe be "CALUCP" to match Comprehensive Airport Land Use Compatibility Plan as listed in the footer at bottom of every page.

4. Should strike "San Francisco International Airport and Environs" located at bottom of page because it is repeated in that footer.

5. Where is page III-2 (renumber)?

6. Where are pages III-13 and III-14 (renumber)?

7. An organizational chart showing ALUCommitte, ALUCommission, C/CAG, FAA, SFO, cities and districts, etc. would be helpful.

Comments by Section

GP-2 "The CALUCP shall be amended not more than once per calendar year **and not less than once per five calendar years**…"; please add text shown in bold in order to truly maintain a current and updated document.

GP-4.1 "residential units"; what if an existing 1-unit structure is divided into 2 units without any physical expansion?

"CNEL 45 dB"; this is pretty quiet – how achievable is it?

GP-4.4 "Local government policies that specify shorter periods shall **supersede this policy";** please add text shown in bold for more clarity.

GP-51: "compatibility with the character of the surrounding area"; but, Millbrae's MSASP, by definition, calls for larger and more intense development, different architecture, more height, etc than what is currently there.

"Increases above the nominal development density set by the local zoning ordinance…"; but this is exactly what Millbrae would want to do to offset the loss of development on Site 7 and part of Site 6.

GP-7 "any parcel that is split by compatibility zone boundaries shall be considered as if it were multiple parcels…"; this is good, but what about the width of the boundary line as drawn on the map which could effect another 50 feet of property?

GP-9 "State law gives affected local agencies 180 calendar days"; so Millbrae would revise Sites 6 +7 in the MSASP for no development, but 180 days is probably not enough time to re-allocate the development potential lost from those sites to other sites because of the likely CEQA process we'd have to go through for that.

End of first paragraph on page III-9 "(see Section 3.3.3. below)" should say 3.3.1.

GP-10.1 and GP-10.2; don't see the difference between these two provisions.

GP-12.1 "A diagram of the process is shown on Exhibit III-1."; exhibit not included.

GP-12.3 "the Airport Land Use Commission (C/CAG Board) will work cooperatively with…to provide equitable funding"; what does this mean? Will cities have to pay a review fee?

3.3.2 "Delineate the compatibility criteria to be applied…"; this seems to mean creating a generic "menu" of ways a project could demonstrate consistency.

"Identify the mechanisms to be used to ensure that applicable compatibility criteria are incorporated…"; this seems to mean actual project features/conditions on a real project.

"..but can be subject to appropriate ministerial development standards"; what does this mean?

GP-13.3 "…Airport Land Use Commissions have no jurisdiction over the operation of airports"; so then the airport master plan can easily be changed, and when changed, force cities to keep revising their plans in order to remain consistent?

3.3.3.2 "The proposed local agency action is determined by the local agency to be Consistent…just as if the Airport Land Use Commission (C/CAG Board) had found the proposed action to be consistent…"; this is quite a long shot.

"If a city or county overrides an action by the airport land use commission with respect to a publicly owned airport that is not operated by that city or county…"; this is a BIG disincentive for cities to attempt override an CALUC decision.

"A diagram illustrating the local agency override process is provided in Exhibit III-2."; exhibit not included.

Thank you again for meeting with me and my staff and allowing the City to comment on this draft document. We look forward to your response and to work with you and your staff to resolve the listed comments and concerns.

Sincerely,

Farhad Mortazavi
Community Development Director

C/CAG

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June 21, 2012

Mr. Farhad Mortazavi, Community Development Director
City of Millbrae
621 Magnolia
Millbrae, CA 94030

Reference: Letter dated 4/18/2012 Re: ALUCP for San Francisco International Airport

Dear Mr. Mortazavi:

Thank you for your letter of April 18, 2012 commenting on the March 2012 Draft of the Airport Land Use Compatibility Plan (ALUCP) for the Environs of San Francisco International Airport. C/CAG's responses to your comments are provided in this letter.

General Comments

1- Our consultant, Ricondo & Associates, reviewed the 1996 CLUP for SFO, which was based on the Airport Layout Plan from August 1993. The only safety zone included in the 1996 CLUP was the runway protection zone (RPZ), equivalent to Zone 1 in the proposed ALUCP update. The RPZs are defined by the Airport in compliance with specific criteria developed by the FAA. The RPZs in effect at the time the MSASP was adopted did not extend into the boundaries of the MSASP.

2- We will inform the appropriate officials at BART of the proposed ALUCP update.

3- Necessary editing corrections will be made prior to release of the official draft ALUCP.

4- Necessary editing corrections will be made prior to release of the official draft ALUCP.

5- This is an intentionally blank page. Necessary editing corrections will be made prior to release of the official draft ALUCP.

6- Necessary editing corrections will be made prior to release of the official draft ALUCP.

7- A chart illustrating the relationships among the various agencies and organizations will be included as part of training material after adoption of the ALUCP.

Comments by Section

GP-2: State law limits the frequency of ALUCP amendments to no more than once a year. We appreciate and agree with your suggestion that the ALUCP should be updated in a timely manner. We are concerned, however, about tying updates to specific time requirements. Instead we will add language explaining the conditions under which C/CAG intends to update the ALUCP. Those include:

- After adoption of a new airport master plan or an updated airport layout plan
- After the update of airport noise exposure forecasts

GP-4.1: The intent of Policy GP-4-1 is to prevent an increase in the number of nonconforming dwellings within the CNEL 70 dB, where residential use is incompatible. Within the CNEL 65-70 dB, residential use would be nonconforming only if it had not previously been sound-insulated. Within this contour range, a house could be divided into two units and be consistent with the ALUCP if the additional unit was sound-insulated to achieve the required interior noise level.

You ask about the feasibility of achieving an interior sound level of CNEL 45 db. This is actually a very achievable requirement in areas exposed to exterior noise between CNEL 65 and 75 db. The state building code requires that new multifamily housing be built to meet this interior sound level. Our consultant has advised me that standard construction can readily achieve an outdoor to indoor noise level reduction of 20 dB or greater (with windows and doors closed). (This means that a home on the CNEL 65 dB contour line would have an interior sound level of CNEL 45 db.) Additional measures, such as the installation of acoustical windows and extra thermal insulation, can boost the sound attenuation capabilities of a home considerably.

GP-4.1: Local governments are free to make their plans and codes more restrictive than any requirements of the ALUCP, including the nonconforming use provisions. We do not believe it is necessary to specifically call out the ALUCP's nonconforming use provisions as a place where local governments can make their own requirements more restrictive.

GP5.1: This entire policy has been eliminated from the draft ALUCP.

GP-7: Staff will clarify the exact boundary on a case by case basis. All ALUCP mapping is available as GIS shape files, which should help in determining the precise location of the compatibility zone boundaries on the ground. To the extent practical we will try to avoid setting a boundary that splits a parcel.

GP-9: State law (Gov. Code Section 64302) specifies that local governments must make their land use plans and regulations consistent with an updated ALUCP within 180 days after the adoption of an updated ALUCP. There are no sanctions imposed on local governments if they cannot meet this schedule.

GP-10.1 and GP 10.2: The language has been clarified. Section 10.1 refers to "ALUCP Review <u>before</u> Local Agency Makes Plans Consistent with ALUCP or Overrides, " and Section 10.2 to "ALUCP Review <u>after</u> Local Agency Makes Plans Consistent with ALUCP or Overrides". Before the local governments update their plans and codes to be consistent with the new ALUCP, they will have to submit all land use policy and development actions to C/CAG for consistency determinations. After they make their plans and codes, they need only submit Plan and code amendments to C/CAG.

GP-12.1: Exhibit III-1 has been added.

GP 12.3: Currently the cost of C/CAG's airport land use compatibility work is covered through C/CAG member fees. Adoption of the ALUCP would not involve any additional city fees. This policy is included essentially as a notice that the question of funding sources for C/CAG's airport land use compatibility function may need to be considered in the future.

3.3.2: The material you cite is quoted directly from the Caltrans Airport Land Use Planning Handbook (October 2011). Our understanding of the meaning is as follows:

"*Delineate the compatibility criteria to be applied.*" This means that local land use plans, policies, and regulations must actually include the land use compatibility criteria from the ALUCP and provide guidance as to how the criteria are to be applied to proposed land use actions under the jurisdiction of the local government.

"*Identify mechanism to be used to ensure that applicable compatibility criteria are incorporated.*" This means that the local land use plans and regulations must include policies ensuring that any compatibility conditions stipulated in the ALUCP are actually incorporated into development projects. For example, the ALUCP requires that measures be taken to ensure that new housing within the CNEL 65 dB contour is capable of reducing exterior noise to CNEL 45 dB indoors. Local zoning or building regulations should include provisions to ensure that the required measures are actually taken.

".. but can be subject to appropriate ministerial development standards." This means that local land use plans, policies, and regulations should be written to ensure that even projects subject only to ministerial review by local administrative personnel, in contrast to projects requiring legislative or quasi-judicial review by planning commissions, city councils, and boards of zoning adjustment, should empower the administrative staff to ensure that land use compatibility standards and criteria are actually provided by the project developer.

GP-13.3: It is correct that Airport Land Use Commissions have no control over airport operations or Airport Layout Plans (ALP). Keep in mind, however, that the FAA does have authority over changes to ALPs, and any revisions must comply with a complex set of FAA design requirements. In addition, changes to ALPs and airport master plans are subject to the environmental review requirements of CEQA and the National Environmental Policy Act (NEPA). Accordingly, significant changes to ALPs and airport master plans take quite a bit of time and involve a degree of public review.

3.3.3.2: We agree that the language you cite in the first paragraph of this section is unclear. We propose revising it to read as follows:

> The proposed land use action may proceed through the local agency review and permitting processes just as if it had been found consistent with this ALUCP by the Airport Land Use Commission (C/CAG Board).

This change will be reflected in the official draft of the proposed ALUCP.

You are correct that an override is a significant decision that may carry additional liability for the agency making the override decision.

Exhibit III-2 has been provided in the May 2012 draft document and will be included in the official draft of the proposed ALUCP.

Thank you again for your comments and for your participation throughout the preparation of the updated plan. The official Draft ALUCP is posted on our website at the following location: www.ccag.ca.gov/plans_reports.html.

Sincerely,

Richard Napier

Richard Napier
Executive Director

City of Millbrae

621 Magnolia Avenue, Millbrae, CA 94030

MARGE COLAPIETRO
Mayor

GINA PAPAN
Vice Mayor

NADIA V. HOLOBER
Councilwoman

WAYNE J. LEE
Councilman

ROBERT G. GOTTSCHALK
Councilman

August 15, 2012

Richard Napier
Executive Director
City/County Association of Governments of San Mateo County
555 County Center, 5th Floor
Redwood City, CA 94063

Dear Richard,

Thank you for giving me the opportunity to review and comment on the Draft Final Comprehensive Airport Land Use Compatibility Plan (draft final). I have previously portrayed my concerns regarding the document's effects on City of Millbrae land use policies including its General Plan and Millbrae Station Area Specific Plan (MSASP). After reviewing the latest document, I would like to forward additional comments provided below.

As it is indicated in Section E.10.2.1, page E-34 and 35 of the document, the Millbrae's BART station at the center of the Inner Approach/Departure Zone (IADZ) has given rise to conflicts. Millbrae's intermodal station is the largest station of its kind west of Mississippi, plus, the station is one of only four stops by the future High Speed Rail in the Bay Area - it is considered the City's main gateway and landmark. The IADZ covers most of MSASP which is the City's most vital source of high density, mixed-used development - plan to take full advantage of the proximity to the BART's station, as noted in the draft final.

The aforementioned area is the main source of MSASP's future high density residential units and tax revenue for the City, and by definition, it calls for larger and more intense development, different architecture, more height, etc than what is currently there. The draft final's future development regulations in IADZ, reverses the goals of MSASP. Also, the document stipulates the loss of developments on Site 7 and part of Site 6 of MSASP which constitutes for special accommodation to be made.

Regarding Section E.10.2.2 – Issues in the RPZ on page E-35 of draft final, I believe it would be more sensible to opt for "Alternative 1, Transfer of Development Rights" rather than the other alternatives as they are either too complicated or not a long-term solution. In addition, corrections need to be made to the final draft on; (a) Section E.10.2 - last sentence should read "A hospital is just *southwest* of the station, and (b) top portion of page E-36 should read "specific ordinance by the City of *Millbrae*".

Thank you again for allowing the City to comment on this draft final document. We look forward to your response and to work with you and your staff to resolve the listed comments and concerns.

Sincerely,

Farhad Mortazavi
Community Development Director

Appendix L

Real Estate Disclosure and Overflight Considerations

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Appendix L REAL ESTATE DISCLOSURE AND OVERFLIGHT CONSIDERATIONS L-1

L.1 NOISE AND OVERFLIGHT CONCERNS IN THE SFO ENVIRONS L-1

L.2 AIRCRAFT OVERFLIGHTS IN THE SFO ENVIRONS L-2

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Appendix L

REAL ESTATE DISCLOSURE AND OVERFLIGHT CONSIDERATIONS

Section 11010 of the California Business and Professions Code requires people offering subdivided property for sale or lease to disclose the presence of all existing and planned airports within two miles of the property.[1] The law requires that, if the property is within an "airport influence area" designated by the airport land use commission, 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.*

In the *California Airport Land Use Planning Handbook*, Caltrans advises airport land use commissions to consider the need for real estate disclosure measures in areas where people have registered concerns about noise and overflights, even outside the noise contours where the most significant noise concerns occur.[2] The Handbook explains that concerns about the prevalence of overflights and noise associated with air traffic at air carrier airports are often raised by people residing many miles the airport. Real estate disclosure provides a means for sensitive people to be made aware of the potential for overflights and noise before they make a purchase decision.

Area A of the Airport Influence Area, depicted on Exhibit IV-1 in Chapter 4, represents the area within which the real estate disclosure requirements of state law apply. This appendix explains the basis for the delineation of Area A.

L.1 NOISE AND OVERFLIGHT CONCERNS IN THE SFO ENVIRONS

The San Francisco Airport Commission and the local governments in San Mateo County have a long history of coordination on airport noise and overflight issues. In the mid-1970s, the Airport and the local governments coordinated in developing a Joint Action Plan for noise abatement and land use compatibility planning in the Airport area.[3] The Plan, published in 1980, set a foundation for the noise compatibility program that has been followed ever since.

---

[1] California Business and Professions Code, Section 11010(b)(13).

[2] *California Airport Land Use Planning Handbook*, Department of Transportation, Division of Aeronautics, October 2011, pp. 3-8 – 3-11.

[3] *Joint Action Plan to Improve Compatibility between San Francisco International Airport and and San Mateo County Environs Area by Reducing Aircraft Noise, Improving Ground Access, Improving Air Quality*; Joint Powers Board; April 1980.

One outgrowth of the Joint Action Plan was the creation of the San Francisco Airport/Community Roundtable in 1981. The Roundtable, which meets monthly to discuss airport noise abatement activities and concerns, has representatives from nearly all local governments in San Mateo County.[4] The membership of the Roundtable is a clear, albeit indirect, indicator of the geographic scope of aircraft noise concerns in San Mateo County.

L.2 AIRCRAFT OVERFLIGHTS IN THE SFO ENVIRONS

The staff of the SFO noise office prepared a series of flight track density maps from actual radar data to assist in understanding the pattern of aircraft overflights in the SFO environs. The analysis used radar data for all flights to and from SFO during the 2011 calendar year. The study area, which included all of San Mateo County, was divided into a network of 100-meter by 100-meter grid cells. The number of flights passing over each grid cell during the year was then computed. The resulting pattern was mapped, as presented in Exhibits L-1 through L-6. The different colors on the maps represent different numbers of overflights over the grid cells, with the hot colors indicating higher numbers and the cool colors representing lower numbers.

Exhibits L-1 through L-3 depict all flights at altitudes at or below 6,000 feet above mean sea level (MSL). Exhibit L-1 depicts the areas overflown an average of once per day, Exhibit L-2, twice per week, and Exhibit L-3, once per week. Exhibits L-4 through L-6 depict the number of flights at or below 10,000 feet MSL.

Exhibit L-6, depicting an average of one or more flights per week at or below 10,000 feet MSL, shows activity over the entire county. Interestingly, this is the only one of the six flight track density maps that shows activity over all of the SFO/Community Roundtable municipalities.

The local terrain and the high volume of air traffic impose strict limits on the design and use of the airspace in the area. Thus, the overall pattern of aircraft approaches and departures at SFO is unlikely to change substantially over time. In fact, this flight track density pattern has remained essentially the same for years.[5]

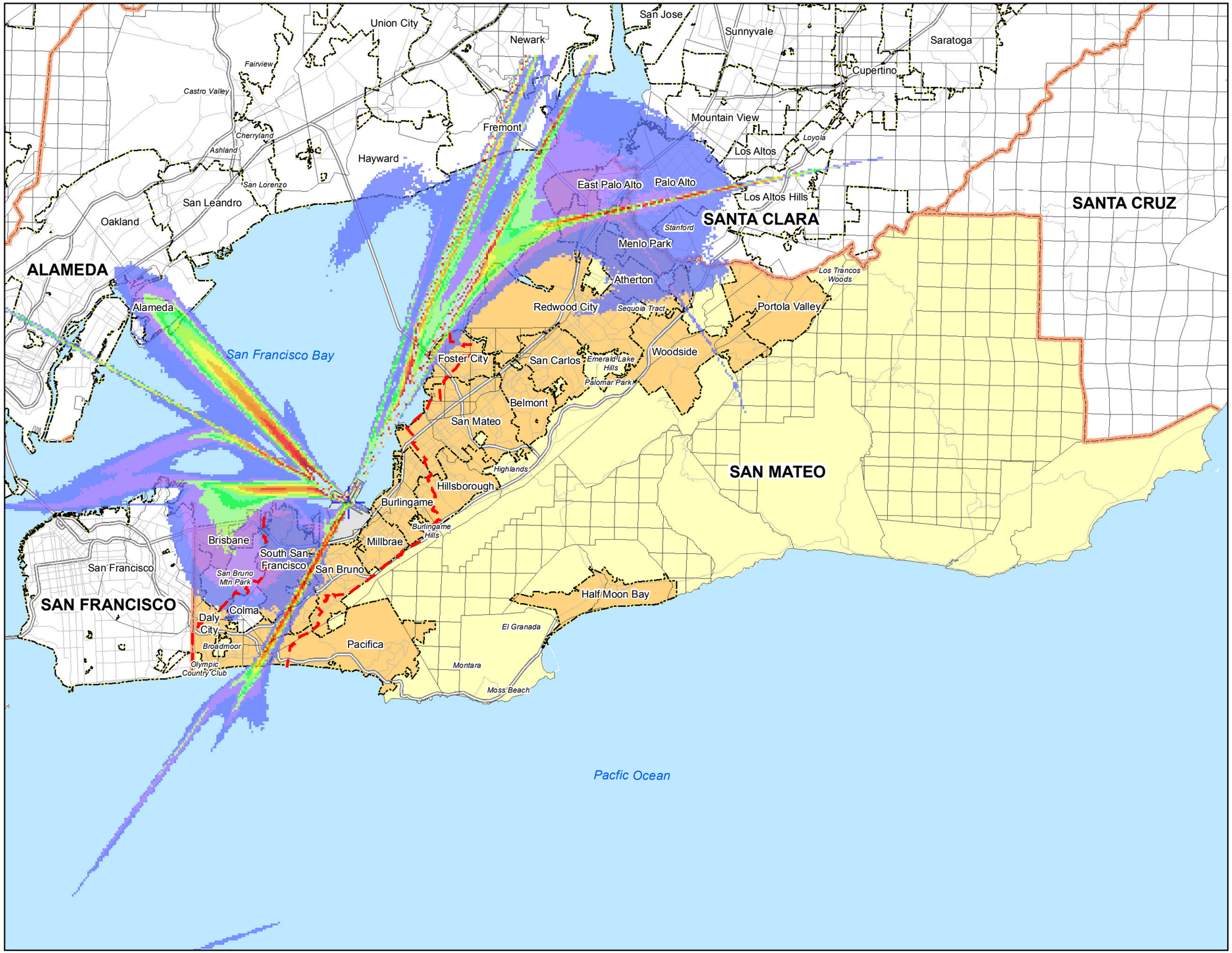
L.3 PROPOSED AIRPORT INFLUENCE AREA, AREA A

Exhibit IV-1 in Chapter 4 depicts Area A of the Airport Influence Area. It includes all of San Mateo County, reflecting the membership in the SFO/Community Roundtable and the pattern of aircraft overflights depicted in Exhibit L-6.

---

[4] Exhibit IV-1 in Chapter 4 depicts all local government members of the Roundtable.

[5] As part of this analysis, flight track densities for 1999 and 2007 were also examined. The patterns were substantially the same as shown on Exhibit IV-1.



LEGEND

- Boundary for Airport Influence Area B
- County Boundary
- City Boundary
- Range/ Township/ Section and Rancho Lines
- Freeways
- Roads
- Municipal Members of SFO/Community Roundtable
- Unincorporated San Mateo County

Flight Track Density

- 366-730
- 731-1,460
- 1,461-2,190
- 2,191-2,920
- 2,921-3,650
- 3,651-5,110
- 5,111-6,570
- 6,571-8,030
- 8,031-9,490
- 9,491-10,950
- 10,951-12,410
- 12,411-13,870
- 13,871-15,330
- 15,331-16,790
- 16,791-18,250

Note: Density is calculated as the number of flight tracks passing over each cell in a grid with cells of 100 meters square. Data includes only flights to and from San Francisco International Airport at or below 6,000 feet above mean sea level (MSL) during all of calendar year 2011.

Source: SFO Noise Office, May 2012.

NORTH

0 1 2 4 Miles

Exhibit L-1

OVERFLIGHTS BELOW 6,000 FEET MSL
AVERAGE OF ONE OR MORE PER DAY

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

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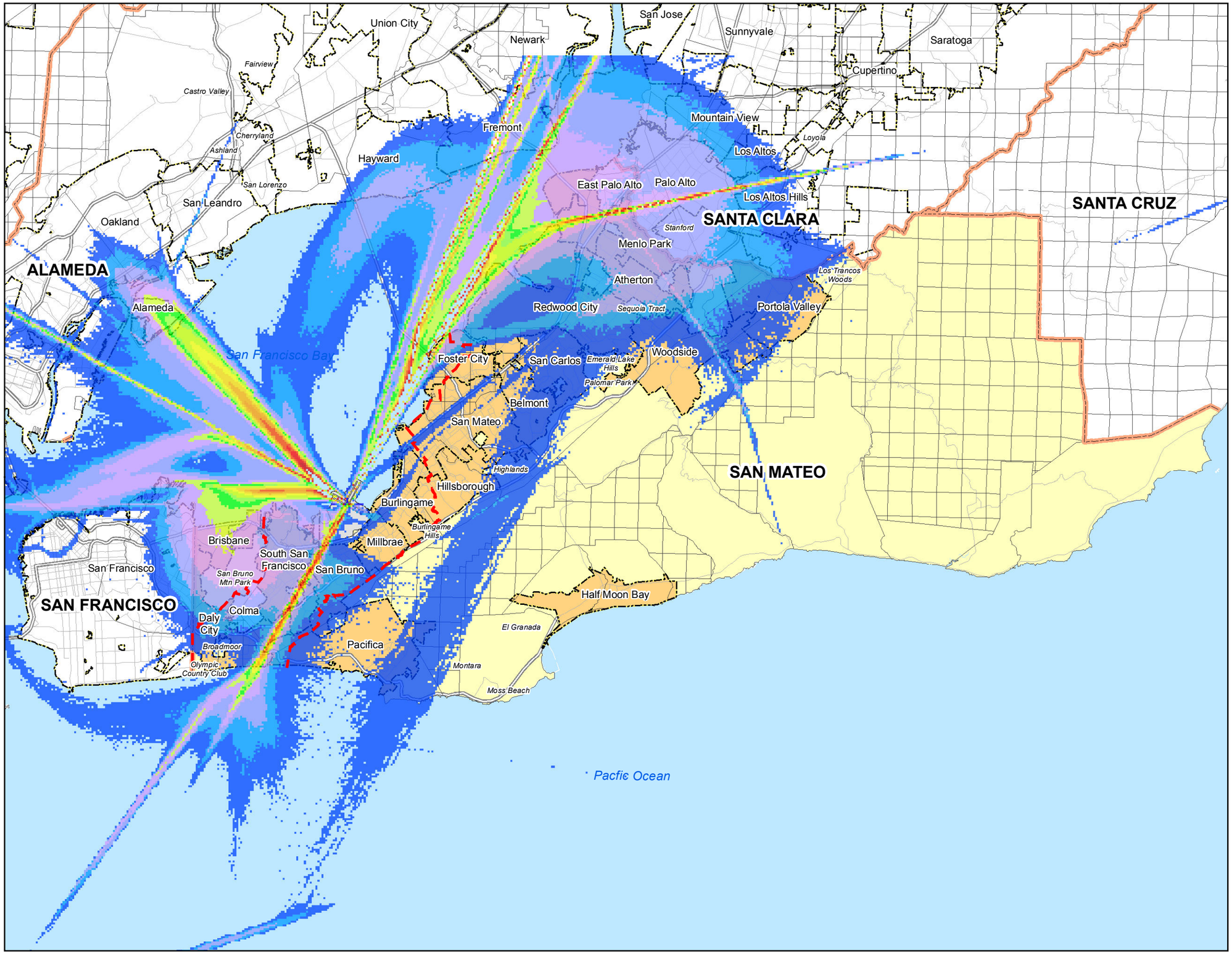

LEGEND

- Boundary for Airport Influence Area B
- County Boundary
- City Boundary
- Range/ Township/ Section and Rancho Lines
- Freeways
- Roads
- Municipal Members of SFO/Community Roundtable
- Unincorporated San Mateo County

Flight Track Density

- 105-208
- 209-365
- 366-730
- 731-1,460
- 1,461-2,190
- 2,191-2,920
- 2,921-3,650
- 3,651-5,110
- 5,111-6,570
- 6,571-8,030
- 8,031-9,490
- 9,491-10,950
- 10,951-12,410
- 12,411-13,870
- 13,871-15,330
- 15,331-16,790
- 16,791-18,250

Note: Density is calculated as the number of flight tracks passing over each cell in a grid with cells of 100 meters square. Data includes only flights to and from San Francisco International Airport at or below 6,000 feet above mean sea level (MSL) during all of calendar year 2011.

Source: SFO Noise Office, May 2012.

NORTH

0 1 2 4 Miles

Exhibit L-2

OVERFLIGHTS BELOW 6,000 FEET MSL
AVERAGE OF TWO OR MORE PER WEEK

Comprehensive Airport Land Use Plan
For The Environs of San Francisco International Airport

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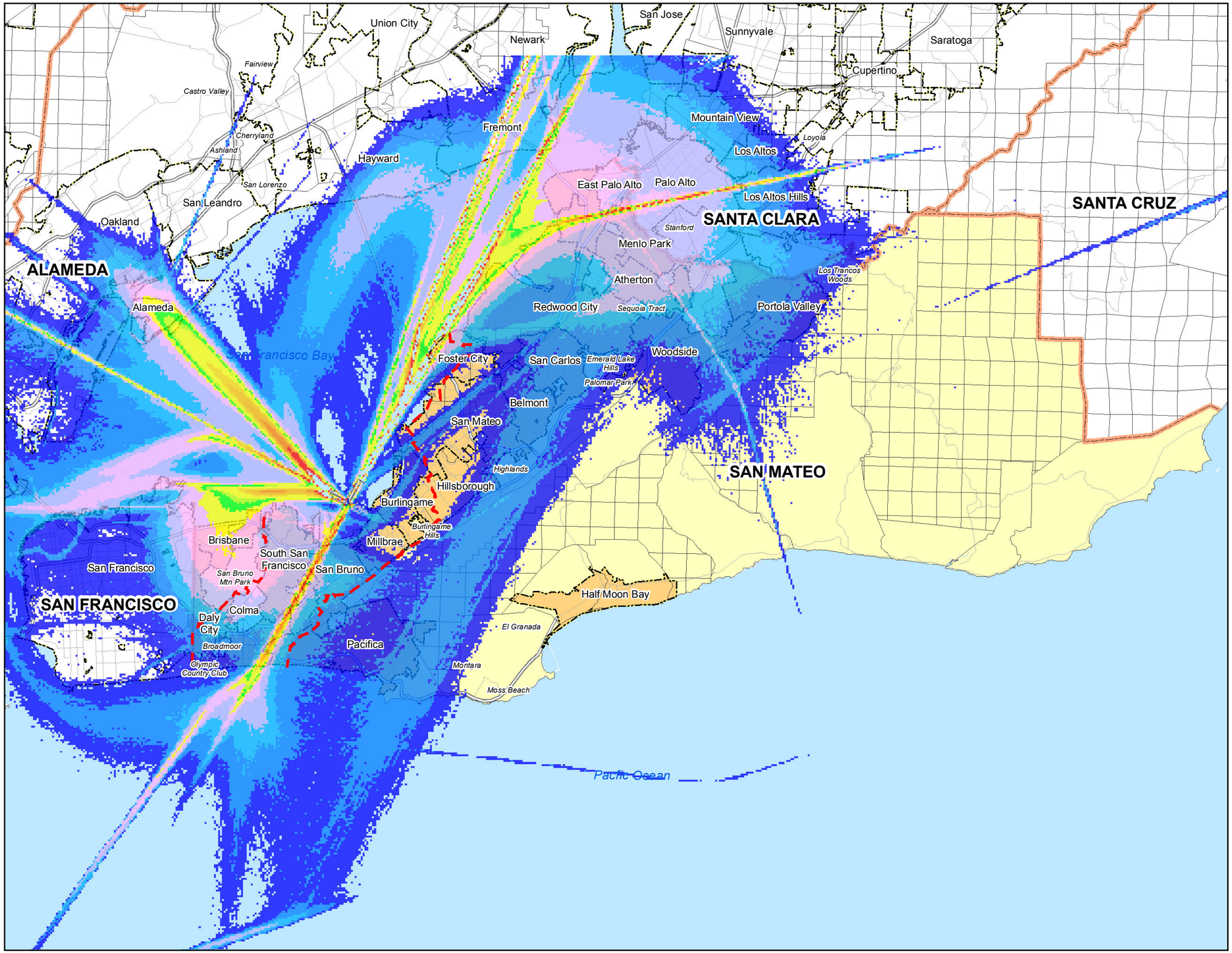

LEGEND

- Boundary for Airport Influence Area B
- County Boundary
- City Boundary
- Range/ Township/ Section and Rancho Lines
- Freeways
- Roads
- Municipal Members of SFO/Community Roundtable
- Unincorporated San Mateo County

Flight Track Density

- 53-104
- 105-208
- 209-365
- 366-730
- 731-1,460
- 1,461-2,190
- 2,191-2,920
- 2,921-3,650
- 3,651-5,110
- 5,111-6,570
- 6,571-8,030
- 8,031-9,490
- 9,491-10,950
- 10,951-12,410
- 12,411-13,870
- 13,871-15,330
- 15,331-16,790
- 16,791-18,250

Note: Density is calculated as the number of flight tracks passing over each cell in a grid with cells of 100 meters square. Data includes only flights to and from San Francisco International Airport at or below 6,000 feet above mean sea level (MSL) during all of calendar year 2011.

Source: SFO Noise Office, May 2012.

NORTH

0 1 2 4 Miles

Exhibit L-3

OVERFLIGHTS BELOW 6,000 FEET MSL
AVERAGE OF ONE OR MORE PER WEEK

Comprehensive Airport Land Use Plan
For The Environs of San Francisco International Airport

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

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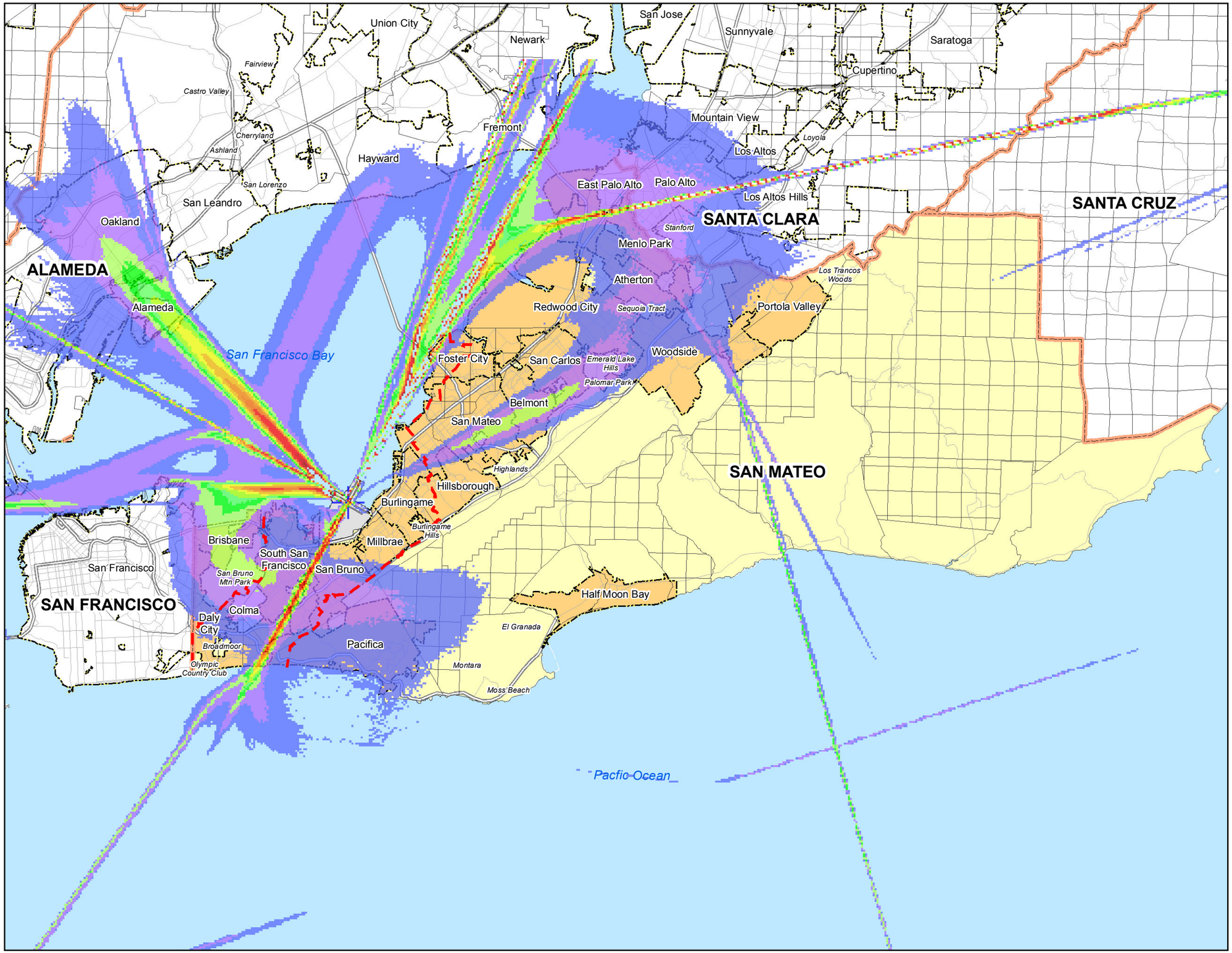

LEGEND

- Boundary for Airport Influence Area B
- County Boundary
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- Roads
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- 1,461-2,190
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- 10,951-12,410
- 12,411-13,870
- 13,871-15,330
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- 16,791-18,250

Note: Density is calculated as the number of flight tracks passing over each cell in a grid with cells of 100 meters square. Data includes only flights to and from San Francisco International Airport at or below 6,000 feet above mean sea level (MSL) during all of calendar year 2011.

Source: SFO Noise Office, May 2012.

NORTH

0 1 2 4 Miles

Exhibit L-4

OVERFLIGHTS BELOW 10,000 FEET MSL
AVERAGE OF ONE OR MORE PER DAY

Comprehensive Airport Land Use Plan
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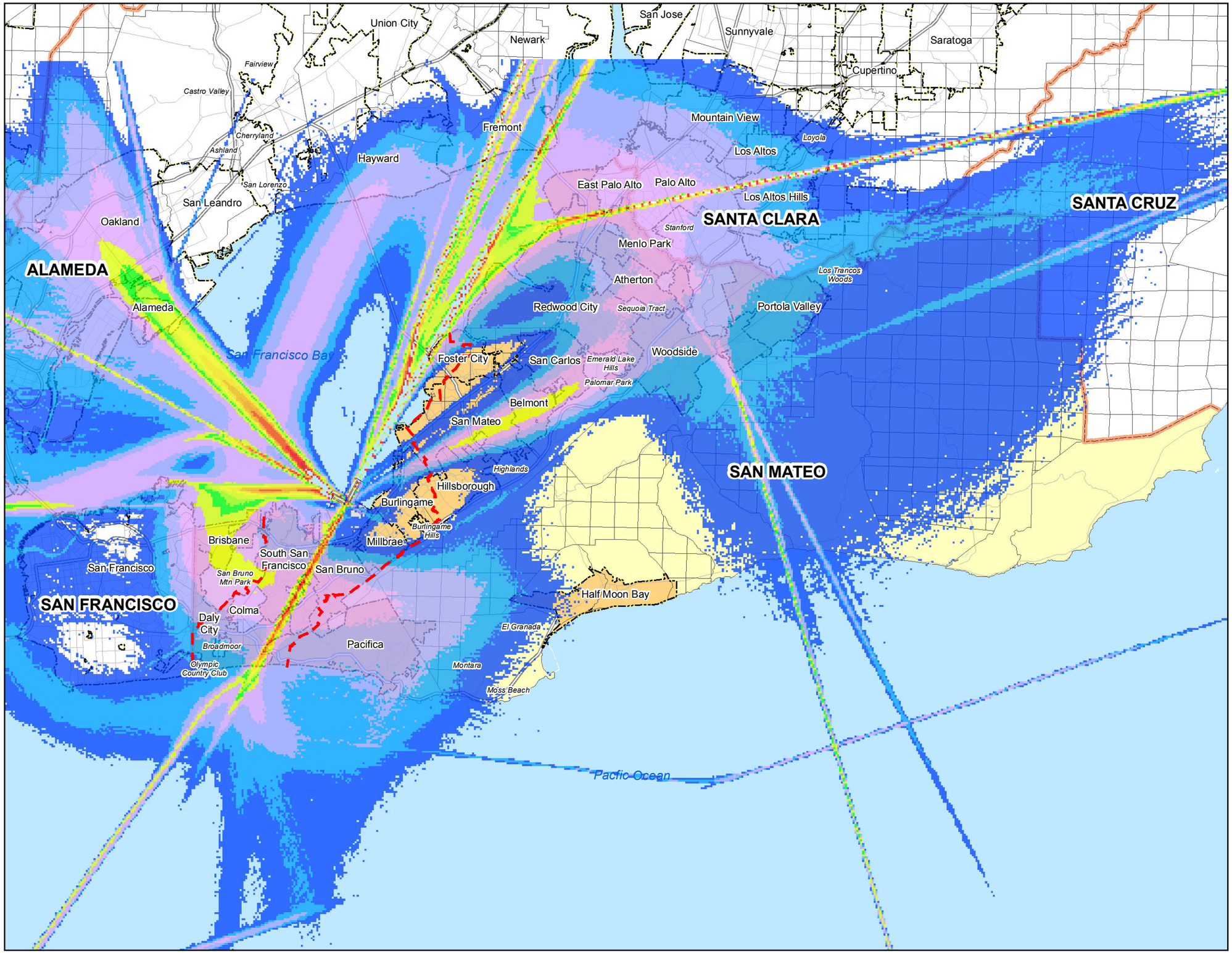

LEGEND

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- 16,791-18,250

Note: Density is calculated as the number of flight tracks passing over each cell in a grid with cells of 100 meters square. Data includes only flights to and from San Francisco International Airport at or below 6,000 feet above mean sea level (MSL) during all of calendar year 2011.

Source: SFO Noise Office, May 2012.

NORTH

0 1 2 4 Miles

Exhibit L-5

OVERFLIGHTS BELOW 10,000 FEET MSL
AVERAGE OF TWO OR MORE PER WEEK

Comprehensive Airport Land Use Plan
For The Environs of San Francisco International Airport

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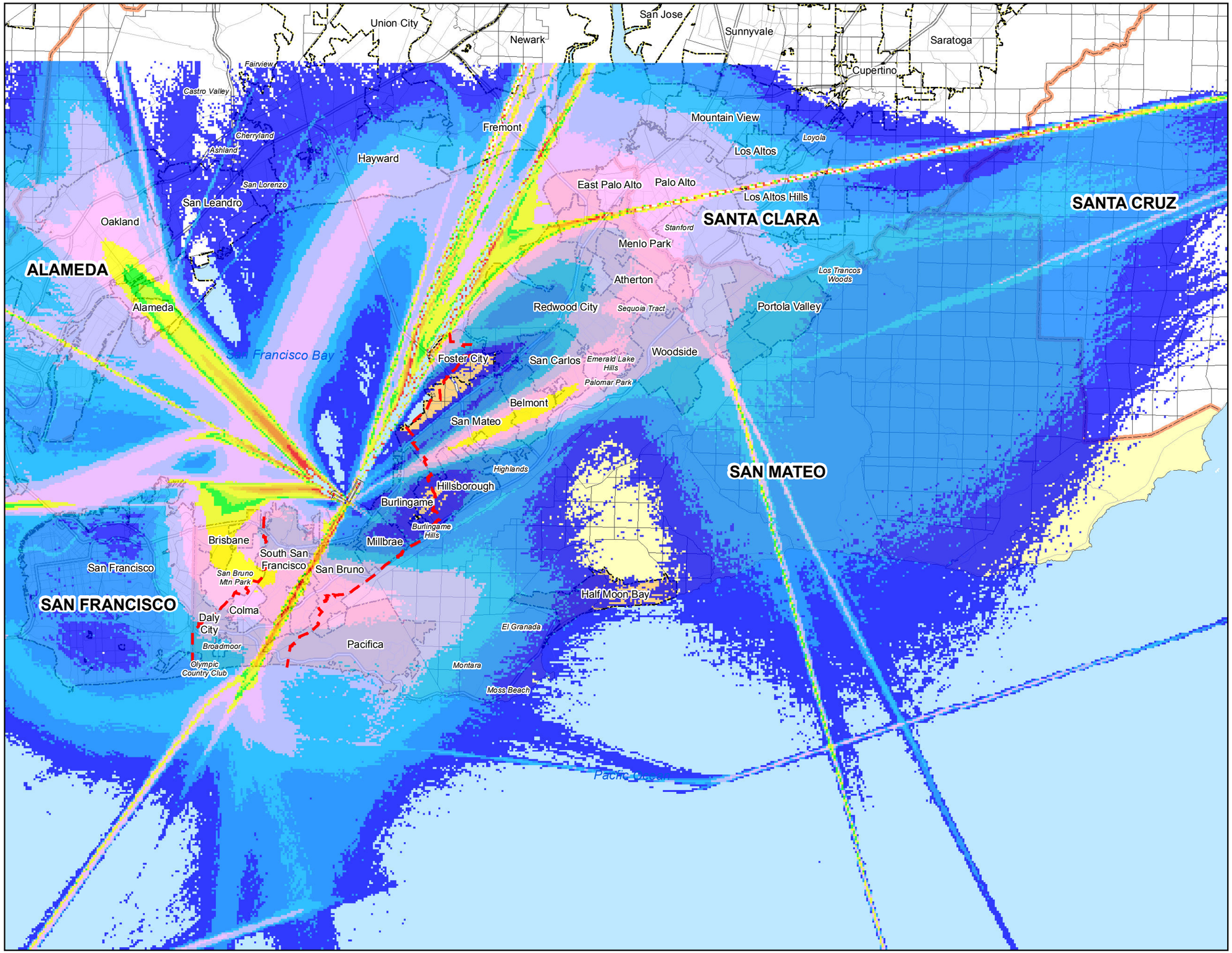

LEGEND

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Note: Density is calculated as the number of flight tracks passing over each cell in a grid with cells of 100 meters square. Data includes only flights to and from San Francisco International Airport at or below 6,000 feet above mean sea level (MSL) during all of calendar year 2011.

Source: SFO Noise Office, May 2012.

NORTH

0 1 2 4 Miles

Exhibit L-6

OVERFLIGHTS BELOW 10,000 FEET MSL
AVERAGE OF ONE OR MORE PER WEEK

Comprehensive Airport Land Use Plan
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