

RESOLUTION 23-67

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY, ACTING AS THE SAN MATEO COUNTY AIRPORT LAND USE COMMISSION, DETERMINING THAT THE FOSTER CITY SAFETY ELEMENT UPDATE IS CONSISTENT WITH BOTH THE SAN CARLOS AIRPORT AND SAN FRANCISCO INTERNATIONAL AIRPORT LAND USE COMPATIBILITY PLANS.

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

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

WHEREAS, the Foster City has referred its Safety Element Update to C/CAG, acting as the Airport Land Use Commission, for a determination of consistency with relevant airport / land use compatibility criteria in the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport* (San Carlos ALUCP); and

WHEREAS, the Safety Element Update identifies potential risks within the city that pose a threat to the community's welfare, public health, and overall safety and outline goals, policies, and implementation actions to address those risks; and

WHEREAS, four airport/land use compatibility factors are addressed in the SFO ALUCP that relate to the Safety Element Update, including: (a) airport influence area, (b) noise compatibility, (c) safety compatibility, and (d) airspace protection, as discussed below:

- (a) Airport Influence Area** – The SFO ALUCP contains two airport influence area policies, IP-1 and IP-2. IP-1 reflects the real estate disclosure requirements of state law which apply in AIA A, a broad area that includes all of San Mateo County. Policy IP-2 applies within AIA B, the Policy/Project Referral Area, and requires that all land use policy documents (general plan, specific plan, zoning ordinance amendments) affecting real property within AIA B be submitted for review an ALUCP consistency review prior to local adoption. The draft Safety Element references both of these requirements and is therefore determined to be consistent with the Airport Influence Area policies of the SFO ALUCP.
- (b) Noise Compatibility** - The CNEL 65 dB aircraft noise contour defines the threshold for airport noise impacts established in the SFO ALUCP, and all land uses located outside this contour are deemed consistent with the noise compatibility policies of the ALUCP. This noise impact area does not extend into Foster City and therefore the draft Safety Element is consistent with the SFO ALUCP Noise Compatibility policies.
- (c) Safety Compatibility** – The SFO ALUCP includes five safety zones and related land use compatibility policies and criteria. None of the Safety Zones extends into Foster City, so

the Safety Element would not be impacted by any of the SFO ALUCP Safety Compatibility policies.

- (d) **Airspace Protection** - The SFO ALUCP includes four Airspace Protection Policies, all of which are directly referenced in the draft Foster City Safety Element, so the Safety Element is determined to be consistent with the Airspace Protection policies of the SFO ALUCP; and

WHEREAS, five airport/land use compatibility factors are addressed in the San Carlos ALUCP that relate to the Safety Element Update, including: (a) noise compatibility, (b) safety compatibility, (c) airspace protection, (d) Airport Influence Area, and (e) overflight compatibility, as discussed below:


- (a) **Noise Compatibility** - The CNEL 60 dB aircraft noise contour defines the threshold for airport noise impacts established in the San Carlos ALUCP, and all land uses located outside this contour are deemed consistent with the noise compatibility policies of the ALUCP. Per ALUCP Exhibit 4-2, the CNEL 60 dB contour does not extend into Foster City, so the Safety Element Update is consistent with the San Carlos ALUCP Noise Policies.
- (b) **Safety Compatibility** – The San Carlos ALUCP includes six safety zones and related land use compatibility policies and criteria. Per San Carlos ALUCP Exhibit 4-3, none of the Safety Zones extends into Foster City, so the Safety Element Update is not impacted by any of the Safety Compatibility Policies.
- (c) **Airspace Protection** - The San Carlos ALUCP includes six airspace policies that establish maximum heights and other compatibility criteria for new projects. The draft Foster City Safety Element references all of these policies, so the Safety Element is determined to be consistent with the Airspace Protection policies of the San Carlos ALUCP.
- (d) **Airport Influence Area** – The San Carlos ALUCP contains two airport influence area policies. Policy 1 reflects the real estate disclosure requirements of state law which apply in AIA A, a broad area that includes all of San Mateo County. Policy 2 applies within AIA B, the Policy/Project Referral Area, and requires that all land use policy documents (general plan, specific plan, zoning ordinance amendments) affecting real property within AIA B be submitted for review an ALUCP consistency review prior to local adoption. The draft Safety Element references both of these requirements and is therefore determined to be consistent with the Airport Influence Area policies of the SFO ALUCP.
- (e) **Overflight Compatibility** - The San Carlos ALUCP contains two policies regarding overflight compatibility which are generally “buyer awareness” measures focused on informing prospective buyers and/or tenants of property within the vicinity of an airport about the airport’s impact on the property. The draft Safety Element reflects both of these policies and is therefore determined compatible with the Overflight Compatibility policies of the San Carlos ALUCP; and

WHEREAS, the Safety Element Update was scheduled for discussion at the Airport Land Use Committee meeting on June 22, 2023, however the meeting was not officially convened due to lack of a quorum. Staff presented the proposal as an information item and requested comments from the

committee members and public in attendance, noting any comments would be forwarded to the C/CAG Board/ALUC for consideration, and no comments were received.

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the City/County Association of Governments for San Mateo County, acting as the San Mateo County Airport Land Use Commission, that the Foster City Safety Element Update is consistent with both the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport* (San Carlos ALUCP) and the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport* (SFO ALUCP).

PASSED, APPROVED, AND ADOPTED, THIS 13TH DAY OF JULY 2023.



Davina Hart, Chair