

IV. PLANNING POLICY

This chapter discusses the proposed Master Plan's relationship with planning-related land use policies. A project's inconsistency with a policy is only considered significant if that policy was adopted for the purposes of avoiding or mitigating an environmental effect. Policies are described in select topical sections of the EIR where applicable policies relate to physical elements and are intended to avoid or mitigate physical environmental effects.

In reviewing this chapter, it is important to understand that the determination of whether a project is consistent with a specific policy can be subjective, and that consistency determinations are best made with a broad understanding of the often-competing policy objectives in a planning document. As a result, policy consistency determinations are ultimately made by the City's local decision-making body (e.g., Planning Commission or City Council). The analysis in this chapter is intended to provide decision-makers with a list of the goals and policies that are pertinent to the project and site, and a preliminary conclusion regarding whether the project is generally consistent with these identified policies. These preliminary conclusions are intended to supplement decision-makers' own understanding of the various policy considerations.

The main guiding documents regulating land use within and around the project site are the City General Plan (particularly the Land Use and Circulation Element, and the Parks, Open Space and Conservation Element, and the Noise Element), the City Zoning Ordinance, the Vintage Park Design Guidelines, and the San Mateo County Comprehensive Airport Land Use Plan. The consistency of the proposed project with other non-land use related policies is addressed in the appropriate topical sections of the EIR (e.g., air quality). Applicable land use policies from each of the documents listed above are described below.

A. FOSTER CITY GENERAL PLAN

This section describes relevant materials from the Foster City General Plan and discusses the proposed Master Plan's consistency with the goals, policies, and programs outlined therein. The City is currently updating the 1993 General Plan. Specifically, the City has begun updating the Land Use and Circulation Element and the Parks, Open Space and Conservation Element. A timeline has not been established for this process. However, it is anticipated that the General Plan update will be completed after review of the applications for the proposed Master Plan is concluded. The project is not expected to be inconsistent with the land use designations in the revised General Plan Land Use and Circulation Element because no major changes in land use are anticipated as part of the General Plan Update.

1. Description

The Foster City General Plan (General Plan) is a comprehensive plan for the growth and development of the City. The General Plan includes policies related to: land use and circulation; housing; parks, open space and conservation; noise; and safety. These topics are addressed within individual elements

of the General Plan. The General Plan Land Use and Circulation Element, the Parks, Open Space and Conservation Element, and the Noise Element are applicable to land use within the project site and are described below.

a. Land Use and Circulation Element. The Land Use and Circulation Element establishes a pattern for land use in Foster City and sets clear standards for the density of population and the intensity of development for proposed land uses. This element establishes a direct relationship between the timing, amount, type, and location of development with the traffic, and service and infrastructure demands generated by development. The overall vision of the Land Use and Circulation Element is to “maintain the integrity and high quality living environment of the City’s residential neighborhoods; achieve a successful build-out that balances jobs and housing, infrastructure capacity with development needs, and reinforces Metro Center and the City Center; and respond to longer-term land use and circulation needs in an appropriate manner.”¹

As shown in Figure IV-1, the General Plan designation for the Master Plan area is Research/Office Park. Areas with this designation contain office, research and development, and manufacturing establishments whose operations are generally clean and quiet. The project site is located within the Vintage Park Master Plan area of the City. This area was originally intended to comprise executive offices, commercial/retail, research and development, and light industrial uses. The General Plan specifies the floor area ratio (FAR)² of existing buildings in the Vintage Park area; however the General Plan does not contain an FAR requirement for new development. The General Plan states that existing land use intensities within Vintage Park have an FAR generally ranging from 0.2 to 0.6 and that most land uses designated Research/Office Park have an FAR of 0.2 to 0.4.³

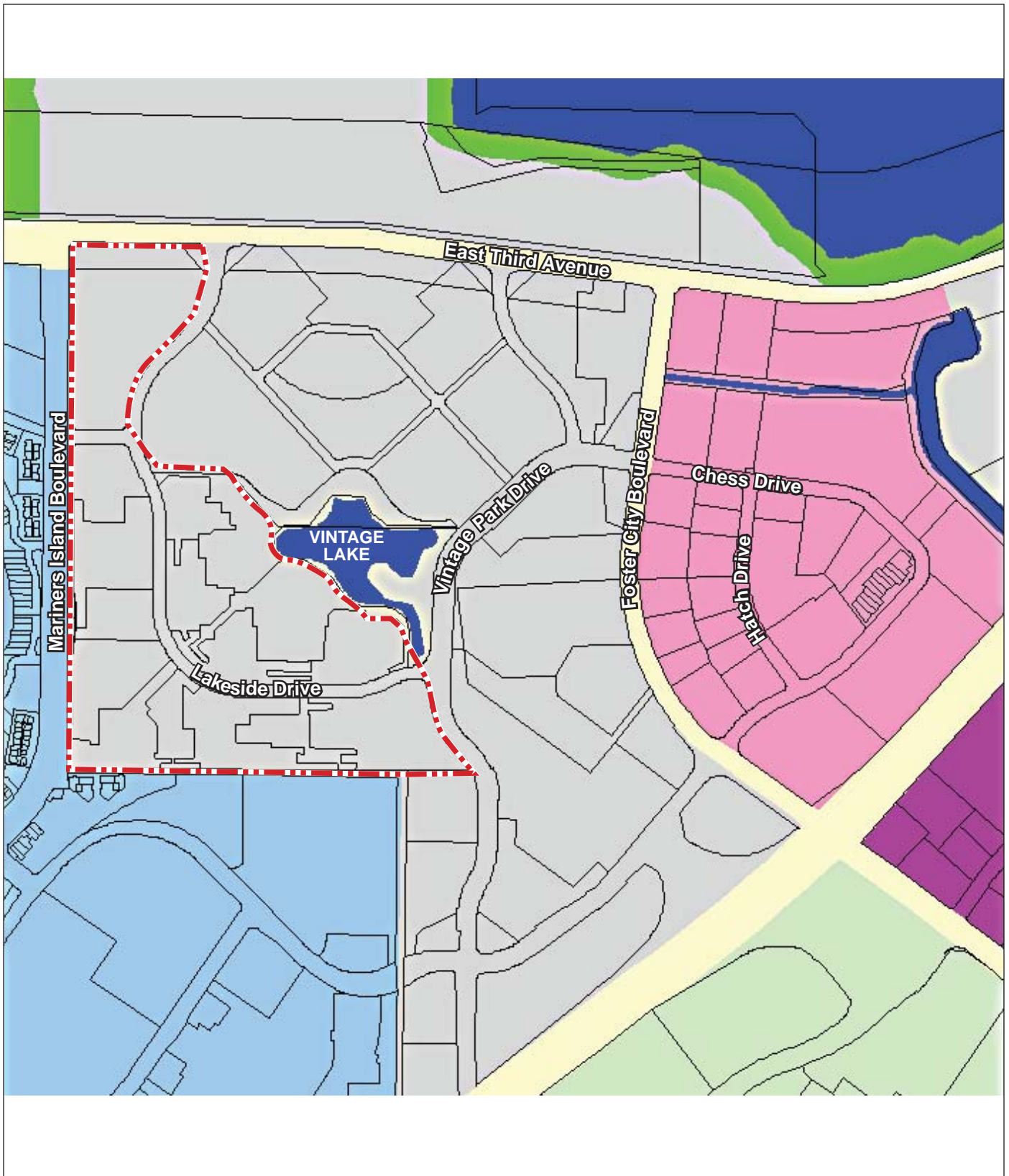
The Land Use and Circulation Element also outlines a comprehensive plan to address transportation needs in the City. As part of this plan, the Land Use and Circulation Element describes community objectives for the desired level of mobility, the relative willingness to pay for maintaining minimum levels of mobility, and priorities for allocating resources among competing transportation demands. The Land Use and Circulation Element also addresses specific transportation issues in the City, such as congestion, maintenance of public streets, emergency vehicle access, and traffic impacts on neighborhoods.

b. Parks, Open Space and Conservation Element. The Parks, Open Space and Conservation Element of the General Plan addresses the preservation of parks and open space, and the conservation of natural resources within the City. The intent of this element of the General Plan is to provide policies which maintain and improve existing natural resources, parks, and open space in Foster City. The overall vision of this element is to preserve and improve the quality of life within existing neighborhoods; assure the proper development of undeveloped property; and assure that redevelopment of developed or underutilized property occurs in an appropriate manner. The Foster City General Plan has a parkland standard of 5 acres per 1,000 residents.

¹ Foster City, City of, 1999. *City of Foster City General Plan, Chapter 3: Land Use and Circulation Element*. June.

² FAR: Floor Area Ratio. FAR is a ratio of gross square footage of built structures to total site area.

³ Foster City, City of, 1999. *op cit*.



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|---|--------------------|---|-----------------------------|
|  | PROJECT SITE |  | SINGLE FAMILY |
|  | TOWN CENTER |  | RESEARCH/OFFICE PARK |
|  | SERVICE COMMERCIAL |  | LIGHT INDUSTRIAL |
|  | OPEN SPACE |  | AREA OUTSIDE OF FOSTER CITY |

FIGURE IV-1

*Gilead Sciences Corporate
Campus Master Plan EIR
Existing General
Plan Designation*

SOURCE: CITY OF FOSTER CITY, 2008.

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c. **Noise Element.** The Noise Element of the General Plan identifies and appraises noise issues in the community and provides a basis for the noise regulations prescribed in City ordinances and implemented through the City's Code Enforcement Program. To meet these objectives, the Noise Element requires that new development or redevelopment projects be compatible with surrounding land uses. The Noise Element thus establishes land use compatibility standards and suggests ways to reduce noise impacts to adjacent sensitive land uses.

2. Consistency

Applicable planning-related policies in the General Plan, and the general consistency of these policies with the proposed project, are summarized in Table IV-1.

a. **Land Use and Circulation Element.** As previously described, the project site and the rest of the Vintage Park area is designated as Research/Office Park. Land uses within the Research/Office Park designation typically consist of office, research and development, and manufacturing establishments. The Master Plan would demolish up to eight existing office, and research and development laboratory buildings, and would construct up to seven new buildings that would contain similar office and research and development uses. As such, the Master Plan would not change the current land uses on the project site, which are consistent with the uses allowed under the existing land use designation.

As noted above, land use intensities in the Research/Office Park designation generally have an FAR of 0.2 to 0.6. Buildout of the Master Plan would result in an FAR of 0.69, which would not be substantially greater than existing building densities under the existing land use designations. In addition, the FARs listed in the General Plan are intended to be recommendations, but are not requirements for new development. While the proposed Master Plan would generally be consistent with the General Plan land use designation, the appropriate and specific mix and intensity of development on the project site would be reviewed and approved during the Specific Development Plan process (discussed below under the Foster City Zoning Ordinance). The proposed project is generally consistent with the goals and policies of the General Plan Land Use and Circulation Element, as shown in Table IV-1. However, the proposed project would conflict with Policy LUC-50, which establishes level of service standards for the operation of roadways in Foster City (see also Impact TRANS-1 in Section V.G, Transportation and Circulation), and would result in a significant (S) impact.

Impact PLAN-1: The proposed Master Plan would conflict with transportation policies in the General Plan, and this conflict would result in an environmental impact. (S)

As discussed in more detail in Section V.G, Transportation and Circulation, the proposed project would increase the average delay of the intersection of Foster City Boulevard/Marlin Avenue during the AM peak period by 4 seconds under Cumulative Conditions. This intersection is expected to operate at Level of Service (LOS) F under Cumulative Conditions. Thus the project's contribution to congestion at this intersection would be considered significant. This cumulative contribution would also conflict with General Plan Policy LUC-50, which sets a LOS standard of "C" or better on most City streets and "D" during peak traffic hours. Implementation of the following mitigation measure would reduce this impact, but because the recommended improvement is not part of the City's Capital Improvement Program (CIP) or other established fee program, the impact would remain significant and unavoidable (SU).

Mitigation Measure PLAN-1: Implement Mitigation Measures TRANS-1. (SU)

b. Parks, Open Space and Conservation Element. Buildout of the Master Plan would accommodate a staff of 3,100 on the campus, which would be an increase of 1,900 jobs over current staffing levels. As described in Chapter V.C, Population, Employment, and Housing, the creation of these jobs could indirectly induce population growth in the City. The increase in the population of Foster City indirectly caused by the proposed Master Plan could indirectly increase demand for parks and recreation facilities. As described in Chapter V.J, Public Services, Utilities and Recreation, it is estimated that the City is not meeting its goal of providing 5 acres of parkland per 1,000 residents. Currently the City only provides 3.8 acres of parkland per 1,000 residents. The proposed project would indirectly add residents to the City. However, the proposed project would provide open space on the campus for employees to use while at work. The open space surrounding Vintage Lake would also be open to the public. In addition, while the proposed Master Plan would indirectly increase the regional population over the course of a 10-year buildout period, this population increase would occur in areas throughout Foster City and surrounding cities. This dispersed population increase would also disperse the demand for parks and recreational facilities. As such, an increase in demand for parks and open space indirectly associated with the proposed project would not cause the project to be inconsistent with the Parks, Open Space and Conservation Element.

The City requires payment of a fee in lieu of land dedication, or a combination of a fee and land dedication, for residential developments that do not provide adequate open space, based on the 5 acres for every 1,000 residents standard. However, since the proposed Master Plan does not include any residential units, the project would not be subject to this ordinance.

c. Noise Element. The proposed project would not result in a significant permanent increase in ambient noise levels, and would thus not expose surrounding sensitive land uses, such as residential uses, to permanently increase noise levels. However, the project would require a multi-year construction period, and this construction period would increase noise levels beyond those identified in the City's significance criteria as being substantial and adverse. See also Impact NOI-1 in Section V.H, Noise).

Impact PLAN-2: The proposed Master Plan would conflict with noise policies adopted to avoid or mitigate an environmental impact. (S)

As discussed in more detail in Section V.H, Noise, construction of the proposed project would cause noise levels to exceed 60 dBA (decibels) Leq-hr (hourly average) and the ambient noise environment by at least 5 dBA Leq-hr during the multi-year construction period. These noise increases would exceed the City's significance criterion for construction period noise, and could conflict with Policy N-5, which requires development projects to reduce noise impacts on adjacent properties. Implementation of the following mitigation measure would reduce this impact, but not to a less-than-significant level. Therefore, the impact would be significant and unavoidable (SU).

Mitigation Measure PLAN-2: Implement Mitigation Measures NOI-1a and NOI-1b (see Section V.H, Noise). (SU)

This mitigation measure would reduce off-site construction noise levels, but not by at least 5 dBA Leq and to under 60 dBA Leq in all locations.

Table IV-1: Applicable General Plan Goals, Policies, and Programs

Goal or Policy Number	Goal or Policy Text	Project's Relationship to Goal or Policy
Land Use and Circulation Element		
Goal LUC-F	<i>Provide Adequate Services and Facilities.</i> Ensure that new and existing developments can be adequately served by municipal services and facilities.	Buildout of the proposed project would create up to 1,900 new jobs on the project site. New employees generated by the project would marginally increase the demand for public services, such as fire and police services, along with utilities, such as water and wastewater (although this increase in demand would not require the construction of new capital facilities). All these public services and utilities would be able to serve Master Plan development without major expansions of service or infrastructure.
Goal LUC-I	<i>Provide for Diversified Transportation Needs.</i> Develop, improve and maintain a circulation system which provides efficient and safe access for private vehicles, commercial vehicles, public transit, emergency vehicles, bicycles and pedestrians.	The design of the on-site circulation and parking areas represents a change from the current circulation on the project site. The Master Plan would result in the partial closure and privatization of Lakeside Drive from Reef Drive to Vintage Park Drive. Refer to Chapter III, Project Description, for a detailed explanation of proposed changes. This privatization would prevent the public from using Lakeside Drive as a cut-through route between Mariners Island Boulevard and Vintage Park Drive, but would not substantially reduce the effectiveness of the local road network (access to surrounding areas would be maintained via alternate routes around the site). Proposed roadway widths would be adequate to accommodate limited internal vehicle circulation and would be accessible to emergency vehicles. The partial closure of Lakeside Drive is proposed to increase pedestrian safety and circulation for Gilead employees, as well as create a more unified campus. As such, while the Master Plan would inhibit access by motorized vehicles through the site, it would improve pedestrian safety and allow for safe access and movement by a variety of transportation modes.
Goal LUC-J	<i>Maintain Acceptable Operating Conditions on the City's Road Network.</i> Maintain acceptable operating conditions on the City's road network at or above LOS D and encourage the maximum effective use of public and private vehicles, reduce the growth in peak hour traffic volumes and reduce single passenger trips.	See Policy LUC-50, below.

Table IV-1 *Continued*

Goal or Policy Number	Goal or Policy Text	Project's Relationship to Goal or Policy
Policy LUC-25	<p><i>Research/Office Park.</i> Areas with this designation contain office, research and development, and manufacturing establishments whose operations are clean and quiet. Mixed-use projects which include some retail and residential uses in addition to office and research uses may, under certain conditions, be considered compatible with this designation. Such conditions include compatibility of uses and project design (land planning, architecture, etc). A large portion of Vintage Park, the vacant lands north of East Third Avenue and the Lincoln Center area are designated for Research/Office Park use. The intensity of development found in Vintage Park and Lincoln Center is very similar, with Floor Area Ratios (FAR) generally ranging from .20 to .60 FAR in Vintage Park, and .26 to .56 FAR in Lincoln Center. The intensity of development for the East Third Avenue, Bridge Landing, and vacant Vintage Park sites is anticipated to have an FAR up to 1.0.</p>	<p>The Master Plan would result in the development of land uses that are consistent with the Research/Office Park land use designation. The proposed Master Plan would not introduce any new uses to the project site. The proposed buildings would contain office and research and development uses, similar to the land uses currently on the campus. While the Master Plan would increase the intensity of office and research and development uses on the site (according to the General Plan, existing FAR in Vintage Park ranges from 0.20 to 0.60), the proposed buildings have an FAR of 0.69, which would still generally fall within the expected FAR for the Vintage Park area.</p>
Policy LUC-38	<p><i>City Approach to Design (Architectural) Review.</i> The City will establish a continuing program of civic beautification, tree planting, maintenance of homes and streets, and other measures which will promote an aesthetically desirable environment in order that neighborhood areas appear attractive both within and without. The City will use a design review process (called Architectural Review) whereby the design of most public and private development proposals, including those for individual residences, are subject to review and approval by the City. The primary objective of this review is to preserve the character of the neighborhood and community regarding appropriate and acceptable design for property improvements. Design review shall address, among other things, the following issues: (a) Preservation of the architectural character and scale of neighborhoods; (b) Ensuring that the development is well designed in and of itself, and in relation to surrounding properties; (c) Preservation of waterfront views; (d) Minimizing impacts on the privacy and access to sunlight of adjacent properties; (e) Minimizing impacts due to excessive noise or undue glare; (f) Screening of unsightly uses including trash, loading docks/areas, roof top equipment, and special ventilating systems; (g) Use of setbacks, open space and landscaping, (h) Exterior colors and materials.</p>	<p>Individual projects proposed as part of the Master Plan would be subject to design review at the time of Use Permit/Specific Development Plan approval. Implementation of the recommended mitigation measures in Section V.B, Visual Quality, would reduce potential impacts associated with light and glare to a less-than-significant level. At a conceptual level, the development anticipated by the Master Plan would not be inconsistent with the basic design criteria outlined in Policy LUC-38. Proposed buildings would not be out of scale with existing (remaining) buildings within and outside of the project site, and would not substantially block waterfront views.</p>

Table IV-1 *Continued*

Goal or Policy Number	Goal or Policy Text	Project's Relationship to Goal or Policy
Policy LUC-50	<p><i>Traffic Level of Service Standards.</i> The City shall seek to achieve a traffic service level of "C" or better on City streets and level of "D" or better during peak traffic hours, although it will be necessary to accept level of service "E" or "D" at the Chess Drive/SR 92 Ramps, the Foster City Boulevard/Metro Center Boulevard/Triton Drive, and the East Hillsdale Boulevard/Edgewater Boulevard intersections through the following means:</p> <ol style="list-style-type: none"> a. Traffic System Management (TSM). b. Street maintenance. c. Capitol Improvement Program in coordination with federal, state, county, and district funding programs for street and other transportation improvements. d. Developer payment of pro rata fair share of traffic improvement costs for new developments. 	<p>Inconsistent without mitigation; would remain inconsistent even with implementation of Mitigation Measures PLAN-1 and TRANS-1. The proposed project would increase the average delay of the intersection of Foster City Boulevard/Marlin Avenue by 4 seconds under Cumulative Conditions. This intersection is expected to operate at Level of Service (LOS) F under Cumulative Conditions.</p>
Policy LUC-53	<p><i>Bicycle Routes and Pedestrian Paths.</i> Maintain a system of bicycle routes and pedestrian paths, which will include separate bicycle lanes and posted bicycle routes. Pedestrian pathways and easements shall be maintained, either by the City, or, in the case of private ownership, according to a maintenance agreement or landscaping district agreement applicable to the pathway/easement.</p>	<p>The Master Plan would provide for pedestrian circulation throughout the project site. Sidewalks are proposed to extend from the southeast Vintage Park Drive entrance along the existing Lakeside Drive pathway and through the entire campus, ending at East Third Avenue. In addition, a portion of Lakeside Drive would be closed to all non-emergency vehicles, and would be converted into an open space area with a pedestrian walkway, thereby improving pedestrian circulation and safety on the campus (although potentially interfering with the existing Class III bike path). Implementation of Mitigation Measure TRANS-2a or Mitigation Measure TRANS-2b would reduce impacts to the Class III path to a less-than-significant level. The proposed privatization of Lakeside Drive could interfere with public access to a public use path connecting Lakeside Drive to Vintage Lake. However, public access along the path would remain after implementation of the Master Plan.</p>
Policy LUC-59	<p><i>Bicycle Parking.</i> Secured bicycle parking shall be encouraged for all commercial and industrial buildings. The City will continue to allow required parking to be reduced by one space for every eight bicycle parking spaces provided, per Chapter 17.62 of the Municipal Code.</p>	<p>The proposed Master Plan does not specify whether bicycle parking would be provided as part of the proposed project. However, details pertaining to the amount of bicycle parking to be provided on the site would be included in plans for specific development projects in the Master Plan area.</p>

Table IV-1 *Continued*

Goal or Policy Number	Goal or Policy Text	Project's Relationship to Goal or Policy
Parks, Open Space and Conservation Element		
Goal PC-F	<p><i>Provide Adequate Open Space to Serve Existing and New Development.</i> Assure the provision of adequate open space to serve existing and new development and preserve existing open spaces with public access easements within private commercial developments.</p>	<p>The Master Plan includes open space on the west side of Vintage Lake and throughout the campus. Following the partial closure of Lakeside Drive, the road would be converted into an emergency access road, open space, and a pedestrian walkway that would provide access throughout the project site. The new open space areas would serve the employees of the campus. The existing open space around Vintage Lake, and the associated public use path, would be accessible to the public after implementation of the Master Plan (although the proposed project could interfere with public access at the western end of the path).</p>
Noise Element		
Policy N-5	<p><i>Mitigating Impacts on Surrounding Uses.</i> The City will require proposals to reduce noise impacts on adjacent properties through the following and other means, as appropriate:</p> <ul style="list-style-type: none"> • a. Screen and control noise sources such as parking, outdoor activities and mechanical equipment. • b. Increase setbacks for noise sources from adjacent dwellings. • c. Whenever possible do not remove fences, walls or landscaping that serve as noise buffers, although design, safety and other impacts must be addressed. • d. Use soundproofing materials and double glazed windows. • e. Control hours of operation including deliveries and trash pickup to minimize noise impacts. 	<p>The project would result in noise impacts on adjacent properties and is thus inconsistent with this policy both with and without mitigation (refer to Mitigation Measures PLAN-2 and NOI-1a and NOI-1b). Construction of the proposed project would cause noise levels to exceed 60 dBA (decibels) Leq-hr (hourly average) and the ambient noise environment by at least 5 dBA Leq-hr during the multi-year construction period. These noise increases would exceed the City's significance criterion for construction period noise. Mitigation Measure NOI-1 would reduce this impact, but would not reduce noise emissions to below the standard specified in the City's significance criterion.</p>

Source: City of Foster City General Plan, 1993. May; LSA Associates, Inc., 2008.

B. FOSTER CITY ZONING ORDINANCE

This section describes the Foster City Zoning Ordinance as well as the proposed project's consistency with applicable provisions of the Zoning Ordinance.

1. Description

The City of Foster City Zoning Ordinance (Zoning Ordinance) implements the policies of the General Plan and other City plans, policies, and ordinances. The Zoning Ordinance divides the City into districts, each of which is assigned different regulations. These regulations direct the construction, nature, and extent of building use. The project site is zoned Commercial Mix/Planned Development (CM/PD), as depicted in Figure IV-2. The CM District is intended to be combined with the PD Combining District, and only allows those uses specified within the use permit required in connection with the PD zoning district approval. The PD District is designed to accommodate various types of development and is established to allow flexibility in design. With the exception of the off-street parking requirements, standards usually prescribed by the Zoning Ordinance may be waived in the PD District.

An application for a PD District must be accompanied by a General Development Plan (or Master Plan, as it is referred to in this EIR; a Specific Development Plan would be required for each development phase, but would not be required for PD zoning). The rezoning associated with the proposed project would entail an amendment to the existing Master Plan. Specific findings must be made by the Planning Commission and City Council in order to approve or conditionally approve a General Development Plan, as identified in Section 17.36.030 of the City's Zoning Ordinance. A General Development Plan is required to be a graphic and schematic plan, and to include the following elements:

- Proposed land uses;
- Location of buildings, structures, and building groups;
- A tabulation of floor area ratios and maximum heights of proposed buildings;
- Proposed circulation systems, including preliminary street cross-sections;
- Proposed parks, playgrounds, school sites, and other open spaces;
- Location and type of existing and proposed landscaping and identification of any existing trees to be removed;
- Development phasing (for the entire project);
- Relation to future land uses in the surrounding area, as proposed in the General Plan; and
- Proposed off-street parking (ratio, locations, and total number of spaces).

In order for the General Development Plan to be approved, several findings must be made by the Planning Commission and City Council. The applicable findings are summarized in the list below.

- Development is consistent with the City's adopted General Plan;
- Uses proposed will not be detrimental to present and planned surrounding uses;
- Streets and thoroughfares are suitable and adequate to carry anticipated traffic;

- Existing or proposed utility services and facilities are adequate for the land use proposed;
- Proposed off-street parking ratios are consistent with the City's regulations; and
- Planned development will not have a detrimental and financial impact on the City or Estero Municipal Improvement District.

Following approval of a General Development Plan, the City requires the submittal of a Specific Development Plan/Use Permit before any development can occur on the project site. If the project would be phased, the Specific Development Plan/Use Permit can address the specific phase for which development approval is requested. A Specific Development Plan/Use Permit includes information specified in Section 17.36.050 of the Zoning Ordinance.

Design guidelines are required to accompany the Specific Development Plan/Use Permit. Section 17.36.080 of the Zoning Ordinance specifies the items that must be included in the Design Guidelines. Since the proposed Master Plan includes amendments to the Vintage Park Design Guidelines, the requirement described above will have been met by the time that the application for a Specific Development Plan/Use Permit is submitted. In addition, an application for a Specific Development Plan/Use Permit in a PD District must be accompanied by a schedule identifying the approximate start date and completion date for construction.

2. Consistency

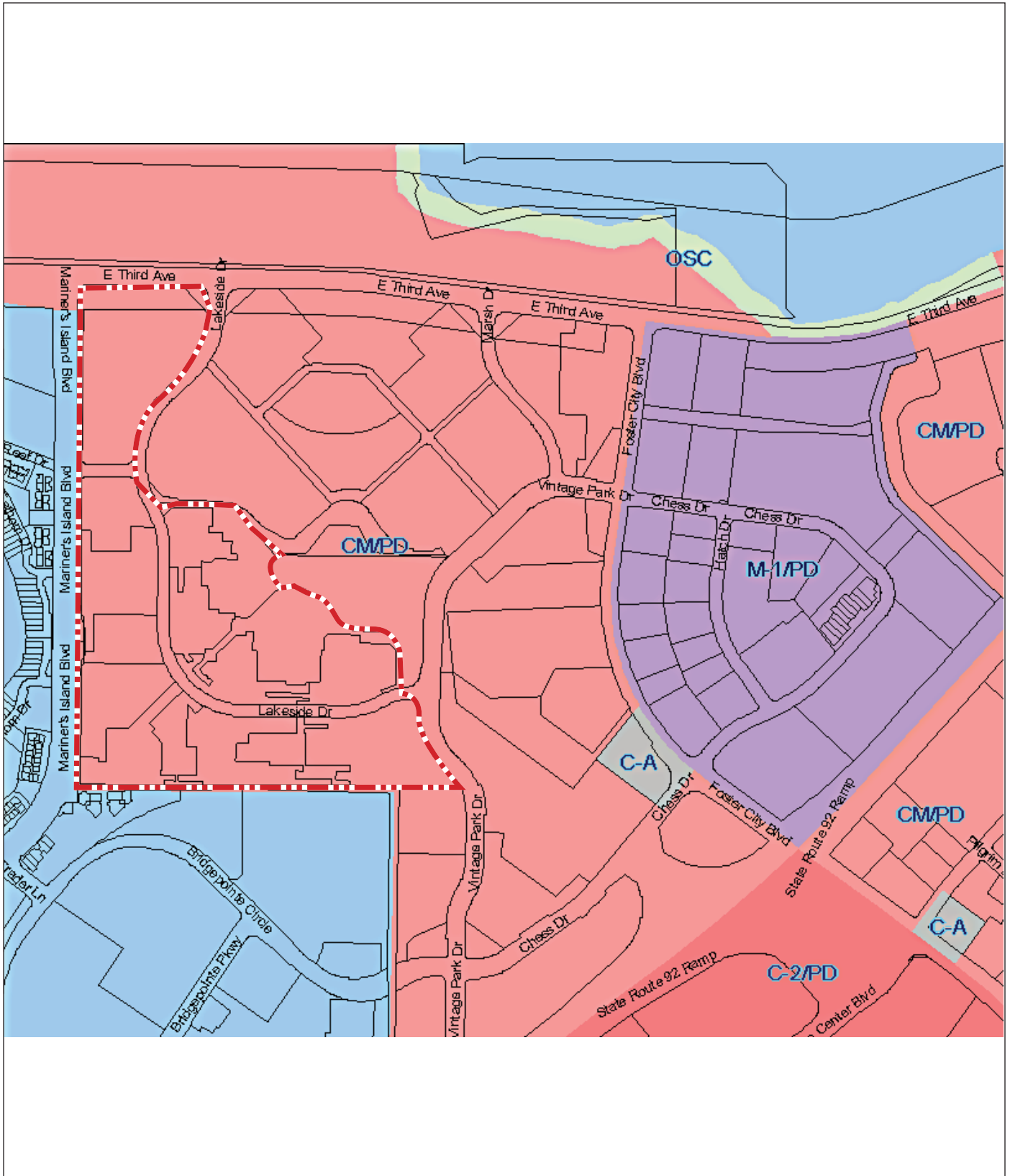
The proposed amendment to the existing Master Plan (General Development Plan) would be consistent with the intent of the PD Zoning District, which is to allow for flexibility in design to ensure that projects are designed creatively and comprehensively. The amended Master Plan would list the development standards applicable to the project site, including setbacks, lot sizes, building heights, etc. At the time of Specific Development Plan approval, specific projects proposed as part of the Master Plan would be reviewed as part of the City's Design Review process to ensure that each project conforms to the design review criteria for office and research and development uses. As the Master Plan is conceptual in nature, at the time of Specific Development Plan approval, subsequent discretionary actions would require additional CEQA review (such as an Initial Study checklist) to determine whether the impacts of the Specific Development Plan are adequately covered under this Program EIR. As proposed, the Master Plan is generally consistent with the provisions of the City's Zoning Ordinance.

C. VINTAGE PARK DESIGN GUIDELINES

The following discussion provides a description of the Vintage Park Design Guidelines (Guidelines), as well as the proposed project's consistency with applicable goals of the Guidelines.

1. Description

The Vintage Park Design Guidelines were first approved by the City Council in 1984, and were created to implement the Vintage Park Master Plan principles. During the design review process, the Guidelines are used by the City when reviewing projects located in Vintage Park. The original Vintage Park Master Plan, and associated Design Guidelines, envisioned a business and working community tightly integrated with the various land uses within and surrounding the site. In addition,



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- PROJECT SITE
- COMMERCIAL MIX/PD*
- COMMERCIAL AUTO
- GENERAL BUSINESS
- LIGHT INDUSTRIAL
- OPEN SPACE/CONSERVATION
- AREA LOCATED OUTSIDE FOSTER CITY

* PD = PLANNED DEVELOPMENT

FIGURE IV-2

*Gilead Sciences Corporate
Campus Master Plan EIR
Existing Zoning
Designation*

SOURCE: CITY OF FOSTER CITY, 2008.

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the Guidelines envisioned development in Vintage Park to comprise executive offices, commercial/retail, research and development, and light industrial uses. The Guidelines intended development in this area to be integrated into a planned open space system that would create a park-like setting. The majority of the open space areas in Vintage Park are intended to serve the community by allowing for pedestrian, bicycle, and vehicular circulation. In addition, the Guidelines state that there will be public access and passive recreation facilities at Vintage Lake. Applicable goals of the Guidelines are listed below.

- Create green space corridors and circulation systems that enhance movement through a quality development;
- Create roadway corridors with an emphasis on traffic safety and maintaining a clear sight distance;
- Create a strong landscape framework that enhances views into the area while screening out undesirable views and strong prevailing winds. The desired image is that of a park-like setting;
- De-emphasize the presence of the automobile. Reduce conflicts between all circulation systems, especially intersections. Design accessible, shared parking areas. Screen, shade, and diminish the scale of parking areas;
- Create an integrated architectural theme using similar colors for all building types;
- Create a variety of building heights; and
- Integrate parking structures within the overall Master Plan.

The project applicant proposes amendments to the Vintage Park Master Plan and to the Vintage Park Design Guidelines (included in Appendix B) to, among other things, increase the maximum permitted development on the site. On March 27, 2008 the project applicant met with the Vintage Park Community Association to discuss the proposed amendments to the Vintage Park Design Guidelines. At this meeting, the Vintage Park Community Association Board of Directors approved the amendments to the Design Guidelines by a vote of three to one. Following the approval by the Board of Directors, the project applicant submitted the proposed amendments to the Design Guidelines to Foster City staff to review. Subsequently, City staff requested a few modifications, clarifications, and additions to the Design Guidelines. The Vintage Park Community Association Board of Directors reviewed and approved these changes on October 8, 2008.

2. Consistency

The proposed Master Plan would be consistent with the intent of the Vintage Park Master Plan and the Vintage Park Design Guidelines. While the project would result in changes to the Master Plan and the Guidelines, the development proposed as part of the project would be consistent with the original intent of the Master Plan and the Guidelines. The project would result in the construction of new buildings that contain office and research and development uses, which are consistent with the original uses intended for the site. In addition, the proposed project would generally be consistent with the goals described above. The partial closure of Lakeside Drive would create a green space corridor, enhance the park-like setting of the campus, and de-emphasize the automobile (and improve pedestrian circulation). The Master Plan would perpetuate the shared parking system that is currently used in the project site. In addition, the proposed project would result in a wider variety of building heights than currently exists on the site.

Since the proposed Master Plan is conceptual in nature, site designs have not yet been proposed for specific buildings on the campus. As previously described, at the time of Specific Development Plan approval, specific projects proposed as part of the Master Plan would be reviewed as part of the City's Design Review process to ensure that each project conforms to the design review criteria for office and research and development uses under the Guidelines. As the proposed project is conceptual in nature, at the time of Specific Development Plan approval, subsequent discretionary actions would require additional CEQA review to determine whether the impacts of the Specific Development Plan are adequately covered under this Program EIR. As proposed, the Master Plan is generally consistent with the provisions of the Vintage Park Design Guidelines.

D. SAN MATEO COUNTY COMPREHENSIVE AIRPORT LAND USE PLAN

The project site is located within the vicinity of two airports governed by the San Mateo County Comprehensive Airport Land Use Plan (CLUP). A description of the proposed Master Plan's relationship to and consistency with the CLUP is provided below.

1. Description

State law requires an airport land use commission to prepare and adopt a CLUP for each public-use airport in the county.⁴ The CLUP is a tool used by airport land use commissions to fulfill their purpose of promoting airport/land use compatibility. The purpose of the CLUP is to provide for the orderly growth of each public airport and surrounding area and to safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general.

The CLUP is focused on the following three major concerns: 1) aircraft noise impact reduction; 2) the safety of persons on the ground and in aircraft flight; and 3) height restrictions and airspace protection.⁵ The San Carlos Airport and San Francisco International Airport are within the jurisdiction of the San Mateo County CLUP. The CLUP applies to geographic areas near the airports. Applicable CLUP policies for both airports are discussed below. Noise- and hazards-related considerations associated with these airports are specifically addressed in more detail in those topical sections of this EIR.

a. San Carlos Airport. The project site is located approximately 4 miles north of the San Carlos Airport. Although the project site is located outside of the mapped height restriction area for this airport, it is located within Area A of the Airport Influence Area (AIA), as shown in Figure IV-3. This boundary defines an area within which a real estate disclosure notice regarding the proximity of the nearby airport must be provided to a buyer or lessee of property within the boundary.

The project site is located outside of the 55 decibel (dB) Community Noise Equivalent Level (CNEL) aircraft noise contour for the San Carlos Airport. This noise contour is used as the threshold for triggering review and evaluation of proposed land use policy actions in proximity to the airport with respect to noise impacts.⁶

⁴ California Public Utilities Code Section 21675(a).

⁵ City/County Association of Governments of San Mateo County (C/CAG), 1996. San Mateo County Comprehensive Airport Land Use Plan, 1996. Adopted November 14, 1996.

⁶ City/County Association of Governments of San Mateo County (C/CAG), 1996, op. cit., p. IV-25 to IV-27.

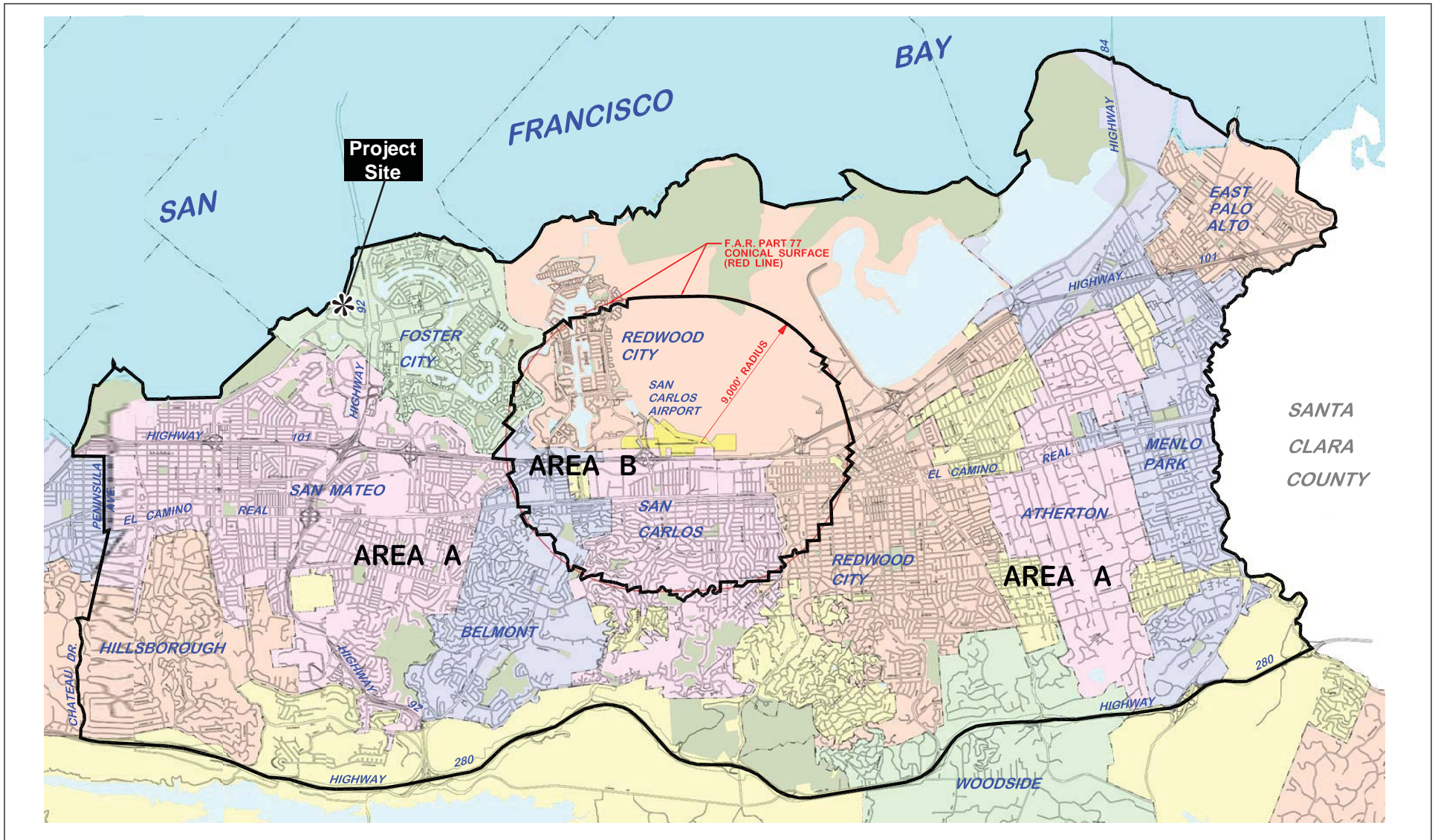


FIGURE IV-3

LSA

AREA A: AIRPORT INFLUENCE AREA (AIA) BOUNDARY (REAL ESTATE DISCLOSURE ONLY)
 AREA B: CCAG/ALUC REVIEW AREA BOUNDARY (REAL ESTATE DISCLOSURE AND FORMAL CCAG/ALUC REVIEW)

* PROJECT SITE

Gilead Sciences Corporate Campus Master Plan EIR
 San Carlos Airport
 Influence Area Boundaries



NOT TO SCALE

SOURCE: CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY, 2004

I:\CFS0801 Gilead Sciences\figures\Fig_IV3.ai (8/25/08)

Certain types of land uses are recognized by the Airport Land Use Commission as hazardous to air navigation in the vicinity of the San Carlos Airport. These land uses include any of the following:

- Any use that would direct a steady or flashing light toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing.
- Any use that would cause sunlight to be reflected toward an aircraft in an initial straight climb following takeoff or toward an aircraft engaged in a 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/climb-out areas.
- Any use that would generate electrical interference that may interfere with aircraft communications or aircraft instrumentation.

b. San Francisco International Airport. The project site is located approximately 6.5 miles south of San Francisco International Airport. The project site is not located within the obstruction chart for the San Francisco International Airport, but is located within the approach surface to the airport.⁷ The highest obstruction permitted within the project site associated with the approach surface is approximately 700 feet.⁸

2. Consistency

The project site is located outside of the mapped height restriction areas for the San Carlos Airport. It is anticipated that the materials used to construct Master Plan buildings would be similar to those used in the most recently constructed building on the campus, and would not create conflicts with design restrictions regarding light or generation of glare. In addition, proposed land uses would not generate conflicts with the CLUP. The site is also located outside of the 55 dB CNEL aircraft noise contour, and thus the Master Plan would not be subject to review and evaluation of proposed land use policy actions with respect to aircraft-related noise impacts. The proposed project is consistent with the CLUP. The maximum proposed building heights for the Master Plan are well below the maximum permitted height for the San Francisco International Airport approach zone, and would not be expected to interfere with aircraft.

If firms other than Gilead Sciences were to purchase or lease buildings on the site (an action which is not proposed as part of the Master Plan), the real estate transfer documents would be required to disclose that the property is located within the AIA of the San Carlos Airport and that the site may be subject to aircraft overflight. It is not anticipated that the height of proposed structures on the site would adversely affect the approach zone.

⁷ Slope 40:1.

⁸ San Francisco International Airport, not dated. Airport Obstruction Chart, San Francisco International Airport, Figure SFO-1, V-23; San Francisco International Airport/San Mateo County, not dated, Joint Land Use Study, County of San Mateo Airport Land Use Plan, San Francisco International Airport, FAR Part 77 Civil Airport Imaginary Surfaces Height Restrictions, Map SF0-4, V-22.

