

## Legislation Text

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**File #:** 19-055, **Version:** 1

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### **Actions Related to the Downtown Airspace and Development Capacity Study.**

As recommended by the Community and Economic Development Committee on January 28, 2019:

(a) Accept a completed Downtown Airspace and Development Capacity Study, with selection of Scenario 4, which would affirm the City’s development policy to use Federal Aviation Administration (FAA) obstruction evaluation determinations on a project-by-project basis as maximum building height limits in the Downtown Core and Diridon Station Area.

(b) Direct the Administration and City Attorney’s Office to explore, and report back to Council on, the feasibility of establishing a “Community Air Service Support Fund” to financially mitigate air service impacts that might arise from implementation of Scenario 4 of the Downtown Airspace and Development Capacity Study.

(c) Direct the Administration to consider potential refinements to the development review process for projects subject to an FAA obstruction evaluation determination including:

(1) Requiring applicants to have the technical data on the FAA submittal forms be prepared by a licensed civil engineer and that the forms identify the location and elevation of the highest points of the proposed building, including any mechanical rooms, screens, antennas, or other accessory structure.

(2) Requiring applicants to also identify the location and elevation of the highest points of the proposed building and accessory extensions thereof, on their City development permit application plans, including any mechanical rooms, screens, antennas, or other accessory structure.

(3) Requiring that when the FAA requires a completed construction survey as part of an obstruction evaluation determination, that such survey be prepared by a licensed civil engineer for the highest-points of the structure, including accessory extensions thereof, and be completed prior to City issuance of an occupancy certification.

(4) Requiring a development permit amendment application for any proposed modification or addition to an existing or approved building that would create a new and/or relocated roof-top high point.

(5) Developing a construction crane policy in the Downtown Core and Diridon Station area to minimize impacts on airline service during construction.

(d) Direct the Administration to initiate amendments, as determined applicable, to the General Plan and other key policy documents to incorporate the above recommendations and conduct outreach with the downtown development community to provide information and guidance on development height restrictions. CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment and File No. PP17-001, Feasibility and Planning Studies with no commitment to future actions. (Airport)

[Community and Economic Development Committee referral 1/28/19 - Item (d)5]

[Continued from 2/26/19 - Item 6.2 (18-1944)]