



Life Science Development in SSF

Entitlement, Construction and Regulation

1. What is a life science or research & development building? What happens there?

A life science building, also referred to as a research & development building, is a facility for scientific research and the design, development, and testing of electrical, electronic, magnetic, optical, pharmaceutical, chemical, and biotechnology components and products in advance of product manufacturing. In South San Francisco, the primary use is focused on biotechnology and medical research and is typically split between traditional office and research laboratory space.

Most of the life science research that happens in South San Francisco involves work with biologics (usually cells), a heat source, and venting to identify new pharmaceutical drugs, medical devices, or health interventions – data from the laboratory is then processed through sophisticated software for testing and next stage studies. Some companies include on-site manufacturing of their own drugs for further study and testing.

Life science buildings in South San Francisco are responsible for life extending drugs to battle cancers, treatments to manage worldwide pandemics like COVID-19, and advanced technologies to understand human biology.

2. How are new life science/research and development facilities reviewed, approved, and constructed in South San Francisco?

A new life science building requires several steps for initial approval:

- Submittal of a Planning Division application for review to confirm appropriate location and design standards;
- Design Review Board Hearing for the project architecture and site landscaping;
- Planning Commission Hearing for approval or recommendation to the City Council: and
- City Council approval for any projects requiring special provisions or contribution of a Community Benefit payment.

Frequently, the identity or identities of the ultimate user(s) of a life science building are not known to the City during Planning Division, Design Review Board, Planning Commission, and City Council stages of review. In those cases, the City also does not know what type of research will be conducted and what types of related materials will be stored within a life science building. That information usually becomes available during the next stage.

Once approved by the Planning Commission or City Council, the project can submit for a Building Division permit – this requires the following:

- Detailed construction documents submitted for review by City Divisions (Building, Planning, Fire Prevention, Police, and Engineering, for example) and outside consultant experts, as needed;
- Payment of permitting costs, special impact fees for parks, public safety, affordable housing, transportation improvements and the SSF Unified School District;
- Separate submittal to the San Mateo County Health Department to detail any chemical or hazardous material storage and disposal on-site;
- Separate submittal to the U.S. Food and Drug Administration (U.S. FDA) if there is on-site manufacturing of pharmaceuticals; and
- Issuance of a Building Permit and any encroachment permits for construction.

A proposed project cannot be constructed without clearance from the San Mateo County Health Department and U.S. FDA. Federal and State law assign regulatory authority to those agencies and preempt the City from regulating the matters governed by them. The San Mateo County Health Department and U.S. FDA remain responsible for ensuring compliance with applicable law once a permitted life science use is established. As discussed below, other State and Federal agencies also have regulatory authority over life science uses.

3. Where are these types of buildings allowed in South San Francisco?

Life Science buildings are primarily allowed east of the US-101 freeway in the Business and Technology Park zoning district. This area has transitioned from warehousing and industrial users to primarily office and research & development uses in newly constructed, purpose-built buildings. This area is generally bounded by US-101, the SF Bay, and E. Grand Avenue, although some life science use is also permitted along S. Airport Boulevard.

Additionally, the Southline Campus, west of US-101 and adjacent to the San Bruno BART station, has been approved for up to 2.8m square feet of office or life science construction, and the Steelwave mixed use development at 180 El Camino Real will include a life science component.

A zoning map of the City is available here: www.zoning.ssf.net

4. How are these buildings observed for hazardous materials or regulated chemicals? Is there walk-through monitoring?

Highlights of the review process are detailed below.

Any hazardous materials or regulated chemicals are reviewed and monitored by the **San Mateo County Health Department** through the Certified Unified Program Agency (<https://www.smchealth.org/hazardous-materials-cupa>). Violations can be resolved by San Mateo County or escalated to State or Federal agencies if unresolved.

The **U.S. FDA** will regulate any laboratory with pharmaceutical manufacturing.

The **Centers for Disease Control and Prevention (CDC)** will regulate in a number of areas related to life sciences: possession, use, and transfer of specific biological agents and toxins; specific occupational health and safety standards for workers in life science buildings; some aspects of clinical laboratory standards, in conjunction with other agencies; and control of communicable diseases.

The **United States Environmental Protection Agency (U.S. EPA)** will regulate handling, treatment, storage, and disposal of hazardous wastes, including hazardous waste air emissions, under applicable Federal laws.

The **California Environmental Protection Agency (CalEPA)** will regulate air and water pollution, toxic substances, and hazardous waste under applicable State laws.

The **South San Francisco Fire Department** conducts the following inspections:

- The State Fire Marshal mandates annual inspections of any High-rise (any building with an occupied floor greater than 75 above the street level). Some of the City's life science buildings meet this category.
- Laboratories are not annual inspections mandated by State Fire Marshal's Office. However, after State Mandated inspections, the South San Francisco Fire Department prioritizes inspections for laboratories and uses with restaurants.

A comprehensive list of reviewing agencies with authority over Life Science facility operation is included below, provided by the California Life Sciences membership organization:

- US Environmental Protection Agency
- California Environmental Protection Agency
- Food and Drug Administration (and similar agencies from respective countries using products)
- US Department of Agriculture
- Federal Aviation Administration
- US Department of Transportation
- US Department of Energy
- California Occupational Safety and Health Administration
- County Environmental Health Services
- California Department of Health
- California Department of Toxic Substances Control
- Bay Area Air Quality Management District
- Bay Area Regional Water Quality Control Board
- South San Francisco Wastewater Quality Control
- SSF Building Department, Code Enforcement Division
- SSF Fire Department

5. What if there is a problem or violation at one of these facilities – what actions are taken?

As noted above, many potential problems or violations are related to matters regulated by Federal, State, and County agencies. Problems or violations identified because of inspections conducted by those agencies and complaints made to those agencies would be handled by those agencies. Depending on the nature of the issue, investigations might be confidential until made public. The City would only learn of those investigations along with the public.

The City uses the following process to address violations of the South San Francisco Municipal Code and State laws that are within the power of the City to enforce:

- Like most cities in California, South San Francisco's Code Enforcement Division operates primarily on a complaint-based system. When it receives a complaint about a potential problem or violation, it prioritizes all complaints for inspections. Complaints usually come from neighboring businesses, property owners, citizens, or City employees.
- A Code Enforcement inspector is often accompanied by a Building Inspector and designee of the Fire Marshal, depending on the nature of the issues identified in the complaint.
- Code Enforcement abatement is prioritized to stop any dangerous activity or building function that threatens life safety. If an inspection identifies an immediate threat to life safety, all or some building occupants can be ordered out and business operations ordered ceased until the threat to life safety is addressed. Code Enforcement, the Chief Building Official, and the Fire Marshall can also issue orders to correct issues that violate State or local law that are not immediate life safety threats.
- Once an unsafe situation is stopped, the property owner, tenants, and City Departments work jointly to resolve the underlying safety issues.
- If the occupants and businesses do not comply with City orders, the City can impose financial penalties and seek court orders to have the issues corrected.
- In the event that City inspectors identify a potential issue that is not regulated by the Municipal Code or a State law enforced by the City, City inspectors will notify the Federal, State, and County regulatory authorities with jurisdiction and cooperate with those agencies on inspections and enforcement.