

California Department of Transportation

DIVISION OF AERONAUTICS – M.S. #40
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Governor's Office of Planning & Research

MAY 31 2023

May 30, 2023

STATE CLEARINGHOUSE

Wes Ervin
Principal Planner
City of Oroville
1725 Montgomery Street
Oroville, CA 95965

Electronically Sent <wervin@cityoforoville.org>

Re: 2022110054, Proposed Feather River Ranch Subdivision Project, Butte County

Dear Mr. Ervin:

The California Department of Transportation, Division of Aeronautics has reviewed the Draft EIR for the City of Oroville Proposed Feather River Ranch Subdivision Project. One of the goals of the California Department of Transportation (Caltrans), Division of Aeronautics (Division), is to assist cities, counties, and Airport Land Use Commissions or their equivalent (ALUC), to understand and comply with the State Aeronautics Act pursuant to the California Public Utilities Code (PUC), Section 21001 et seq. Caltrans encourages collaboration with our partners in the planning process and thanks you for including the Division in the review of the Draft Environmental Impact Report.

The proposed Project is listed as a land use designation of Airport Business Park (ABP) in the General Plan and a zoning district of Airport Business Park (ABP) with an Airport Influence Area Overlay (AIA-O). Moreover, the proposed Site is within the B1 and B2 compatibility zones of the Butte County Airport Land Use Compatibility Plan (ALUCP) for the Oroville Municipal Airport. These designations do not allow for the development of residential uses at the densities requested of the proposed Project.

Per the California Public Utilities Code Section 21001 et seq. relating to the State Aeronautics Act, Section 21676(b) prior to the amendment of a general plan...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. Any proposed development in the defined safety zones, therefore, must adhere to the safety criteria and restrictions defined in the Airport Land Use Compatibility Plan formed by the ALUC pursuant to the PUC, Section 21674.

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Caltrans recommends that the City of Oroville strongly consider its project alternative ES-5.3: Residential Densities Consistent with the Airport Land Use Plan B1 Compatibility Zone. The ALUCP is crucial in minimizing noise nuisance and safety hazards around airports while promoting the orderly development of airports, as declared by the California Legislature. Caltrans also recommends that the City work with its ALUC in this ongoing process to determine best measures.

The Division recognizes that the City is seeking to meet RHNA housing objectives and is looking for new areas to accommodate residential developments by rezoning undeveloped land. The Division notes that new laws regarding the provision of housing do not supersede existing laws, including Section 21670 of the California Public Utilities Code, which requires counties to establish ALUCs and compatibility plans to protect public health, safety, and welfare.

If you have any questions or need additional information, please contact me at my email address: tiffany.martinez@dot.ca.gov.

Sincerely,



Tiffany A. Martinez
Transportation Planner, Division of Aeronautics

Cc: State Clearinghouse