

California Department of Transportation

DIVISION OF AERONAUTICS - M.S. #40
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March 17, 2025

Steve Engfer
Planning Director
County of Mariposa
5100 Bullion Street
Mariposa, CA 95338

Electronically Sent <sengfer@mariposacounty.org>

Re: SCH #2025020540 – Conditional Use Permit No. 2023-078

Dear Steve Engfer:

The California Department of Transportation (Caltrans), Division of Aeronautics (Division) has reviewed the Mitigated Negative Declaration (MND) of Conditional Use Permit No. 2023-078. One of the goals of the Division is to assist cities, counties, and Airport Land Use Commissions (ALUC) or their equivalent, 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 of Aeronautics in the review of the MND.

In accordance with CEQA, Public Resources Code Section 21096, the California Airport Land Use Planning Handbook (Handbook) must be utilized as a resource in the preparation of environmental documents for projects within the Airport Influence Area (AIA) as identified in the Airport Land Use Compatibility Plan (ALUCP) for the specific airport that the project is located near. If such a plan has not been adopted, then the area within two miles of the airport will be considered the AIA. The Handbook is a resource for all public use airports and is available online at: <https://dot.ca.gov/-/media/dot-media/programs/aeronautics/documents/californiaairportlanduseplanninghandbook-ally.pdf>

Safety Compatibility Policies

The Project site is approximately 600 feet northeast of the Mariposa-Yosemite Airport and is within Safety Zone B of the Mariposa-Yosemite Airport Comprehensive Land Use Plan (MACLUP). Therefore, it must adhere to the safety criteria and restrictions defined in the MACLUP, adopted by the ALUC pursuant to PUC Section 21674 and is subject to review authority by the ALUC.

The proposed Project consists of school field trips, workshops, special events, live music, and mobile catering. The MACLUP states that specifically excluded land uses for Safety Zone B include uses intended as a place for the general public to gather. Therefore, the Division has concerns that this project is not compatible with the MACLUP.

Moreover, the Division has additional concerns as the Project falls within Safety Zones 2 (Inner Approach/Departure Zone) and 3 (Inner Turning Zone) according to the Handbook generic Safety Zones. Per the Handbook, group recreational uses are prohibited in Safety Zones 2 which has a high risk level and 3 which has a moderate to high risk level. A majority of the project's development takes place within Safety Zone 6 (Traffic Pattern Zone) according to the Handbook generic Safety Zones. Per the Handbook, outdoor stadiums and similar uses with very high intensities should be avoided in Safety Zone 6, which has a low risk level.

Increase in Density/Intensities

The Project stipulates that it contains increased density development and introduces new safety concerns that may be incompatible with the MACLUP and that are not in accordance with the guidance in the Handbook. The purpose of the Handbook is to prevent the creation of new incompatible land uses near airports, the MACLUP's purpose would be the same for the Mariposa-Yosemite Airport. To ensure compatibility between the Project, the Handbook, and the MACLUP, we recommend implementing mitigation measures such as ensuring increased density development takes place outside of Safety Zones 2 & 3 (per the Handbook) and Safety Zone B (per the MACLUP). Per the MACLUP, any land use with a population density greater than 50 persons per acre is not allowed in Safety Zone B.

Additionally, the Handbook states Safety Zone 2's maximum nonresidential intensity shall not exceed 40 average number of people per gross acre and 80 people per gross single acre. Safety Zone 3's maximum nonresidential intensity shall not exceed 70 average number of people per gross acre and 210 people per gross single acre. A majority of the Project's development takes place in Safety Zone 6 (per the Handbook), and Safety Zone 6's maximum nonresidential intensity shall not exceed 200 average number of people per gross acre and 800 people per gross single acre. Ongoing coordination between the City, developers, and the ALUC is essential to align future projects with the MACLUP and Handbook guidance and ensure a balanced approach to growth.

Closing Statements

An ALUCP is mandated to prevent the creation of new incompatible land uses near airports, thus minimizing noise nuisance and safety hazards around airports while promoting orderly development.

It is the responsibility of the ALUC to follow the guidance of the Handbook and use their ALUCPs to assess potential risks to people and property in areas within the vicinity of an airport and to promote the orderly development of air transportation while protecting the public health, safety, and welfare.

Steve Engfer, Planning Director
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These comments reflect the areas of review by Caltrans Division of Aeronautics with respect to airport-related noise, safety, and land use planning issues. Thank you for the opportunity to review and comment. If you have any questions, please contact me by email at leana.tolentino@dot.ca.gov.

Sincerely,

Leana Tolentino

Leana Tolentino
Associate Transportation Planner
Division of Aeronautics

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