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## Further amended Ordinance

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davidwardall@gmail.com <davidwardall@gmail.com>

Sun, Apr 9, 2023 at 1:14 PM

To: planning@amadorgov.org

Cc: Richard Forster <RForster@amadorgov.org>, Frank Axe <faxe@amadorgov.org>, "Brian Oneto" <BOneto@amadorgov.org>, Jeff Brown <jeffbrown@amadorgov.org>, Pat Crew <pcrew@amadorgov.org>

Good morning Staff-

The airport residents have refined the recommended Ordinance to take into account comments from neighbors.

The 3-mile zone is reduced to 2-miles and is now an "Airport Notification", the easement provision is removed.

The 2-mile ring is reduced to 1-mile.

There are several misleading statements circulation on Facebook, so here are the true facts:

- The entire County height limit is 35 feet for structures
- There is no impact on right to farm, we support ag and farming
- The 2007 GPAC did not include the Eagle's Nest Airport because that only applies to public airports
- The AG-40 and MRZ zoning, and the General Plan limit parcel splits to a minimum of 40 acres
- The airport is 1,100 acers, the average parcel size is 46 acres, some up to 83 acres, a few at 34 acres (Average parcel size of at least 40 acres was approved)
- The Whispering Pines church facility is outside the 2-mile zone and is exempt
- The airport is not open to the public nor commercial operations due to the inherent liability
- The County Use permit is for residents and occasional invited guests

Regards,

David Wardall, airport manager

Questions

209-274-9160

ORDINANCE NO. \_\_\_\_\_

**ORDINANCE AMENDING CHAPTER 19.77, OBJECTS AFFECTING NAVIGABLE AIRSPACE, TO ESTABLISH AN OVERLAY ZONE TO ~~LIMIT~~ MAINTAIN CURRENT DEVELOPMENT DENSITIES AND, BUILDING HEIGHTS, AND TO LIMIT PLACES OF ASSEMBLY ~~PREVENT INCOMPATIBLE LAND USES~~ WITHIN ~~THREE~~ TWO MILES OF EAGLE'S NEST AIRPORT.**

The Board of Supervisors of the County of Amador ordains as follows:

**SECTION I.** Legislative findings.

1. Pursuant to Government Code 21670(b), the California Legislature found and declared that the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around airports to be of statewide concern.
2. The private ownership and limited flight operations preclude Eagle's Nest Airport from being included the County's Airport Land Use Compatibility Plans.
3. This ordinance is intended to ~~prevent~~ maintain the development of land uses which are ~~not~~ compatible with ~~the operation of the Eagle's Nest Airport existing county codes.~~

**SECTION II.** County Code Chapter 19.77, Objects Affecting Navigable Airspace, is hereby amended by adding the following Sections:

Section 300: The following overlay zones are hereby established within the specified distances from the edge of the Eagle's Nest Airport runway:

~~3-mile perimeter. Within three miles of the outermost edge of the Eagle's Nest Airport runway, all future projects for commercial or residential development, use permits, or parcel splits shall include an Avigation Easement Airport Notification for the right to flight, exhaust noise, fumes, lights, vibration, and particulate matter. See attached map Yellow Ring for plan view.~~

2-mile perimeter. Within two miles of the outermost edge of the Eagle's Nest Airport runway- ~~schools, churches, and other places of assembly inside buildings as defined by Section 13143(a) of the California Health and Safety Code, are prohibited.~~ Any projects involving accessory dwellings units or ~~parcel splits~~ shall include an ~~Avigation Easement Airport Notification~~ for the right to flight, exhaust noise, fumes, lights, vibration, and particulate matter. See attached map Orange Ring for plan view.

1-mile perimeter. Within one mile of the outermost edge of the Eagle's Nest Airport runway, schools, churches, and other places of assembly inside buildings as defined by Section 13143(a) of the California Health and Safety Code, are prohibited. ~~parcel maps and subdivision maps will~~

~~maintain current development densities to no less than 40 acres.~~ Projects that involve parcel splits, use permits, or new commercial or residential structures shall include an ~~Avigation-Easement Airport Notification~~ for the right to flight, exhaust noise, fumes, lights, vibration, and particulate matter. Structures within the 1-mile perimeter which exceed a height of 100 feet will require obstruction lighting that meets FAA specifications. Structures which exceed a height of 35 feet are prohibited in the area which is both west of Carbondale Road and south of the southern terminus Eagle’s Nest Airport runway. See attached map Red Ring for plan view.

**SECTION III.** A summary of this ordinance shall be published within fifteen days after the date hereof in a newspaper of general circulation printed and published in the County of Amador, State of California, and shall become effective thirty days after the date hereof.

The foregoing ordinance was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the \_\_\_\_\_ day of \_\_\_\_\_

2023, by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Chairman, Board of Supervisors

ATTEST:

JENNIFER BURNS, Clerk of the  
Board of Supervisors, Amador County, California

\_\_\_\_\_  
Deputy