

ORDINANCE NO. 1836

ORDINANCE AMENDING CHAPTER 19.77, OBJECTS AFFECTING NAVIGABLE AIRSPACE, TO ESTABLISH AN OVERLAY ZONE TO REQUIRE AIRPORT VICINITY NOTIFICATIONS, TO ESTABLISH HEIGHT LIMITS, AND TO LIMIT PLACES OF ASSEMBLY WITHIN CERTAIN DISTANCES AND LOCATIONS FROM THE EAGLE'S NEST AIRPORT AS DESCRIBED HEREIN

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 require overflight notice for certain projects, to minimize flight obstructions, and to limit places of assembly within the Eagle's Nest overflight zones as described herein.

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

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

2-mile perimeter. Permits for projects within two miles of the outermost edge of the Eagle's Nest Airport runway that involve accessory dwelling units or divisions of land shall include an overflight notification. Said notice shall be in the form set forth in Attachment "A" hereto, "Notice of Airport in Vicinity," which attachment is incorporated in this chapter by reference.

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. Permits for projects within one mile of the outermost edge of the Eagle's Nest Airport runway that involve accessory dwelling units, divisions of land, use permits, or new commercial or residential structures shall include an overflight notification. Said notice shall be in the form set forth in Attachment "A" hereto, "Notice of Airport in Vicinity," which attachment is incorporated in this chapter by reference.

Structures within the 1-mile perimeter that exceed a height of 100 feet require obstruction lighting that meets FAA specifications. Structures that exceed a height of 35 feet are prohibited in the area that is both west of Carbondale Road and south of the southern terminus Eagle's Nest Airport runway."

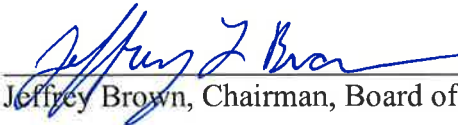
SECTION III. A summary of this ordinance shall be published within fifteen days after the date hereof in a newspaper of general circulation printed and published in the County of Amador, State of California, and shall become effective thirty days after the date hereof.

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 9th day of May, 2023, by the following vote:

AYES: Jeffrey Brown, Brian Oneto, Patrick Crew, Frank U. Axe, Richard Forster

NOES: None

ABSENT: None



Jeffrey Brown, Chairman, Board of Supervisors

ATTEST:

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



Deputy

**ATTACHMENT "A,"
NOTICE OF AIRPORT IN
VICINITY**

This Notice concerns the real property situated in the County of Amador, State of California, described as

APN: _____

Amador County Ordinance 19.77 Section 300 identifies Eagle's Nest Airport Overflight Zones. Properties within these zones are routinely subject to overflights by aircraft using this airport and, as a result, residents may experience inconvenience, annoyance, or discomfort arising from the noise of such operations. Residents of property near airports should therefore be prepared to accept the inconvenience, annoyance, or discomfort from normal aircraft operations. Residents also should be aware that the current volume of aircraft activity may increase in the future in response to Amador County population and economic growth.

The Federal Aviation Administration (FAA) has regulatory authority over the operation of aircraft in flight and on the runway and taxiway surfaces at Eagle's Nest Airport. The FAA is, therefore, exclusively responsible for airspace and air traffic management, including ensuring the safe and efficient use of navigable airspace, developing air traffic rules, assigning the use of airspace and controlling air traffic. Please contact the FAA for more detailed information regarding overflight and airspace protection issues associated with the operation of aircraft.

Eagle's Nest Airport maintains information regarding hours of operation and other relevant information regarding airport operations. Please contact Eagle's Nest Airport for more detailed information regarding airport-specific operational issues including hours of operation.

This Notice shall be duly recorded with the Amador County Recorder's Office.

Effective Date: _____