

FROM THE PLANNING COMMISSION MINUTES OF FEBRUARY 12, 2009

9. ZONING ORDINANCE AMENDMENT

b. OR09-0001/Avigation and Noise Easement initiated by EL DORADO COUNTY to amend Ordinance Code Section 17.38.062 of Avigation and Noise Easement Required by deleting in its entirety the present language of the ordinance code section which requires that before a permit can be issued for any development activity in an airport safety zone the property owner must provide the County with an avigation easement and replace that language with a requirement that whenever a discretionary permit or permit for a habitable structure is sought for property within an airport safety zone, the matter will be sent to the airport land use commission for review and recommendations. (Exempt pursuant to Section 15061(3) of the CEQA Guidelines)**

Peter Maurer presented the item to the Commission with a recommendation of approval to the Board of Supervisors. Mr. Maurer explained that this proposed amendment has been reviewed by County Counsel and the Transportation Commission staff.

Martha McGoldrick and Bill Johnston inquired if this amendment would have impact on today's agenda item #13-Z07-0027/PD07-0017/TM96-1325E/Cameron Hills Subdivision, as it is in the vicinity of the Cameron Park airport.

Mr. Maurer explained that since this would be a Zoning Ordinance amendment and, if approved, would apply to any new development. He also stated that the ordinance would have applied before, but there have been changes to the ordinance language.

County Counsel Paula Frantz stated that instead of requiring an avigation easement on all permits in an airport safety zone, the proposed Ordinance would now require a review to determine if a project would need that condition.

Commissioner Rain indicated that during his recent attendance at the "Role of a Planning Commissioner" class, he met an airport expert and when he mentioned the County's proposed Ordinance, he received positive feedback.

No further discussion was presented.

Motion: Commissioner Rain moved, seconded by Commissioner Heflin, and unanimously carried (4-0), to recommend the Board of Supervisors take the following action: 1. Certify the project is exempt from environmental review pursuant to Section 15061(b)(3) of the CEQA Guidelines; and 2. Approve OR09-0001 revising Ordinance Code section 17.38.062 as proposed, deleting the existing language of the section in its entirety and adopting language that eliminates the mandatory requirement for avigation easements but instead imposes a requirement for review by the airport land use commission when a discretionary permit or permit for a new, expanded or replacement of a legal nonconforming or noncompatible use is applied for in an airport safety zone.

AYES: MacCready, Heflin, Rain, Mathews
NOES: None
ABSENT: Tolhurst