

MJC:km
17-38-062.ord
01/08/09



ORDINANCE NO. _____

**THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO DOES
ORDAIN AS FOLLOWS:**

Section 1. Section 17.38.062, of Chapter 17.38 of Title 17 of the El Dorado County Ordinance Code, entitled Avigation and Noise Easement Required, is hereby removed in its entirety.

~~17.38.062 Avigation and noise easement required. No permit of any type shall be issued for any development or activity subject to the airport safety (AA) regulations until the county is provided with an avigation and noise easement granting the right of flight and the right to cause noise, light and other effects associated with the operation of aircraft in the airspace over and above the subject property. Such easement shall be supplied in a form prescribed by the county and shall be recorded on the title of the subject property. (Ord. 3721 §1(part), 1987)~~

Section 2. Section 17.38.062 of Chapter 17.38 of Title 17 of the El Dorado County Ordinance Code is hereby added as follows:

17.38.062 Airport Land Use Commission Review.

No discretionary permit of any type or a permit for a new, expanded, or replacement of a legal nonconforming non-compatible structure, as defined in the Comprehensive Land Use Plans (CLUP), shall be approved for development or activity subject to the airport safety (AA) regulations until the county has forwarded the application to the agency responsible for the administration of the CLUP for review as to consistency with the plan and the county has received any recommended conditions or restrictions in order to ensure the public health, safety and general welfare, including but not limited to the requirement for an appropriate avigation and/or noise easement.

Section 3. Upon this ordinance becoming effective, the suspension of Ordinance Code section 17.38.062 of Chapter 17.38 of Title 17 of the El Dorado County Ordinance Code enacted on August 5, 2008 by adoption of Ordinance number 4784 shall be lifted and of no further force and effect.

Ordinance No. _____
Page 2

Section 4. This ordinance shall become effective thirty (30) days following adoption hereof.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the ____ day of _____, 2009, by the following vote of said Board:

Ayes:

ATTEST
SUZANNE ALLEN DE SANCHEZ
Clerk of the Board of Supervisors

Noes:
Absent:

By _____
Deputy Clerk

Chairman, Board of Supervisors

I CERTIFY THAT:
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE

Date _____
ATTEST: SUZANNE ALLEN DE SANCHEZ, Clerk of the Board of Supervisors
of the County of El Dorado, State of California.

By _____
Deputy Clerk