



CAMERON PARK AIRPORT DISTRICT

CAMERON PARK AIRPORT (O61)
3374 MIRA LOMA DRIVE
CAMERON PARK, CALIFORNIA 95682
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January 15, 2020

El Dorado County Planning Commission
c/o El Dorado County Planning Services
2850 Fairlane Court
Placerville, CA 95667

Attention: Mr. Evan Mattes, County Planner

Re: The Cameron Park Airport District provides the following comments on development application project **AIR PARK, DR-R19-0004**

Dear Mr. Mattes and Planning Commissioners:

The Cameron Park Airport District (CPAD) provides the following comments and concerns regarding the Initial Consultation package and Design Review request for application DR-R19-004 - AIR PARK SELF STORAGE REVISION TO DR14-004. References for preparation of these comments include the Design Review Required Submittal Information checklist, pp 6-12; the Transportation Initial Impact Study - Initial Determination; the El Dorado County Planning Services Environmental Questionnaire, pp 14-17; EID letter dated July 25, 2019, from Mr. Michael Brink, P.E., entitled Facility Improvement Letter; Cameron Park Fire Department letter dated July 21, 2019, from Battalion Chief Michael Smith regarding required fire flows and related matters; certain included plat and construction elevation drawings from LeBeck Engineering; Declaration of Restrictions for the Cameron Air Park Estates (CC&Rs) as amended; as well as, certain drawings and correspondence related to the project as previously proposed and subsequently abandoned in 2014.

CPAD supports development of properties within the Airport Sphere of Influence which comply with the airport's Airport Land Use Compatibility Plan (ALUCP, 2012¹), the applicable California Public Utilities Code,² and corresponding FAA rules as they relate to protected airspace,³ and the Department

¹ See ALUCP Section 2.4.3 (Interim Mandatory Referral of Major Land Use Actions)

² California Public Utilities Code, Sections 21403 (providing the right of safe access to public airport) and 21659 (providing standards regarding height limits of objects near airports)

of Homeland Security guidelines.⁴ Moreover, CPAD supports development projects within its own Special District that are in compliance with our CC&Rs and complementary to the aviation community, the District and their mutual focus on aviation as an asset to western El Dorado County. As a stepping off point for the comments herein, all commercial parcels along Cameron Park Drive from Mira Loma Drive at the north to Oxford Lane at the south, inclusive of subject parcels 083-182-004, -005, and -006, are within the boundaries of CPAD and are subject to long-established CC&Rs,⁵ as enforced by the Cameron Park Community Services District (CPCSD).⁶ In addition to zoning by El Dorado County as *CG, General Commercial*, each of the referenced parcels, as documented in the ALUCP, are further zoned *AA, Airport Safety*. The rules and regulations pertaining to airport safety, airspace protection and compatible land use restrict allowable uses on the subject parcels.

An environmental determination resulting in a negative declaration is appropriate only where there is no substantial evidence to support a fair argument that the project will cause a significant adverse environmental impact. This standard includes causative or enabling factors leading to deterioration of the environment and quality of life. Project approval should be conditioned on the proponent demonstrating 1) no permanent or temporary obstructions will now or in the future penetrate the federal, state and county-protected airspace, 2) provision(s) for adequate measures to ensure no unauthorized access to the airport grounds or facilities, 3) measures to mitigate extensive stormwater runoff from a 100% impenetrable surface property, 4) provisions to prevent hazardous light that is distracting to pilots and mitigations to overnight security lighting from impacting quiet enjoyment of properties in the adjacent residential neighborhood, 5) that impact of a multi-phased self-storage business within only 500 feet of a preexisting self-storage business⁷ will not negatively impact the well-being of surrounding businesses, generate visual blight along Cameron Park Drive and confound local and airpark residents who reasonably expect that use of parcels within the Airport District will align with the airport restrictions.

CPAD firmly believes that there is substantial evidence of a fair argument that there are broad and significant adverse environmental issues and, therefore, the project should not be approved without an Environmental Impact Report and attendant specific conditions to mitigate all concerns.

Protection of Surrounding Airspace - Cameron Park Airport Critical Airspace Protection Zone

Defined airspace at all public airports is protected from any form of penetration by an obstruction. Obstructions are any structures (buildings, towers), natural growth (trees), or temporary obstructions (signage, vehicles, cranes, etc.). Cameron Park Airport's protected airspace is

³ Federal Aviation Regulations Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace (providing standards regarding height limits of objects near airports); and, FAA Advisory Circular 150-5300-13A, Airport Design (providing standards regarding safety-related areas in the immediate vicinity of runways)

⁴ Section 6.3.7 of TSA Guidelines for General Aviation Airport Operators and Users (providing guidance for set-backs)

⁵ See Attachment 1

⁶ The entirety of CPAD is surrounded by the CPCSD in a mutually beneficial partnership.

⁷ Cameron Park Rent-a-Storage, 3381 Mira Loma Dr., Cameron Park CA 95682 is 450 feet, driveway-to-driveway

fundamentally defined by the FAA and Federal Aviation Regulations, Part 77, along with complementing State regulations found in the Public Utilities Code. El Dorado County adopted the federal airspace definitions for Cameron Park Airport in the county's *Airport Land Use Compatibility Plan* (ALUCP, 2012)⁸. Specific rules found in Chapter 4 of the ACULP preventing obstructions in an airport's Critical Airspace Protection Zone are found in Section 4.4 *Airspace Protection* and, as applied to Cameron Park Airport, in Chapter 6. As depicted in the Airspace Protection Zones Policy Map, all three of the subject parcels are in the protected Transitional Zone and under the 7-to-1 imaginary surface that commences at runway level 125 feet from the runway centerline.

The elevation of the soil of each parcel is nominally 6 feet above the runway elevation. Perimeter elevation drawings of the proposed structure as provided in the packet for this comment indicate a finished wall height of 14 feet above the parcel pavement along the western (runway side) line of the proposed structure (LeBeck drawing set, page 5).

- Combining the ground elevation and the proposed structure approximates a finished structure height of 20 feet on the side closest to the Airport runway.
- The Transitional Zone (Side Zone), within the airport's Critical Airspace Protection Zone, is a 7:1 upward slope that starts 125 feet from the centerline of Runway 13 at the level of the runway.
- The structure's proposed height of 20 feet above the runway would need to be located a minimum of 265 feet from the runway centerline in order to not penetrate the protected surface.

$$7 \times 20' = 140 \text{ feet set back under } 7:1 \text{ slope;}$$

$$\mathbf{140 \text{ feet} + 125 \text{ feet from runway centerline} = \text{minimum } 265' \text{ setback}^9$$

Any approved plan should also consider FAA Advisory Circular 107-1, *Aviation Security* and the above referenced current Department of Homeland Security (DHS) statement that provides for clear zones of at least 10 feet (suggested 30 feet) between perimeter fencing and any structure. Such setbacks are intended to prevent unauthorized access to the facilities and reduce vandalism, which is an increasing problem for self-storage facilities in the Cameron Park area. Parking vehicles or storing articles of personal property along such a fence is explicitly discouraged.

The provided flat drawings (plat) did not indicated horizontal distances, but approximations infer that the contemplated structures will need to move back (easterly) by an additional 33 feet to remain clear of the protected airspace. Proponent should be required to demonstrate that the proposed structures will not penetrate the 7-to-1 Critical Protected Airspace in compliance with the Federal, State and County requirements.

Similarly, the office structure on the east side of the contemplated development is estimated to be 28 feet tall. The 7-to-1 analysis yields a minimum setback from the runway centerline of approximately 363 feet.

⁸ see <https://www.edctc.org/aviation>

⁹ see Attachment 2

- Combining the elevations of the soil (6 feet) and the proposed office structure of 28 feet approximates a finished structure height of 34 feet above the runway elevation.
- The Transitional Zone (Side Zone), within the airport's Critical Airspace Protection Zone, is a 7:1 upward slope that starts 125 feet from the centerline of Runway 13 at the level of the runway.
- The structure's proposed height of 34 feet above the runway would need to be located a minimum of 363 feet from the runway centerline in order to not penetrate the protected surface.

$7 \times 34' = 238$ feet set back under 7:1 slope;

238 feet under 7:1 + 125 feet primary surface = 363 feet minimum distance from runway centerline

Further, the terrain grade level rises briskly eastward to the level of Cameron Park Drive where any proposed landscaping must also comply with the stated height limitations. The federal, state and county rules include obstructions of "natural growth" and any tree that will mature to a height penetrating the 7-to-1 lateral or 20-to-1 approach/departure critical zones is determined to be an obstruction. This determination is echoed by the El Dorado County ALUCP. Because the terrain rises from the airport runway eastward to Cameron Park Drive, the increase in ground elevation is additive to the future tree height and both factors must be considered when selecting tree species for the proposed project. State and county-wide, trees with significant height routinely require topping, trimming or removal at the tree-owner's expense to maintain compliance with applicable code sections. The proponent must demonstrate that the finish height of natural growth as part of the landscaping plan will remain below the height of the protected surface.

Protection of Airport - Restricted Area, No Unauthorized Access

The flat drawings (plat) of the proposed project depict access to the parcels by way of the airport taxiway. The airport taxiway is not available for access to the proposed structures or RV parking areas

All traffic to the parcels and proposed business must be restricted to the main entrance off of Cameron Park Drive. To prevent potential unauthorized use by the proponent, the proponent's employees, or the proponent's tenants of what will become an obsolete aircraft-taxiway, the pavement leading from the airport into the subject parcels must be removed and the drainage swale reconstructed. There is no permissible access to the airport property from or to the subject parcels.

The Applicant's Environmental Checklist is Inaccurate – CC&Rs do apply to this project

A set of CC&Rs was recorded on February 14, 1967 in Book 821, Page 539 of the El Dorado County Official Records. The Parcel Map incorporated into those CC&Rs is found at Book D of Maps at Page 78. Plat D-78-E depicts a parcel number 262. Parcel 262 is the parent parcel from which the subject parcels were subdivided. Each of the subject parcels supporting this proposed project are within the CC&Rs for AIR PARK ESTATES.

Paragraph (4) of the CC&Rs provide for setbacks of 25, 10 and 15 feet for front, side and rear of the subject parcels, but no such setbacks are depicted in the proposed plans.

Paragraph (5) on page 3 of the CC&Rs prohibits all but residential uses. The applicant has not demonstrated how these parcels are exempt from this requirement.

Paragraph (8) requires CC&R review and approval of all plans to ensure their harmony with the reasonable enjoyment of any other lot. This provision has historically been interpreted as promoting an aviation related industry or use, in order to be compatible with the other lots within the subdivision. An “other than aviation” use is incompatible with the remaining airport lots. Projects cannot be allowed which are unreasonably incompatible with airport uses. Other airports have lost the use of their historical airport because of the encroachment of uses which cumulatively make airport operations more difficult, noisy or dangerous. CPAD must remain vigilant to protect the airport future from encroaching uses.

Rainwater Runoff: 100% Impenetrable Surfaces and Destructive Discharge onto Airport Property

The project parcels are prone to surface flooding and historically had discharge channels directing run-off onto neighboring parcels. This was a serious point of contention when a similar project was contemplated around 2012 when it was found that an unauthorized pipe had been installed to direct water from the subject parcels onto the adjacent parcel. That relief pipe was sealed and the runoff is left to drain onto the airport as evidenced during heavy downpours when mud and other debris flow onto the adjacent taxiway. Current open swales and underlying storm drains are insufficient to handle the runoff that will flow onto and under the taxiway and runway, thereby causing a hazard.

The subject undeveloped lots presently have minimal paved surfaces which at least enable some degree of permeability. The proposed self-storage facility envisions built-upon and paved surfaces over the entirety of the property which will direct 100% of rainwater either into the existing inadequate drainage system and/or onto airport surfaces. Flooding on or flowage into the airport area will undermine the integrity of the pavement of both the runway and the adjacent parallel taxiway, creating a significant safety and financial exposure to CPAD and airport users. The district wishes to prevent expensive post-development mitigation (easily into seven figures) to repair and correct inadequate or underestimated water runoff¹⁰. CPAD did not find a hydrological study, mitigation plan, or adequate discussion of this environmental risk in the EID guidance letter or in the submission package.

Light Pollution: Demonstrated Compatibility Between Immediately Adjacent Residential Area and Expected Need for Continuous Security Lighting

Light Hazards: New construction in an airport side zone also has the potential for creating a source of distracting lights during approaches that might cause confusion to an approaching aircraft. Similarly, reflected glare off of the roof of a structure, especially those with a reflective surface, may

¹⁰ See, for example, www.mtdemocrat.com/news/resident-tussels-with-county-over-culvert, December 02, 2019

cause instant loss of vision in certain conditions. The ALUCP states that land uses that *may* cause hazards to aircraft in flight or taking off or landing shall be allowed only if the uses are consistent with FAA rules and regulations.¹¹ The proponent must demonstrate that the contemplated structure will not create such hazard(s).

Light Pollution: Cameron Park Drive has segments that pass through purely residential space and areas such as those south and north of the airport and the residential airpark; Cameron Park Drive also passes through general commercial zones that are adjacent to those same residential zones. Regarding the commercial businesses on Cameron Park Drive adjacent to the airport have modest parking area lighting and business-fronts with muted-light signs. Many of these lights turn off after a certain hour each night. Airpark residents are concerned that a self-storage facility that is understandably premised on sound security will likely include significant high intensity-bright lighting. Direct and reflected light emanating from the proposed facility will be visible from all of the homes along Boeing Drive and, probably, on the elevated terrain all around the area (east and west ridge, Sky View Court, etc.).

Special Services District: The Parcels for the Proposed Project are in Cameron Park Airport Services District

The commercial properties from Mira Loma Drive at the north end to Oxford Road at the south end are all part of the Cameron Park Airport Special District (CPAD). Although CC&Rs are often ignored or given light treatment for commercial properties within the boundaries of certain subdivisions (e.g., predominantly residential districts where design review of private homes is prioritized), CPAD is very unique in its incorporation of a federally recognized airport as its centerpiece and foundational asset of Cameron Park beginning in the early 1960s.

All developed commercial lots within CPAD thus far include hangars and were intended to be compatible with and supportive of the airport. In fact, the commercial properties all along Alhambra Drive, running parallel to the airport runway, were also originally intended to be part of the airport but through some business dealings were sold to non-airport buyers and developed "outside the fence." The Alhambra commercial buildings have not enjoyed strong maintenance and aesthetic upkeep over the years and it is a sincere concern of CPAD that adding another self-storage business will only serve to cause a downward trajectory for the quality of businesses that this immediate area can attract and retain. Alhambra Drive is a regular long-term street-parking location for commercial trucks, abandoned vehicles, and attendant garbage and refuse. Some portions are truly an eyesore. Further, self-storage facilities in and around Cameron Park, Shingle Springs and Rescue are experiencing increasing levels of break-ins and squatting by our growing transient population. All of the subject self-storage enterprises have fences, gates, security but, nevertheless, are attractants to petty criminals and vagrants. With the concentration of self-storage businesses in and around Cameron Park, with the nearest competitor being less than 500 feet distant, CPAD is concerned that the proposed self-storage operation will make aircraft domiciled at the Cameron Park Airport and adjacent residential properties vulnerable to similar unwanted behavior.

¹¹ See El Dorado County ALUCP, Section 4.4.3

The limitations imposed on the subject project parcels by the referenced federal and state rules were acknowledged and accepted by the chain of former owners as an attribute of these aviation-amenable properties. The CPAD Air District CC&Rs to which the subject parcels are attached were developed and implemented from the district's formation with this eventuality in mind.

Mitigation Measures to Reduce Harm to Surrounding Environment, Businesses and Residents

CPAD is concerned that short and long term deleterious harm will be brought to the immediate area and Cameron Park, in general, if the project is approved as presently proposed. The County should consider the broader implications that will flow from the project. At a minimum, CPAD urges the County to:

- Condition any proposed plan on the proponent protecting the imaginary surfaces defining the Airport Critical Airspace Protection Zone from obstruction penetrations
- Condition the proposed plan on removing the access ramp and pavement between the west side of the project parcels and taxiway
- Condition the proposed plan on proponent completing a hydrological survey to sufficiently guide mitigates necessary for impacts of diverted stormwater and groundwater runoff
- Condition any proposed plan on proponent demonstrating that proposed structures and associated lighting will not cause unsafe conditions for aircraft as defined by the El Dorado County ALUCP and associated FAA guidance
- Condition the proposed plan on proponent demonstrating that no economic harm flowing from over-saturation of self-storage businesses concentrated in Cameron Park will lead to erosion of the Cameron Park Airport's utility and value to the surrounding community; will not cause or otherwise enable blight along Cameron Park's main thoroughfare; will not attract or assist transient individuals to encamp along Cameron Park Drive; and will not be a contributing source of visually unappealing build-out.

The CPAD appreciates the opportunity to comment on this design review application and requests that it be provided timely notice of all matters pertaining to this project.

Respectfully Submitted,

Cameron Park Airport District



David C. Becker
General Counsel to CPAD



Burl A. Skaggs
CPAD Board President

Attachment 1

TAHOE TITLE GUARANTEE CO.

FEB 14 12 24 PM 1967

DECLARATION OF RESTRICTIONS

AIR PARK ESTATES

CAMERON PARK NORTH UNIT NO. 5

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WHEREAS, DORADO ESTATES, a California Corporation, hereinafter designated as DECLARANT, is the owner of a certain subdivision and tract of land situated in the County of El Dorado, State of California, more particularly known and described as Air Park Estates, Cameron Park North Unit No. 5, the original plat of which was recorded in the Office of the County Recorder of El Dorado County in Book "D" of Maps, page 75.

NOW THEREFORE said DECLARANT hereby certifies and declares the following covenants, restrictions, reservations, servitudes, easements, and agreements subject to which said parcels of land and lots and portions thereof shall be held, used, leased, sold, and conveyed, each of which is for the benefit of said property and each and every owner thereof, both present and future, and shall apply and inure to the benefit of and bind the owners and their respective successors in interest as follows:

(1) No dwelling shall be erected or placed on any of Lots No. 122 - 175, inclusive, and Lots No. 187 - 256, inclusive (which lots shall hereinafter be referred to as "Air Park Lots"), having a width of less than one hundred (100) feet at the minimum building set-back line or shall any dwelling be erected or placed on any "Air Park" lot having an area of less than sixteen thousand (16,000) square feet, except that a dwelling may be erected or placed on any original "Air Park" lot as shown on the recorded plat.

No dwelling shall be erected or placed on any of Lots No. 1 - 65, inclusive, Lots No. 67 - 109, inclusive, Lots No. 111 - 121, inclusive (which lots hereinafter shall be referred to as "R1" lots), having a width of less than eighty (80) feet at the minimum building set-back line or shall any dwelling be erected or placed on any "R1" lot having an area of less than ten thousand (10,000) square feet, except that a dwelling may be erected or placed on any original lot as shown on the recorded plat.

No resubdivision of Lots No. 176 - 186, inclusive, and Lots No. 66 and 110 shall be permitted to have an area of less than sixteen thousand (16,000) square feet except that any structure conforming to the zoning regulations may be placed on any of Lots No. 66, 110, and 176 through 186, inclusive.

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(2) Lots having a dual frontage shall have access only from inside streets. Lots adjoining and abutting airport runway and clear areas shall have no access onto and/or across such runway or clear areas. Access for such lots shall be only from inside streets.

(3) The following streets have been designed for joint use by regular vehicular traffic and aircraft: Boeing Road, Baron Court, United Drive (only that certain portion east of Boeing Road), Bonanza Drive, Fairway Drive (only that certain portion north of Cambridge Road), Aeronica Way, Western Drive, and Lockheed Court. Said streets shall hereinafter be referred to as "aircraft" streets. No aircraft shall proceed onto, over, or across any streets in Air Park Estates except those designated herein as "aircraft" streets. All use by owners of lots or parcels in said subdivision, occupants, and/or guests of aircraft streets shall be subject to the following:

(a) All regular vehicular traffic shall travel within the center lanes indicated by stripes painted on the respective streets. Regular vehicular speed on "aircraft" streets shall not exceed twenty-five (25) miles per hour. No parking of regular vehicles shall be permitted on any "aircraft" streets within this subdivision.

(b) All aircraft traffic shall be restricted to aircraft not in excess of 12,500 pounds gross weight, or of greater than 40 feet over-all width.

(c) All aircraft traffic traveling on "aircraft" streets shall proceed in the outside lanes indicated by stripes painted on the respective streets. No parking of aircraft and/or automobiles shall be permitted on "aircraft" streets within this subdivision.

(d) No aircraft shall use said "aircraft" streets for any purpose whatsoever except to taxi from a private parking area within the boundaries of a parcel or lot in said subdivision to and from the airport taxi-way and/or landing strip and at a rate not to exceed 1,000 r.p.m. and/or fifteen (15) miles per hour, whichever may be the lesser speed.

(e) No aircraft shall be permitted on the "aircraft" streets designated herein without adequate brakes.

(f) No aircraft shall be permitted on "aircraft" streets without adequate landing lights, which shall be in operation thirty (30) minutes after sundown and thirty (30) minutes before sunrise, while aircraft is taxiing on the "aircraft" streets.

FOR SET ASSET

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(g) Aircraft proceeding within the subdivision shall yield the right-of-way to pedestrians and to regular vehicular traffic.

(h) Aircraft shall taxi at all times on the right side of the "aircraft" streets and shall comply with all posted traffic signs, signals, and any other traffic regulation device that may be employed for safety of vehicular operation.

(i) No owners, occupants, or guests shall disassemble for overhaul or repair major increments of any regular vehicle or aircraft or its power plant on any lot or lots within said subdivision. This restriction is not intended to preclude minor repairs or tune-up performed by an owner, occupant, or guest upon his own automobile or aircraft but is intended to prohibit major repairs involving dis-assembly of large parts which may remain for several days in unenclosed spaces such as drives, or plane ports. No repairs of any kind shall be performed commercially on automobiles or aircraft.

(j) No fuel or oil may be stored in an unenclosed area on any lot or lots.

(4) No buildings, fence, structures of any type, or any landscaping shall exceed three (3) feet in height for a distance of thirty-five (35) feet back from the front property line of any lot or lots heretofore designated "Air Park" lots. No buildings, fence, structures of any type (except street lights and mail boxes) shall exceed three (3) feet in height for a distance of twenty-five (25) feet back from the front property line of any lot or lots heretofore designated "R1" lots and/or "R2" lots. No structure or any part thereof shall be erected upon any lot or lots nearer to the street or streets adjacent thereto than thirty-five (35) feet from the front property line of an Air Park lot, and twenty-five (25) feet from the front lot line on all other lots in said subdivision, or closer than fifteen (15) feet to any side street line on any lots, or closer than ten (10) feet to any side lot line and no backyards shall be less than fifteen (15) feet deep.

(5) No buildings other than one detached single family, private residence, a private garage, or port for regular vehicles for the use of the occupants of such residence, and other usual and appropriate outbuildings, strictly incidental and appurtenant to a private residence shall be erected or maintained on any lot or plot in said subdivision excepting

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therefrom Lots No. 176-186, inclusive, and Lots No. 66, 110A, and 110B, inclusive, heretofore designated as "R2" lots which shall permit limited multi-family use in accordance with Section No. 9412 of the El Dorado County Department of Planning Regulations for "R2" Districts and/or such "R2" Regulations as may from time to time be amended by the El Dorado County Department of Planning but otherwise shall conform to the covenants and conditions of this Declaration.

Owners of lots heretofore designated Air Park lots may construct as an appurtenant structure to the single family dwelling a plane port which shall conform to the architecture of the residence and be an integral part and portion thereof, but otherwise such Air Park lots shall conform to the covenants and conditions of this Declaration.

The term "private residence" shall be construed as set forth in Regulation No. 9411, Regulations for R1 Districts of El Dorado County, Department of Planning, and/or as such R1 Regulations may from time to time be amended by the El Dorado County Department of Planning.

(6) No single family residence having a ground floor area exclusive of open porches, garage, car ports, plane ports or other buildings of less than 1,400 square feet shall be erected or permitted on any lot. No multi-family structure shall be erected or permitted on lots designated as "R2" lots which do not conform to the minimum area per dwelling unit and ratio of land to building area as set forth in Regulation No. 9412 of the El Dorado County Department of Planning.

(7) No trailer, basement, tent, shack, garage, car port, or other outbuildings shall be used as temporary or permanent residence, nor shall any residential structure be moved onto any lot or parcel from any other location. When the erection of a structure is once begun, the work thereon must be prosecuted diligently, and said structure must be completed within a reasonable time.

(8) No buildings, fences, walls, or other permanent structure shall be erected or altered or placed on any lot in said subdivision until building plans, specifications, and plot plans showing the location of the structures on the lot have been submitted to, and approved in writing, as to construction, conformity, and harmony of external design, and as not interfering with the reasonable enjoyment of

any other lot, by an architectural committee composed of Ray D. Henderson and Rowland F. Sweet. Upon failure of the committee or its designated representative to approve or disapprove such plans and specifications within thirty (30) days after the same have been delivered to the Committee, and a written receipt therefor received and/or delivered to the Committee by registered mail, approval thereof will be deemed to have been made, provided the proposed construction complies with all the provisions otherwise of this Declaration. If any member of the committee resigns, or is unable to act, the DECLARANT and/or its successors, agents, or assigns shall appoint a new member to fill that vacancy. Pending such appointment, the remaining member shall discharge the functions of the Committee. At any time the DECLARANT and/or its successors, agents, or assigns may, by recorded statement, relinquish the right herein reserved to appoint and maintain the Committee and at such time the then record owners of seventy-five (75) per cent or more of the lots in said subdivision may elect and appoint a committee of three (3) or more of such owners to assume and exercise all the powers and functions of the Committee specified herein. No member of any Architectural Committee, however created, shall receive any compensation or make any charge for his services as such.

(9) No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any lot, except that dogs, cats, or other household pets may be kept provided that they are not kept, bred, or maintained for any commercial purpose.

(10) No billboard or sign of any design shall be placed or maintained on said property without the written approval of the Architectural Committee, provided, however, that notwithstanding anything to the contrary contained in this instrument, the DECLARANT and its successors, agents, or assigns, may place or erect and maintain customary signs and offices for itself or its accredited agents upon said property, and such signs and offices may be moved from time to time to other locations on said property.

(11) No derrick or other structure designated for use in boring, mining, or quarrying for oil or natural gas or minerals shall ever be erected, placed, maintained, or permitted to remain upon any lot in said tract.

FOR [unclear] FILE [unclear]

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(12) No owners or occupants of any lot or plot in said subdivision shall place, store, park, or keep house-trailers or commercial-type vehicles of any kind on said premises, nor park said commercial-type vehicles in the street.

(13) No plane port or aircraft parking shall be permitted upon any lot or lots unless construction of an approved dwelling is underway and/or has been completed. No building materials of any kind may be stored on any lot or lots longer than ninety (90) days without being incorporated into an approved structure.

(14) No owners or occupants of any lot or plot in said subdivision may place, store, or keep building materials or appliances (except during the course of construction or remodeling which has been approved by the Architectural Committee) or other materials of any nature which detract from the residential character and aesthetic appearance of the neighborhood, or shall owners or occupants place, store, or keep unsightly boxes, bottles, or cans on premises unless kept at rear of lot, enclosed by fencing so that such unsightly objects may not be visible from the street on which said lot or plot fronts, or if a corner lot, from front and side streets.

(15) No owners or occupants shall create a nuisance to the neighborhood. For the purpose of this Declaration of Tract Restrictions, the word "nuisance" shall be defined as the commission of any act which shall be offensive to the DECLARANT, its successors, agents, or assigns, and/or seventy-five (75) per cent of the owners of property within a two hundred fifty (250) foot radius from the perimeter of any lot or parcel from which such nuisance may be created. The existence of such nuisance shall be determined when the DECLARANT, its successors, agents, or assigns, and/or seventy-five (75) per cent of the owners of property within the herein prescribed radius of the nuisance shall sign a notice addressed to and delivered to the owners of any lot or parcel on which such a nuisance is created, advising that the nuisance exists and requesting immediate abatement thereof. Such a notice shall be delivered by registered mail and within thirty (30) days after receipt thereof by the owners of any lot or parcel creating such nuisance, the notifying lot owners and/or DECLARANT, its successors, agents, or assigns may by appropriate proceedings institute legal action to enforce abatement.

(16) Any breach or violation of any of the conditions herein contained may be enjoined, abated, or remedied

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by appropriate proceedings by any owner or owners of a lot or lots in said subdivision and any damages for any breach of the terms, restrictions, and provisions of this Declaration are hereby declared not to be adequate compensation, and the continuation thereof may be enjoined, or abated by appropriate proceedings by the DECLARANT, its successors, agents, or assigns, or by the owner or owners of any other lot or lots in said subdivision.

(17) Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat and over the rear and side five (5) feet of each lot.

(18) If any restrictive covenant or condition herein specified, or any part thereof is invalid or for any reason becomes unenforceable, no other restriction, covenant, or condition, or any part thereof, shall become affected or impaired thereby.

(19) Nothing contained in this Declaration shall impair or defeat the lien of any mortgage or Deed of Trust made in good faith and for value, but title to any property subject to this Declaration obtained through sale in satisfaction of any mortgage or Deed of Trust, made in good faith and for value, shall hereinafter be held subject to all of the restrictions and provisions hereof.

(20) No lot in said tract shall be subdivided to front on any other street than that on which it now fronts.

(21) The various restrictive measures and provisions of this Declaration are declared to constitute mutual equitable covenants and servitudes for the protection and benefit of the lots or parcels in said subdivision and failure by the DECLARANT, its successors, agents, or assigns, or any other person or persons entitled so to do, to enforce any measure or provision upon violation thereof, shall not stop or prevent enforcement thereafter or be deemed a waiver of the right so to do.

(22) These covenants, restrictions, and agreements shall run with the land and shall continue in full force and effect until June 1, 2010, which time the same shall be automatically extended for successive periods of ten (10) years unless by a duly executed and recorded statement, the then

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EL DORADO
COUNTY RECORDER

After Recording Return to:
DORADO ESTATES
Box 173, SHIMALE SPRINGS, CAL.

AMENDMENT TO DECLARATION OF RESTRICTIONS THE GUARANTY CO.
AIR PARK ESTATES AND A RE-SUBDIVISION Nov 20 2 21 PM '67
OF LOT 459 OF CAMERON PARK NORTH UNIT #1

App. # 22000-8

WHEREAS, DORADO ESTATES, a California Corporation, herein-
after designated as DECLARANT, is the owner of seventy-five (75)% of
the lots in Air Park Estates and a re-subdivision of Lot #459, Cameron
Park North Unit #1, the original plat of which was recorded in the
office of the County Recorder of El Dorado County on February 14,
1967, in Book D of Maps, Page 78, and the Declaration of Restrictions
recorded February 14, 1967, in Book 821, Page 519;

NOW, THEREFORE, said DECLARANT hereby certifies and de-
clares the following amendments to the said heretofore recorded
Restrictions;

(1) The title of said heretofore recorded Restrictions
shall be amended from "Declaration of Restrictions, Air Park Estates,
Cameron Park North Unit #5" to "Air Park Estates and a Re-subdivision
of Lot #459 of Cameron Park North Unit #1."

(2) Paragraph #5, page 3 of the Declaration of Restrictions
heretofore recorded shall hereby and herewith be amended to include
Lots #16 through 26 inclusive, and Lots #189 through 193 inclusive
in the group of lots designated for "R-2" use, in accordance with the
re-zoning of said lots approved by the Board of Supervisors of El
Dorado County.

This Amendment shall become a part and portion of said here-
tofore recorded Declaration of Restrictions.

Dated this 16th day of November, 1967.

DECLARANT
DORADO ESTATES
Ray D. Henderson
Ray D. Henderson, President

21469

STATE OF CALIFORNIA)
COUNTY OF EL DORADO) ss.

On November 16, 1967, before me, the undersigned, a Notary Public in
and for said County and State, personally appeared Ray D. Henderson,
known to me to be the President of the Corporation which executed the
within instrument, and also known to me to be the person who executed
it on behalf of such Corporation, and acknowledged to me that such
Corporation executed the same and further acknowledged to me that
such Corporation executed the within instrument pursuant to its by-laws
or a resolution of its Board of Directors.

WITNESS My hand and official seal.

Signature *Ardean M. Walters*
Ardean M. Walters

ARDEAN M. WALTERS
Notary Public
El Dorado County
State of California

END OF DOCUMENT

My Commission Expires 11-15-68 372

Attachment 1

Recording Requested by
And once recorded return to:

David C. Becker
Becker, Runkle, Laurie, Mahoney & Day
263 Main Street
Placerville, CA 95667

El Dorado County Recorder
William Schultz Co Recorder Office
DOC- 2012-0030757-00
Check Number 4773
Monday, JUN 25, 2012 09:50:45
Ttl Pd \$21.00 Rept # 0001440481
KMV/C1/1-3

AIRPARK ESTATES CC&R AMENDMENTS 2012

Certificate of Amendment

The Declaration of Restrictions of Air Park Estates and a Re-subdivision of Lot 459 of Cameron Park North Unit #1 were originally recorded on February 14, 1967 in the Office of the El Dorado County Recorder at Book 821, Page 539. Those Restrictions were first amended as evidenced by a recording thereof on November 20, 1967 in the Office of the El Dorado County Recorder at Book 854, Page 372. The said restrictions benefit and burden the lands depicted and described in that certain subdivision known as Air Park Estates and a Re-subdivision of Lot 459 of Cameron Park North Unit #1 as such subdivisions were originally recorded on February 14, 1967 in the Office of the El Dorado County Recorder at Book D of Maps, at page 78. The said Declaration of Restrictions as amended provide for further amendment by the affirmative vote of at least 60% of the parcels entitled to vote.

The undersigned individual undertook to supervise an amendment process and hereby certifies and declares, under penalty of perjury, that the following amendments were duly adopted by the required 60% vote as of May 25, 2012.

AMENDMENT 1. Amendments to the said Restrictions on and after January 1, 2012 may be adopted in either of the following ways:

- A. Amendments pertaining to the uses, improvements and/or architectural controls upon parcels within the boundaries of the Cameron Park Airport District service area, as set forth in that certain resolution of El Dorado Local Agency Formation Commission dated October 27, 2010, may be approved by a 60% majority of the owners of parcels located in that District.
- B. Amendments pertaining to the uses, improvements and/or architectural controls upon parcels outside the boundaries of the Cameron Park Airport District service area, as set forth in that certain resolution of El Dorado Local Agency Formation Commission dated October 27, 2010, may be approved by a 60% majority of the owners of parcels located outside that District.

030757

Attachment 1

AMENDMENT 2. In paragraph (12) of the said Declaration of Restrictions, the prohibition of "House-Trailers" shall mean and refer to mobile homes only and shall not be interpreted to prohibit recreational vehicles of any type.

AMENDMENT 3. Recreational Vehicles which are located upon Air Park Estates parcels for more than 10 consecutive days must be screened from view so as to ensure at least 50% of the RV is not visible to passing motorists because of landscaping, fences, topography or other structures. Without limiting the other ways in which an RV may be screened, screening may also be deemed adequate if the RV is stored behind a fence the first six feet in height of which is solid and the next two feet, if necessary, permits no more than 50% visibility.

The original written ballots have been delivered to the CC&R Enforcement Officer, Cameron Park Community Services District, 2502 Country Club Drive, Cameron Park, CA 95682, and the same may be inspected during normal office hours of that agency.

I, David C. Becker, do hereby declare under penalty of perjury that the foregoing facts are true and correct, based upon my own personal knowledge. Executed this 25 day of June, 2012, at Placerville, California.



David C. Becker
For: Air Park Estates

030757

Attachment 1

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
COUNTY OF El Dorado)

On 6/25/12 before me, Erin H. Putzel Notary Public
DATE INSERT NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared, David C. Becker

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/hers/their authorized capacity(ies), and that by his/hers/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Erin H. Putzel (SEAL)
NOTARY PUBLIC SIGNATURE



OPTIONAL INFORMATION

THIS OPTIONAL INFORMATION SECTION IS NOT REQUIRED BY LAW BUT MAY BE BENEFICIAL TO PERSONS RELYING ON THIS NOTARIZED DOCUMENT.

TITLE OR TYPE OF DOCUMENT _____

DATE OF DOCUMENT _____ NUMBER OF PAGES _____

SIGNERS(S) OTHER THAN NAMED ABOVE _____

SIGNER'S NAME _____ SIGNER'S NAME _____

RIGHT THUMBPRINT

RIGHT THUMBPRINT

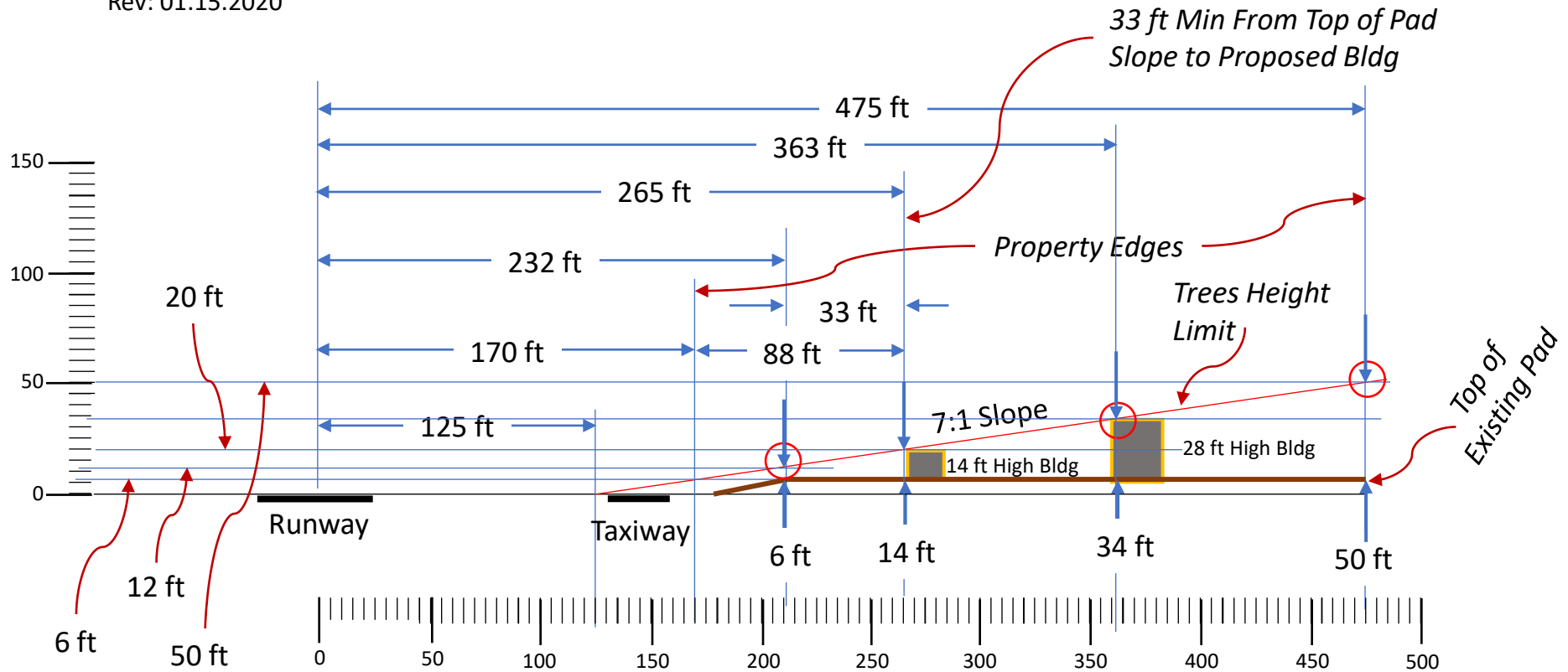
06/25/2012, 20120030757

To order supplies, please contact McGlone Insurance Services, Inc. at (916) 484 0804.

Attachment 2

Airpark Self Storage Project FAA Part 77 Airspace Analysis

Rev: 01.15.2020



LENGTHS AND DISTANCES ARE APPROXIMATE



TSA Guidelines for General Aviation Airport Operators and Users, Section 6.3.7

Clear areas - security effectiveness of perimeter fencing is materially improved by the provision of clear areas on both sides of the fence, particularly in the vicinity of the terminal and any other critical facilities. Such clearance areas facilitate surveillance and maintenance of fencing and deny cover to vandals and trespassers. Suggested clear distances range from 10 to 30 feet, within which there should be no climbable objects, trees, utility poles; nor areas with stackable crates, pallets, storage containers, or other materials abutting the fence line. Likewise, the parking of vehicles along the fence line should also be minimized. In addition, landscaping within the clear area should be minimized or eliminated to reduce potential hidden locations for persons, objects, fence damage, and vandalism.

CA PUC 21403

(a) Flight in aircraft over the land and waters of this state is lawful, unless at altitudes below those prescribed by federal authority, or unless conducted so as to be imminently dangerous to persons or property lawfully on the land or water beneath. The landing of an aircraft on the land or waters of another, without his or her consent, is unlawful except in the case of a forced landing or pursuant to Section 21662.1. The owner, lessee, or operator of the aircraft is liable, as provided by law, for damages caused by a forced landing.

(b) The landing, takeoff, or taxiing of an aircraft on a public freeway, highway, road, or street is unlawful except in the following cases:

(1) A forced landing.

(2) A landing during a natural disaster or other public emergency if the landing has received prior approval from the public agency having primary jurisdiction over traffic upon the freeway, highway, road, or street.

(3) When the landing, takeoff, or taxiing has received prior approval from the public agency having primary jurisdiction over traffic upon the freeway, highway, road or street.

The prosecution bears the burden of proving that none of the exceptions apply to the act which is alleged to be unlawful.

(c) The right of flight in aircraft includes the right of safe access to public airports, which includes the right of flight within the zone of approach of any public airport without restriction or hazard. The zone of approach of an airport shall conform to the specifications of Part 77 of the Federal Aviation Regulations of the Federal Aviation Administration, Department of Transportation.

CA PUC 21659

(a) No person shall construct or alter any structure or permit any natural growth to grow at a height which exceeds the obstruction standards set forth in the regulations of the Federal Aviation Administration relating to objects affecting navigable airspace contained in Title 14 of the Code of Federal Regulations, Part 77, Subpart C, unless the Federal Aviation Administration has determined that the construction, alteration, or growth does not constitute a hazard to air navigation or would not create an unsafe condition for air navigation.

(b) Subdivision (a) does not apply to a pole, pole line, distribution or transmission tower, or tower line or substation of a public utility, as specified in Section 21658.

El Dorado County ALUCP Section 2.4.3

2.4.3. Interim Mandatory Referral of Major Land Use Actions: In addition to the actions listed in Policies 2.4.1 and 2.4.2 for which referral to the ALUC is always required, referral of certain other actions is mandatory as follows. (a) During the interim mandatory review period, all “Major Land Use Actions” of the types listed in Policy 2.4.5 are required to be referred to the ALUC for review. Referral of lesser actions of types not included on the list is optional.¹⁹ (b) Referral of Major Land Use Actions” is mandatory only until such time as:

El Dorado County ALUCP Section 4.4.3

4.4.3. Other Flight Hazards: Land uses that may cause visual, electronic, or wildlife hazards, particularly bird strike hazards, to aircraft in flight or taking off or landing at the airport shall be allowed within the airport influence area only if the uses are consistent with FAA rules and regulations. (a) Specific characteristics to be avoided include: (1) Sources of glare (such as from mirrored or other highly reflective buildings or building features) or bright lights (including search lights and laser light displays); (2) Distracting lights that could be mistaken for airport lights; (3) Sources of dust, steam, or smoke that may impair pilots’ vision; (4) Sources of steam or other emissions that cause thermal plumes or other forms of unstable air;