

**4:45 p.m.**

Workshop & Light Refreshments in the County Council Conference Room

**5:30 p.m.**

Call to order

Opening remarks/Pledge – Chris Sands

Review and approval of agenda

Review and approval of the minutes of the 2 December 2021 meeting

**5:35 p.m.****Regular Action Items**

1. **Public Hearing (5:35 PM) Cutler Valley Rezone** – A request to rezone 65.7 acres located at approximately 6600 North Highway 23, near Newton, from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone. A rezone to RU5 Zone would allow for a maximum potential of 13 buildable lots for single family residential, whereas the existing A10 Zone allows for a maximum of 6 buildable lots.
2. **Hollow Ridge RV Campground Conditional Use Permit** – A request to operate a recreational facility (i.e., RV campground) located at ~1400 East 300 South, near Smithfield, in the Agricultural (A10) Zone. *Continued from 2 December 2021*
3. **Holyoak Airport Conditional Use Permit** – A review of the existing Conditional Use Permit (CUP) to operate a private airport to determine the status of the CUP, compliance with the conditions of approval, and to determine if the CUP meets the County Code requirements for revocation of the approval. The private airport is located at 6523 West 400 South, near Mendon, the Agricultural (A10) Zone. *Continued from 2 December 2021*
4. **Training Opportunity:** Utah Land Institute - Planning and Zoning Seminar: Wednesday, 9 February 2022, Cache County Event Center, 2 sessions available (1:30pm-4:30pm or 6:00pm-9:00pm). Register at <https://utahlanduse.org/seminars/>

Board Member Reports

Staff reports

Adjourn

## **Public Participation Guide: Planning Commission**

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This document is intended to guide citizens who would like to participate in a public meeting by providing information about how to effectively express your opinion on a particular matter and the general powers and limitations of the Planning Commission.

### **When Speaking on an Agenda Item**

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Once the Commission opens the public hearing or invites the public to comment on a public meeting agenda item, approach the podium to comment. Comments are limited to 3 minutes per person, unless extended by the Chair of the Planning Commission.

When it is your turn to speak:

1. State your name and address and the organization you represent, if applicable.
2. Indicate whether you are for or against the proposal.
3. Make your statement.
  - a. Include all pertinent facts within your knowledge;
  - b. Avoid gossip, emotion, and repetition;
  - c. Comments should be addressed to the Commission and not to individuals in the audience; the Commission will not allow discussion of complaints directed at specific individuals;
  - d. A clear, concise argument should focus on those matters related to the proposal with the facts directly tied to the decision you wish the Commission to make without repeating yourself or others who have spoken prior to your statement.

### **Legislative (Public Hearing) vs. Administrative (Public Meeting) Functions**

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The Planning Commission has two roles: as a recommending body for items that proceed to the County Council for final action (legislative) and as a land use authority for other items that do not proceed to the County Council (administrative).

When acting in their legislative capacity, the Planning Commission has broad discretion in what their recommendation to the County Council will be and conducts a public hearing to listen to the public's opinion on the request before forwarding the item to the County Council for the final decision. Applications in this category include: Rezones & Ordinance Amendments.

When acting in their administrative capacity, the Planning Commission has little discretion and must determine whether or not the landowner's application complies with the County Code. If the application complies with the Code, the Commission must approve it regardless of their personal opinions. The Commission considers these applications during a public meeting and can decide whether to invite comment from the public, but, since it is an administrative action not a legislative one, they are not required to open it to public comment. Applications in this category include: Conditional Use Permits, Subdivisions, & Subdivision Amendments.

### **Limits of Jurisdiction**

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The Planning Commission reviews land use applications for compliance with the ordinances of the County Land Use Code. Issues related to water quality, air quality, and the like are within the jurisdiction of the State and Federal government. The Commission does not have authority to alter, change, or otherwise act on issues outside of the County Land Use Code.





**Planning Commission Minutes**

**2 December 2021**

**Item**

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- 11. Elections for Chair and Vice Chair ..... 8**

**Present:** Angie Zetterquist, Chris Harrild, Tim Watkins, Brady Christensen, Chris Sands, Melinda Lee, Phillip Olsen, Brandon Spackman, Lane Parker, Nolan Gunnell, Taylor Sorensen, John Luthy & Matt Phillips.

**Start Time: 05:30:00**

**Spackman** called the meeting to order. Phil Olsen's ten year service appreciated as he will no longer be on the commission. **Olsen** gave the opening remarks.

### **Agenda**

Approved with no changes.

### **Minutes**

***Parker** motioned to approve the minutes from November 4, 2021; **Melinda Lee** seconded; **Passed 6, 0.***

### **Consent Items**

**Zetterquist** reviewed and addressed the comments received for items #1 and #2 and stated both items meet the requirements for the consent agenda

#### **#1 Mark Stewart Subdivision 2<sup>nd</sup> Amendment**

***Olsen** motioned to approve the consent agenda based on the findings and conclusions as written; **Lee** seconded; **Passed 6, 0***

### **Regular Action Items**

#### **#2 Reminder**

**Staff** reminded the Commissioners of the new State mandated annual required training hours. Training has to be completed by January 2022 for current PC board to participate.

#### **#3 Public Hearing (5:35 PM): Lewis Rezone**

**Zetterquist** reviewed the staff report for the Lewis Rezone.

***Sands** motioned to open the public hearing for the Lewis Rezone; **Parker** seconded; **Passed 6, 0***

**Emili Culp** – Agent for parents/owners of Lewis Rezone application. Owners initially sought to annex into Hyrum, but after negotiations failed are looking to rezone.

**Jeannie Brunson** – Emili Culp's sister, here to support opportunity to use land. Says family is not interested in maximum development.

**Matt Holmes** – Hyrum City Engineer. He confirms yearlong process of working with Lewis'. Future development is taken into account of this land and other land owners. City is opposed to the rezone, would be better served as a City development.

**Steve Miller** – Neighbor to Lewis, but is supporting Hyrum City's effort to work with land owner and wants to see future development in line with City master plan.

**Stephen Morrey** – Hyrum resident concerned with continuity and traffic patterns. Pedestrian & bicycle traffic often found along this area and would be a concern for future development for safety reasons.

**David Culp** – Supports Lewis Rezone. Land was purchased 17 years ago when area was not developed. As time passed new homes built under permission of Hyrum city to the current population of this area. He asks why this request is not granted same allowances enjoyed by current homeowners.

**Michael Nelson** – Resident near Lewis' and felt the city worked with home owner. Does not support Lewis rezone due to density. Road issues would reduce property frontage and create a hazard. Recommends larger lots and less density.

**Joni Miller** – Made clarification to lot size. Has lived there for 31 years and found only 3 to 4 additional homes have been added in that time.

**Emili Culp** – Responds to comments. Shared that city required a major collector road be paid for by Lewis' at millions of dollars to provide, yet no access to that road. Other changes were made by city per agreement.

*Christensen motioned to close the public hearing; Sands seconded; Passed 6, 0.*

**Commissioners** discussed the rezone's impact on the surrounding area and Hyrum's position on the request.

*Christensen motioned to recommend denial to the County Council for the Lewis Rezone; Parker seconded; Passed 6, 0.*

#### **#4 Public Hearing (5:50 PM); Brooks Hansen Smithfield West Rezone**

**Zetterquist** reviewed the staff report for the Brooks Hansen Smithfield West Rezone.

*Olsen motioned to open the public hearing for the Brooks Hansen Smithfield West Rezone; Lee seconded; Passed 6, 0*

**Brooks Hansen** commented on the history of the property and a previous rezone request. Previously denied, but completed road improvements for residence and looking to rezone again.

**Jeff Barnes** commented as Mayor of Smithfield. Stated the city did not comment by letter prior to meeting as they are not anticipating annexing in this area as the railroad tracks obstruct connection city services to this area.

*Sands motioned to close the public hearing; Christensen seconded; Passed 6, 0*

**Commissioners** and **Staff** discussed the RU2 zone, the history of the subject property, and the expansion of Smithfield City boundaries since the previous request.

*Sands* motioned to recommend approval to the County Council for the Brooks Hansen Smithfield West Rezone based on the findings of fact and conclusions; **Parker** seconded, **Passed 6, 0**.

#### **#5 Public Hearing (6:05 PM); Cub River Estates I Rezone**

**Zetterquist** reviewed the staff report for the Cub River Estates I Rezone recommending denial due to access and excessive slope.

**Commissioners** discussed access due to the steep slopes and recommended a continuance to allow applicant to confirm access.

*Parker* motioned to open the public hearing for the Cub River Estates I Rezone; *Sands* seconded; **Passed 6, 0**

**Todd Davis** commented as the owner of the property that he had an engineer review the slope and potential access and the engineer said it was possible, but engineer not in attendance.

*Christensen* motioned to close the public hearing; *Olsen* seconded; **Passed 6, 0**

**Commissioners** requested applicant provide staff with analysis confirming access will meet the requirements of the Road Manual.

*Christensen* motioned to continue the item for up to 90 days to allow the applicant to work with staff on confirming the access; *Lee* seconded; **Passed 6, 0**

#### **#6 Public Hearing (6:20 PM); Cub River Estates II Rezone**

**Zetterquist** reviewed the staff report for the Cub River Estates II Rezone.

*Parker* motioned to open the public hearing for the Cub River Estates II Rezone; *Sands* seconded; **Passed 6, 0**

**Todd Davis** commented that the land is currently a feed lot for cattle and is no longer suitable for agricultural purposes. Land is better used for homes.

*Christensen* motioned to close the public hearing; *Lee* seconded; **Passed 6, 0**

**Commissioners** discussed the rezone request.

*Sands* motioned to recommend approval to the County Council for the Cub River Estates II Rezone based on the findings of fact and conclusions; **Parker** seconded; **Passed 6, 0**

#### **#7 Valley View Self Storage Conditional Use Permit**

**Watkins** presented the previously approved site plan and elevations. Applicant is proposing changes to the exterior elevation from masonry to metal due to masonry materials not available in near future.

**Nathan Daus** commented on supply chain issues for masonry materials and delay will negatively impact their development schedule.

*Olsen motioned to approve the modification of materials; Christensen seconded; Passed 6, 0*

**John Luthy** reminded public of State and County Code requirements of Conditional Use Permits.

**#8 Hollow Ridge RV Campground Conditional Use Permit**

**Watkins** reviewed the staff report for the Hollow Ridge RV Campground Conditional Use Permit.

**Christensen** asked staff questions regarding the proposed use including site development, access from the public road, and whether a fence is required.

**Parker** asked staff if there was a fire containment plan.

**Staff** responded that the fire marshal had reviewed and commented on the CUP and stated there would be additional restrictions in place in high fire season. Confirmed that Cache County will provide fire and police protection.

**Jeff Barnes** read letter from Smithfield City opposing the CUP.

*Sands motioned to extend the meeting to 9:00 PM; Lee seconded; Passed 6, 0*

*Sands motioned to open the meeting to public comment; Christensen seconded; Passed 6, 0*

**Nate Whittaker** commented that he applied for Annexation to Smithfield but was denied. He has read all the concerns and comments from public. Concerns would be mitigated if a camp host could stay on site longer than 30 days. Cache County will respond to any fire issues, also working with Smithfield City. Water well has been dug and provides sufficient pressure for fire response. Will comply with additional recommendations. Providing a sewer dump encourages visitors to stay longer. If shower facility is recommended he would comply. Water holding tank is agreeable to install. Gravel road initially proposed but would upgrade to solid road material.

**Ted Stokes** commented that he was acting on behalf of the majority of neighbors present in the audience and requested longer time to comment. Recommends denial of the CUP as there is no proposed 24 hour surveillance, will result in a drastic increase of gun range usage as there are no other amenities in the area, negative impacts of odor, smoke, & air quality on adjacent property owners, potential for significant noise impact on the surrounding community from 64 campsites, traffic increase, various vehicle usage (motorcycle, 4 wheelers, razors, cars, trucks, bicycle, scooters), drug or alcohol usage by patrons of the campsite leading to increase of criminal activity in surrounding neighborhoods, detriment of visual (natural land) impairment. Commented that the potential negative impacts from the proposed use cannot be mitigated and the CUP must be denied.

**Lindsay Black** – Smithfield resident near RV property. Not in favor of CUP passing. High pedestrian impact due to school children that are walking to/from school. No busses are in this area

**Sue Anne Matthews** – Nearby resident to the RV property. Not in favor of CUP. Inquired if property owner has permission to access the RV property from the adjacent property owner where the road is located. Camp site host would help, but is not allowed.

**Darryl Benson** – Smithfield resident commented that there are only 3 dump stations in Cache Valley. Commented that he had operated a RV campground years ago and that facility was required to have leach fields as well as a 6” water line. Observed that vehicles do not obey the speed limits in this area and large trailers and RVs will not be able to stop in time if a child runs into the road.

**Katie Hanks** asked if digging another well allowed and if the property owner has sufficient water rights. Asked what jurisdiction is responsible to respond to emergency calls at the campground. Commented that there is currently not enough emergency service manpower to answer calls already needed from Smithfield residents in that area.

**Nate Whitaker** responded to the public comments. Current plan is for 40 sites. If campground was successful, then he plans to add 10-12 more sites. Commented that the public made a lot of assumptions about the number of people, gun use, and disruptions. His intention was to have a place for professional short term use, such as travel nurses. The busiest time would be in summer months when children are not at school.

**Commissioners** closed public comment and discussed issues and concerns raised.

**Parker** remarks there is no provision for a water holding tank or how large it should be. Suggests condition on holding tank for either potable water or fire prevention. Above ground or underground? Review 24hr/30day ordinance for Camp host.

**Spackman** reviewed the concerns of the public. Concludes that project is a good thing, but in the wrong area due to current surroundings and established neighborhood. Question of phases to add campsites would have to come back to Planning Commission. Solution could be to limit sites requested.

**Christensen** recommends asphalt pavement throughout campground if approved and would consider a condition requiring a containment fence. Asked if the number of camp sites can be limited based on water availability.

**Lee** states that she understands concerns from citizens. Issue of increased smoke and traffic is not compelling enough to deny CUP. Water availability is part of the conditions of approval for this application. States there is a collective desire of the Commission to see a 24 hr./30day on-site camp host.

**Chris Sands** stated his main concern is the lack of a dump station on site. Would consider requiring an on-site dumping facility or a service truck to come and serve campers. Health department would have a perspective on this.

**Harrild** responded that an on-site dump was not on original CUP and the Bear River Health Department has not been consulted about requirements for a dump station. Noted areas of concern throughout this discussion. Recommends Commission to draw up clarifications to resolve concerns as noted throughout public comment during meeting. Fire district has been consulted and their recommendations are respected in CUP. Consider office-on-site clause to amend conditional use for campsite host. Clarification needed on whether 30 day residence refers to person or vehicle parked on camp site.

**Gunnell** commented that the increase traffic use is concerning as it is located near an elementary school. Traffic impact study may influence decision.

**J. Barnes** confirms that Smithfield City will not provide any resources for the proposed RV campground.

**Christensen** motioned to continue the item up to 90 days to allow time for applicant to provide additional information to staff for review; **Sands** seconded; **Passed 6, 0**.

**Parker** motioned to extend the meeting to 9:30 PM; **Sands** seconded; **Passed 6, 0**

#### **#9 Holyoak Airport Conditional Use Permit**

**Harrild** reviewed the prior 2016 CUP conditions. Staff recommendation is to postpone to the January or February 2022 Planning Commission Meeting. Action on revoking CUP delayed to give Holyoak airport representative and Staff time to respond to additional information.

**John Luthy** advised Commission on how to determine CUP compliance.

**Sands** motioned to extend meeting to 10pm; **Christensen** seconded; **Passed 6, 0**.

**Parker** motioned to open hearing to public comment; **Christensen** seconded. **Passed 6, 0**.

**Joe Chambers** – Represent owners Nathan & Rachel Holyoak – Landing strip application was designed for most demanding aircraft. Evidence produced that air strip is used more than once a year by less demanding aircraft. Cache County Code was reviewed for understanding and clarification. Landing strip can be placed at an angle to not impede property structure. Revoking CUP is assumed that most demanding aircraft is being used. Joe complains that Planning Commission is acting out of authority to present a revocation. Joe was asked if he read the Planning Commission packet with Staff review of meeting items. He responded that he did not read the P.C. packet provided for this meeting.

**Luthy** commented that Chris Harrild is not acting as an attorney representative, but as staff of Development Services. Code language clarified and requests clear intent by applicant. Recommends continuance so applicant & staff have time to respond.

**Rachel Holyoak** commented that she is confused on Staff requirements. Needs clarification to see if amendment is needed.

**Harrild** responded that an application for amendment to CUP could be done, unless the revocation is imminent.

**Luthy** commented that it would be helpful if applicant would clearly state what is possible as alternative to meet standards of CUP. Regulation is result for fair countywide decisions.

**Parker** motioned to extend meeting to 10:30 PM; **Lee** seconds; **Passed 6, 0**

**Dan Dygert** commented that he has sworn testimony that landing strip has not been used in 4 years. Applicant should provide proof that landing strip has been used. FAA may need to clarify comments.

**Jason Rich** quoted from original CUP approval that development rights of surrounding properties would take precedence over landing strip request. Concerned that airport is taking priority over surrounding homeowners.

**Nate Benson** – Neighbor near landing strip. Has lived through the entire Holyoak CUP process. Witnessed a ‘Cub’ land only a couple times, after which landings were done on County road. Witnessed a hanger getting built when it seemed an irregular structure outside covenants approved for that area. Surrounding lots had CUP to build nice homes with no way amend CUP without agreement to Circular.

**Tina Howard** – Next door neighbor to airstrip. Date FAA recorded the airport, is not in 2020. Barros and Rupert’s are other two neighbors whose boundaries could conflict with structures close to Holyoak properties. Stated that Nate Benson’s comment of Cub landing on propeller was not reported to FAA.

***Parker** motioned to continue item up to 90 days to have specifics on areas of concern and provide evidence of air strip use over the last 12 months; **Sands** seconded; **Passed 6, 0***

#### **#10 Discussion: Amending the Use Related Definition, 5810 Private Airport**

**Harrild** reviewed staff report and need to address amending the definition.

**Gunnell** commented that an overlay zone may be a solution for small private airports.

**Lee** commented that noise levels of tolerance are different, for different people. Zoning conditions should be pursued, for example, an RPZ.

***Parker** motioned to extend meeting to 10:45pm; **Lee** seconded; **Passed 5, 1** (Olsen opposed)*

#### **#11 Elections for Chair and Vice Chair**

**Commissioners** discuss filling positions for Chair and Vice Chair.

***Christensen** motioned to nominate Chris Sands as Chair; **Lee** seconded; **Passed 5, 1** (Sands opposed)*

***Olsen** motioned to nominate Melinda Lee as Vice Chair; **Christensen** seconded; **Passed 6, 0***

**Adjourned at 10:45pm**



## Staff Report: Cutler Valley Rezone

3 February 2022

This staff report is an analysis of the application based on adopted county documents, standard county development practices, and available information. The report is to be used to review and consider the merits of the application. Additional information may be provided that supplements or amends this staff report.

**Agent:** Sue Griffin

**Parcel ID#:** 13-029-0002

**Staff Recommendation:** Approval

**Type of Action:** Legislative

**Land Use Authority:** Cache County Council

### Location

*Reviewed by Angie Zetterquist*

**Project Address:**

~6600 North Highway 23  
near Newton

**Acres:** 65.72

**Current Zoning:**

Agricultural (A10)

**Proposed Zoning:**

Rural 5 (RU5)

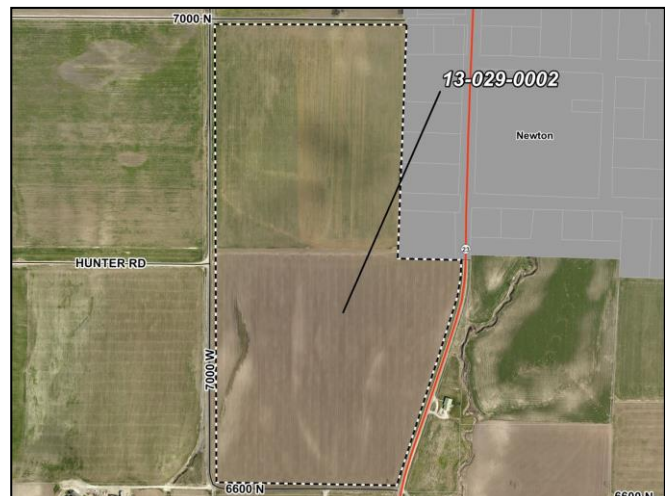
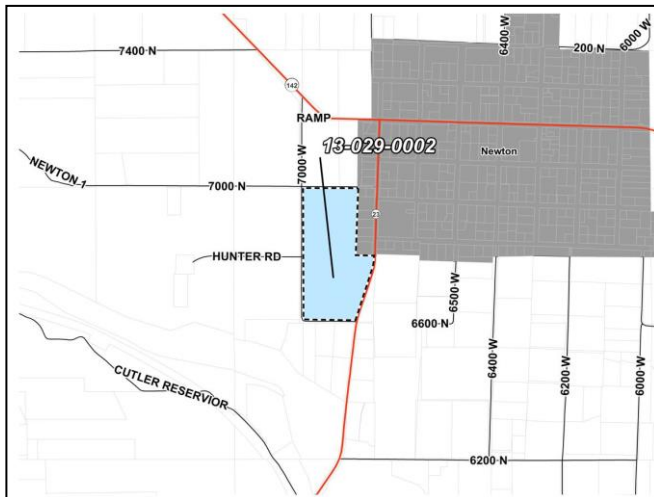
**Surrounding Uses:**

North – Agricultural

South – Residential

East – Residential/Newton

West – Agricultural/Residential



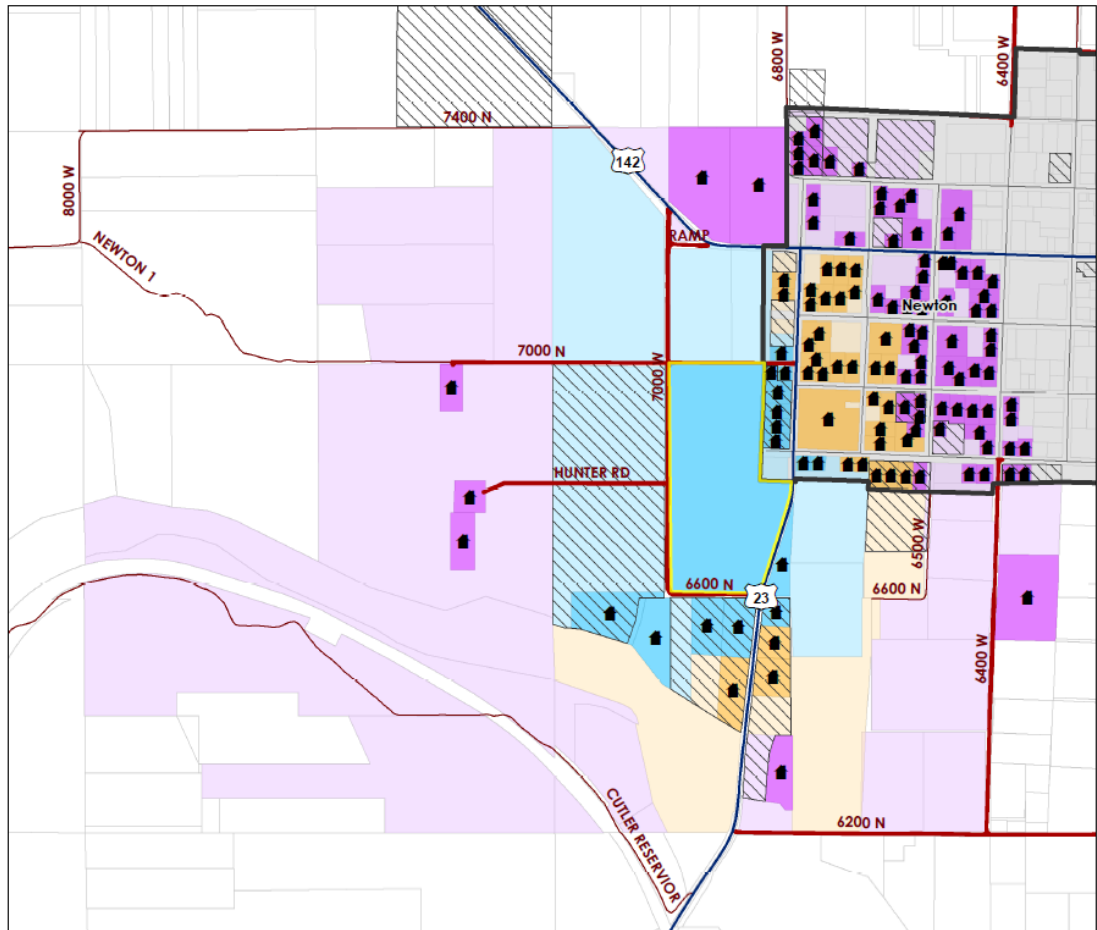
## Findings of Fact

### A. Request description

1. A request to rezone 65.72 acres from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone.
2. This rezone may allow the parcel to be legally divided into a maximum potential of 13 separate lots as part of a subdivision process.
3. Staff has identified general information as pertains to the subject property to assist the Planning Commission and County Council in arriving at a decision. This information is reflected in the attached map (Attachment A) and in the following text:

a. Land Use Context:

- i. Parcel status: The subject property is legal as it is in the same configuration as it was on August 8, 2006.
- ii. Average Lot Size: (See Attachment A)



Average Parcel Size	
Adjacent Parcels	With a Home: 5.2 Acres (6 Parcels)
	With a Home in Newton City: 1 Acres (9 Parcels)
	Without a Home: 35.6 Acres (8 Parcels)
	Without a Home in Newton City: 1.5 Acres (6 Parcel)
1/4 Mile Buffer	With a Home: 4.8 Acres (9 Parcels)
	With a Home in Newton City: 1.4 Acres (40 Parcels)
	Without a Home: 26.8 Acres (15 Parcels)
	Without a Home in Newton City: 1.5 Acres (15 Parcels)
1/2 Mile Buffer	With a Home: 7 Acres (16 Parcels)
	With a Home in Newton City: 1.1 Acres (107 Parcels)
	Without a Home: 27.6 Acres (40 Parcels)
	Without a Home in Newton City: 1.5 Acres (41 Parcels)

- iii. **Schedule of Zoning Uses:** Under the current County Land Use Ordinance, the RU5 Zone is more restrictive in the uses allowed when compared to the Agricultural (A10) Zone. There are no uses that are allowed as a permitted or conditional use within the RU5 Zone that are not allowed as a permitted or conditional use within the A10 Zone. The following uses are conditional uses in the A10 Zone but are not allowed in the RU5 Zone:
  - Agricultural Manufacturing
  - Recreational Facility
  - Cemetery
  - Private Airport
  - Concentrated Animal Feed Operation
  - Livestock Auction Facility
  - Topsoil Extraction
- iv. **Adjacent uses:** The properties adjacent to the subject rezone are primarily used for agriculture, single family dwellings, and the boundary of Newton is immediately adjacent on the east boundary. The parcels located in Newton immediately adjacent to the subject property are zoned Single Family Residential Zone (R-1). Based on Newton's Land Use Ordinance, the R1 Zone requires a minimum lot size of a ½ acre, a minimum lot frontage of 148 feet, and a maximum density of 2 units/acre. Comparably, the County's RU5 Zone requires a minimum lot size of ½-acre and a minimum frontage of 90 feet with a maximum density of 1 lot for every 5 acres.
- v. **Annexation Areas:** The Newton future annexation area covers a portion of the subject property on the north and east sides, but approximately 35 acres on the south and west areas of the property is not located within the future annexation area.
- vi. **Zone Placement:** As identified by the Planning Commission and the County Council at the time the RU5 Zone was adopted, the intended/anticipated placement of this zone was in areas of the unincorporated county adjacent to municipalities. The nearest RU5 zone is north of the subject property approximately 6.2 miles away as the crow flies. This RU5 zone, the Riggs Rezone, included a total of 12.55 acres and was approved in 2021 (Ordinance 2021-11), which will allow a maximum of 2 buildable lots. At this time, a subdivision application has not been submitted for this RU5 property. Staff recommends the use of a cluster-type development that considers existing agricultural use.

**B. Ordinance—§12.02.010, §17.02.060; §17.08.030 [C]**

- 4. As per §17.02.060, Establishment of Land Use Authority, the County Council is authorized to act as the Land Use Authority for this application.
- 5. The current County Land Use Ordinance does not specify appropriate locations for the Rural 5 (RU5) Zone but does contain possible guidelines for its implementation. County Land Use Ordinance §17.08.030 [B] [1] identifies the purpose of the RU5 Zone and includes the following:
  - a. "To allow for residential development in a low density pattern that can allow for rural subdivisions and smaller scale agricultural uses. This type of development should be located and designed to not unreasonably impede adjacent agricultural uses, nor to unreasonably conflict with the development standards of adjacent municipalities.

- b. To implement the policies of the Cache Countywide Comprehensive Plan, including those regarding improved roadways, density based residential standards, clustering, moderate income housing and municipal standards.
  - c. This zone must be appropriately served by suitable public roads, have access to the necessary water and utilities, and have adequate provision of public services.”
- 6. Consideration of impacts related to uses allowed within the RU5 Zone will be addressed as part of each respective approval process required prior to site development activities.

**C. Access—16.04.040 [A], 16.04.080 [E], Road Manual**

- 7. The Road Manual specifies the following:
- 8. §16.04.040 [A] Roads – All roads must be designed and constructed in accordance with Title 12 of the County Code.
- 9. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).
- 10. A basic review of the access to the subject property identifies the following:
- 11. The subject property has frontage and direct access from 6600 North, 7000 North, and 7000 West, all County roads.
  - a. 6600 North, 7000 North, and 7000 West:
    - i. All are existing county facilities that provide access to a few single family home, but mostly provide access to agricultural land.
    - ii. Are classified as Minor Local roads.
    - iii. The roads consist of an average of 18-19-foot-wide paved surface
    - iv. All roads are substandard as to paved width and gravel shoulders.
    - v. 7000 North and 7000 West are also substandard as to the required 66-feet of dedicated right-of-way.
    - vi. Though the roads are considered substandard, the County Engineer believes the improvements required will be minimal.
    - vii. All three roads are maintained year around.

**D. Service Provisions:**

- 12. §16.04.080 [C] Fire Control – The County Fire District had no comments on the rezone. Future access must be reevaluated and may require improvements based on the location of any proposed structure on lots created through a subdivision process.
- 13. §16.04.080 [F] Solid Waste Disposal – Logan City Environmental provides refuse collection for the subject property, but did not have any comments on the rezone request.

**E. Public Notice and Comment—§17.02.040 Notice of Meetings**

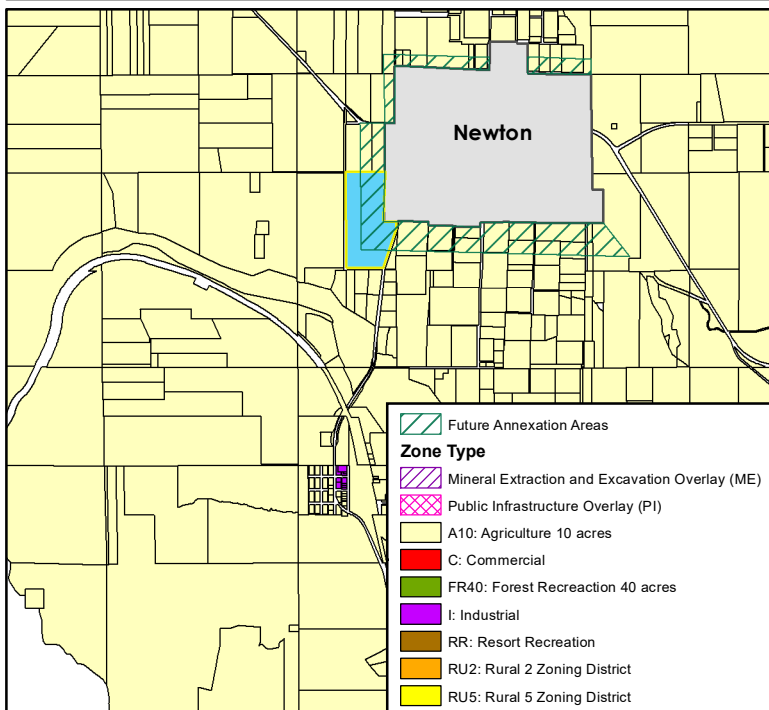
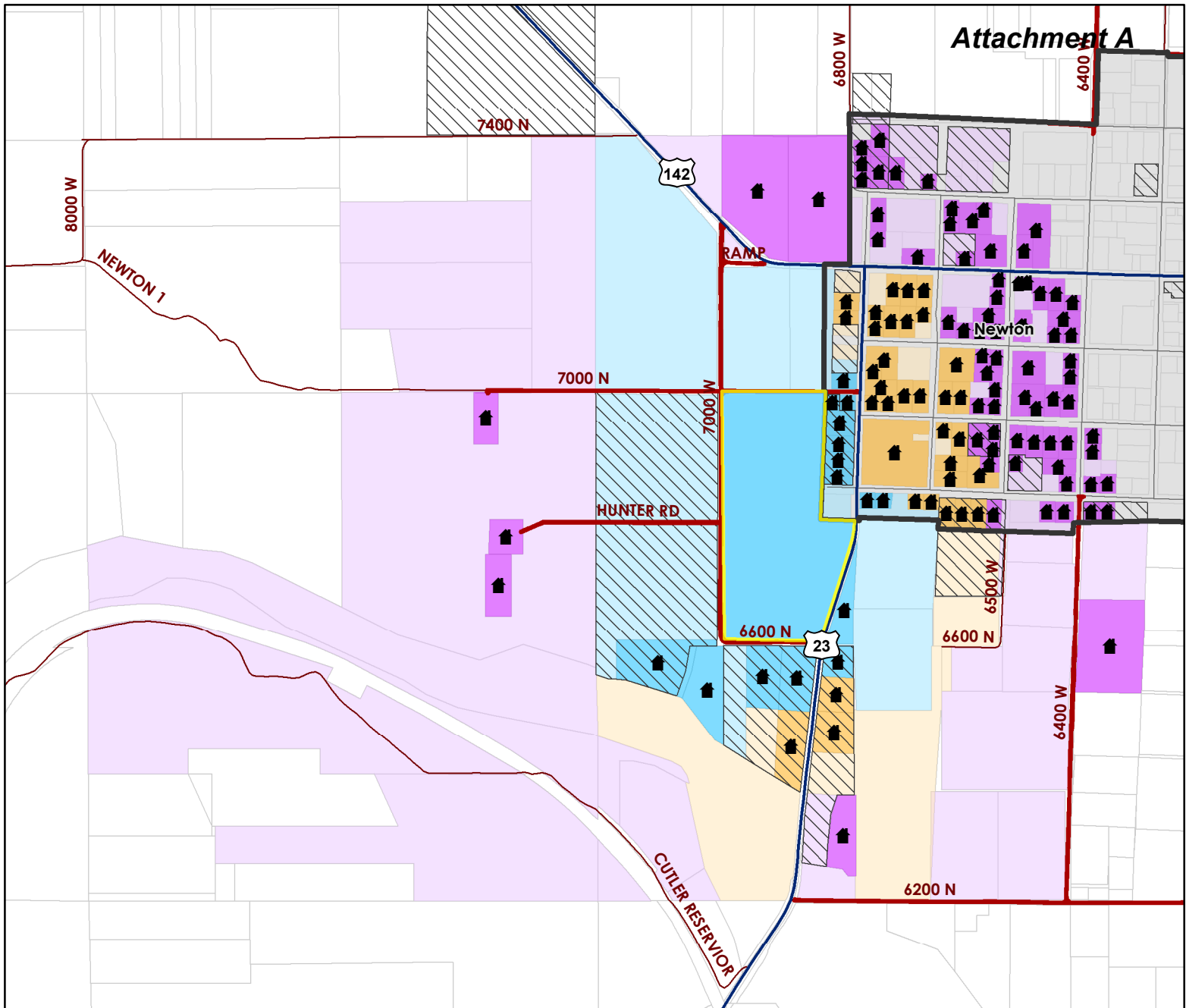
- 14. Public notice was posted online to the Utah Public Notice Website on 21 January 2022.
- 15. Notices were posted in three public places on 21 January 2022.
- 16. Notices were mailed to all property owners within 300 feet and Newton on 20 January 2022.
- 17. At the time of the application submittal, the applicant provided a letter from Newton Town (Attachment B). In the letter, it states the Newton Planning Commission did not oppose the development and the Town Council was split between concern and support, but former Mayor Rhodes listed a number of personal objections to the proposal. No other written public comment regarding this proposal has been received by the Development Services Office.

## **Recommendation and Conclusion**

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Based on the findings of fact noted herein, the Cutler Valley Rezone is hereby recommended for approval to the County Council as follows:

- 1.** The location of the subject property is compatible with the purpose of the Rural 5 (RU5) Zone as identified under §17.08.030[A] of the Cache County Code as it:
  - a.** Allows for residential development in a low density pattern that can allow for rural subdivisions and smaller scale agricultural uses.
  - b.** Does not unreasonably impede adjacent agricultural uses, nor unreasonably conflict with the development standards of adjacent communities.
  - c.** The property is appropriately served by adequate provision of public services.



## Legend

- Proposed Rezone
- Municipal Boundaries
- Subdivisions
- Parcels
- Winter Maintenance
- County Roads
- Highways

0 0.25 0.5 Mile

Average Parcel Size	
Adjacent Parcels	With a Home: 5.2 Acres (6 Parcels)
	With a Home in Newton City: 1 Acres (9 Parcels)
	Without a Home: 35.6 Acres (8 Parcels)
1/4 Mile Buffer	Without a Home in Newton City: 1.5 Acres (6 Parcel)
	With a Home: 4.8 Acres (9 Parcels)
	With a Home in Newton City: 1.4 Acres (40 Parcels)
1/2 Mile Buffer	Without a Home: 26.8 Acres (15 Parcels)
	Without a Home in Newton City: 1.5 Acres (15 Parcels)
	With a Home: 7 Acres (16 Parcels)
	With a Home in Newton City: 1.1 Acres (107 Parcels)
	Without a Home: 27.6 Acres (40 Parcels)
	Without a Home in Newton City: 1.5 Acres (41 Parcels)



1/10/2022

# NEWTON TOWN CORPORATION

**Attachment B**

Mayor  
Kevin Rhodes

51 South Center  
P.O. Box 146  
Newton, UT 84327  
(435)563-9283

Council Members:  
Gordon O. Anderson  
Kent R. Fabricius  
Kathryn Rigby  
Jed Woodward

November 9, 2021

Dear Cache County Planning Commission,

Terry and Sue Griffin have come to multiple Newton Planning Commission meetings and one Town Council meeting and presented 3 different plans to rezone and subdivide Cache County parcel 13-029-0002. We appreciate their openness and patience as we ask questions and voice our concerns. Since this property is contiguous to the Southwest corner of Newton, we are grateful that we have been made aware of their request and that we have been able to begin dialog on this subject with the Griffins.

The Newton Planning Commission did not come out in opposition to this development. They did have some concerns but didn't see anything they could do about it as it is outside our town boundaries. The town council was also split between concern and support.

My personal position as mayor is that I respectfully request that you deny this land use change and subdivision. On the question of whether this area is in our annexation plan, the answer is no, not where the proposed lots would be created. But the property is part of our master plan and annexation map and is of interest. Please consider this fact and the following as you make irreversible land-use changes just a stone's throw from our town.

- 1) The Griffin proposal does not align with our master plan which includes:
  - a. Managed growth from within the town boundaries. We have many buildable lots within town boundaries. We want to see a higher percentage of these with houses before we begin to annex.
  - b. Keep the planned community that began with the pioneers, living in a community and farming just outside the community. Greenbelt, open space, and farms are preferred to county sprawl - a break between communities instead of blurred lines.
  - c. Where water is a scarce resource on the west side of Cache Valley, we feel it is best to provide this resource from a few controlled, managed, and measured sources that we can all share. We keep this resource geographically close and within the town limits so that we can provide it for all citizens and grow it with the town. Streets, natural gas, power, internet, and other infrastructure are also best utilized and maintained in a planned community.
  - d. County folks, just outside of Newton, will tell you they are from Newton. We certainly accept them as such but they benefit from a nearby town without contributing monetarily. We will not receive impact fees or property taxes from

development in the county. Yet, they use our library and park and receive monetary benefits from proximity to law enforcement, EMS, and a fire station.

- e. Our lot sizes in Newton are typically large enough to accommodate what most folks put on 5-acre county ranchettes.

We realize that our plan relies on farmers living in town and having a stake in preserving the agrarian lifestyle. When a farmer or descendants decide to grow houses just outside of town instead of crops, we become most vulnerable and our master plan is compromised.

**2) Newton Town is taking part in Cache County growth**

- a. Historic growth is happening. In one year, we will have issued more building permits than the prior decade. We are not saying no growth, but controlled growth according to our master plan.
- b. The petitioner has undeveloped property within the town and is planning to be part of this growth.

**3) Cache County and Envision Cache Valley**

- a. I encourage you to delay action until the Cache County master plan is updated according to the input from the Envision Cache Valley report. The proposed land use change and development is not in alignment with the "keep the city, city and the country, country" concept.
- b. We should have new conversations between Cache County and Newton Town to align our expectations to this new county master plan so we have a united plan. This may require Newton Town to adjust some of our expectations and master plan.

Thank you for allowing us to provide input to this process.

Sincerely,



Kevin Rhodes

Mayor of Newton



## Staff Report: Hollow Ridge RV Campground CUP

3 February 2022

This staff report is an analysis of the application based on adopted county documents, standard county development practices, and available information. The report is to be used to review and consider the merits of the application. Additional information may be provided that supplements or amends this staff report.

**Agent:** Lance Anderson

**Parcel ID#:** 08-124-0002

**Staff Determination:** Approve with conditions

**Type of Action:** Administrative

**Land Use Authority:** Planning Commission

### Project Location

*Reviewed by Tim Watkins*

#### Project Address:

Approximately 1400 East 300 South  
Smithfield

**Current Zoning:** A10

**Acres:** 20.23

#### Surrounding Zoning & Land Uses:

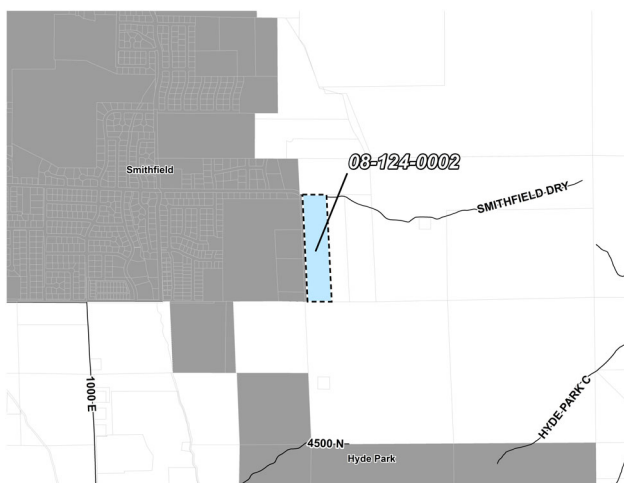
North – A10, Vacant/mountain bench

South – A10, Vacant/mountain bench

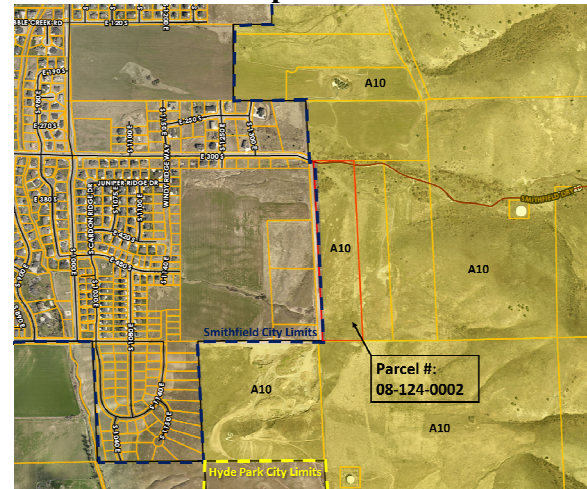
East – A10, Vacant/mountain bench

West – Smithfield City A-10, Vacant

#### Vicinity Map



#### Parcel Context Map



**Parcel Context Description:** Located to the west of the subject property are properties within Smithfield City limits, including the private SV Hill access road and vacant land parcels shown as Medium Density Residential in the City's Future Land Use Map. To the south, east and west are vacant mountain bench properties in the county-unincorporated area with A10 zoning. The unincorporated parcel lying approximately 300 feet to the east is used as a shooting range where slopes over 30% provide a mountain backdrop to the east.

**Note:** Updated information provided in this report is highlighted in red text.

## Findings of Fact

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### A. Request Summary

1. The Hollow Ridge RV Campground Conditional Use Permit (CUP) is a request to develop a recreation facility (Use Type 4100) on 20.23 acres of property in the A10 zone, located east of Smithfield City at approximately 1400 East 300 South.
2. **Applicable Standards.** The proposed RV campground is a recreational use subject to the following development standards for the Agricultural (A10) zone:
  - a. Recreational uses are limited to no more than 30 overnight stays each year (or season) for transient guests. This applies to cumulative consecutive and/or intermittent stays throughout the year.
  - b. Setbacks. Per the Use Setback Distances Table in §17.10.040, a 30 foot front yard and rear yard use setback applies, and 12 foot side yard setbacks.
  - c. The storage of material or placement of structures or parking within the setback areas is not permitted.
  - d. A stormwater report must also be prepared by a licensed professional for the review and approval of the Public Works Department detailing how the proposed limited development will manage rainfall on-site and prevent the discharge off-site.
3. **Proposed Campground Use.** The proposed RV campground includes the following features (see attached letter of intent):
  - a. A maximum of 65 campsites each with an RV parking pad and one additional vehicle parking space.
    - i. **Phase 1:** 12 pull-through campsites as shown on the site plan,
    - ii. **Phase 2:** 26 back-in campsites as shown on the site plan,
    - iii. **Phase 3:** 27 campsites to accommodate potential future demand.
    - iv. An additional 12 parking spaces are provided to accommodate management visits, visitors or additional vehicles associated with a campsite reservation.
  - b. An electrical hook up, water spigot and an in-ground, improved fire ring provided at each campsite. This is a metal-rimmed fire ring set into the ground 12 to 15 inches, per the recommendation of the Cache County Fire Marshall.
  - c. Group outdoor amenity areas with activities such as horseshoe pits and pickleball courts.
  - d. 4 total dumpsters (approximately one dumpster for every 12 to 16 campsites) to collect garbage. These are proposed to be enclosed and screened with landscaping to minimize visibility and to contain odors.
  - e. No sewer dumping allowed on the site. Guests will utilize existing off-site RV dump stations provided at various locations throughout Cache Valley, or utilize an RV septic tank pumping service, facilitated by the campground management.
  - f. Maximum short-term tenant or guest stays of no more than 30 days, with access the campground during all hours (day and night) and campground management available at any time.
  - g. An onsite camp host will manage the campground through an RV on a campsite near the campground entrance. The camp host office hours are anticipated to be from 7:00 a.m. to 3:00 p.m. and by appointment or on-call outside of those hours as needed.



- Note: Although the property is not located in the adjacent Smithfield City jurisdiction, as a reference, Smithfield City's Noise Control ordinance prohibits noise between 10:00 p.m. and 6:00 a.m.
- v. Free guest WiFi access not to be used for illegal or fraudulent use, copyright or trademark infringement, threats or harassment, harm to minors, spamming, hacking, system disruption, impersonation or forgery, abuse of new groups, excessive use of bandwidth, viruses, etc.
- k. Only operable and licensed and insured RVs are allowed. RV's older than the year 2000 must submit a photo for approval. Sleeping in cars and converted school buses are not allowed. Truck campers are not to be removed from vehicles.

**B. Conditional Uses** *See conclusion #1*

4. §17.06.050-B, Conditional Uses, directs the Land Use Authority to review conditional use permit (CUP) requests based on the standards and criteria that are defined therein and include:
  - a. Compliance with law;
  - b. Health, safety, and welfare;
  - c. Adequate service provision;
  - d. Impacts and mitigation.

**C. Compliance with law** *See conclusion #1*

5. The County Land Use Ordinance stipulates that:
  - a. The proposed conditional use must comply with the regulations and conditions specified in the County Code and other applicable agency standards for such use.
  - b. The proposed conditional use must be consistent with the intent, function, and policies of the Cache County General Plan, Ordinance(s), and land use, and/or compatible with existing uses in the immediate vicinity.
6. §17.02.060, Establishment of Land Use Authority, authorizes the Planning Commission to act as a Land Use Authority for a CUP. *See conclusion #2*
7. §17.07.030, Use Related Definitions.
  - a. §17.07 defines a **Recreational Facility** as an indoor or outdoor place that is designed and equipped for the conduct of sports and leisure time activities that is operated as a business and/or open to the general public. Recreational uses may include facilities such as a campground, golf course or ski facility.
  - b. The definition of **Campground** in §17.07.040 is any area with more than 3 campsites that are improved for occupancy by transients using recreational vehicles, motor homes, mobile trailers, or tents for dwelling, lodging, or sleeping purposes with a duration of stay for a period of 30 days or less.
  - c. A **Campsite** is defined as an area within a campground designed or used to accommodate one party in a single travel trailer, recreational vehicle, or tent.

8. §17.09.030, Schedule of Uses by Zoning District, permits this use as a CUP in the Agricultural (A10) Zone if reviewed and approved in accordance with the conditional use review procedures of §17.06 Uses as noted.
9. Parcel legality:
  - d. Parcel 08-124-0002 has been in the same size and configuration since 2006. There are no other uses other than agricultural grazing, or approved or active Conditional Use Permits on the parcel.
  - e. Hyde Park City holds a 30 foot easement (ENT 627037 BK 667 PG 823) that runs primarily along the eastern property boundary for operation and maintenance of a city water line. The City also holds an unused, inactive easement (ENT 627036 BK 667 PG 823) running through the middle of the parcel. The City has provided a letter agreeing to the following conditions to be met by the applicant in order to revoke the unused easement (see attached Hyde Park City Letter).
    - i. City access to the property, and cost shared cost with the owner/developer for confirming the location of the City's water line,
    - ii. City reviewing of campground plans to avoid any line impacts from development
    - iii. Provision of a multi-use trail easement through the active easement if the City does not acquire a new water line and easement further east of the property.
  - f. A 38 foot wide Utah Power and Light Company (Rocky Mountain Power) power transmission line easement applies to a portion of the lower southwest quarter of the property. The easement allows for roads, drives and utilities, but would not allow for structures or campsites within the easement area (see attached site plan).
10. The County Code standards identified Section A.2 apply to the A10 (Agricultural) zone.

**D. Health, safety, and welfare *See conclusion #1***

11. The County Land Use Ordinance stipulates that:
  - a. Proposed CUP uses must not be detrimental to the public health, safety and welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity. A conditional use shall be considered detrimental if:
    - i. It causes unreasonable risks to the safety of persons or property because of vehicular traffic or parking, or other similar risks, and/or;
    - ii. It unreasonably interferes with the lawful use of surrounding property.
12. Other risks to the safety of persons or property are not anticipated, as the use does not unreasonably interfere with the lawful use of surrounding properties so long as the conditions of approval are met.

**E. Adequate service provision *See conclusion #1***

13. The County Land Use Ordinance stipulates that:
  - a. The proposed conditional use must not result in a situation that creates a need for essential services that cannot be reasonably met by local service providers, including but not limited to: Roads and year round access for emergency vehicles and residents,

fire protection, law enforcement protection, schools and school busing, potable water, septic/sewer, storm water drainage, and garbage removal.

14. Access and Road Right-of-Way Dedication: The subject property has direct access from Smithfield Dry Canyon Road that is currently classified as an unimproved road with an unimproved surface.
- The road width is currently about 20 feet wide with a gravel all-weather surface.
  - The County provides year-round maintenance to this road that extends east from 300 South and 1350 East in Smithfield City. The county road provides access to private parcels and to the Dry Canyon wilderness area trailhead.
  - To accommodate new development, the road manual requires the Smithfield Dry Canyon Road to meet the County's Major Local Road standard. (*See Condition 6*)

(*See Condition 7*): Following the December 2, 2022 Planning Commission meeting, Development Staff and the applicant met to discuss the Commission's recommendation to explore fencing options along the property boundaries. Fencing delineating the property boundaries will be maintained and/or installed, with an approximate 4 foot by 3 foot (12 s.f. maximum) entrance sign, an information kiosk with camp rules, small signs designating each campsite, and signs on the east side of the property warning campers of the potential hazard of an informally-used gun range located approximately 325 feet to the east. Due to the slope and elevation change of the property, staff recommends that solid fencing would not be effective for visual screening between properties.

15. Fire: §16.04.080 [C] Fire Control – The County Fire District has reviewed the proposed campground site plan for compliance with drive width and circulation for emergency access. Potential fire impacts from guest camping activity is addressed in F18. *See Condition #5*
16. Refuse: The dumpsters provided on the site for trash collection will be serviced by a commercial trash collection service, to be picked up and disposed of at the regional land fill. (*See Condition #9*)
17. Parking (*See Condition #3 and #4*): The proposed site plan provides 1 RV parking space and 1 vehicle parking space at each campsite, in addition to 12 parking spaces for additional vehicles and management site visits. Based on the typical usage of an RV campground facility, staff finds that the proposed parking ratios listed below are consistent with the Institute of Transportation Engineers (ITE) off-street parking reference to a Hotel use of 1.1 spaces per hotel suite. The ITE parking manual is referenced as an applicable parking requirement reference in §17.22.
- 77 parking spaces (not including RV spaces) ÷ 65 campsites = 1.18 spaces / campsite.
  - Note: 38 campsites in Phases 1 & 2 would be served by 50 spaces at a ratio of 2.0 spaces / campsite.
18. Waste disposal or drainage: An effluent waste dump will not be provided on site. Instead, guests will dump waste at an off-site dumping facility provided at other service locations, or a pump truck could service campsites by appointment at the property.



Following the December 2, 2022 Planning Commission meeting, Development Staff and the applicant met to discuss the Commission's recommendation of an on-site sewage dumping facility that meets minimum state requirements. This was intended to reduce the potential number of trips to dump RV wastewater tanks at other off-site dumping locations and/or trips associated with pump service trucks visiting the site to collect waste water from RVs located at campsites. The traffic study provided by the applicant team shows that the estimated trips associated with the RV campground do not create an excessive traffic impact on the streets in the area.

The applicant will present a summary of estimated vehicle / RV trips to service the RV campground with on-site pumping service and/or of-site dumping at existing facilities.

## F. Impacts and mitigation

15. Utah Code Annotated §17-27a-506, Conditional uses, item 2-a specifies that “A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.”
16. The County Land Use Ordinance stipulates that:
  - a. Reasonably anticipated detrimental effects of the proposed conditional use must be substantially mitigated by the proposal or by the imposition of reasonable conditions to achieve compliance with applicable standards.
  - b. Examples of potential negative impacts include but are not limited to odor, vibration, light, dust, smoke, noise, impacts on sensitive areas as defined by the Code, and/or disruption of agricultural practices.
17. Known or reasonably anticipated detrimental effects of the use are as follows:
  - c. **Storm water/Site Development:** Site development, construction activities, and continued use of the site during operation can reasonably be anticipated to have a detrimental effect on the surrounding properties due to storm water concerns. The applicant must provide a storm water report prepared by a licensed Engineer detailing how the proposed development will manage rainfall on-site and prevent the off-site discharge of the precipitation from all rainfall events less than or equal to the 80th percentile rainfall even or a predevelopment hydrologic condition, whichever is less. **See condition #12, #13 and #14.**
18. Fire (**See Condition #6**): §16.04.080 The County Fire District has reviewed the proposed RV Campground use and has identified the following requirements to reduce fire risk and mitigate the potential for fire impacts onto the surrounding mountain bench area.
  - d. Any fire pits provided at campsites shall be in-ground improved metal fire rings with a minimum depth of 12 to 15 inches.
  - e. A final landscape and irrigation plan with sufficient water supply as approved by Staff for minimizing the potential risk of fire.
  - f. New landscaping plantings shall be irrigated and maintained in a healthy condition to prevent dry wood from growing and accumulating.

(See Condition #8): Following the December 2, 2022 Planning Commission meeting, Development Staff and the applicant met to discuss the Commission's recommendation of a water tank to provide additional fire protection. The County Fire Marshall suggested that a centralized underground water tank may not provide practical application of water to all of the dispersed campsites. The following mitigating measures were recommended as more effective solutions to further mitigate fire risk associated with fire pits, and to reduce the potential for smoke in the area:

- g. A full water bucket or fire extinguisher provided at each site for fire suppression.
- h. Portable propane units are permitted as an alternative to burning wood in a fire pit.

19. Vehicle trips (See Condition #7): The estimated volume of average daily vehicle trips (ADT) generated by a maximum number of 65 campsite spaces is 3.16 daily trips per campsite, or approximately 205 daily trips. This is equivalent to the trips generated by about 21 single family homes.

- a. The rate of 3.16 ADT is based on ITE average traffic counts for a Recreational/Vacation home, given that an RV campground traffic estimate for urban areas is not provided.
- b. The Major Local Road standard is designed to a service standard for 1,500 ADT, as described in E13. Improvement of the roadway to this standard will provide sufficient vehicle capacity for the proposed RV campground recreational use.

Following the December 2, 2022 Planning Commission meeting, Development Staff and the applicant met to discuss the Commission's recommendation to further study existing levels of traffic on roads providing access to the site, and the anticipated traffic impact created by the proposed RV campground. The applicant provided a traffic study conducted by a licensed Professional Engineer (see attached). The traffic study has been reviewed by the County Engineer with no exceptions or added concerns. The report findings anticipate that traffic impacts from the proposed RV campground will not significantly impact existing levels of service along existing Collector Streets (300 South, 600 South and 1000 East).





treated with dust-reducing spray such as magnesium chloride, or consist of a paved surface or similar material to reduce dust impacts from the site (**See Condition #5**).

#### **I. Public Notice and Comment—§17.02.040 Notice of Meetings**

22. The following notices have been posted in compliance with State and County Code requirements:
- Public notice was posted online to the Utah Public Notice Website on November 19, 2021 **for the December 2<sup>nd</sup> Planning Commission meeting**.
  - Notices were posted in three public places on November 19, 2021 **for the December 2<sup>nd</sup> Planning Commission meeting**.
  - Notices were mailed to all property owners within 300 feet of the subject property on November 19, 2021 **for the December 2<sup>nd</sup> Planning Commission meeting**.
  - Notices were posted in three public places on January 21, 2022 **for the February 3, 2022 meeting**.
23. A total of **54 public comments** have been received by the Development Services Office (**see letters posted on the [Planning Commission Current Applications Webpage](#), select 2021 – Hollow Ridge RV Campground**). The comments are in opposition to the proposed campground proposal, citing a variety of concerns that range from traffic impacts and safety, potential fire hazard, trash, the potential for long-term tenants and crime, decrease of property value and noise from guest activities near Smithfield residential areas.

**A letter submitted by previous Mayor Jeff Barnes of Smithfield raises concern that the current water rights associated with the subject property are not applicable to the proposed use. (Note: The applicant is working to convert the water shares from livestock use to an RV campground use, and obtaining additional water rights required for the proposed site plan).**

### **Conditions**

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These conditions are based on the Cache County Land Use Ordinance and on the findings of fact as noted herein:

- Guest overnight stays must not exceed a total of 30 days within one season or year. Campsite hopping is prohibited, meaning that a guest may not stay up to 30 days in one campsite, and stay additional days in another campsite during the same season.
- Off-site management and camp host supervision must include the installation of a web-cam that provides visibility of the property for guest use supervision. Management must enforce the campground rules and regulations, and be responsive to guest and nearby resident complaints. (**See F-20**)
- The applicant and operator(s) must abide by the information as provided in the application and the information and conditions as identified in this report. Any expansion or modification of the proposed use must obtain the approval of the Land Use Authority. Revised site plans must include, but are not limited to, the site improvement plan, site grading, site drainage, parking, and other site details including required setbacks from the property line after the road dedications have been made. (**See A-3**)
- Prior to recording the permit, the applicant must submit an updated site plan, landscape plan, and associated drawings demonstrating that applicable County Code standards are applied.

The site plan may be amended in the future to show the additional locations of no more 65 total campsites and related features that are compliant with County development standards.

5. To reduce dust, the interior roads must consist of a gravel surface treated with dust-reducing spray such as magnesium chloride, pavement or similar material that reduces dust from the interior roadway. *(See F-21)*
6. The applicant must obtain a Zoning Clearance and Fire District approval for the proposed site plan and landscape plan. The applicant must provide a water use analysis showing that there is sufficient water rights to service each proposed campsite and to irrigate the new landscape plantings. A final landscape and irrigation plan with sufficient water supply as approved by Staff for minimizing the potential risk of fire. New landscaping plantings must be irrigated and maintained in a healthy condition to prevent dry wood from growing and accumulating.
7. Fencing delineating the property boundaries must be maintained and/or installed, and signs must be placed on the east side of the property warning campers of the potential hazard of an informally-used gun range located approximately 325 feet to the east. *(See F-14)*
8. Any fire pits provided at campsites must be in-ground improved metal fire rings with a minimum depth of 12 to 15 inches. Portable propane units are permitted as an alternative to burning wood in a fire pit and all fire pits must provide a full water bucket or fire extinguisher by the camp host for fire suppression *(See F-18)*.
9. Prior to recording the permit, the applicant must improve the Smithfield Dry Canyon road frontage to a Major Local Road standard consistent with the standards of the Cache County Road Manual. *(See F-19)*
10. Approval of a Zoning Clearance is required for any proposed signage. Building permits may also be required for signage.
11. Trash generated from the campground must be picked up regularly to avoid trash from piling above the trash bin lids. The applicant must provide a service agreement letter from a commercial trash collection entity as part of the Zoning Clearance review. *(See E-16)*
12. Prior to recording the permit, the applicant must submit a stormwater report prepared by a licensed engineer detailing how the proposed development will manage rainfall on-site and prevent the off-site discharge of the precipitation from all rainfall events less than or equal to the 80<sup>th</sup> percentile rainfall event or a predevelopment hydrologic condition, whichever is less. The report must be submitted to the Public Works Department for review and approval from the County Engineer. The report must include site improvement plans that include site grading, site drainage, and site details. Written confirmation from the Public Works Department confirming compliance with this requirement must be provided to the Development Services Department. The report must comply with all regulations of the State and Federal governments for construction, reclamation, et cetera, and a copy of any required permitting must be submitted to the Development Services Office. *(See F-17)*
13. Prior to operation, if property contains a portion of a long-term stormwater system component such as, but not limited to, a pond, clarifier, infiltration area, et cetera, must execute a maintenance agreement that operates as a deed restriction binding on the current property owner and all subsequent property owners. Prior to operation, the applicant must provide written confirmation from the Public Works Department to the Development Services Department that this requirement has been met. *(See F-17)*
14. Prior to any land disturbing activities, a Utah Pollutant Discharge Elimination System UPDES construction stormwater permit from the State is required. A copy of the permit, Stormwater

Pollution Prevention Plan (SWPPP), and the Notice of Intent (NOI) must be submitted and approved by the Public Works Department. *(See F-17)*

15. The RV Campground use is not permitted to operate prior to final County inspection and approval of all required improvements, as identified in the approved plans or as noted herein.

## **Conclusions**

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Based on the findings of fact and conditions noted herein, Staff recommends that the Hollow Ridge RV Campground CUP be approved as follows:

1. It has been reviewed by the Planning Commission in conformance with, and meets the requirements of, the Cache County Land Use Ordinance with the listed staff findings and conditions of approval, and;
2. As per §17.02.060, Establishment of Land Use Authority, the Planning Commission is authorized to act as the Land Use Authority for this CUP request.

## **Hollow Ridge RV Campground Letter of Intent**

**a). Proposed Use.** The proposed use will be a 38-65 campsite, short-term stay, RV campground with electrical, water, and sewer hookups. The current plan includes 12 "pull thru" and 26 "back in" campsites with inground fire rings. Phase 1 will include the 12 campsites shown on the site plan, closest to Dry Canyon Road. Phase 2 will include the remaining 26 sites, shown on the site plan. Up to an additional 27 campsites may be improved, in Phase 3, to accommodate potential demand. Each campsite will have access to electrical and water hookups. The grounds will be improved with activity areas, including horseshoe pits & pickleball courts available to the public, reserved through management. Landscaping will include collections of quaking aspen for improved aesthetics, decreased light pollution to Smithfield residents, and fire resistance. As per county code 17.07.040: GENERAL DEFINITIONS, tenants may stay up to 30 days or less in the RV campground, precluding campers from "campsite hopping", consistent with its short term purpose. Strict adherence to this county code and the overlapping Hollow Ridge RV Campground rule will be monitored and enforced by management. See attached proposed Campground Rules.

**b). Management.** An on site camp host under a lease/employment agreement will manage the campground. **The camp host office hours are anticipated to be from 7:00 a.m. to 3:00 p.m. and by appointment or on-call outside of those hours as needed.** The manager's RV will be labeled camp host and will be located in one of the first campsites by the campground entrance. There will be a table in front of the trailer for conducting services and interfacing with guests. No admittance into the RV by guests will be allowed. A local Smithfield resident(s) may be hired for additional timely response, service coverage to guests and who would facilitate the collective interests of the neighboring Smithfield residents. Online reservations will be made on the Hollow Ridge RV Campground website.

**c). Hours of Operation.** Hollow Ridge RV Campground will be open for tenant access 24 hours a day, 7 days a week. Campground management availability will be 24 hours a day, 7 days a week. The campground will be open from March through November.

**d). Traffic and parking.** The volume of traffic to and from the campground will be minimal. It is anticipated the average number of daily trips per campsite is 3.16 trips/site, equivalent to traffic to a Recreational/Vacation home, per the Institute of Transportation Engineers (ITE). This is compared to 9.57 trips per day for a single-family home, per the same source. In other words, a Single family home generates over 3 times as many daily trips as a campsite. Another way put, a 40 campsite RV campground would generate, roughly, the same amount of traffic as 13 single family homes. After stabilization, we are open to reassessment of the campground's traffic impact. Access from main street to the campground by RVs will likely be by 300 S and 600 S via 1000 E, following the historical precedence of the much larger construction equipment coming to and from the Sky View Heights Gravel Pit and to homes under construction off of 300 S and 600 S on the east bench. Each Campsite will have parking for a motorhome/camp trailer and one other vehicle. Additional parking spaces will be provided for visitors.



**e). Fencing/Signage.** The campground boundary will be delineated by fencing. Signage will include a roughly 4'x8' sign at the entrance from 300 South (Smithfield Dry Canyon Road), an information kiosk with camp rules, small signs designating each campsite, and signs on the east side of the property warning campers of the hazard of the unofficial, formally permitted, but still used, shooting range 2 parcels (over 325 feet) to the east.

**f). Equipment.** It is anticipated the only equipment on site will be tenant vehicles and garbage/waste trucks on regular pickups.

**g). Waste and/or garbage.** It is anticipated the site will require three 4-yard front load dumpsters for trash management. **No sewer dumping allowed on the site. Guests will utilize RV septic tank pumping service (Honey Bucket,etc.), scheduled to service the campground every 1-2 days, facilitated by management.**

**h). Fire.** Hollow Ridge RV Campground will follow and abide by all State and County Fire Marshal guidelines. Campfires will only be allowed in the campsite's improved, in-ground fire pit rings when approved by the fire marshal. Smoke pollution is expected to be minimal. Many campers prefer propane flames. Fire resistant quaking aspen trees will be planted around the perimeter. The perimeter will have grass cut regularly and have any downed brush removed. The onsite water well (24 gallons/min. pressure) will be accessible in the unlikely event of a fire affecting/involving the campground. Most RVs also have stored water. The east border of the RV campground parcel is over 325 ft from the Sportsman gun range. The west border of the parcel is flanked by a 35 ft wide gravel road, providing a fire break to Smithfield City. In the unlikely event of a fire, Cache County contracts with Smithfield City for fire response in this region, providing a quicker response time.

**i). Security.** Campground rules will be strictly enforced with financial penalties, tenancy revoked, and authorities called when necessary. In the unlikely event of security concerns related to tenants from the campground occurring on Smithfield properties, Smithfield police will be dispatched, providing a rapid response for Smithfield residents. The Cache County Sheriff's Office will respond to security concerns occurring in the campground or on neighboring county property.

**j). Noise.** Enforcement of noise moderation and limitations, including the sensitive time of 10pm to 6am, will be consistent with the NOISE CONTROL ORDINANCE OF THE CITY OF SMITHFIELD. Because electrical hook ups will be provided, noise from generators will not be a concern. Generators will not be allowed to operate unless in the case of a power outage.

## **Hollow Ridge RV Campground Rules & Regulations**

Please have fun and help us ensure that your stay is safe and comfortable by complying with the following resort rules and regulations. We ask that you be considerate of our Smithfield City neighbors by obeying traffic laws and being mindful of pedestrians, especially children as you travel to and from our campground and by protecting and preserving the beauty of the surrounding area. We hope you enjoy your stay and return often.

**REGISTRATION:** Please notify management of your arrival. We will then escort you to your site. Site fees are for 2 adults per RV. Children 9 and under are free. The fee for additional guests 10 and over is \$3.00 per night. All rents are nonrefundable. We will require a credit card to be kept on file.

**CHECK IN / CHECK OUT:** Check in time is 2:00 p.m. Check out time is 12:00 p.m. Please contact management before 10:00 a.m. if you wish to extend your stay (A day rate may be charged for late departures). Those desiring a late checkout, please contact the front office the day of your departure to see if a late checkout is available and to pay the associated fee.

**SPEED LIMIT:** For the safety of all guests, the speed limit is 10 M.P.H. or less throughout the campground & is enforced.

**QUIET HOURS:** Quiet hours are 10:00 p.m. to 8:00 a.m. Loud, objectionable noise is not allowed at any time. Please be considerate of others. Inconsiderate guests will be asked to leave. Public intoxication or obscene language will not be tolerated. Any parties responsible for loud outbursts or violence will be asked to leave and will be meeting the Cache County Sheriff's Department. No horn honking or leaving a vehicle to idle for more than 5 min. We are a drug-free resort. Management reserves the right to require any guest to vacate the resort for any behavior that disturbs other guests.

**WI-FI ACCEPTABLE USE POLICY:** Hollow Ridge RV Campground provides free WiFi access to its guests. In compliance with acceptable use policies, our service is not be used for any of the following: illegal or fraudulent use, copyright or trademark infringement, threats or harassment, harm to minors, spamming, hacking, system disruption, impersonation or forgery, abuse of new groups, excessive use of bandwidth, viruses, etc.

**RVs:** Only well-kept RVs are allowed in the Campground. All vehicles must be up to date with licensing, registration, insurance, be in running condition and used regularly. Vehicles in violation of our rules are subject to towing. Hollow Ridge RV Campground will not be held responsible for the cost of towing. RVs older than the year 2000 must submit a photo for approval. All units must have sleeping facilities, window coverings and approved electrical, water & sewer hookups. We do not allow sleeping in cars nor will we accept converted school buses. Truck Campers are not to be removed from vehicles. Management reserves the right to refuse admission of RV's not meeting campground standards.

**VISITORS:** Registered guests entertaining visitors are responsible for their conduct and liable for any damages they may cause while in the Campground. Please inform them of our rules and regulations. All visitors must register with management. Visitors will be given a pass and parking assignment. If visitors wish to use the resort facilities a day pass of \$5 will apply.

**CHILDREN:** We are a family friendly resort and encourage all to take advantage of the wonderful amenities offered. Please remember children are not the responsibility of other residents or management. Parents are fully responsible for the acts and conduct of their children, financial or otherwise.

**PETS:** Behaved pets are welcome, all others are not. Aggressive dog breeds are not allowed. Pets must be supervised at all times! If outside your RV they must be on a leash! You must clean up after your pet every time it goes outside! Failure to do so will result in immediate lease termination and removal of your RV from the RV campground. Do not tie, chain or tether pets to any posts or trees. Complaints of barking, leash violations, animal waste violations will result in a \$50.00 fine and/or eviction. Pick up stations are provided throughout the campground. Pets are to be kept inside at night and not allowed to be a nuisance to others at any time. Please do not leave pets in your RV unattended. Pets are not allowed on the athletic courts. Management reserves the right to require any misbehaved pets to leave the resort. THERE IS A LIMIT OF 2 PETS PER SITE.

**SEWER MANAGEMENT:** No sewer dumping allowed on the site. Guests will utilize RV septic tank pumping service (Honey Bucket, etc.), scheduled to service the campground every 1-2 days, facilitated by management. Tenants who do not follow campground rules by responsibly handling their waste will be removed from the campground and be charged a \$200 fee from their credit card on file.

**TRASH:** Please place your trash in the provided dumpsters, keeping recyclables in a separate bag. Do not leave trash out overnight. Cigarette butts are trash and should not be discarded on the property grounds, use designated receptacles.

**NOT ALLOWED IN CAMPGROUND:** Bicycles must have headlights if used after dark. Generators are to be used only in the event of a power outage. Auto work is not allowed in the resort. Unauthorized soliciting or selling is not allowed in the campground. Clotheslines are not allowed due to a safety hazard.

**CAMPFIRES and BARBECUES:** Campfires are only permitted: #1 in the provided in-ground, improved fire pits on each camp site, #2 when allowed by the fire marshall, and #3 if a bucket of water is next to the fire or a fire extinguisher is readily accessible; portable propane burning/cooking units are permitted – please use common sense for safety purposes and to not cause any fire damage to the site area. Outside barbecues are permitted, please do not place them on picnic tables as they will melt. Place cold coals in a plastic bag and throw them away in the dumpster.



**SITE:** Fire laws prohibit storage of materials under or around RV's. All residents are responsible to keep their site clean and uncluttered. Nothing should be stored outside your RV, this includes brooms, coolers, storage bins, lumber, rugs that may damage the grass, toolboxes etc. (if you have a question about something ask management). No Flammable items are allowed under RV (i.e. gas cans, paint, propane tanks, hay/straw etc...). If you choose to skirt your RV, it must be with OFFICIAL RV skirting. Foam board, plywood, tarps, etc. are not acceptable forms of skirting. Only official patio or camping furniture and BBQ's are allowed outside. You are responsible for keeping all trash/poop off your site. Unsightly sights are subject to a fine of \$50.00 and/or eviction. If nonflammable items are stored under your RV you must skirt the RV, nothing can be visible. For skirting see 1.13. No clothes lines, dog runs, or storage sheds or auxiliary power units are allowed. Altering or digging into a site is not permitted. Sites must be kept neat and clean at all times. Vehicle washing is not allowed in your RV site or in the campground.

**DRUGS/NARCOTIC USE:** Use or distribution of any unlawful drugs and narcotics in the Campground is prohibited. We consider the following signs of illegal drug use: Unusual odors, persons who appear to be under the influence of drugs, any activity suggesting use, sales, or delivery of drugs, drug paraphernalia, etc. We report all suspicious drug related behavior to proper officials. Drug related behaviors will result in immediate removal from the campground.

**IMPOUND OF RV AND/OR VEHICLE:** In the event that you are asked to vacate the premises, or are 10 or more days past due on your rent, we reserve the right to tow your RV and/or vehicles. You, the guest, will incur all related towing costs in addition to past rent owing. In the event that your rent goes unpaid and your vehicle is abandoned for 45 days or more, you agree that Hollow Ridge RV Campground and its management/owners have the right to pursue liens, abandonment titles, or other recourse as allowed by law.

**EMERGENCY:** For emergencies dealing with the campground call, text or email management. For life-threatening emergencies call 911. To report suspicious activity, please call the Cache County Sheriff's Department at 435-716-9300.

**NOTE:** This campground is privately owned. Violations of any resort rules and regulations or antisocial behavior which may or may not be covered by these rules and regulations may result in eviction from the campground. We reserve the right to enforce our rules and to refuse to register any undesirable guests or RV's. We reserve the right to evict anyone who does not abide by all of the above rules without further warning. **THIS IS YOUR WARNING!** If you have questions about any of the rules, please talk to management. Management/owner is not responsible for loss due to fire, theft, vandalism, or any other means nor are they responsible for accidents. Guests are responsible for any damage they may cause to campground property, including utility pedestals and outlets.







113 East Center / P.O. Box 489  
Hyde Park, Utah 84318

Phone: 435-563-6507  
Fax: 435-563-9029

10/28/2021

Cache County Planning Commission & Staff,

Representing the city of Hyde Park, I, Charles Wheeler, acting mayor of Hyde Park City, wish to express to Cache County the willingness of Hyde Park City's to cooperate with the Hollow Ridge RV Campground development, as it pertains to Hyde Park City's water line easements, with the following conditions:

1. Owner/developer (Whittaker Properties, LLC), will allow Hyde Park City employees/agents access to the parcel (Tax ID: 08-124-0002) and contribute to the cost of potholing, confirming location of Hyde Park City's water line and confirm non use of (ENT 627036 BK 667 PG 823).
2. Before development begins and the Conditional Use Permit is recorded, Hyde Park City must review and approve the final development plan including the grading plan to ensure that any encroachment on city water line easement (ENT 627037 BK 667 PG 823) does not create any hindrances to the access and protection of the City's water line.
3. Owner/developer will grant a public easement within Hyde Park City's active water line easement (ENT 627037 BK 667 PG 823) for a multi-use trail, if Hyde Park does not acquire a new waterline and trail easement to the east of this parcel. The trail easement will be along the east side of the parcel.
4. In the event Hyde Park City decides to move its water line to course completely along the far east side of the parcel, the owner/developer agrees to sign a new easement to protect the adjusted water line and associated public access trail easement within Hyde Park City's easement.

In exchange for these considerations, Hyde Park City agrees to revoke the unused, inactive easement (ENT 627036 BK 667 PG 823) running through the middle of this parcel.

Respectfully,

Charles Wheeler  
Hyde Park City Mayor



CACHE • LANDMARK  
ENGINEERS • SURVEYORS • PLANNERS

## Hollow Ridge RV Campground Traffic Impact Statement

### *I. Introduction*

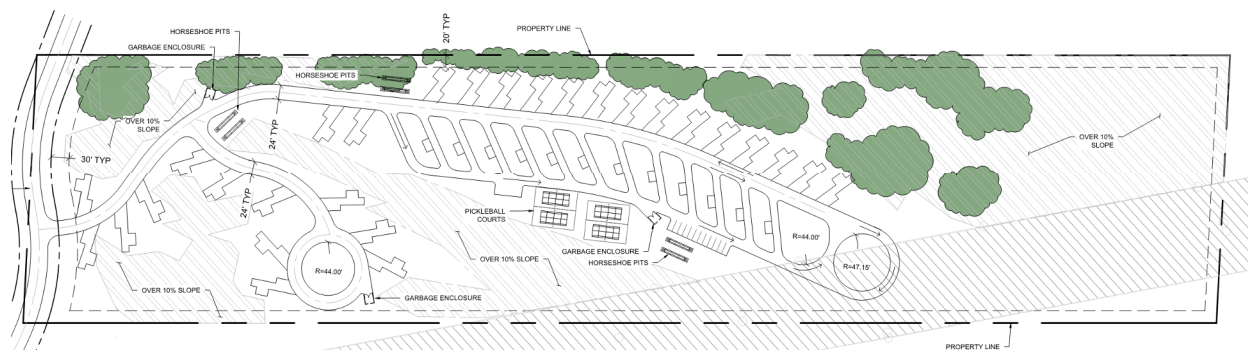
The Hollow Ridge RV Campground is a recreation facility on 20.23 acres of property in the A10 zone, located east of Smithfield City at approximately 1400 East 300 South (Smithfield) on Dry Canyon Rd. The proposed development is located just east of Smithfield City Limits in Cache County. Currently the site is vacant agricultural land. The property is accessed from Dry Canyon Rd. (300 South Smithfield City).

The planned recreational development has 65 campsites each site with an RV parking pad and one additional vehicle parking space at each site. Additional twelve visitor parking spaces are available on site for parking. The purpose for the analysis is to determine how the development will impact traffic and if there is requirement or improvements to mitigate the impacts. It is anticipated that the development would be fully constructed within three to five years and the full buildout of the 60 campsites is used in the analysis.

Figure 1 shows the location of the site.



Figure 2 shows the conceptual site plan.



## II. Trip Generation

The Institute of Transportation Engineers (ITE) Trip Generation handbook uses 0.52 trips/site trips for average daily trips. The description for the trips per site number is associated with a campground and recreational vehicle park on a transient basis. This number seems low and is associated with recreational campgrounds in remote areas and seems low for the anticipated Traffic Impact for this type of development. Further traffic studies for RV recreational campgrounds suggest the number of trips/site is 3.16 Average Daily Trips (ADT). This number was used to generate the number of trips for the proposed development of 65 campsites.

**Table 1: Trip Generation**

Type	Unit	Per Unit ADT	Quantity Proposed	Total ADT
RV Recreational Campground Site	Per site	3.16	65	205.4

## III. Traffic Analysis

The Highway Capacity Manual (HCM), 6th Edition, 2016 methodology was used in this study to remain consistent with “state-of-the-practice” professional standards. This methodology has different quantitative evaluations for signalized and unsignalized intersections. For signalized, roundabout, and all-way stop-controlled (AWSC) intersections, the LOS is provided for the overall intersection (weighted average of all approach delays). For all other unsignalized intersections, LOS is reported based on the worst movement. Table 2 shows the LOS range by delay for unsignalized and signalized intersections and accesses.

**Table 2: Intersection LOS-Delay Relationship**

	Unsignalized	Signalized
Level of Service	Total Delay per Vehicle (sec)	Total Delay per Vehicle (sec)
A	< 10.0	< 10.0
B	> 10.0 and < 15.0	>10.0 and < 20.0
C	> 15.0 and < 25.0	> 20.0 and < 35.0
D	> 25.0 and < 35.0	> 35.0 and < 55.0
E	> 35.0 and < 50.0	> 55.0 and < 80.0
F	> 50.0	> 80.0

The intersection analysis evaluates the performance of each intersection using the measure of performance of delay and level of service (LOS). Table 3 shows the intersection analysis for two intersection 600 S /1000 E and 300 S/ 1000 E. Traffic Counts were completed during the weekday peak hour January 18<sup>th</sup> ~20<sup>th</sup> at each intersection. Weekday morning (7:00 to 9:00 a.m.) and evening (4:00 to 6:00 p.m.) peak period traffic counts were performed at each intersection.

The morning peak hour was determined to be between 7:45 and 8:00 a.m., and the evening peak hour was determined to be between 5:00 and 6:00 p.m. The morning peak hour volumes were higher than the morning peak hour volumes. Therefore, the morning peak hour volumes were used in the analysis to represent the worst-case conditions.

**Table 3: Intersection LOS-Delay Relationship**

Intersection	Existing LOS / Delay (sec)	LOS w/ Project / Delay (sec)
300 S / 1000 E	A / 4.2	A/ 4.3
600 S / 1000 E	A / 5.0	A/5.2

### III. Access and Roadway

To access the project the anticipated routes would be from US Highway 91 East on 300 S or 600 S up to Dry Canyon Rd. The proposed site would access Dry Canyon Rd. Dry Canyon Rd. is a narrow two track road that connects to 300 S at the west edge of the proposed site. Dry Canyon Rd. will be required to be improved to Cache County Road Standards for a Minor Local Road to mitigate the impact from the proposed development.

The existing 300 South Street is a 66-foot right-of-way with 37 feet of asphalt with two-way traffic. The existing traffic count on 300 South is 2700 ADT by UDOT traffic counts. 600 South Street is an existing 60 foot right-of-way with 31 feet of asphalt with an ADT of 6,200 from Highway 91 to 800 East. The traffic counts above 800 East are 1500 ADT

The capacity of the existing two roads is above approximately 12,000 ADT. The proposed development will not impact the existing capacity of 300 S Street or 600 S Street. As mentioned in Section II trip generation the anticipated trip generation is 265 ADT for the development.

### VII. Conclusions

Based on the projected traffic and analysis of the existing access and nearby intersections, the development is required to improve Dry Canyon Road to a Minor Local Road Standard from the end of the existing 300 S Street pavement in Smithfield to the east edge of the property to accommodate the anticipated traffic from the development.

The existing roadways 300 South Street and 600 South Street have sufficient capacity to meet the Traffic Impact and the proposed development will not require any offsite improvements to meet the anticipated traffic from the development.



Lance Anderson  
Principal Engineer

**TRAFFIC COUNTS**  
Thursday

**1000 East & 300 South**  
Smithfield, UT

1/13/2022	1000 E (From South)			From North			From East			From West		
Time (AM)	North (Straight)	West (Left)	East (Right)	South (Straight)	East (Left)	West (Right)	North (Right)	West (Straight)	South (Left)	North (Left)	East (Straight)	South (Right)
7:00 - 7:15	7	0	0	11	0	2	1	0	2	1	0	2
7:15 - 7:30	2	3	0	19	0	3	0	2	1	1	0	3
7:30 - 7:45	3	1	1	20	0	5	0	4	5	1	2	2
7:45 - 8:00	2	2	1	37	0	7	0	2	6	4	1	4
8:00 - 8:15	3	1	0	16	0	2	0	4	2	1	3	3
8:15 - 8:30	12	3	2	13	0	2	0	2	2	1	0	1
8:30 - 8:45	5	5	7	22	0	12	0	6	1	3	3	1
8:45 - 9:00	5	10	5	15	0	12	0	26	3	13	13	6
Bicycles:	0	0	0	0	0	0	1	1	0	0	0	,1
Pedestrians:	3	0	0	2	1	0	1	0	1	1	4	2

**1000 East & 300 South**  
Smithfield, UT

Wednesday												
1/19/2022	From South			From North			From East			From West		
Time (PM)	North (Straight)	West (Left)	East (Right)	South (Straight)	East (Left)	West (Right)	North (Right)	West (Straight)	South (Left)	North (Left)	East (Straight)	South (Right)
4:00 - 4:15	17	0	3	14	0	4	0	4	1	4	0	2
4:15 - 4:30	16	2	3	6	0	2	0	4	3	5	5	1
4:30 - 4:45	16	3	4	6	0	4	1	3	4	5	5	2
4:45 - 5:00	19	0	3	10	1	5	1	4	4	1	4	3
5:00 - 5:15	22	4	3	26	1	5	1	4	0	4	1	2
5:15 - 5:30	20	3	5	13	0	1	0	5	1	4	1	1
5:30 - 5:45	19	1	3	10	0	1	0	2	5	6	2	1
5:45 - 6:00	30	1	4	14	1	1	0	3	0	4	5	1
Bicycles:	0	0	0	1	0	0	0	0	0	1	0	one
Pedestrians:	1	1	0	0	0	2	0	1	0	0	2	0

**1000 East & 600 South**

**Smithfield, UT**

Thursday

1/20/2022				<b>1000 E (From North)</b>			<b>600 S (From East)</b>		<b>600 S (From West)</b>		
<b>Time (AM)</b>					East (Left)	West (Right)	North (Right)	West (Straight)	North (Left)	East (Straight)	
7:00 - 7:15					0	15	0	2	9	2	
7:15 - 7:30					0	19	1	7	10	1	
7:30 - 7:45					0	42	0	13	4	7	
7:45 - 8:00					0	66	0	18	17	3	
8:00 - 8:15					0	24	0	12	11	2	
8:15 - 8:30					0	16	0	2	7	6	
8:30 - 8:45					0	20	0	4	4	4	
8:45 - 9:00				0	0	33	1	3	10	2	
Bicycles:					0	0	0	0	0	0	
Pedestrians:				0	0	4	0	0	1	0	

**1000 East & 600 South**

**Smithfield, UT**

Tuesday

1/18/2022				<b>1000 E (From North)</b>			<b>600 S (From East)</b>		<b>600 S (From West)</b>		
<b>Time (PM)</b>					East (Left)	West (Right)	North (Right)	West (Straight)	North (Left)	East (Straight)	
4:00 - 4:15					0	13	0	3	21	6	
4:15 - 4:30					1	13	2	6	24	4	
4:30 - 4:45					1	5	0	7	34	5	
4:45 - 5:00					0	20	0	5	23	13	
5:00 - 5:15					0	22	0	6	35	8	
5:15 - 5:30					0	24	0	5	32	10	
5:30 - 5:45					1	16	0	7	30	4	
5:45 - 6:00					0	5	0	3	43	8	
Bicycles:					0	0	0	0	0	0	0
Pedestrians:					0	4	0	0	2	1	

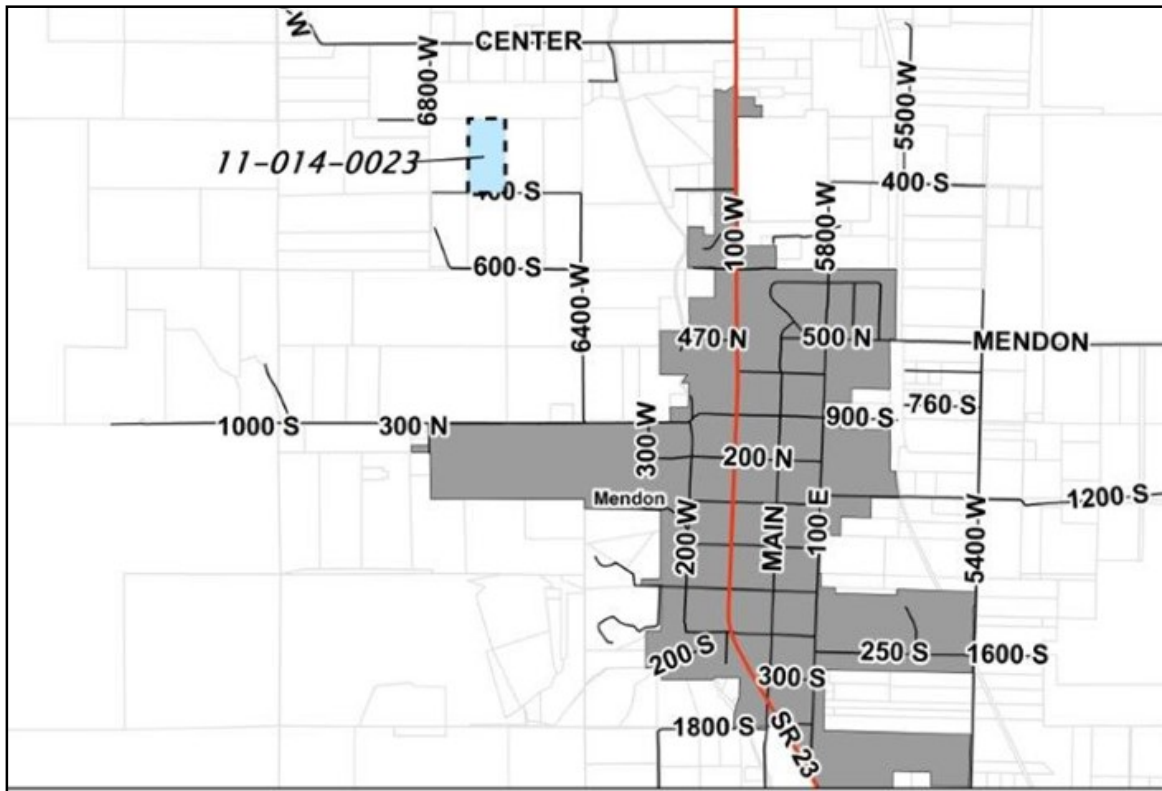


**Staff Report: Holyoak Airport CUP Review - Update****A. Purpose**

The purpose of this review is for the Planning Commission (Commission) to either revoke the existing Holyoak Airport Conditional Use Permit (CUP) or allow it to continue. This review does not provide the Commission the opportunity to amend the approved and recorded CUP and associated conditions.

**B. CUP Location**

The CUP is located on parcel 11-014-0023, Lot #3 of the Pheasant Ridge Subdivision, at 6523 West 400 South, north and west of Mendon. The property is 19.74 acres in size and is in the Agricultural (A10) Zone.



The area surrounding the property consists of agricultural and residential properties, all within the A10 Zone.



### C. Background

1. Staff has reviewed the existing CUP based on the approved and recorded CUP conditions and the County Land Use Code.
2. The CUP was approved by the Commission on May 5, 2016, and recorded on May 4, 2017. No amendments to the original approval have been requested or approved. A copy of the recorded CUP and the final 2016 staff report has been included in Attachment 1.
3. In 2019 staff reviewed the permit and determined that it was necessary for the Commission to consider the CUP for revocation. On June 6, 2019, the Commission reviewed the CUP to determine if conditions existed that may require revocation of the CUP. The Commission's action was to leave the CUP in place.
  - a. The Commission's decision not to revoke the CUP was then appealed to the Cache County Board of Adjustment (Board) by an opposing party where the Board acted in support of the Commission's decision.





6. The property owner has provided additional information addressing items specific to the operation of the airport. This has been reviewed by County staff and those comments are included in Attachment 5.
7. The property owner was noticed 30 days in advance of the initial meeting for revocation review.

#### **D. Ordinance**

1. Section 17.06.050, item E, of the Cache County Land Use Ordinance (Ordinance) states,  
“If there is cause to believe that grounds exist for revocation of an approved Conditional Use Permit, the Land Use Authority shall schedule the item for consideration at a public meeting. A minimum notice of thirty (30) days prior to the meeting shall be provided to the property owner at the location of the approved Conditional Use Permit.
  1. A Conditional Use Permit may be revoked by the Land Use Authority if the Land Use Authority finds that one or more of the following conditions exist:
    - a. The Conditional Use Permit was obtained in a fraudulent manner.
    - b. The use for which the Conditional Use Permit was granted has ceased for a minimum of twelve (12) consecutive calendar months.
    - c. The nature of the use for which the Conditional Use Permit was granted has changed or the intensity of use has increased beyond that originally approved.
    - d. The use constitutes a nuisance as defined by County Code.
    - e. One or more of the conditions of the Conditional Use Permit have not been met.”

#### **E. Revocation Findings**

1. Was the CUP obtained in a fraudulent manner?
  - a. No.
2. Has the use for which the CUP was granted ceased for a minimum of twelve (12) consecutive calendar months?
  - a. No. There is not sufficient evidence to make this claim at this time.
3. Has the nature of the use for which the CUP was granted changed, or has the intensity of use increased beyond that originally approved?
  - a. No.
4. Does the use constitute a nuisance as defined by County Code?
  - a. No. County staff has no evidence to substantiate that the use is a nuisance.
  - b. Within the purview of the Planning Commission, the County Land Use Ordinance defines nuisance as:  
“Any use or activity which emits noise, smoke, dust, odor, or vibration in amounts sufficient to substantially depreciate values of surrounding buildings or lands, or a use or activity which substantially deprives the owners of adjoining property of a property right.”  
Chapter 8.24 Nuisances from the County Code also addresses nuisances. Any complaint made under this chapter must be addressed to the County Fire Chief and is outside the purview of the Planning Commission.

5. Have all the conditions of the Conditional Use Permit been met?

- a. No. Condition #1 of the CUP specifies that the proponent must meet all applicable standards of the Cache County Code. The County Land Use Code, section 17.07.030 Use Related Definitions, item 5810 Private Airport, #2 states that,  
“A copy of the design criteria as per the current FAA Airport Design Advisory Circular AC 150/5300-13A as applicable to the type of aircraft proposed to operate at the site. Said design criteria must be implemented at the site.”
- b. All design criteria necessary to address the structure located in the runway RPZ have not been provided. At this time this report was drafted (1/25/2022) no additional information has been provided to this Department since the last Commission meeting held on 12/2/2021 where this was discussed. The basic performance specifications from the Cessna 182M Pilot's Operating Handbook (POH) were included with the initial application, however, the charts for short takeoff and landing that address temperature, elevation, and runway surface in calculating runway length have not been provided. This necessary information will allow the applicant and County staff to confirm the runway information and RPZ location. ~~The information related to the specs for the modifications that have been done to the aircraft, i.e. STOL kit and engine modification.~~ Without that information, the staff is unable to determine if the runway length is adequate for the aircraft and therefore unable to confirm the location of the RPZs. Of additional concern is that the noted minimum runway lengths as identified in the existing CUP may not be adequate as they do not address the specific location and environment. Even at 2700 lbs., and with the information currently available to staff, the most conservative estimate places both short field takeoff and landing closer to 900' in length when considering temperature, elevation, and runway surface. (POH for 1982 Cessna 182Q at 0 C and 4700 feet elevation on dry grass). However, this is not specific to the Cessna 182M and does not consider the modifications that have been made to the aircraft. A copy of the applicable pages from the POH for the Cessna 182M and the updated specs for the aircraft with the STOL kit and increased horsepower is necessary to accurately determine the minimum distances required for takeoff and landing.
- c. AC 150/5300-13A defines an RPZ as,  
“An area at ground level prior to the threshold or beyond the runway end to enhance the safety and protection of people and property on the ground”.
- d. The immediately applicable section of that criteria is found under paragraph 310. This section establishes the criteria for the RPZ and states that the function of the RPZ is to,  
“enhance the protection of people and property on the ground. This is best achieved through airport owner control over RPZs. Control is preferably exercised through the acquisition of sufficient property interest in the RPZ and includes clearing RPZ areas (and maintaining them clear) of incompatible objects and activities.”
- e. That same section also states that,  
“It is desirable to clear the entire RPZ of all above-ground objects. Where this is impractical, airport owners, as a minimum, should maintain the RPZ clear of all facilities supporting incompatible activities.”

- f. Based on the code requirement that the design criteria must be implemented, the RPZ must remain clear of all above-ground objects and clear of incompatible objects and activities. A copy of paragraph 310 has been included in Attachment 3.
- g. This section references FAA Memorandum, Interim Guidance on Land Uses Within a Runway Protection Zone (FAA Memo), dated 9/27/2012, as a tool to clarify “incompatible objects and activities”. This FAA Memo indicates that for new or modified land uses, buildings and structures are incompatible land uses in the RPZ, and the FAA Memo states that it does not address incompatible objects for existing land uses. A copy of the FAA Memo has been included in Attachment 4.
- h. Staff’s determination is that a Single Family Dwelling is an incompatible land use in the RPZ.

## **F. Conclusions**

~~The CUP may be revoked by the Land Use Authority as conditions that justify revocation exist as follows:~~

- ~~1. All the conditions of the Conditional Use Permit have not been met.~~
  - ~~a. Condition 1 of the permit has not been met as not all criteria have been provided as per the current FAA Airport Design Advisory Circular 150/5300-13A and as applicable to the type of aircraft proposed to operate at the site. Also, it does not appear that the runway length as identified in the existing CUP was established based on accurate and complete information, and therefore the existing minimum required runway length and location of the RPZs as approved under the CUP do not appear to be accurate.~~
- ~~2. The use for which the CUP was granted may have ceased for a minimum of twelve (12) consecutive calendar months. Staff review of the deposition is required to fully confirm this conclusion.~~

## **G. Recommendation**

~~At this time, while it appears that sufficient information may be present for the Commission to act to revoke the permit, County staff recommends the Commission postpone final action until the Commission’s February meeting to allow the review of the depositions, and for the Holyoak Airport to provide, and staff to review, the required information with the requirement that a status update is provided by the Holyoak Airport to the Commission at the January meeting.~~

## **F. Recommendation and Conclusion**

Staff recommends that the Commission revoke the Holyoak Airport CUP as conditions that justify revocation exist as noted in the following conclusion:

- 3. All the conditions of the Conditional Use Permit have not been met.
  - a. Due to the location of the new structure in the RPZ of the runway, Condition 1 of the permit has not been met as not all criteria have been provided as per the current FAA Airport Design Advisory Circular 150/5300-13A and as applicable to the type of aircraft proposed to operate at the site; and
  - b. Due to the location of the new and existing structures on this and surrounding properties, it is not possible for the existing Holyoak Airport to implement the required design criteria in compliance with the County Land Use Code.



## DEVELOPMENT SERVICES DEPARTMENT

BUILDING | SURVEYING | ENGINEERING | GIS | PLANNING &amp; ZONING | ROADS | WEEDS

**CONDITIONAL USE PERMIT** (This permit does not give clearance for a Building Permit.)

LEGAL DESCRIPTION(S) ATTACHED

Ent 1171175 Bk 1949 Pg 1272  
 Date: 4-May-2017 04:10 PM Fee \$12.00  
 Cache County, UT  
 Michael Gleed, Rec. - Filed By JA  
 For RACHEL HOLYOAK

**PURPOSE**

The construction and operation of a private airport as per County Land Use Code § 17.07.030, land use index 6310 Private Airport.

**PROJECT NAME:** Holyoak Airport**APPROVAL DATE:** 5 May 2016**PROJECT ADDRESS:** 6523 West 400 South  
Mendon, Utah 84325**TAX #:** 11-014-0023**OWNER NAME:** Nathan and Rachel Holyoak**ZONE:** Agricultural (A10)**ACRES:** 19.74**CONDITIONS OF APPROVAL (8)**

1. The proponent must meet all applicable standards of the Cache County Code.
2. Prior to recordation, the applicant must provide a revised runway layout and design compliant with the runway design standards in FAA Advisory Circular AC 150/5300-13A.
3. The proponent must follow the site plans and letter of intent submitted to the Cache County Development Services Office, except as conditioned by the Cache County Planning Commission herein.
4. If the existing landing strip is amended in the future and results in more than 5,000 square feet land disturbance, the applicant must meet the minimum storm water requirements in place at that time. Best Management Practices (BMP's) must then include and define how storm water will be controlled on-site.
5. In order to provide for the public safety in the form of fire and emergency medical service to the proposed airstrip, the access road to the airstrip must be a minimum of 12 feet wide and provide an all-weather surface for emergency vehicle access.
6. A copy of the Airport Master Record must be provided to the Development Services Department once the airport is in operation.
7. Any further expansion or modification of the facility or site must obtain the approval of the designated Land Use Authority.
8. If any structures are built within the noted runway areas and zones, the Holyoak Airport Conditional Use Permit must be reconsidered by the Cache County Land Use Authority.

**Expiration:** This conditional use permit shall expire and be null and void twelve (12) months after the approval date unless:

1. A County Building Permit has been issued and remains in force until the completion of the approved project, or;
2. A County Business License is issued and remains current for an approved commercial business, or;
3. Substantial work shall have been accomplished towards the completion of the approved project.

If at any time any specific condition is not fully complied with, the Planning Commission may revoke the conditional use permit upon a 30-day notice to the applicant/property owner and following a public meeting.

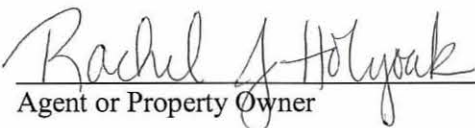
  
Director of Development Services

3/21/2017  
Date

Ent 1171175 Bk 1949 Pg 1273

### AGREEMENT OF ACCEPTANCE

I have read, understand and agree to comply with the Land Use Ordinance and the terms of this permit. I realize that in order to do any construction on the property, I will be required to obtain a County Building Permit and that I will need to meet the standards of Cache County for any improvements. I agree to reimburse Cache County for any costs of enforcement including reasonable attorney fees, and/or any other costs of enforcement incurred by Cache County resulting from my failure to comply with the Land Use Ordinance and the terms of this conditional use permit.

  
Agent or Property Owner

5/4/2017  
Date

STATE OF UTAH       )  
                                  )  
COUNTY OF CACHE   )



Sworn to and subscribed to before me this

04 day of May, 2017.

  
Notary Public

### LEGAL DESCRIPTION(S)

**11-014-0023:**

LOT 3 PHEASANT RIDGE SUBDIVISION CONT 19.74 AC




**STAFF REPORT: HOLYOAK AIRPORT CONDITIONAL USE PERMIT**

5 May 2016

This staff report is an analysis of the application based on adopted county documents, standard county development practices, and available information. The report is to be used to review and consider the merits of the application. Additional information may be provided that supplements or amends this staff report.

**Agent:** Nathan and Rachel Holyoak

**Parcel ID#:** 11-014-0023

**Staff Determination:** Approval with conditions

**Type of Action:** Administrative

**Land Use Authority:** Cache County Planning Commission

**PROJECT LOCATION**
*Reviewed by: Jacob Adams — Planner I*
**Project Address:**

 6523 West 400 South  
 Mendon, UT 84325

**Current Zoning:**

Agricultural (A10)

**Acres:** 19.74

**Surrounding Uses:**

North – Agricultural/Residential

South – Agricultural/Residential

East – Agricultural/Residential

West – Agricultural/Residential


**PROJECT PURPOSE, APPLICABLE ORDINANCE, SUMMARY, AND PUBLIC COMMENT**
**Purpose:**

To review and make a decision regarding the request to allow a private airport.

**Ordinance:**

This proposed use is defined as “6310 Private Airport” under Cache County Land Use Code §17.07.030 Definitions, and as per §17.09.030 Schedule of Uses by Zone, and is permitted as a conditional use in the Agricultural (A10) Zone only if reviewed and approved in accordance with the conditional use review procedures of §17.06 Uses. These procedures are detailed under §17.06.050 Conditional Uses and §17.06.050 [C].

**Summary:**

In the addition to the requirements of the review for a conditional use permit, 6310 Private Airport (airport) requires the following items:

- |  |                           |  |
|--|---------------------------|--|
| <ol style="list-style-type: none"> <li>1. A copy of any and/or all FAA reviews, forms, and analyses regarding the airport location, activity, and design including:               <ol style="list-style-type: none"> <li>a. The current FAA Form 7480-1, and;</li> <li>b. FAA response to the Form 7480-1 submission.</li> <li>c. A copy of the Airport Master Record.</li> </ol> </li> <li>2. A copy of the design criteria as per the current FAA Airport Design Advisory Circular AC 150/5300-13A as applicable to the type of aircraft proposed to operate at the site. Said design criteria must be implemented at the site.</li> </ol> | }<br><br><br><br><br><br> | <b>Exhibit A</b><br><br><br><br><br><br><b>Exhibit B</b> |
|--|---------------------------|--|

As noted, these items have been attached as Exhibits A and B. FAA Form 7480-1 and the FAA response have been submitted by the proponent and indicate that the proponent has obtained the necessary review from the FAA to operate the airport. The Airport Master Record is required by the FAA once the airport is in place. A copy must also be submitted to this office once it has been submitted to the FAA. Item 2 (Exhibit B) identifies the design criteria for the airport identified by the FAA and required by County Code §17.07.030, 6310 Private Airport, and includes a runway design standards matrix specific to the owner's aircraft type.

The applicant has submitted a letter of intent detailing the proposed private airport:

1. **Airstrip Type and Size** — The proposed airstrip will only be used for Visual Flight Rules (VFR) flights. The airstrip will have a dirt or mowed grass surface and is intended to be slightly over 1300 feet long and 50 feet wide with an elevation of 4,565 feet above sea level. FAA Advisory Circular AC 150/5325-4B allows airport designers to determine the recommended runway length from the design aircraft's flight manual; the applicable information is found in "Aircraft Capability" below.
2. **Aircraft Type** — The owner's aircraft is a modified Cessna 182. This aircraft has a wingspan of 36.1 feet, a length of 28.2 feet, a tail height of 9.2 feet, and an empty weight of 1,580 pounds. The applicant has stated that any future aircraft, including family or friend's aircraft, would be less demanding than the owner's current aircraft.
3. **Aircraft Capability** — The Cessna's take-off distance is 625 feet of ground run with a total distance required to clear a 50-foot tall obstacle of 1205 feet. The landing distance is 590 feet of ground roll with a total distance over 50-foot obstacles of 1350 feet.
4. **Operation Times** — The hours of operation will vary during visible daylight hours, seven days a week based on weather/visibility. It is not anticipated to be regularly used between 10:30 PM and 5:00 AM due to Visual Flight Rules (VFR) restrictions. Should the airport need to be used during these times, the applicants have expressed a willingness to notify immediately adjacent neighbors. The applicant anticipates an average of 15 landings per month.
5. **Storage** — The applicant states an existing hanger on the property will be used for storage of their personal aircraft. This hanger was built along with the house as a "shop."

The applicant has not provided details relating to the runway design standards set forth in FAA Airport Design Advisory Circular AC 150/5300-13A, Table 3-5. The relevant dimensions were identified by staff and are shown in Table 1 (next page) and illustrated in Exhibit C. Of these items, the proposed runway does not appear to meet the runway width requirement or the width requirements for the Runway Safety Area, the Runway Object Free Area, and the Runway Obstacle Free Zone due to the

residential homes in the area. There is only approximately 500 feet between the applicant's home and the home and structures on the property to the east.

**Table 1— Runway Design Standards (See Map, Exhibit C)**

ITEM	DIMENSIONS	ITEM	DIMENSIONS
Runway Design		Runway Obstacle Free Zone (ROFZ)	
Runway Length	As above	Length	200 ft
Runway Width	60 ft	Width	250 ft
Crosswind Component	10.5 knots		
Runway Safety Area (RSA)		Approach Runway Protection Zone (RPZ)	
Length beyond departure end	240 ft	Length	1000 ft
Length prior to threshold	240 ft	Inner Width	250 ft
Width	120 ft	Outer Width	450 ft
		Acres	8.035
Runway Object Free Area (ROFA)		Departure Runway Protection Zone (RPZ)	
Length beyond runway end	240 ft	Length	1000 ft
Length prior to threshold	240 ft	Inner Width	250 ft
Width	250 ft	Outer Width	450 ft
		Acres	8.035

There are additional concerns with the length or width of the Approach and Departure Runway Protection Zones (depending on the length of the runway and where it is located on the parcel) due to the nearby structures and the parcels to the north and south. The parcel to the south (11-014-0033) is the currently undeveloped Lot 3 of the Pheasant Ridge Estates Subdivision, while the 38-acre (12-035-0011) and the 9.25-acre (12-035-0028) parcels to the north are currently used for agriculture.

Advisory Circular AC 150/5300-13A indicates that airport operators should own the Runway Protection Zones. In this case, future development on these parcels may interfere with these zones and create unsafe situations. It is left to the Planning Commission to determine whether to require the applicant own the land associated with the RPZ's or to allow the airport with the condition that the development rights of these parcels have priority over the airport and future development in these areas may restrict the airport's ability to operate.

Federal regulation 14 CFR 91.119, Minimum Safe Altitudes: General, requires that, except as needed for takeoff and landing, an aircraft cannot be operated within 500 feet of any person, vessel, vehicle, or structure in a sparsely populated area.

**Access:**

- Access to the airport site and to private road 400 South is from county road 6400 West and does not meet the minimum county standards
- County road 6400 West is a 17 foot wide gravel road.
- The current Cache County Manual of Roadway Design and Construction Standards §2.3 specifies that roads with more than 30 ADT are required to meet the minimum county roadway standards, specifically, a 22' wide paved surface with 1' wide gravel shoulders.
- Private road 400 South is a 17 to 20 foot wide gravel road.
- The current Cache County Manual of Roadway Design and Construction Standards §2.4 [4] [a] [ii] specifies that the private drive must be a minimum of 20 feet wide.
- Staff recommends that a design exception be granted for the substandard portions of county road 6400 West and private road 400 South as the impact to these roads due to the proposed use is negligible (see section 2.4 [4] [c] [i] of The Cache County Manual of Roadway Design

and Construction Standards), and the involved lots are part of an approved subdivision (see section 2.4 [4] [b] [i & ii] of The Cache County Manual of Roadway Design and Construction Standards).

***Service & Maintenance:***

- Cache County performs year round maintenance on county road 6400 West.
- Maintenance of private road 400 South is the responsibility of the homeowners within the Pheasant Ridge Subdivision.
- Water supply for fire suppression would be provided by the Mendon Fire Department.
- In order to provide for the public safety in the form of fire and emergency medical service to the proposed airstrip, the access road to the airstrip shall be a minimum of 12' wide, all-weather surface such that fire apparatus and emergency medical vehicles are able to access the site in a minimal amount of time under weather conditions common to the area (IFC 503.2.3).
- As the landing strip will be vegetated (grass), there will be minimal land disturbance. If the existing landing strip is amended in the future and results in more than 5,000 square feet of land disturbance, the applicant must meet the minimum storm water requirements in place at that time. Best Management Practices (BMP's) must then include and define how storm water will be controlled on-site.

***Sensitive Areas:***

- There is a mapped FEMA floodplain associated with Spring Creek on this property. While the runway will pass through this floodplain, no structures are being proposed within this area.

**Public Notice and Comment:**

Public notice was posted online to the Utah Public Notice Website and the Cache County website on 21 April 2016. Notice was also published in the Herald Journal on 26 April 2016. Notices were mailed to all property owners within 300 feet of the subject property on 29 April 2016. At this time, no public comment regarding this proposal has been received by the Development Services Office.

**STAFF DETERMINATION AND FINDINGS OF FACT (4)**

It is staff's determination that the request for a conditional use permit for the Holyoak Airport, located in the Agricultural (A10) Zone at 6523 West 400 South near Mendon with parcel number 11-014-0023 is in conformance with the Cache County Code and should be approved. This determination is based on the following findings of fact:

1. The Holyoak Airport conditional use permit has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The Holyoak Airport conditional use permit has been revised and amended by the conditions of project approval to conform to the requirements of Title 17 of the Cache County Code and the requirements of various departments and agencies.
3. The Holyoak Airport conditional use permit has been reviewed in conformance with §17.06.070 of the Cache County Code, Standards and Criteria for Conditional Use, and conforms to said title, pursuant to the conditions of approval.
4. A design exception is hereby approved to allow county road 6400 West and private road 400 South to function as substandard roadways as the impact to the road is negligible and no structures are proposed.

**CONDITIONS OF APPROVAL (7)**

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The following conditions are appurtenant to the existing property and must be accomplished prior to recordation or operation for the development to conform to the County Code and the requirements of county service providers.

1. The proponent must meet all applicable standards of the Cache County Code.
2. Prior to recordation, the applicant must provide a revised runway layout and design compliant with the runway design standards in FAA Advisory Circular AC 150/5300-13A.
3. The proponent must follow the site plans and letter of intent submitted to the Cache County Development Services office, except as conditioned by the Cache County Planning Commission herein.
4. If the existing landing strip is amended in the future and results in more than 5,000 square feet land disturbance, the applicant must meet the minimum storm water requirements in place at that time. Best Management Practices (BMP's) must then include and define how storm water will be controlled on-site.
5. In order to provide for the public safety in the form of fire and emergency medical service to the proposed airstrip, the access road to the airstrip must be a minimum of 12 feet wide and provide an all-weather surface for emergency vehicle access.
6. A copy of the Airport Master Record must be provided to the Development Services Department once the airport is in operation.
7. Any further expansion or modification of the facility or site must obtain the approval of the designated Land Use Authority.
8. If any structures are built within the noted runway areas and zones, the Holyoak Airport Conditional Use Permit must be reconsidered by the Cache County Land Use Authority.



**NOTICE FOR CONSTRUCTION, ALTERATION AND DEACTIVATION OF AIRPORTS****A. Airport Owner**☒ Check if this is also the Property Owner1. Name and Address ☒ Check if this is the Airport's Physical AddressNathan & Rachel Holyoak  
PO Box 4927 / 6523 West 400 South  
Logan, UT 843232. Phone  
(435) 757-15783. Email  
racheljholyoak@yahoo.com**B. Airport Manager** (Complete if different than the Airport Owner)1. Name and Address ☐ Check if this is the Airport's Physical Address

2. Phone

3. Email

**C. Purpose of Notification** (Answer all questions that apply)1. Construct or Establish an: ☒ Airport ☐ Ultralight Flightpark ☐ Balloonport  
☒ Heliport ☐ Seaplane Base ☐ Other2. Construct, Alter or Realign a: ☒ Runway ☐ Helipad(s) ☐ Other  
☒ Taxiway (Public Use Airports only)3. Change Status From/To: ☒ VFR to IFR ☐ IFR to VFR  
☒ Private Use to Public Use ☐ Public Use to Other4. Change Traffic Pattern: ☐ Direction \_\_\_\_\_  
☐ Altitude \_\_\_\_\_ ☐ Other (Describe Below)5. Deactivate: ☐ Airport ☐ RWY \_\_\_\_\_ ☐ TWY \_\_\_\_\_6. Description:  
Private Grass Airstrip**D. Name, Location, Use and Type of Landing Area**1. Name of Landing Area  
Holyoak Private Airstrip

2. Loc ID (for existing)

3. Associated City and State  
Mendon, UT4. Distance from City  
3 (nm)5. County (Physical Location)  
Cache6. Direction from City  
Northwest7. Latitude  
41° 43' 29"8. Longitude  
111° 59' 40"9. Elevation  
4,56510. Current Use: ☒ Private ☐ Public ☐ Private Use of Public Lands11. Ownership: ☒ Private ☐ Public ☐ Military (Branch) \_\_\_\_\_12. Airport Type: ☒ Airport ☐ Ultralight Flightpark ☐ Balloonport  
☐ Heliport ☐ Seaplane Base ☐ Other**E. Landing Area Data** (List any Proposed, New or Unregistered Runways, Helipads etc.)

1. Airport, Seaplane Base or Ultralight Flightpark (use second page if needed)

RWY ID	36 /	18 /
Lat. & Long.	Show on attachment(s)	Show on attachment(s)
Surface Type	Grass	Grass
Length (feet)	1,300	1,300
Width (feet)	50	50
Lighting (if any)	None	None
Right Traffic (Y/N)	N /	N /
Elevation (AMSL)	Show on attachment(s)	Show on attachment(s)
VFR or IFR	VFR /	VFR /

2. Helipad, Balloonport or other Landing Area (use second page if needed)

Helipad ID		
Lat. & Long.	Show on attachment(s)	Show on attachment(s)
Surface Type		
TLOF Dimensions		
FATO Dimensions		
Lighting (if any)		
Ingress/Egress (Degrees)		
Elevation (AMSL)	Show on attachment(s)	Show on attachment(s)
Elevated Height (AGL)		

**F. Operational Data** (Indicate if the number provided is Actual or Estimated)

	1. Number of Based Aircraft		2. Average Number of Monthly Landings	
	Present or Estimated	Estimated in 5 Years	Present or Estimated	Estimated in 5 Years
Single Engine	1	2	15	15
Multi Engine				
Jet				
Helicopter				
Glider				
Military				
Ultralight				

3. What is the Most Demanding Aircraft that operates or will operate at the Airport? (Provide approach speed, rotor diameter, etc. if known)  
C-182, 52 knots approach speed, 78 in propeller diameter, 36 ft wing span.4. Are IFR Procedures for the Airport Anticipated? ☐ Yes ☒ No if Yes, Within \_\_\_\_\_ Years**G. CERTIFICATION:** I hereby certify that all of the above statements made by me are true and complete to the best of my knowledge.1. Name, title of person filing this notice (type or print)  
Nathan and Rachel Holyoak, Airport Owners

2. Signature (in ink)

3. Date  
01/21/2016

4. Phone

(435) 757-1578

5. Email

racheljholyoak@yahoo.com



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

Denver Airports District Office  
26805 East 68th Ave., Suite 224  
Denver, CO 80249-6361  
(303) 342-1250

March 10, 2016

Nathan & Rachel Holyoak  
P.O. Box 4927  
6523 West 400 South  
Logan, Utah 84323

Dear Mr. and Mrs. Holyoak:

Airspace Case No. 2016-ANM-128-NRA

An airspace analysis has been completed for the proposed private use Holyoak Airport, Mendon, Utah, at the location as submitted on Form 7480-1. Based on this study, the Federal Aviation Administration (FAA) has no objection.

Operations should be conducted in accordance with the communications requirements and restrictions of the overlying class of airspace. We recommend that a clear 20:1 approach slope be established and maintained.

Please check the performance capabilities of the aircraft you intend to operate at your airport to ensure you have adequate runway length. All users of the airport should be briefed on operating conditions at the airport.

This determination does not mean FAA approval or disapproval of the physical development involved in the proposal. It is a determination with respect to the safe and efficient use of airspace by aircraft and with respect to the safety of persons and property on the ground. This determination does not relieve the proponent of responsibility for compliance with any local law, ordinance or regulations, or state or other Federal regulations.

In making this determination, the FAA has considered matters such as the effect the proposal would have on the existing or planned traffic patterns of neighboring airports, the effects it would have on the existing airspace structure and projected program of the FAA, the effects it would have on the safety of persons and property on the ground, and the effects that existing or proposed man-made objects (on file with the FAA) and known natural objects within the affected area would have on the proposal.

The FAA cannot prevent the construction of structures near an airport. The airport environs can only be protected through such means as local zoning ordinances or acquisition of property rights. It is up to you, as the owner, to provide for this protection.

No evaluation of the environmental aspects of the proposal was made in reaching this determination. Therefore, this determination is not to be construed as approval of the proposal from an environmental standpoint under Public Law 91-190 (National Environmental Policy Act of 1969).



In order to avoid placing any unfair restrictions on users of the navigable airspace, **if your facility does not become operational by March 31, 2017, this determination will expire unless you request a time extension.**

When the airport becomes operational, please complete and return the enclosed Airport Master Record form to this office (address above). The Airport Master Record officially notifies the FAA that your facility has been activated. When the processing of the Airport Master Record form is completed, your landing area will have a site number and a permanent location identifier. This determination was based on the information you provided on the 7460-1 form and location maps. If there are changes to your proposal since you filed the FAA Form 7480-1 (location, coordinates, magnetic bearing of runways, etc.), a new aeronautical review may be required.

**The airport master record must be returned for the FAA to consider your airport activated.**

If this facility changes names, changes ownership, closes, if there is a change in the owner's address or other substantial changes, please notify the FAA, NFDC on Form 5010-2. The FAA might solicit information updates on your airport, and if the solicitation is not responded to, your airport could be considered an inactive facility. **Please keep your contact information current.**

Thank you for your cooperation in this matter. If you have any questions, please contact me at (303) 342-1251.

Sincerely,



Marsha Hofer  
Program Specialist

Enclosure

cc:  
AAS-300 w/7480-1 & sketch  
Utah State Aeronautics  
Cache County Planning Department



MMS:

TAKE OFF - 625'

LANDING - 590'

Table 3-5. Runway design standards matrix

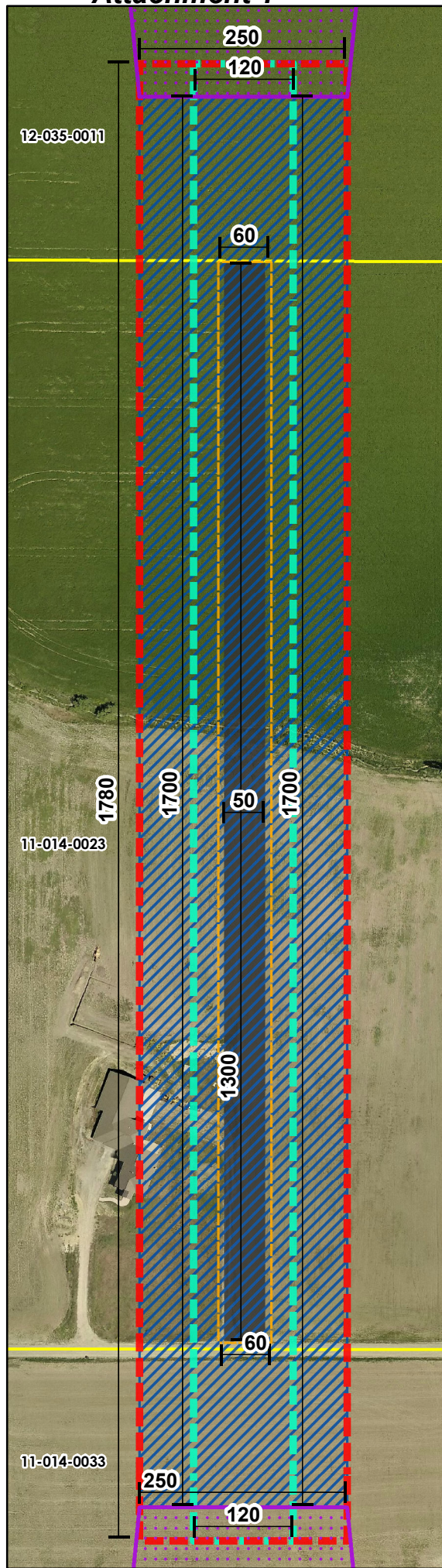
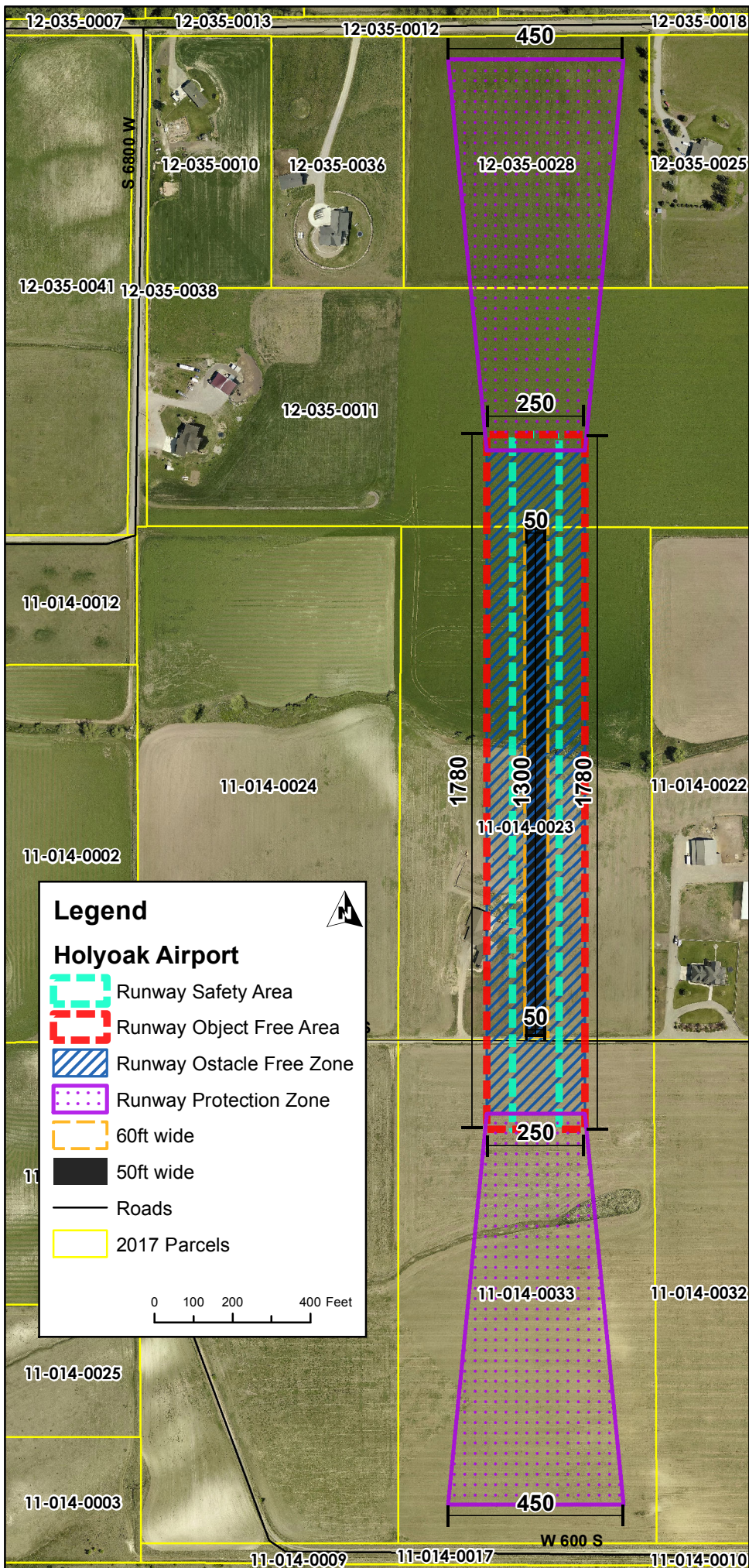
Aircraft Approach Category (AAC) and Airplane Design Group (ADG): (select from pull-down menu at right)		B – I Small Aircraft			
ITEM	DIM <sup>1</sup>	Visibility Minimums			
		Visual	Not Lower than 1 mile	Not Lower than 3/4 mile	Lower than 3/4 mile
<b>Runway Design</b>					
Runway Length	A	Refer to paragraphs 302 and 304			
Runway Width	B	60 ft	60 ft	60 ft	75 ft
Shoulder Width <i>N/A</i>		<del>10 ft</del>	10 ft	10 ft	10 ft
Blast Pad Width <i>N/A</i>		<del>80 ft</del>	80 ft	80 ft	95 ft
Blast Pad Length <i>N/A</i>		<del>60 ft</del>	60 ft	60 ft	60 ft
Crosswind Component		10.5 knots	10.5 knots	10.5 knots	10.5 knots
<b>Runway Protection</b>					
Runway Safety Area (RSA)					
Length beyond departure end <sup>9, 10</sup>	R	240 ft	240 ft	240 ft	600 ft
Length prior to threshold	P	240 ft	240 ft	240 ft	600 ft
Width	C	120 ft	120 ft	120 ft	300 ft
Runway Object Free Area (ROFA)					
Length beyond runway end	R	240 ft	240 ft	240 ft	600 ft
Length prior to threshold	P	240 ft	240 ft	240 ft	600 ft
Width	Q	250 ft	250 ft	250 ft	800 ft
Runway Obstacle Free Zone (ROFZ)					
Length		200 ft	Refer to paragraph 308 a.		
Width		250 ft	Refer to paragraph 308 a.1. b.		
Precision Obstacle Free Zone (POFZ)					
Length		N/A	N/A	N/A	N/A
Width		N/A	N/A	N/A	N/A
Approach Runway Protection Zone (RPZ)					
Length	L	1000 ft	1000 ft	1700 ft	2500 ft
Inner Width	U	250 ft	250 ft	1000 ft	1000 ft
Outer Width	V	450 ft	450 ft	1510 ft	1750 ft
Acres		8.035	8.035	48.978	79.000
Departure Runway Protection Zone (RPZ)					
" Length	L	1000 ft	1000 ft	1000 ft	1000 ft
" Inner Width	U	250 ft	250 ft	250 ft	250 ft
" Outer Width	V	450 ft	450 ft	450 ft	450 ft
Acres		8.035	8.035	8.035	8.035
<b>Runway Separation – <i>N/A</i></b>					
Runway centerline to:					
Parallel runway centerline	H	Refer to paragraph 316			
Holding position		<del>125 ft</del>	125 ft	125 ft	175 ft
Parallel Taxiway/Taxilane centerline <sup>2, 4</sup>	D	<del>150 ft</del>	150 ft	150 ft	200 ft
Aircraft parking area	G	<del>125 ft</del>	125 ft	125 ft	400 ft
Helicopter touchdown pad		N/A	N/A	N/A	N/A

Notes:

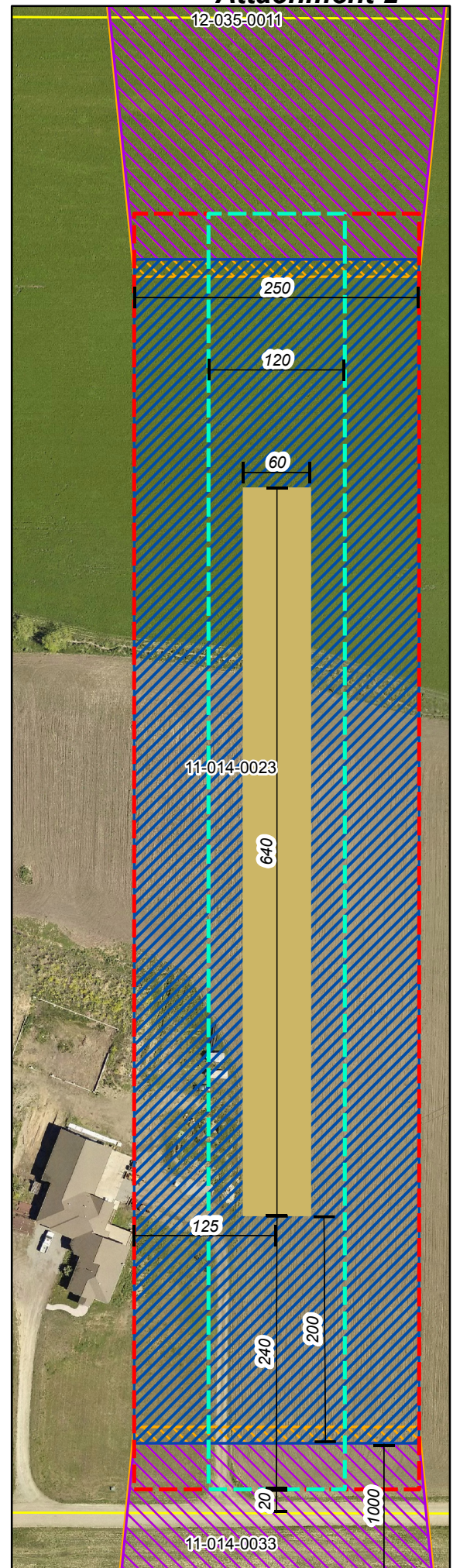
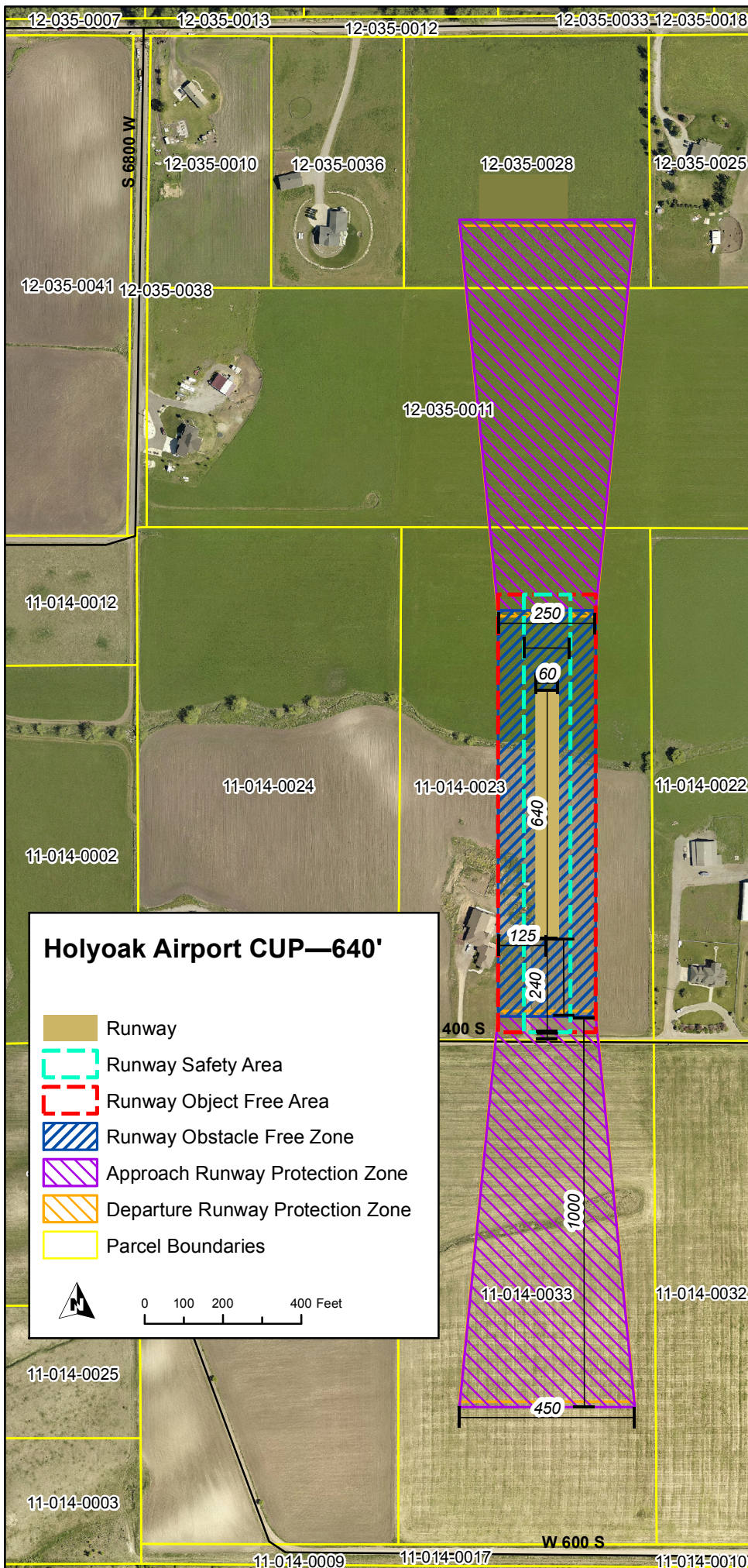
- Appendix 7 contains non-interactive tables for all RDCs.
- Values in the table are rounded to the nearest foot. 1 foot = 0.305 meters.

Interactive Form

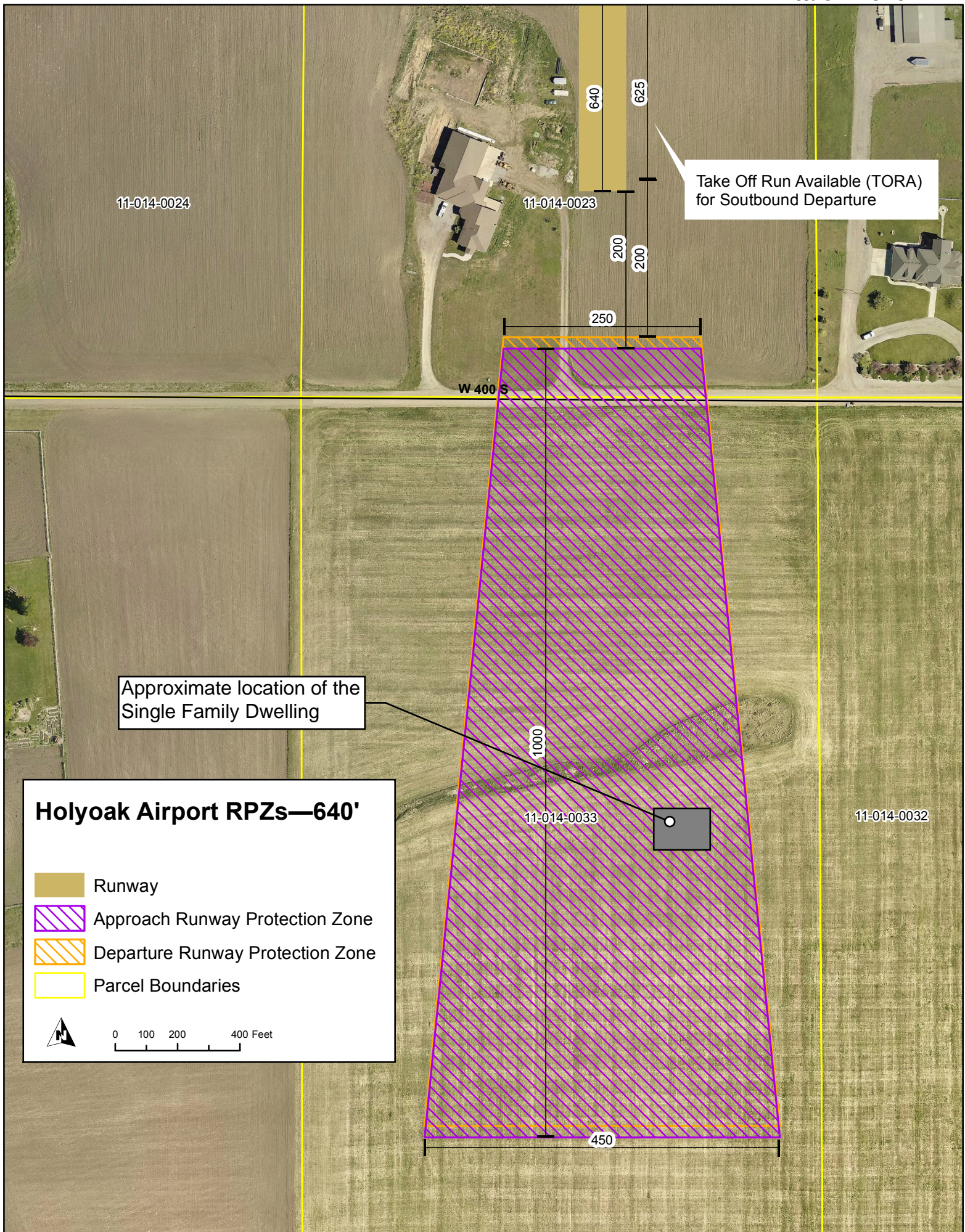






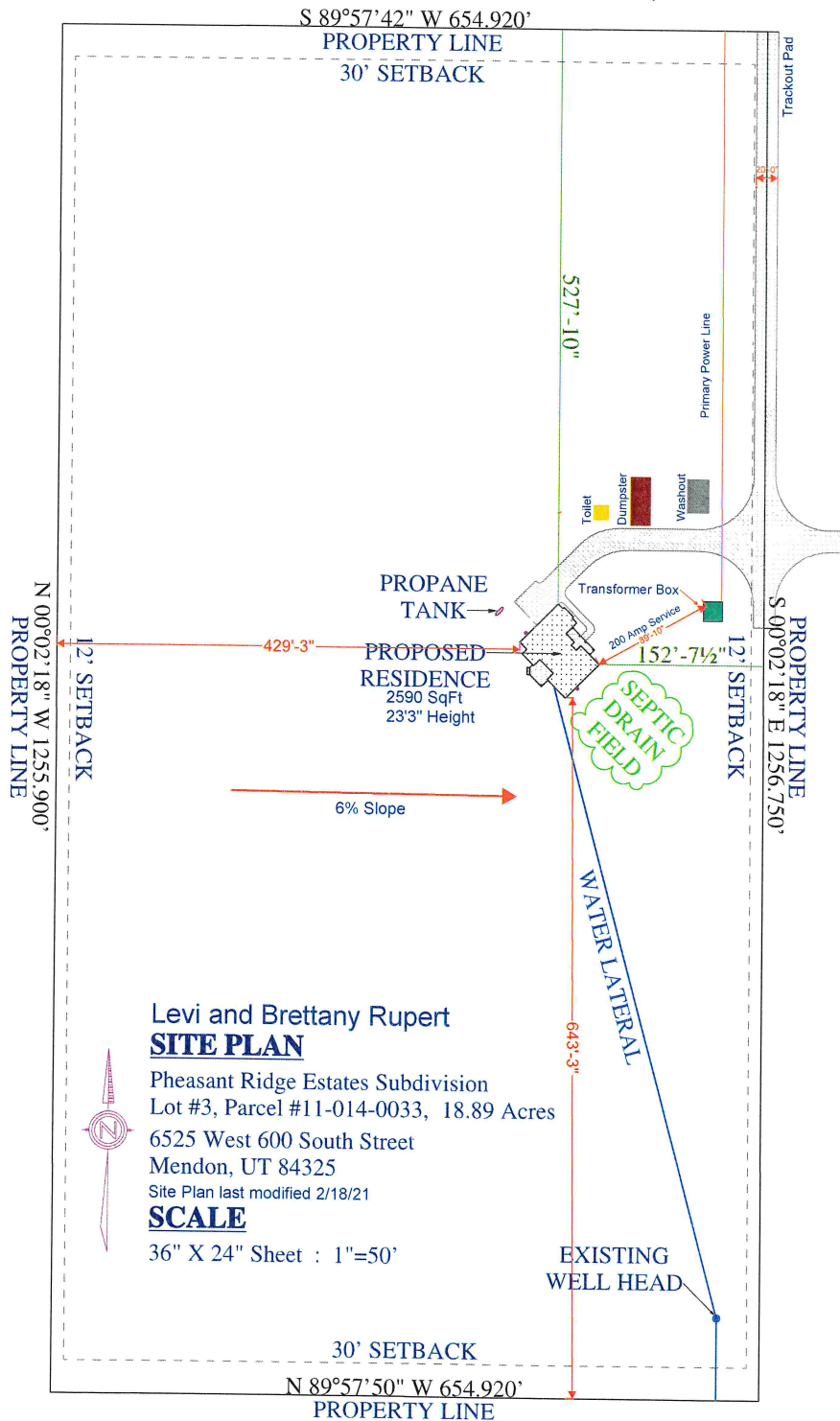








# 400 SO. STR. (PRIVATE)



600 SOUTH STREET

**310. Runway Protection Zone (RPZ).**

The RPZ's function is to enhance the protection of people and property on the ground. This is best achieved through airport owner control over RPZs. Control is preferably exercised through the acquisition of sufficient property interest in the RPZ and includes clearing RPZ areas (and maintaining them clear) of incompatible objects and activities.

**a. RPZ background.**

(1) Approach protection zones were originally established to define land areas underneath aircraft approach paths in which control by the airport operator was highly desirable to prevent the creation of air navigation hazards. Subsequently, a 1952 report by the President's Airport Commission (chaired by James Doolittle), entitled *The Airport and Its Neighbors*, recommended the establishment of clear areas beyond runway ends. Provision of these clear areas was not only to preclude obstructions potentially hazardous to aircraft, but also to control building construction as a protection from nuisance and hazard to people on the ground. The Department of Commerce concurred with the recommendation on the basis that this area was "primarily for the purpose of safety and convenience to people on the ground." The FAA adopted "Clear Zones" with dimensional standards to implement the Doolittle Commission's recommendation. Guidelines were developed recommending that clear zones be kept free of structures and any development that would create a place of public assembly.

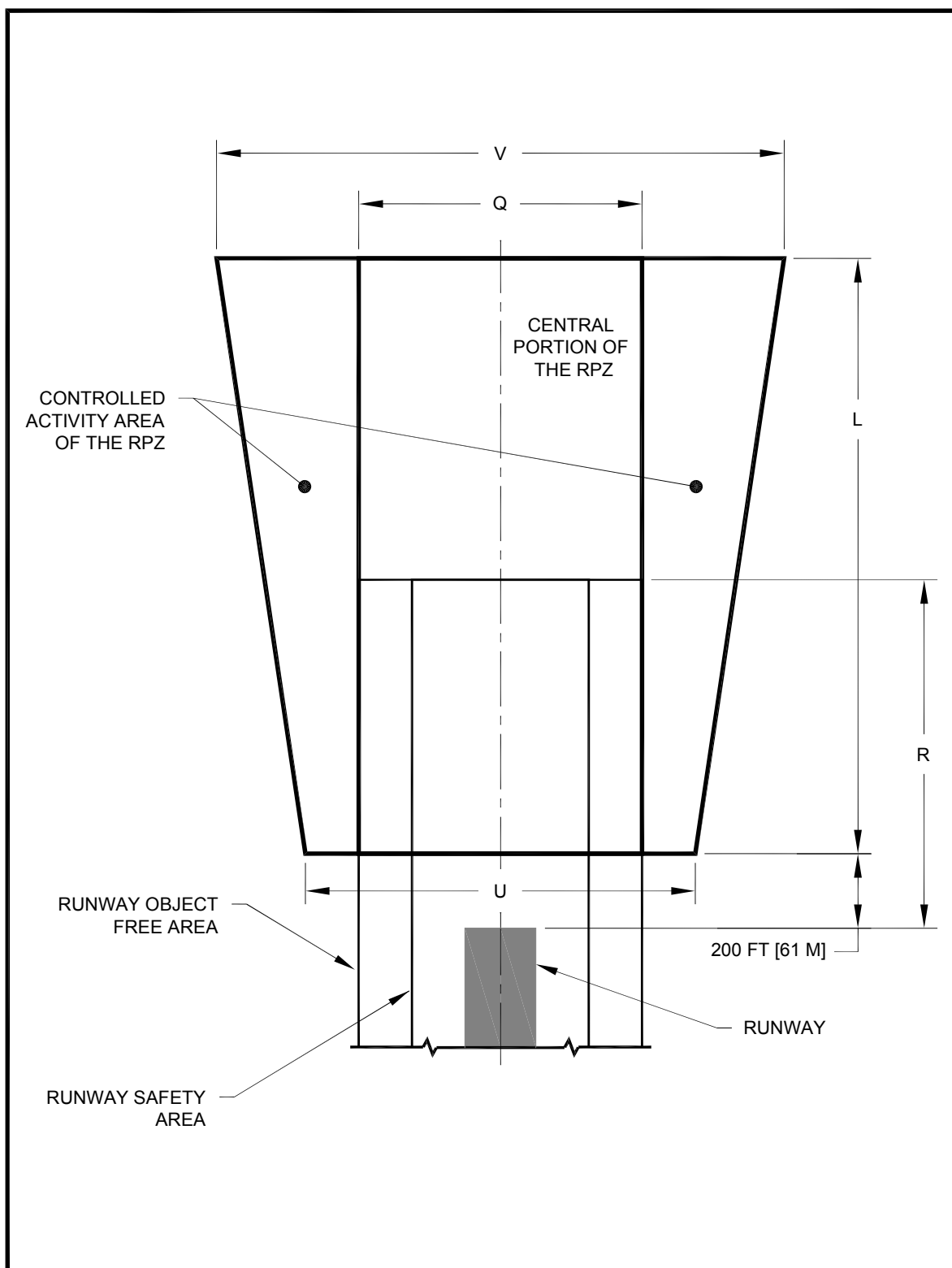
(2) In conjunction with the introduction of the RPZ as a replacement term for Clear Zone, the RPZ was divided into "extended object free" and "controlled activity" areas. The extended object free area has subsequently been renamed as the "central portion of the RPZ." The RPZ function is to enhance the protection of people and property on the ground. Where practical, airport owners should own the property under the runway approach and departure areas to at least the limits of the RPZ. It is desirable to clear the entire RPZ of all above-ground objects. Where this is impractical, airport owners, as a minimum, should maintain the RPZ clear of all facilities supporting incompatible activities. See FAA Memorandum, *Interim Guidance on Land Uses Within a Runway Protection Zone*, dated 9/27/2012, for guidance on incompatible activities.

**b. Standards.**

(1) **RPZ Configuration/Location.** The RPZ is trapezoidal in shape and centered about the extended runway centerline. The central portion and controlled activity area are the two components of the RPZ (see [Figure 3-16](#)).

(a) **Central Portion of the RPZ.** The central portion of the RPZ extends from the beginning to the end of the RPZ, centered on the runway centerline. Its width is equal to the width of the runway OFA (see [Figure 3-16](#)). Interactive [Table 3-5](#) contains the dimensional standards for the OFA and RPZ.

(b) **Controlled Activity Area.** The controlled activity area is the remaining area of the RPZ on either side of the central portion of the RPZ.



**Note:** See interactive [Table 3-5](#) for dimensions U, V, L, R, and Q.

**Figure 3-16. Runway Protection Zone (RPZ), Runway Object Free Area (ROFA) and Runway Safety Area (RSA)**

(2) **Approach/Departure RPZ.** The approach RPZ dimensions for a runway end is a function of the aircraft approach category and approach visibility minimum associated with the approach runway end. The departure RPZ is a function of the aircraft approach category and departure procedures associated with the runway. For a particular runway end, the more stringent RPZ requirements, usually the approach RPZ requirements, will govern the property interests and clearing requirements the airport owner should pursue.

**c. Location and size.** The RPZ may begin at a location other than 200 feet (61 m) beyond the end of the runway. When an RPZ begins at a location other than 200 feet (61 m) beyond the end of runway, two RPZs are required, i.e., a departure RPZ and an approach RPZ. The two RPZs normally overlap (refer to [Figure 3-17](#) and [Figure 3-18](#)).

(1) **Approach RPZ.** The approach RPZ extends from a point 200 feet (61 m) from the runway threshold, for a distance as shown in interactive [Table 3-5](#).

(2) **Departure RPZ.** The departure RPZ begins 200 feet (61 m) beyond the runway end or, if the Takeoff Run Available (TORA) and the runway end are not the same, 200 feet (61 m) beyond the far end of the TORA. The departure RPZ dimensional standards are equal to or less than the approach RPZ dimensional standards (refer to interactive [Table 3-5](#)).

(a) For runways designed for small aircraft in Aircraft Approach Categories A and B: Starting 200 feet (61 m) beyond the far end of TORA, 1,000 feet (305 m) long, 250 feet (76 m) wide, and RPZ 450 feet (137 m) wide at the far end.

(b) For runways designed for large aircraft in Aircraft Approach Categories A and B: starting 200 feet (61 m) beyond the far end of TORA, 1,000 feet (305 m) long, 500 feet (152 m) wide, and at the far end of RPZ 700 feet (213 m) wide.

(c) For runways designed for Aircraft Approach Categories C, D, and E: Starting 200 feet (61 m) beyond the far end of TORA, 1,700 feet (518 m) long, 500 feet (152 m) wide, and at the far end of RPZ 1,010 feet (308 m) wide.

**d.** For RPZ land, the following land uses are permissible without further evaluation:

(1) Farming that meets airport design standards.

(2) Irrigation channels that meet the requirements of [AC 150/5200-33](#) and FAA/USDA manual, [Wildlife Hazard Management at Airports](#).

(3) Airport service roads, as long as they are not public roads and are directly controlled by the airport operator.

(4) Underground facilities, as long as they meet other design criteria, such as RSA requirements, as applicable.

(5) Unstaffed NAVAIDs and facilities, such as equipment for airport facilities that are considered fixed-by-function in regard to the RPZ.



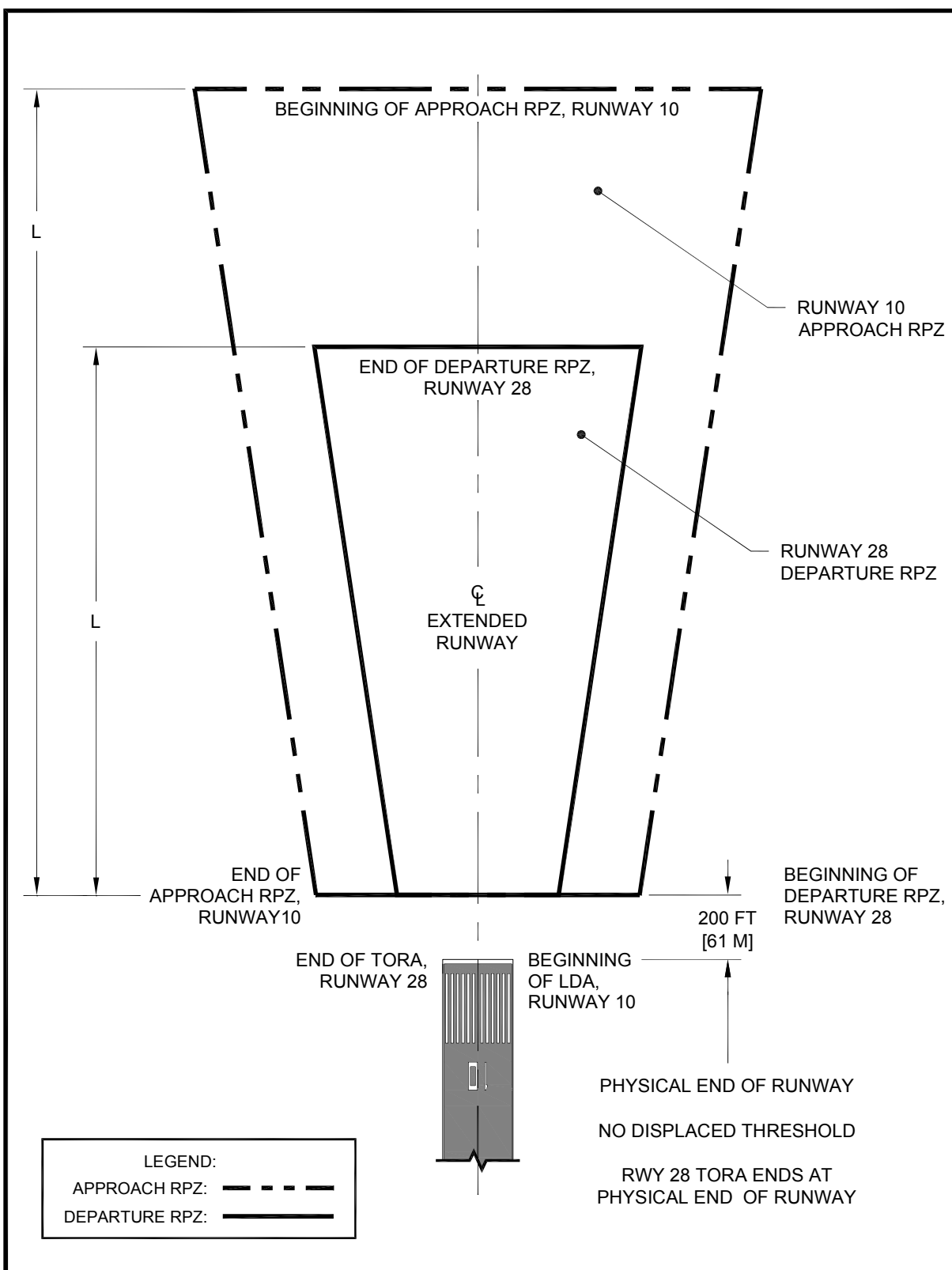
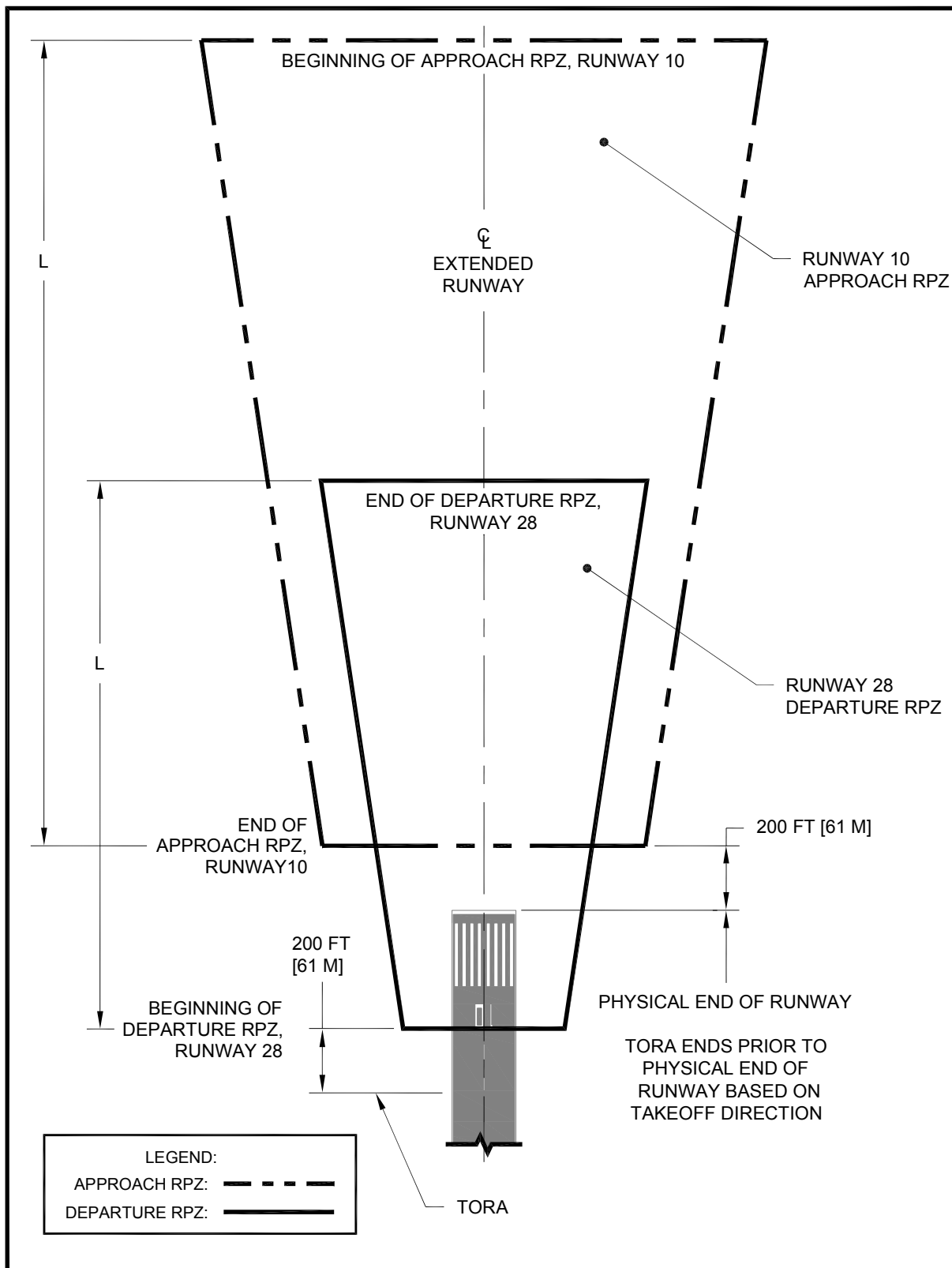


Figure 3-17. Runway with all declared distances equal to the runway length



**Figure 3-18. Approach and departure RPZs where the Takeoff Run Available (TORA) is less than the Takeoff Distance Available (TODA)**



# Federal Aviation Administration

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## Memorandum

Date: SEP 27 2012

To: Regional Airports Division Managers  
610 Branch Managers  
620 Branch Managers  
ADO Managers

From: Benito De Leon, Director  
Office of Airport Planning and Programming (APP-1)  
Michael J. O'Donnell, Director  
Office of Airport Safety and Standards (AAS-1)

Subject: Interim Guidance on Land Uses Within a Runway Protection Zone

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### Background

The FAA Office of Airports (ARP) has identified the need to clarify our policy on land uses within the Runway Protection Zone (RPZ). This memorandum presents interim policy guidance on compatible land uses within Runway Protection Zones (RPZ) to address recurrent questions about what constitutes a compatible land use and how to evaluate proposed land uses that would reside in an RPZ. While Advisory Circular 150/5300-Change 17(Airport Design) notes that "it is desirable to clear all objects from the RPZ," it also acknowledges that "some uses are permitted" with conditions and other "land uses are prohibited."

RPZ land use compatibility also is often complicated by ownership considerations. Airport owner control over the RPZ land is emphasized to achieve the desired protection of people and property on the ground. Although the FAA recognizes that in certain situations the airport sponsor may not fully control land within the RPZ, the FAA expects airport sponsors to take all possible measures to protect against and remove or mitigate incompatible land uses.

ARP is developing a new guidance document for the Regional Office (RO) and Airport District Office (ADO) staff that clarifies our policy regarding land uses in the RPZ. This new guidance document will outline a comprehensive review process for existing and proposed land uses within an RPZ and is slated for publication in 2013. We also intend to incorporate RPZ land use considerations into the ongoing update to the Land Use Compatibility Advisory Circular (AC) which is slated for publication in 2014.

This memorandum outlines interim guidance for ARP RO and ADO staff to follow until the comprehensive RPZ land use guidance is published.

## **Interim Guidance**

### **New or Modified Land Uses in the RPZ**

Regional and ADO staff must consult with the National Airport Planning and Environmental Division, APP-400 (who will coordinate with the Airport Engineering Division, AAS-100), when any of the land uses described in **Table 1** would enter the limits of the RPZ as the result of:

1. An airfield project (e.g., runway extension, runway shift)
2. A change in the critical design aircraft that increases the RPZ dimensions
3. A new or revised instrument approach procedure that increases the RPZ dimensions
4. A local development proposal in the RPZ (either new or reconfigured)

**Table 1: Land Uses Requiring Coordination with APP-400**

- Buildings and structures (Examples include, but are not limited to: residences, schools, churches, hospitals or other medical care facilities, commercial/industrial buildings, etc.)
- Recreational land use (Examples include, but are not limited to: golf courses, sports fields, amusement parks, other places of public assembly, etc.)
- Transportation facilities. Examples include, but are not limited to:
  - Rail facilities – light or heavy, passenger or freight
  - Public roads/highways
  - Vehicular parking facilities
- Fuel storage facilities (above and below ground)
- Hazardous material storage (above and below ground)
- Wastewater treatment facilities
- Above-ground utility infrastructure (i.e. electrical substations), including any type of solar panel installations.

Land uses that may create a safety hazard to air transportation resulting from wildlife hazard attractants such as retention ponds or municipal landfills are not subject to RPZ standards since these types of land uses do not create a hazard to people and property on the ground. Rather, these land uses are controlled by other FAA policies and standards. In accordance with the relevant Advisory Circulars, the Region/ADO must coordinate land use proposals that create wildlife hazards with AAS-300, regardless of whether the proposed land use occurs within the limits of an RPZ.

### **Alternatives Analysis**

Prior to contacting APP-400, the RO and ADO staff must work with the airport sponsor to identify and document the full range of alternatives that could:

1. Avoid introducing the land use issue within the RPZ
2. Minimize the impact of the land use in the RPZ (i.e., routing a new roadway through the controlled activity area, move farther away from the runway end, etc.)



3. Mitigate risk to people and property on the ground (i.e., tunneling, depressing and/or protecting a roadway through the RPZ, implement operational measures to mitigate any risks, etc.)

Documentation of the alternatives should include:

- A description of each alternative including a narrative discussion and exhibits or figures depicting the alternative
- Full cost estimates associated with each alternative regardless of potential funding sources.
- A practicability assessment based on the feasibility of the alternative in terms of cost, constructability and other factors.
- Identification of the preferred alternative that would meet the project purpose and need while minimizing risk associated with the location within the RPZ.
- Identification of all Federal, State and local transportation agencies involved or interested in the issue.
- Analysis of the specific portion(s) and percentages of the RPZ affected, drawing a clear distinction between the Central Portion of the RPZ versus the Controlled Activity Area, and clearly delineating the distance from the runway end and runway landing threshold.
- Analysis of (and issues affecting) sponsor control of the land within the RPZ.
- Any other relevant factors for HQ consideration.

APP-400 will consult with AAS-100 when reviewing the project documents provided by the RO/ADO. APP-400 and AAS-100 will work with the Region/ADO to make a joint determination regarding Airport Layout Plan (ALP) approval after considering the proposed land use, location within the RPZ and documentation of the alternatives analysis.

In addition, APP-400 and AAS-100 will work with the Region/ADO to craft language for inclusion in the airspace determination letter regarding any violations to ensure that all stakeholders (including tenants, operators, and insurers) are fully apprised of the issues and potential risks and liabilities associated with permitting such facilities within the RPZ.

### **Existing Land Uses in the RPZ**

This interim policy only addresses the introduction of new or modified land uses to an RPZ and proposed changes to the RPZ size or location. Therefore, at this time, the RO and ADO staff shall continue to work with sponsors to remove or mitigate the risk of any existing incompatible land uses in the RPZ as practical.

For additional information or questions regarding this interim guidance, please contact either Ralph Thompson, APP-400, at [ralph.thompson@faa.gov](mailto:ralph.thompson@faa.gov) or (202) 267-8772 or Danielle Rinsler, APP-401, at [danielle.rinsler@faa.gov](mailto:danielle.rinsler@faa.gov) or (202) 267-8784.



# Federal Aviation Administration

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## Memorandum

Date: SEP 27 2012

To: Regional Airports Division Managers  
610 Branch Managers  
620 Branch Managers  
ADO Managers

From: Benito De Leon, Director  
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RPZ land use compatibility also is often complicated by ownership considerations. Airport owner control over the RPZ land is emphasized to achieve the desired protection of people and property on the ground. Although the FAA recognizes that in certain situations the airport sponsor may not fully control land within the RPZ, the FAA expects airport sponsors to take all possible measures to protect against and remove or mitigate incompatible land uses.

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November 24, 2021

**Assertions made by the Holyoak Airport with County Staff Response**

1. **Assertion:** The requirements of FAA Advisory Circular 150/5300-13A (AC 150/5300-13A), Airport Design are not mandated by the FAA for a civil or private airstrip.

**Staff response:** This idea appears to infer that it was not appropriate to apply the FAA requirements for airport design to the Holyoak Airport. County staff has not found support for that inference. While the FAA does not mandate the design criteria found in AC 150, the existing Holyoak Airport CUP was approved and recorded under the requirements and authority of the County Code. As such, the requirements of the County Code apply. Specifically, in the County Code, Title 17.07.030, Use Related Definitions, item 5810 Private Airport, #2, includes the following as required at the time of applying for this use:

“A copy of the design criteria as per the current FAA Airport Design Circular 150/5300-13A, as applicable to the type of aircraft proposed to operate at the site. Said design criteria must be implemented at the site.”

2. **Assertion:** The CUP is being reviewed at this time because a structure has been built within the south Runway Protection Zone for approach and for departure.

**Staff response:** County staff agrees and has documented that a structure has been built as noted.

3. **Assertion:** The 8<sup>th</sup> condition that was added to the CUP required the CUP to return to the Planning Commission for review with the understanding that additional options be considered.

**Staff response:** County staff agrees that the 8<sup>th</sup> condition was added to the CUP in the case that a structure was built in the noted runway areas and zones. County staff also agrees that if a structure was built, other options may be considered at the time of review. However, these other options must fall within the scope allowed by law in the proper process for CUP review. At present, the Holyoak CUP is in the revocation process. That revocation process is initiated by the County and was accomplished with the notice provided to Rachel Holyoak on September 8, 2021. The process to amend a CUP is initiated by the property owner and has such a process was not underway nor was it being discussed prior to County staff's initiation of the revocation process. The revocation process must now run its course prior to the consideration of an amendment to this CUP.

In addition, the following are few selected portions of the audio recording from the May 5, 2016, Planning Commission meeting that are specific to the possibility that the Commission may restrict, void, or revoke the CUP if a structure was built as noted, and also reflects that the applicant was fully aware of this possibility:

Elapsed time – 38:05

Applicant – Rachel Holyoak

“We’re fine to stipulate that the development of any of the properties around us would take precedence to the airport, and we would need to readdress whether that’s [to] shorten the runway so that we can meet the zones, or whether it’s the conditional use permit is restricted or revoked. We don’t have any issue with that. That makes sense. Right now those properties are undeveloped and we don’t believe we’d be any nuisance to the property owners.”

Elapsed time - 1:11:25

Commission Chair - Rob Smith

“I would be inclined to go with this, especially with the added condition that once development occurs, that that would trump airport use...”

Elapsed time - 1:25:20

Commission Chair - Rob Smith

“...and I feel, I personally feel, that by mitigating that, by adding a condition that says, if and when there is development on these adjoining parcels that may restrict the airport, that may restrict the use of it.”

Elapsed time - 1:27:40

Commission Chair - Rob Smith

“Future development of adjoining parcels would have priority over the airport and thus the airport and its use may be restricted.”

Elapsed time - 1:28:07

Staff - Chris Harrild

“If any structures, e.g. house, barn, shed, are built within the noted Runway Areas and Zones, the Holyoak Airport CUP is rendered void.”

“I don’t know that we can do that through the CUP process, counsel would have to confirm that. That might have to, under our current code, come back.”

In response

1:27:39

Deputy Count Attorney - Lee Edwards

“It would have to. I think they would be entitled to the process of coming back. Instead of just having it void, it should come back for consideration. Because there’s a process, a due process requirement.”

In response

1:27:51

Commissioner - Chris Sands

"A process, a process to revoke, right?"

A motion is made

Elapsed time - 1:29:49

Commissioner - Brady Christensen

Motion for approval

"If there was to be a structure added in the defined airstrip or safety zones that the CUP would be re-examined by the Planning Commission."

Staff was then asked for clarification on what Condition #8 will read

Elapsed time - 1:30:45

Staff - Chris Harrild

"If any structures are built within the noted Runway Areas and Zones the Holyoak Airport Conditional Use Permit must be reconsidered by the Cache County Land Use Authority."

This last notation from Chris Harrild is what was included as Condition #8 of the signed and recorded Holyoak Airport Conditional Use Permit.

- 4. Assertion:** The function of a Runway Protection Zone (RPZ) is, "...to enhance the protection of people and property on the ground. This is best achieved through airport owner control over RPZs. Control is preferably exercised through the acquisition of sufficient property interest in the RPZ and includes clearing RPZ areas (and maintaining them clear) of incompatible objects and activities." – Summarized by the proponent from FAA AC150, Section 310, item a., number (2).

**Staff response:** County staff agrees with the summary provided in this statement.

- 5. Assertion:** "When the initial CUP was considered/approved in May 2016 - the Planning and Zoning Commission left it to staff to decide if the owners needed to own the land underneath the RPZ. Staff determined this was not required as the provision to return for additional review if structures were built was a condition (#8) of the CUP approval."

**Staff response:** County staff agrees that the ownership of the land by the airport under RPZ's was not required, and that Condition #8 required reconsideration of the CUP by the County Land Use Authority if any structures were built in the noted runway areas and zones.

- 6. Assertion:** Option 1 – An option presented by the airport owner to address the RPZ.

- This is the requirement used to create the configuration currently on the CUP.
- This method uses one RPZ for both the approach and departure use of the runway.
- It begins 200 feet from the end of the runway and extends 1,000 feet.

**Staff response:** The current RPZ's as applied to the current CUP and runway location do not reflect Option 1. The current RPZ's reflect different lengths for the approach and departure RPZs.

- 7. Assertion:** Option 2 – An option presented by the airport owner to address the RPZ.
- This option allows the RPZ to begin at a location other than 200 feet beyond the end of the runway.
  - This requires 2 separate RPZs, one for departure and one for approach.
  - The approach RPZ begins at the runway threshold and extends 200 feet.
  - The departure RPZ begins at the runway end or may begin before the end of the runway at the Takeoff Run Available (TORA) if they are not the same.
  - The departure RPZ dimensional standards are equal to or less than the approach RPZ dimensional standards.
  - An approach RPZ is not required on both runway ends if one of the runway directions is limited to departures only.

**Staff response:** This option reflects the current RPZs of the existing runway.

- 8. Assertion:** Short Field Takeoff and Landing Requirements
- A short field takeoff may be used.
  - The aircraft's Pilot's Operating Handbook (POH) provides techniques and specifications for short field takeoff and landing.

**Staff response:** While general information has been presented, data specific to the airport RPZs has not been provided. In addressing the RPZs, it is necessary for the Holyoak Airport to identify and provide support for all takeoff and landing requirements including the necessary runway lengths using the noted AC 150/5300-13A, AC 150/5325-4 and applicable airplane flight manuals, and to also account for the effect of the modifications that have been made to the aircraft.

When considering runway design, AC 150/5300-13A specifies the following:

“304. Runway geometry.

- a. Runway length. AC 150/5325-4 and aircraft flight manuals provide guidance on runway lengths for airport design, including declared distance lengths. The following factors are some that should be evaluated when determining a runway length:
  - (1) Airport elevation.
  - (2) Local prevailing surface wind and surface temperature.
  - (3) Runway surface conditions and slope.
  - (4) Performance characteristics and operating weight of aircraft.”

The assumptions used by AC 150/5325-4B are approaches and departures with no obstructions, zero wind, dry runway surfaces, and zero effective runway gradient. The following is summarized from AC 150/5325-4, paragraph 102. Determining Recommended Runway Lengths, section b. Procedure and Rationale for Determining Recommended Runway Lengths.

A five-step procedure is used to determine recommended runway lengths and is as follows:

1. Identify the airplanes that will make regular use of the runway.
  - a. Staff comment - The Cessna 182M with modifications (STOL Kit and engine horsepower) according to the property owner.
2. Identify the airplanes that will require the longest runway lengths at maximum certificated takeoff weight (MTOW). This will be used to determine the method for establishing the recommended runway length. This length assumes that there are no obstructions that prevent the use of the full length of the runway.
  - a. Staff comment - The Cessna 182M MTOW is 2,800 lbs. according to Cessna's specifications.
3. When reviewing Table 1-1 in this AC, the Cessna 182's aircraft's runway length requirements can be found in Chapter 2, Paragraph 205, Figure 2-1 as its MTOW is less than 12,500 lbs., approach speed is 50 knots or more, and has less than 10 passengers. MTOW is used because of the significant role played by airplane operating weights in determining runway lengths.
4. Chapter 2, Paragraph 205 specifies that Figure 2-1 be used to identify the recommended runway lengths based on the seating capacity, the mean daily maximum temperature of the hottest month of the year at the airport (July, 73°), and the elevation of the airport (~4,700'). Figure 2-1 identifies a recommended runway length of approximately 4,200 feet. The Cessna performance specifications identify a length of 590 feet for approach and 625 feet for departure.
5. Chapter 5 of this AC considers any necessary adjustment to the recommended runway length identified in Figure 2-1 to obtain a final recommended runway length. This chapter considers 8 factors that affect runway lengths: Airplane type, landing flap settings, operating weights, airport elevation, temperature, wind, runway surface condition, and the maximum difference of the runway centerline elevation.  
The Holyoak Airport operator must complete and provide an assessment, applying the identified factors in determining the appropriate runway length for their airport.

**9. Assertion: Reconfiguration of the Holyoak Airport**

- Redefine/reconfigure the runway.
- Restrict Approaches/Departures.



- Restrict Airstrip to Left-Hand or Right-Hand Patterns.
- Move the airstrip to the west side of the property.
- Some combination of several of these options.

**Staff response:** The criteria specific to the aircraft must be known and provided prior to considerations noted for reconfiguration.

**10. Assertion:** Many airports have homes in their RPZs.

**Staff response:** These examples do not reflect the requirements of the Cache County Code or CUP conditions of approval.

**11. Assertion:** Recommendations from the Holyoak Airport

- Uphold the existing CUP.
- Allow the Airport to address the noted issues.

**Staff response:** At present, it does not appear that the runway length as identified in the existing CUP was established based on accurate and complete information, and therefore the actual location of the RPZs may not be accurate. County staff agrees that the operator and owner of the Holyoak Airport must address the issues, in a timely manner, and as noted in the Commission's discussion and the documents as provided by County staff.

The following were submitted by the Holyoak Airport

# Holyoak Airport Conditional Use Permit (CUP) Review

December 2, 2021

# What are the requirements?

- Per condition 2 of the CUP - the county requires the runway design to meet FAA circular 150-5300-13A, Airport Design
  - Latest revision is dated 28 September 2012 (unchanged from the time the Conditional Use Permit was approved in May 2016).
  - This circular is over 300 pages and contains thousands of requirements
  - Note: This circular is not mandatory for a private airstrip per the FAA:

## **3. To whom does this AC apply?**

The FAA recommends the standards and recommendations in this AC for use in the design of civil airports. In general, use of this AC is not mandatory. The standards and recommendations contained in this AC may be used by certificated airports to satisfy specific requirements of Title 14 Code of Federal Regulations (CFR) Part 139, Certification of Airports, subparts C (Airport Certification Manual) and D (Operations). Use of this AC is mandatory for all projects funded with federal grant monies through the Airport Improvement Program (AIP) and/or with revenue from the Passenger Facility Charges (PFC) Program. See Grant Assurance No. 34, Policies, Standards, and Specifications, and PFC Assurance No. 9, Standards and Specifications.

# Why is this CUP being reviewed again?

- A residence has been built within the south Runway Protection Zone (RPZ) for approach and departures (currently a single RPZ) as currently shown on the airport configuration map associated with the CUP
  - The county planning and zoning office created the current configuration per the owner's input on runway placement and location
  - Configuration is the simplest and at the time, compatible with the south property where the owner had indicated no intention to build in the near future
  - Airport CUP holders agreed that if a structure was built within the RPZ, it would need to return to the Planning and Zoning Commission for review
    - Understanding was that there would be an option to consider additional options at that time

# What is a Runway Protection Zone

- **Runway protection zones are a trapezoidal area “off the end of the runway end that serves to enhance the protection of people and property on the ground” in the event an aircraft lands or crashes beyond the runway end. Runway Protection Zones underlie a portion of the approach closest to the airport.**

# Runway Protection Zone Background

## **a. RPZ background.**

(1) Approach protection zones were originally established to define land areas underneath aircraft approach paths in which control by the airport operator was highly desirable to prevent the creation of air navigation hazards. Subsequently, a 1952 report by the President's Airport Commission (chaired by James Doolittle), entitled *The Airport and Its Neighbors*, recommended the establishment of clear areas beyond runway ends. Provision of these clear areas was not only to preclude obstructions potentially hazardous to aircraft, but also to control building construction as a protection from nuisance and hazard to people on the ground. The Department of Commerce concurred with the recommendation on the basis that this area was "primarily for the purpose of safety and convenience to people on the ground." The FAA adopted "Clear Zones" with dimensional standards to implement the Doolittle Commission's recommendation. Guidelines were developed recommending that clear zones be kept free of structures and any development that would create a place of public assembly.



# Runway Protection Zone Background

(2) In conjunction with the introduction of the RPZ as a replacement term for Clear Zone, the RPZ was divided into “extended object free” and “controlled activity” areas. The extended object free area has subsequently been renamed as the “central portion of the RPZ.” The RPZ function is to enhance the protection of people and property on the ground. Where practical, airport owners should own the property under the runway approach and departure areas to at least the limits of the RPZ. It is desirable to clear the entire RPZ of all above-ground objects. Where this is impractical, airport owners, as a minimum, should maintain the RPZ clear of all facilities supporting incompatible activities. See FAA Memorandum, Interim Guidance on Land Uses Within a Runway Protection Zone, dated 9/27/2012, for guidance on incompatible activities.

# Runway Protection Zone Requirements

## **310. Runway Protection Zone (RPZ).**

The RPZ's function is to enhance the protection of people and property on the ground. This is best achieved through airport owner control over RPZs. Control is preferably exercised through the acquisition of sufficient property interest in the RPZ and includes clearing RPZ areas (and maintaining them clear) of incompatible objects and activities.

- When the initial CUP was considered/approved in May 2016 - the Planning and Zoning Commission left it to staff to decide if the owners needed to own the land underneath the RPZ. Staff determined this was not required as the provision to return for additional review if structures were built was a condition (#8) of the CUP approval

8. If any structures are built within the noted runway areas and zones, the Holyoak Airport Conditional Use Permit must be reconsidered by the Cache County Land Use Authority.

# Runway Protection Zone Requirements – Option 1

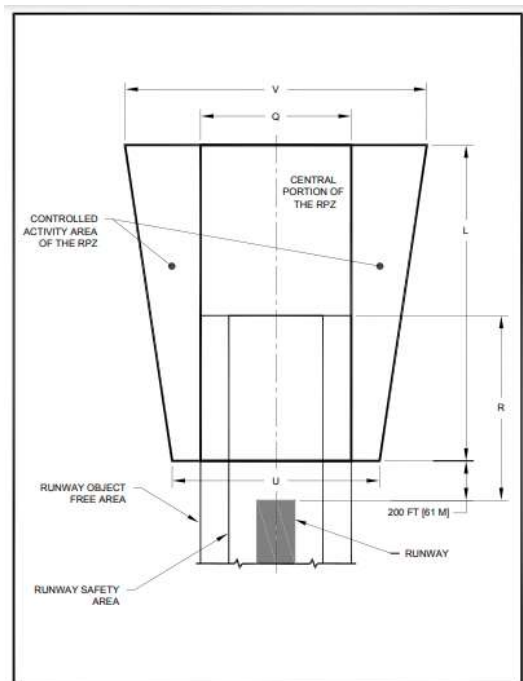
## **b. Standards.**

(1) **RPZ Configuration/Location.** The RPZ is trapezoidal in shape and centered about the extended runway centerline. The central portion and controlled activity area are the two components of the RPZ (see Figure 3-16).

(a) **Central Portion of the RPZ.** The central portion of the RPZ extends from the beginning to the end of the RPZ, centered on the runway centerline. Its width is equal to the width of the runway OFA (see Figure 3-16). Interactive Table 3-5 contains the dimensional standards for the OFA and RPZ.

(b) **Controlled Activity Area.** The controlled activity area is the remaining area of the RPZ on either side of the central portion of the RPZ.

# Runway Protection Zone Requirements - Option 1



Note: See interactive Table 3-5 for dimensions U, V, L, R, and Q.

Figure 3-16. Runway Protection Zone (RPZ), Runway Object Free Area (ROFA) and Runway Safety Area (RSA)

- This is the requirement used to create the configuration currently on the CUP
- This method uses one RPZ for both the approach and departure use of the runway
- It begins 200 feet from the end of the runway and extends 1,000 feet

# Runway Protection Zone Requirements – Option 2

(2) Approach/Departure RPZ. The approach RPZ dimensions for a runway end is a function of the aircraft approach category and approach visibility minimum associated with the approach runway end. The departure RPZ is a function of the aircraft approach category and departure procedures associated with the runway. For a particular runway end, the more stringent RPZ requirements, usually the approach RPZ requirements, will govern the property interests and clearing requirements the airport owner should pursue.

c. **Location and size.** The RPZ may begin at a location other than 200 feet (61 m) beyond the end of the runway. When an RPZ begins at a location other than 200 feet (61 m) beyond the end of runway, two RPZs are required, i.e., a departure RPZ and an approach RPZ. The two RPZs normally overlap (refer to Figure 3-17 and Figure 3-18).

# Runway Protection Zone Requirements – Option 2

(1) Approach RPZ. The approach RPZ extends from a point 200 feet (61 m) from the runway threshold, for a distance as shown in interactive [Table 3-5](#).

(2) Departure RPZ. The departure RPZ begins 200 feet (61 m) beyond the runway end or, if the Takeoff Run Available (TORA) and the runway end are not the same, 200 feet (61 m) beyond the far end of the TORA. The departure RPZ dimensional standards are equal to or less than the approach RPZ dimensional standards (refer to interactive [Table 3-5](#)).

(a) For runways designed for small aircraft in Aircraft Approach Categories A and B: Starting 200 feet (61 m) beyond the far end of TORA, 1,000 feet (305 m) long, 250 feet (76 m) wide, and RPZ 450 feet (137 m) wide at the far end.

(b) For runways designed for large aircraft in Aircraft Approach Categories A and B: starting 200 feet (61 m) beyond the far end of TORA, 1,000 feet (305 m) long, 500 feet (152 m) wide, and at the far end of RPZ 700 feet (213 m) wide.

(c) For runways designed for Aircraft Approach Categories C, D, and E: Starting 200 feet (61 m) beyond the far end of TORA, 1,700 feet (518 m) long, 500 feet (152 m) wide, and at the far end of RPZ 1,010 feet (308 m) wide.



# Runway Protection Zone Requirements - Option 2a

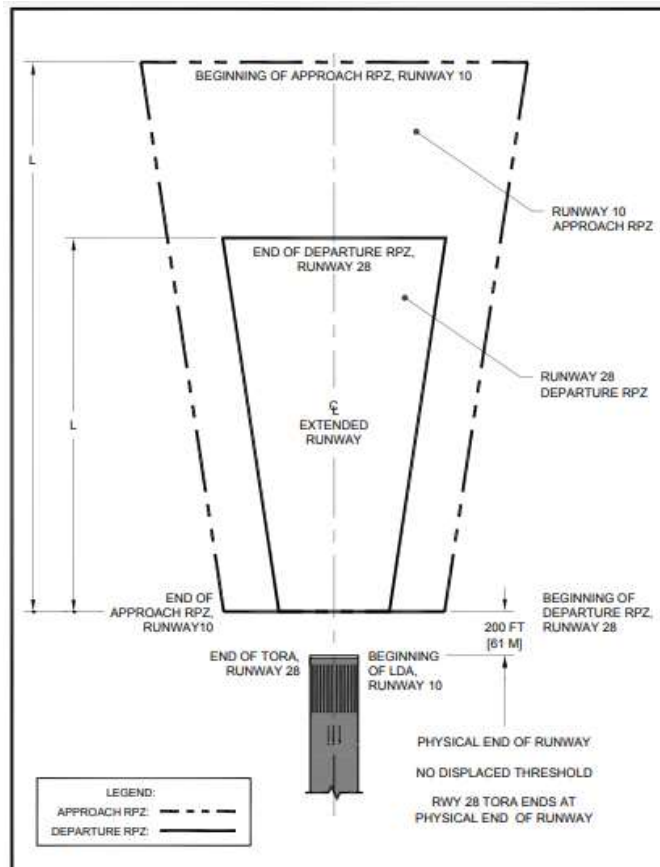


Figure 3-17. Runway with all declared distances equal to the runway length

- The departure RPZ is smaller than the approach RPZ and is contained within the RPZ
- Departure RPZ can be used without the approach RPZ if the runway is limited to departures only for that direction

# Runway Protection Zone Requirements - Option 2b

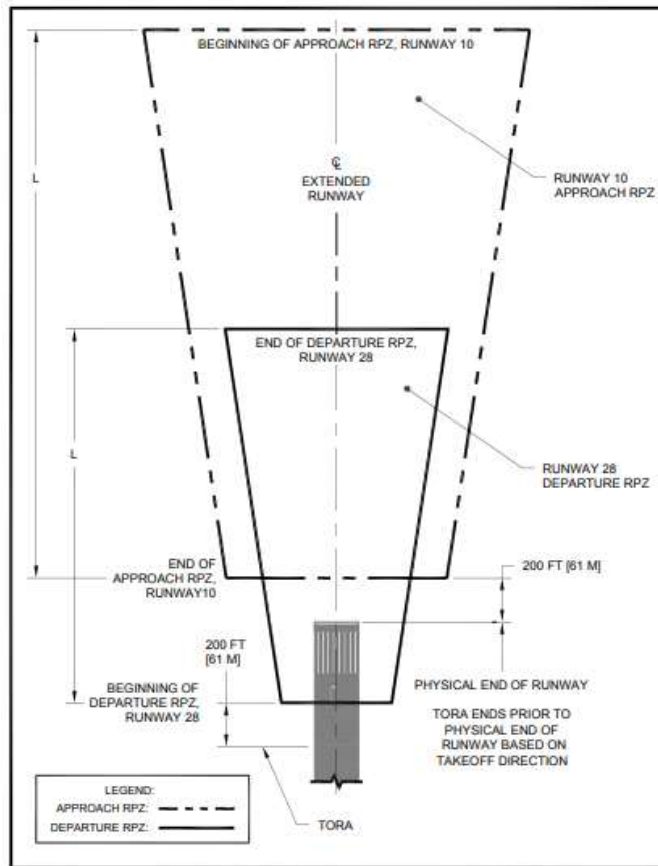
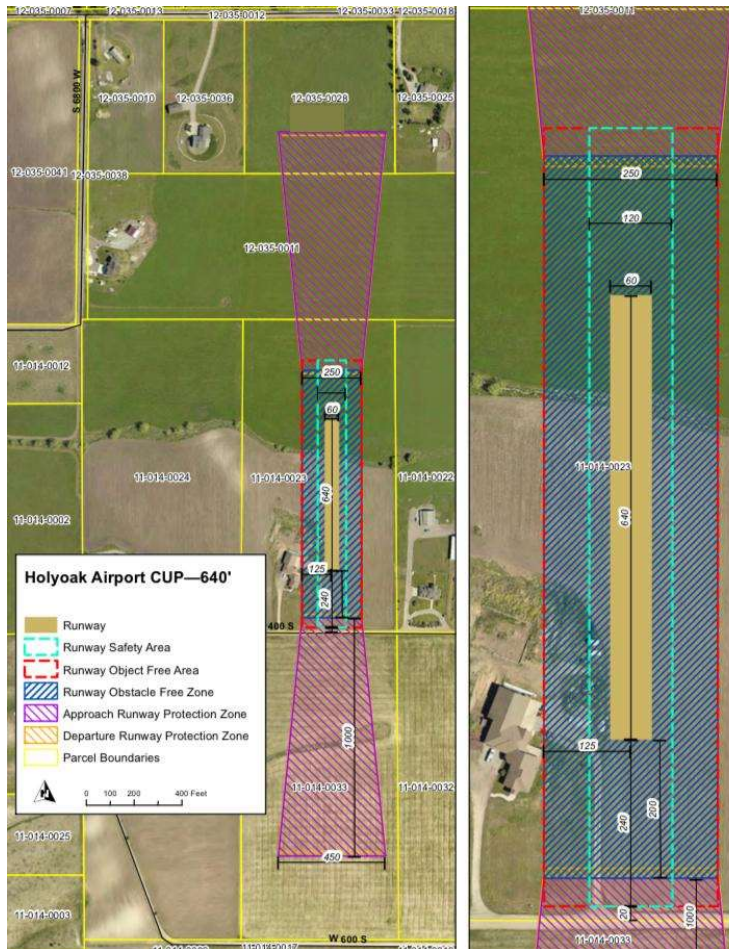


Figure 3-18. Approach and departure RPZs where the Takeoff Run Available (TORA) is less than the Takeoff Distance Available (TODA)

- The departure RPZ begins before the end of the runway since the take-off distance required is usually less than the landing rollout distance on an aircraft

# What is the current configuration?

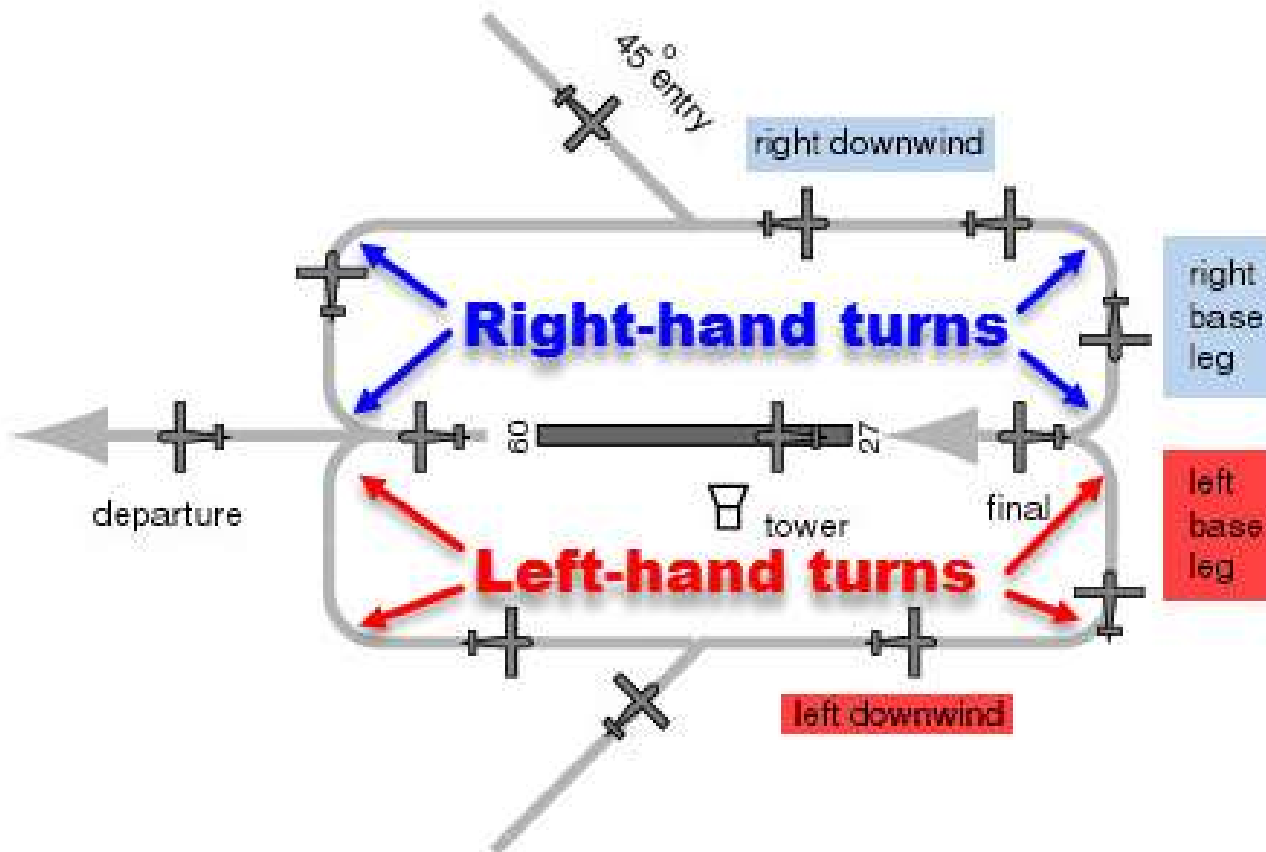


- Airport runway is designated as area that allows a standard (Option 1) single RPZ on both ends
  - Runway assumes same length/land for north and south approaches and departures
  - Allows for both a left-hand and right-hand pattern from either the north or the south

# Introduction to Key Flight Factors

- To full understand the options available, a quick education on some pertinent flight information is required. The following slides attempt to provide some basic information that will aid in the discussion of the options:
  - Airport Traffic Patterns
  - Short-Field Take-off and Landing Requirements

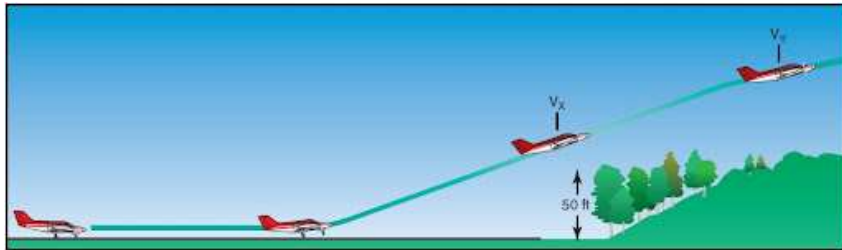
# Airport Traffic Patterns



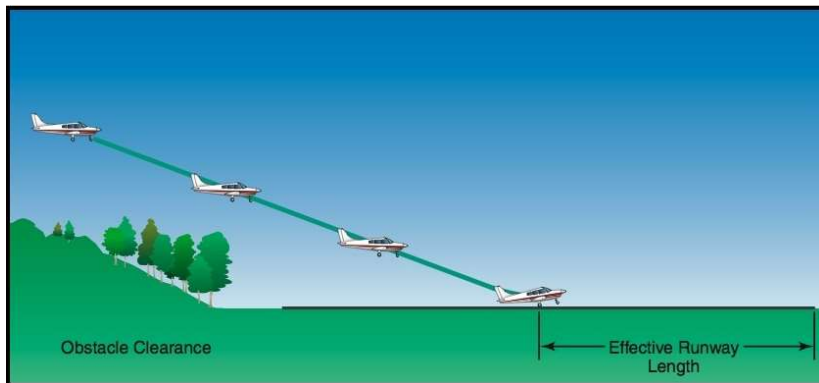
- A left-hand pattern is “standard” at most airports although both are usually allowed
- Some airports are restricted to only one traffic pattern or traffic patterns on only one side
  - Example – SLC Airport #2 does not allow an east side pattern to avoid traffic with SLC international
- While a “straight in” approach and departure are not prohibited, a pattern approach is definitely preferred



# Short Field Take Off and Landings



Short-Field Take Off



Short-Field Landing

- A short-field take off is used when there is an obstacle at the end of the runway
- Every plane has a pilot's operating handbook (POH) that indicates the take-off and landing distances when using a "short-field" technique
  - Requirement for "short-field" distances assumes a 50 foot obstacle at the end of the runway
  - These distances are different from the "standard" roll out and departure distances

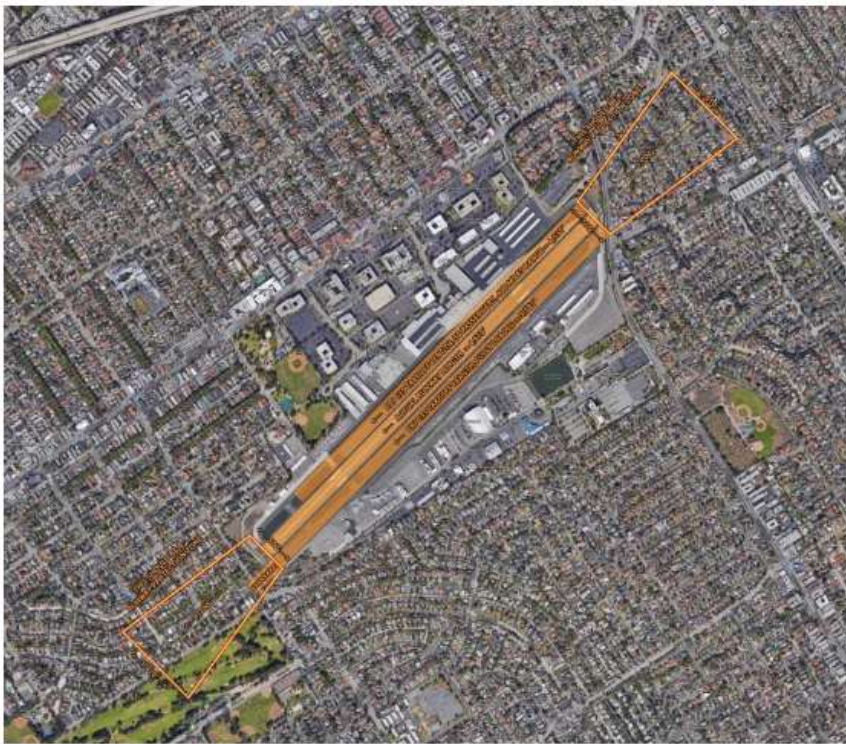
# What are the options for a reconfiguration?

- Redefine/reconfigure the runway
  - Allow southbound departures to start at the north property line
    - Redefine the RPZ to use Option 2 on the south for departure only
    - There is no RPZ “behind you” on departure so the runway could start at the property lines for departure and a majority of the RPZs would then lie within the airport property owner’s property for departures
  - North bound departures and north approach landings remain per the current map
  - Restrict south approaches or prohibit “straight in” south approaches
  - Restrict approaches to the traffic pattern that avoids flying over the new home
- Restrict Approaches/Departures
  - Note: Preference is to take off and land into the wind
- Restrict Airstrip to Left-Hand or Right-Hand Patterns
  - Restricting the pattern used when approaching from the south eliminates one side of the trapezoidal section of the RPZ since traffic will not be entering on a 45 degree angle on that approach pattern
- Move the airstrip to the west side of the property
- Some combination of several of these options

# Is there precedence at other airports?

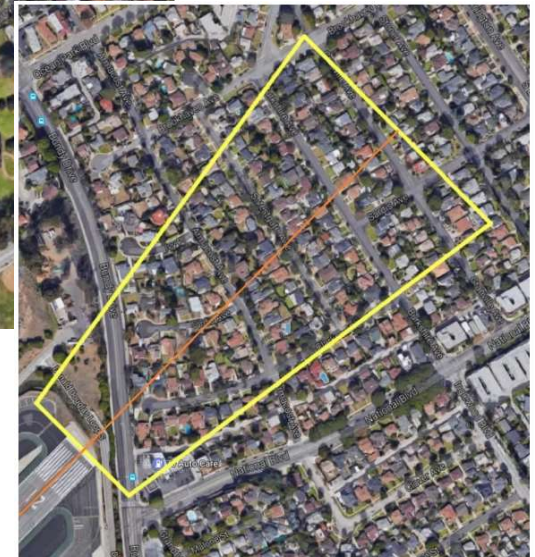
- Yes – MANY airports have homes within their defined RPZs
  - The following slides contain four examples but there are many others

# Santa Monica Airport RPZs



Used DAILY for  
multiple JET  
departures

It's reported there are 270  
homes within the RPZs of  
this airport



# Savannah – Hilton Head International Airport

## SAVANNAH-HILTON HEAD INTERNATIONAL AIRPORT RPZ – RUNWAY 28 APPROACH END



Even major international airports don't always have Direct control over the property in the RPZ



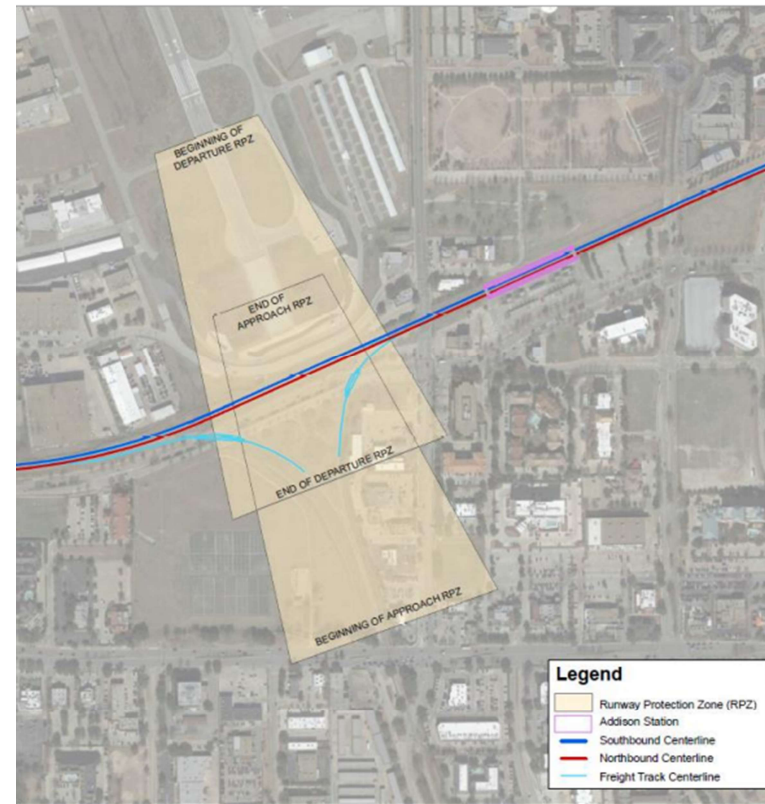
# Driggs Idaho Airport



Structures have been built in the RPZ of the extended runway

# Addison Airport - Texas

Structures and Railway lines (including public Transportation services) are within the RPZ



**DART Cotton Belt**  
**Addison Airport Runway Protection Zone (South)**

Source: Addison Airport Land Use and Utilities Drawing - June 2016



# Recommendations

- Consider the following paths:
  - There is a non-conforming use that has been in place since circa ~2006 (before the CUP was issued) – simply uphold the existing CUP
  - Discuss areas of concern and give guidance on what needs to be mitigated given the new construction on the south lot
    - Allow time for Airport CUP holders and staff to work restrictions, redefinition, or reconfiguration that addresses the concerns after discussion at P&Z commission meeting