

4:45 p.m.

Workshop & Light Refreshments in the County Council Conference Room

5:30 p.m.

Call to order

Opening remarks/Pledge – Melinda Lee

Review and approval of agenda

Review and approval of the minutes of the 2 December 2021 & 3 February 2022 meetings

5:35 p.m.**Consent Items**

1. **Sharp Mini Subdivision – Extension Request** – A request for a 6-month extension of the effective period of approval for a two-lot subdivision with an agricultural remainder located at 3213 South 3000 West, near Wellsville, in the Agricultural (A10) Zone.

Regular Action Items

2. **Cub River Estates Rezone** – A request to rezone 44.46 acres located at approximately 535 East Cannibal Road (i.e., 12400 North), Cove, from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone. A rezone to RU5 Zone would allow for a maximum potential of 8 buildable lots for single family residential, whereas the existing A10 Zone allows for a maximum of 4 buildable lots. *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. **Discussion:** Amending 17.07.030: Use Related Definitions – 4100 Recreational Facility; 17.09.030: Schedule of Zoning Uses by Zoning District – 4100 Recreational Facility.
5. **Discussion:** General Plan update

Board Member Reports

Staff reports

Adjourn



Planning Commission Minutes

2 December 2021

Item

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Consent Items

- 1. Mark Stewart Subdivision 2nd Amendment 2**

Regular Action Items

- 2. Reminder: State mandated annual required training hours for Planning Commission 2**
- 3. Public Hearing – Lewis Rezone 2**
- 4. Public Hearing – Brooks Hansen Smithfield West Rezone 3**
- 5. Public Hearing – Cub River Estates I Rezone 3**
- 6. Public Hearing – Cub River Estates II Rezone 4**
- 7. Valley View Self Storage Conditional Use Permit 4**
- 8. Hollow Ridge RV Campground Conditional Use Permit 4**
- 9. Holyoak Airport Conditional Use Permit 6**
- 10. Discussion: Amending the Use Related Definition, 5810 Private Airport 8**
- 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 2nd 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 CCR’s 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



Planning Commission Minutes

3 February 2022

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| 4. Training Opportunity | 4 |

1 **Present:** Angie Zetterquist, Chris Harrild, Tim Watkins, Brady Christensen, Chris Sands, Melinda Lee,
2 Brandon Spackman, Jason Watterson, Lane Parker, Nathan Daus, Nolan Gunnell, Taylor Sorensen, Matt
3 Phillips, Rod Hammer, Megan Izatt

4 **Start Time: 05:38:00**

5 **Sands** called the meeting to order and gave the opening remarks.

6 **05:42:00**

7 **Agenda**

8 ***Parker*** motioned to approve the agenda with the removal of item #3; ***Christensen*** seconded; ***Passed 7, 0.***

9 **05:47:00**

10 **Minutes**

11 **Moved to next meeting.**

12 **05:48:00**

13 **Regular Action Items**

14 **#1 Public Hearing (5:35 PM) Cutler Valley Rezone**

15 **Zetterquist** reviewed the staff report for the Cutler Valley Rezone.

16 **05:57:00**

17 ***Spackman*** motioned to open the public hearing for the Cutler Valley Rezone; ***Spackman*** seconded;
18 ***Passed 7, 0.***

19 **Brian Downs** commented against the project based on water concerns.

20 **Martin Empey** asked the commission to delay the vote until the County's General Plan has been
21 updated.

22 **Terry Griffin** stated he is not interested in developing 13 lots and would like to leave the north part of
23 the parcel available for Newton to develop as needed.

24 **06:01:00**

25 ***Watterson*** motioned to close the public hearing for the Cutler Valley Rezone; ***Lee*** seconded; ***Passed 7, 0.***

26 **Commissioners** discussed the RU5 zone for this location and how it fits the surrounding area, the parcel
27 being in Newton's annexation area, and the substandard road due to width.

28 ***Daus*** motioned to recommend approval to the County Council for the Cutler Valley Rezone based on
29 the findings of fact and conclusions; ***Parker*** seconded; ***Passed 7, 0.***

1 06:10:00

2 **#2 Hollow Ridge RV Campground Conditional Use Permit**

3 **Watkins** reviewed the staff report for the Hollow Ridge RV Campground Conditional Use Permit (CUP).

4 **Staff** and **Commissioners** discussed the condition regarding responsiveness, the impacts of the shooting
5 range, the water tank and water rights, the sewer truck, and the use of propane or wood for fires.

6 **Nate Whittaker** as the applicant commented on the fence and what the intent is for the fence.

7 **Christensen** commented that it was for helping contain pets, little kids, and trash.

8 **Mr. Whittaker** commented on the fence as a safety issue for fire and on whether there needs to be a
9 paved road vs. a treated gravel road.

10 **Sands** asked about the fencing.

11 **Mr. Whittaker** stated there is a 3 or 4 strand wire fence in place all ready around the entire property.

12 **Lee** asked if the fencing was on the property.

13 **Mr. Whittaker** stated it is along the property lines.

14 **Jenny Orme** commented that Smithfield's mayor and city council were against this proposal, there are
15 ways around the maximum 30-day stay requirement, not wanting this in the County and if approved the
16 precedent it sets, the fire risk the 65 fire rings present to the surrounding area, the traffic study is
17 irrelevant because it's the winter not summer, and concerns with having someone present during evening
18 hours.

19 **Tom Johnson** commented against the proposal and used examples from the County Ordinance and State
20 law he felt supported that position.

21 **Muly Miller** commented against the proposal with concerns regarding the proximity to the homes in the
22 area and concerns regarding sex offenders staying at the site, concerns with the chemicals used to spray
23 the road, and how the public access Hyde Park requested affects access.

24 **Darrell Benson** commented against the proposal with concerns for sewer disposal and structural fire
25 concerns.

26 **Diana Round** asked that the rationale regarding consistency for the area be used for this application.

27 **Mr. Whittaker** commented regarding the Smithfield City letter, the traffic study, the shooting range, and
28 the dump pit for sewer not being needed as Honey Bucket can service each trailer directly.

29 **Commissioners** discussed the water tank/fire suppression for a potential structural fire.

30 **Hammer** commented on fire suppression for structural fires.

1 **Spackman** asked about fire spreading to other units.

2 **Hammer** stated that usually in these situations fire doesn't spread to other units.

3 **Sands** asked about the necessity of a water or fire extinguisher at every site.

4 **Hammer** commented that it depends on conditions.

5 **Daug**s commented that usually in drier conditions in the area, restrictions are typically put in place.

6 **Hammer** responded yes, in drought conditions fire restrictions are implemented.

7 **Christensen** asked about the traffic study requirements.

8 **Lance Anderson** commented that typically during traffic studies other people do some of the counts and
9 he did the actual traffic study.

10 **Christensen** asked about the shooting and hunting.

11 **Mr. Anderson** commented that the 600 yards is the hunting laws and Ponds could come and do
12 something where they own the land.

13 **Commissioners** discussed the water, the road, fencing, and someone being onsite for response after 3
14 pm.

15 ***Watterson** motioned to approve the Hollow Ridge RV Campground Conditional Use Permit with the 15
16 conditions, 2 conclusions, and the addition to condition 2 regarding complaints for the campground rules
17 and the addition to condition 7 regarding fencing and signage; **Daug**s seconded; **Passed 6, 1 (Spackman
18 voted nay).***

19 **07:33:00**

20 **#3 Holyoak Airport Conditional Use Permit**

21 **Removed from agenda.**

22 **#4 Training Opportunity**

23 **Harrild** reviewed the training opportunity coming up Feb. 9.

24 **07:47:00**

25 **Adjourned**

26

Memorandum**3 March 2022****To:** Planning Commission**Subject:** 6-month time extension request for the proposed Sharp Mini Subdivision

A request has been made by Vernon Investments, LLC, the property owner of the Sharp Mini Subdivision, for a 6-month extension of the effective period of approval for a 2-lot subdivision with an agricultural remainder located 3213 South 3000 West, near Wellsville, in the Agricultural (A10) Zone (Attachment A).

The 2-lot subdivision was approved by the Planning Commission on 1 April 2021. The effective approval date for a subdivision approval is one year; subsequently, the current expiration date for the approval is 1 April 2022. If the plat is not recorded by the expiration date, the approval and plat is void and the file closed.

Before a plat can be recorded, all conditions of approval must be met or, as necessary, an improvement agreement for required infrastructure must be in place. As of this date, the applicant still has outstanding conditions of approval. The applicant has been working to meet the outstanding conditions, but needs additional time to finalize road improvement plans with the Public Works Department and complete the work required.

In 2018, §17.02.050, Effective Period of Land Use Authority Approval, was amended to allow an approval of an administrative land use decision to be extended up to six (6) months at the discretion of the land use authority (§17.02.050(F)). The same code update to Title 17.02 also changed the land use authority for subdivision approvals from the County Council to the Planning Commission in §17.02.030 (Establishing Land Use Authority Duties, Authorities, and Powers). Consequently, the Planning Commission is the land use authority with the power to consider this extension request.

Section 17.02.050(F)(2), specifies that the applicant bears the burden of proving the conditions justifying an extension have been met and the land use authority may approve an extension request only if:

- “a. The reason for the request is not economic.
- b. The applicant has shown a clear pattern of working to record the plat or permit throughout the entirety of the approval period.”

The submitted request for a time extension provides the following reasoning:

1. The remaining conditions for the subdivision are in process, but it cannot be completed prior to the expiration date for the subdivision.

Staff recommends that the Planning Commission approve this request to extend the effective date of approval to **1 October 2022**, the full 6-month time extension allowed per code, as:

1. The request for a time extension complies with the requirements of §17.02.050(F) and the applicant has shown a clear pattern of working to record the plat through the approval period.

Staff Report: Sharp Mini Subdivision

1 April 2021

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: Vernon Investments

Parcel ID#: 11-056-0006

Staff Determination: Approval with conditions

Type of Action: Administrative

Land Use Authority: Planning Commission

Project Location

Reviewed by Angie Zetterquist

Project Address:

3213 South 3000 West
near Wellsville

Current Zoning:

Agricultural (A10)

Acres: 25.8

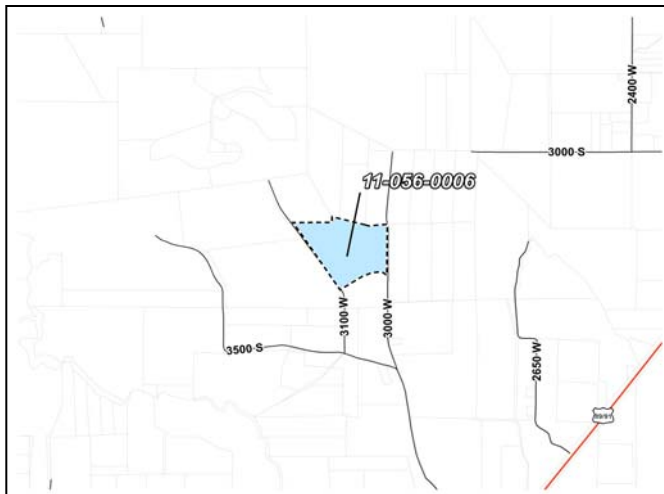
Surrounding Uses:

North – Agricultural

South –Agricultural/Residential

East – Agricultural/Residential

West – Agricultural



Findings of Fact (19)

A. Request description

1. The Sharp Mini Subdivision is a request to create a new 2-lot subdivision with an Agricultural Remainder on 25.8 acres in the Agricultural (A10) Zone.
 - a. Lots 1 & 2 will each be 2.0 acres; and
 - b. The Agricultural Remainder will be 20.73.

B. Parcel legality

2. The subject property is legal as it is in the same size and configuration since August 8, 2006.

C. Authority

3. §17.02.030 [E] Authority for Land Use Actions – The Planning Commission is authorized to act as the Land Use Authority for subdivision amendments. *See conclusion #1.*

D. Culinary water, septic system, and storm water

4. §16.04.080 [A] Water Requirements – A domestic culinary water right has been approved for Lot 2 (Water Right #25-11629 (A82009)). There is not currently a domestic culinary water right approved or in process for Lot 2. Confirmation of approved domestic water rights for Lot 2 is required prior to recording the plat. Alternatively, Lot 2 may be listed as a “dry lot” on the subdivision plat. As a “dry lot”, a subdivision amendment must be submitted and approved with an domestic culinary water right in place prior to the future development of Lot 2. *See condition #1*
5. §16.04.080 [B] Sewage Requirements – The applicant has provided an approved septic permit for the Lot #1 from the Bear River Health Department. A septic feasibility letter must be submitted for the proposed Lot #2 prior to recording the plat. *See condition #2*
6. §16.04.070 Storm Drainage Requirements – The applicant must work with the County Engineer to ensure the proposed subdivision and future development will meet current state and local stormwater standards. The applicant must provide confirmation to the Development Services Office that the County Engineer has reviewed and approved applicant provided plans for stormwater runoff and retention from the proposed subdivision. All stormwater control (ponds, culverts, etc.) must be maintained by the property owners. A Land Disturbance Permit is required for any future development. *See condition #3*

E. Access

7. §16.04.040 [A] Roads – All roads must be designed and constructed in accordance with Title 12 of the County Code.
8. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).
9. §16.04.080 [E] Roads and Access – A basic road review is required and must consider:
 - a. The layout of proposed roads;
 - b. An analysis of existing roadway compliance with the Road Manual requirements;
 - c. Existing maintenance;
 - d. And any additional impacts to the proposed development access roads.
10. The Road Manual specifies the following:
 - a. §2.1 Roadway Functional Classification – Minor Local Road (L): Minor local roads serve almost exclusively to provide access to properties adjacent to the road. Minor local roads generally serve residential or other non-commercial land uses. Many minor local roads are cul-de-sacs or loop roads with no through continuity. The length of minor local roads is typically short. Because the sole function of local roads is to provide local access, such roads are used predominantly by drivers who are familiar with them.
 - a. Table B-6 Typical Cross Section Minimum Standards: Minor local roads must meet the minimum standard of a 66-foot right-of-way, two 10-foot wide paved travel lanes with 4-foot wide gravel shoulders: 14-inches depth of granular borrow, a 6-inches depth of untreated base course, and 3 inches of bituminous surface course (asphalt).

- b. Table B-8 Typical Cross Section Structural Values: The minimum structural composition for minor local roads requires 14" depth of granular borrow, 6" depth of road base, and 3" depth of asphalt.
- 11. A basic review of the access to the proposed subdivision identifies the following:
 - a. Access to the Sharp Mini Subdivision is from 3000 and 3100 West, both county roads.
 - b. 3000 West:
 - i. Is an existing county facility that provides access to the general public, but is currently a dead end with no through access.
 - ii. Currently provides access to a few residential properties, vacant lots, and agricultural parcels.
 - iii. Is classified as a minor local road.
 - iv. Consists of a 17-foot wide gravel surface with no shoulders.
 - v. Has a 41.5-foot wide ROW.
 - vi. Is maintained by the County in the summer and partially in the winter.
 - vii. The road is substandard in the following categories: lane width, right-of-way, gravel shoulder, clear zone, and material. ***See condition #4***
 - c. 3100 West:
 - i. Is an existing county facility that provides access to the general public, but is currently a dead end with no through access.
 - ii. Currently provides access to a few residential properties, vacant lots, and agricultural parcels.
 - iii. Is classified as a minor local road.
 - iv. Consists of a 17-foot wide paved surface with no shoulders.
 - v. Has a 33-foot wide ROW.
 - vi. Is maintained year around by the County.
 - vii. The road is substandard in the following categories: lane width, right-of-way, gravel shoulders, and clear zone. ***See condition #4***

F. Service Provision

- 12. §16.04.080 [C] Fire Control – The County Fire District visited the subject property and found the access road meets fire code standards. Any future development on the property must be reevaluated and may require improvements based on the location of the proposed access and development. Water supply for fire protection will be provided by the Wellsville Fire Department.
- 13. §16.04.080 [F] Solid Waste Disposal – Logan City Environmental provides collection service in this area. For refuse collection, Lot 1 must provide an all-weather turn-around suitable for large refuse trucks. Residential carts for Lot 2 may be placed on 3100 West in front of the house for Monday collection. Sufficient shoulder space must be provided along the side of the road for all refuse and recycling containers to be placed 3-to-4 feet apart and be far enough off the road so as not to interfere with passing traffic. ***See condition #5***

G. Sensitive Areas

- 14. §17.08.040 General Definitions, Sensitive Area; §17.18 Sensitive Area
 - a. According to the GIS data, there are canals that run along the north and south boundaries of the proposed subdivision. Development in these areas may require additional setbacks and approval from the irrigation/canal companies. ***See condition #6***
 - b. The western portion of the property including the location of Lot 2 is located in an area with moderate to high liquefaction potential. A geotechnical report from a professional licensed in the State of Utah that meets the minimum standards of §17.18.060 must be submitted to the

County Engineer for review and approval prior to recording the plat. All additional costs for engineering review of the geotechnical report must be paid by the applicant. *See condition #7*

H. Public Notice and Comment—§17.02.040 Notice of Meetings

15. Public notice was posted online to the Utah Public Notice Website on 19 March 2021.
16. Notice was published in the Herald Journal on 20 March 2021.
17. Notices were posted in three public places on 19 March 2021.
18. Notices were mailed to all property owners within 300 feet of the subject property on 19 March 2021.
19. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

Conditions (7)

Based on the Cache County Subdivision and Land Use Ordinances, Road Manual, and on the findings of fact as noted herein, staff recommends the following conditions:

1. Prior to recording the plat, confirmation of an approved domestic water right for Lot 2 must be provided to the Department of Development Services. Alternatively, Lot 2 may be identified as a “dry lot” on the subdivision plat and future development will require approval of a subdivision amendment. (*See D-4*)
2. Prior to recording the plat, the applicant must provide a septic feasibility letter for Lot 2 from the Bear River Health Department. This requirement is applicable whether or not Lot 2 is designated as a “dry lot”. (*See D-5*)
3. Prior to recording the plat, the application must provide information to the County Engineer describing how stormwater runoff and retention from the proposed subdivision will be handled. All stormwater control (ponds, culverts, etc.) must be maintained by the property owners. The applicant must provide a copy of the written approval for the stormwater plan from the County Engineer to the Department of Development Services. A Land Disturbance Permit is required for any future development. (*See D-6*)
4. Prior to recording the plat, 3000 West must be improved to a Minor Local roadway standard as per the County Road Manual and a fee in lieu must be paid to the County for the asphalt surface. Additionally, 3100 West must be improved to a Minor Local roadway standard. A temporary turnaround is required at the end of the improvements to 3000 West. The turnaround must consist of a 48-foot radius with an all-weather surface. The applicant must work with the Department of Public Works on the required road improvements including, but not limited to, submitting fully designed and engineered plans for the road improvements from a licensed professional in the state of Utah. The plans for all road improvements must be reviewed and approved by the County Public Works Department and Fire District for compliance with applicable codes. A copy of all required permits and approvals must be provided to the Department of Development Services. The applicant must any additional fees for the review of the road improvement plans. (*See E-11-b-vii, E-11-c-vii*)
5. Prior to recording the plat, the applicant must provide written approval from the Logan City Environmental Department/Solid Waste Collection to the Development Services Department that the turnaround required at the end of 3000 West meets their requirements. (*See F-13*)
6. Prior to recording the plat, the plat must be amended to show any existing easements and any proposed dedications for the irrigation canals. Applicant must confirm with the canal company whether any dedications are required and provide written confirmation from the canal company to the Development Services Department. (*See G-14-a*)

7. Prior to recording the plat, the applicant must submit a geotechnical report that meets the requirements of the Code to the Public Works Department for review and approval by the County Engineer. Applicant is responsible for any additional fees associated with this review. A copy of the approved geotechnical report must be provided to the Development Services Department and recorded with the County Recorder's Office. (*See G-14-b*).

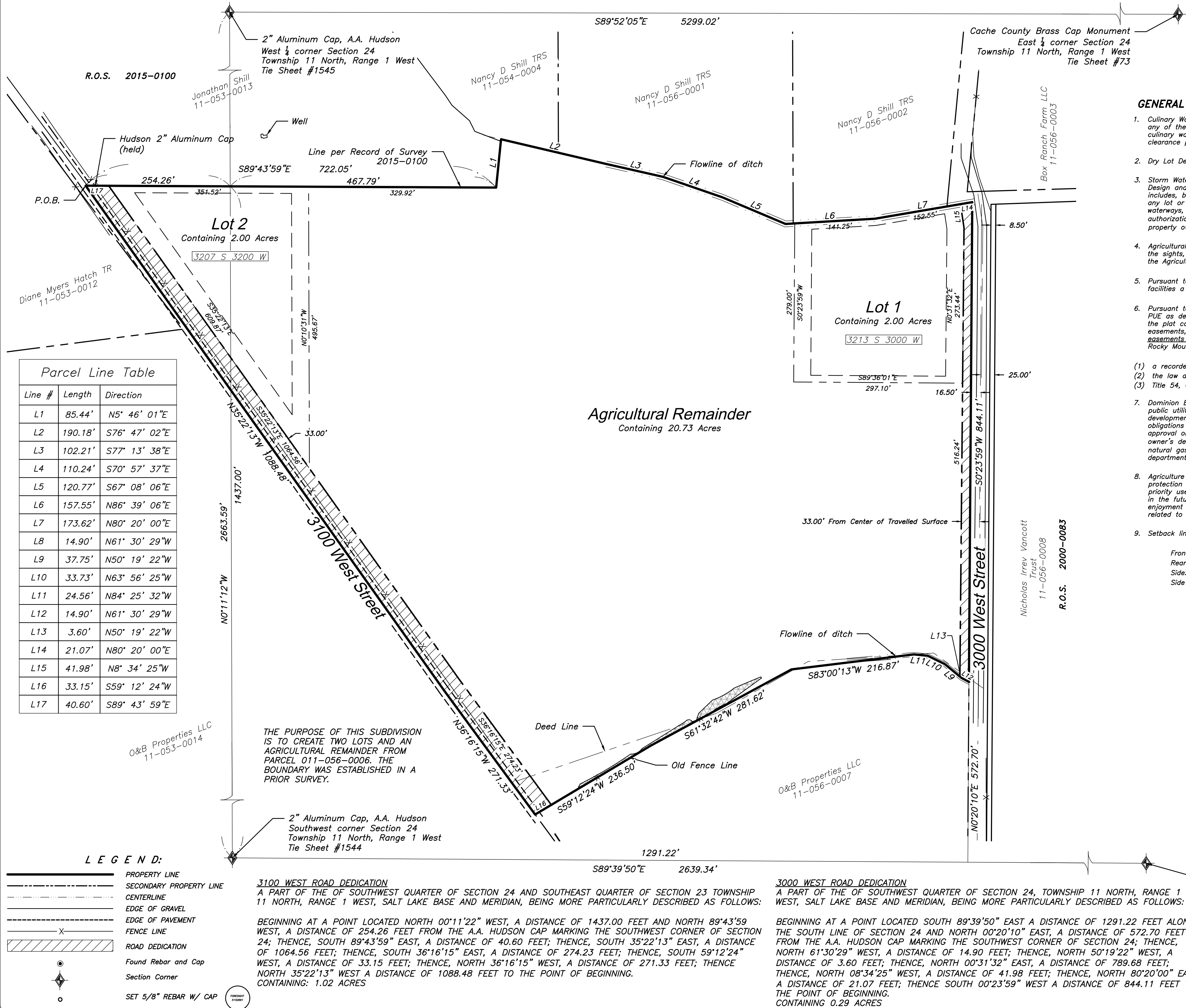
Conclusions (1)

Based on the findings of fact and conditions noted herein, staff recommends approval of the Sharp Mini Subdivision as:

1. It has been reviewed by the Planning Commission in conformance with, and meets the requirements of, the Cache County Subdivision and Land Use Ordinances.

Sharp Mini Subdivision

A PART OF THE SOUTHWEST QUARTER OF SECTION 24 and
SOUTHEAST QUARTER OF SECTION 23, T11N, R1E, S.L.B.&M.
CACHE COUNTY, UTAH
CONTAINING 26.05 ACRES IN 2 LOTS AND AN AGRICULTURAL REMAINDER



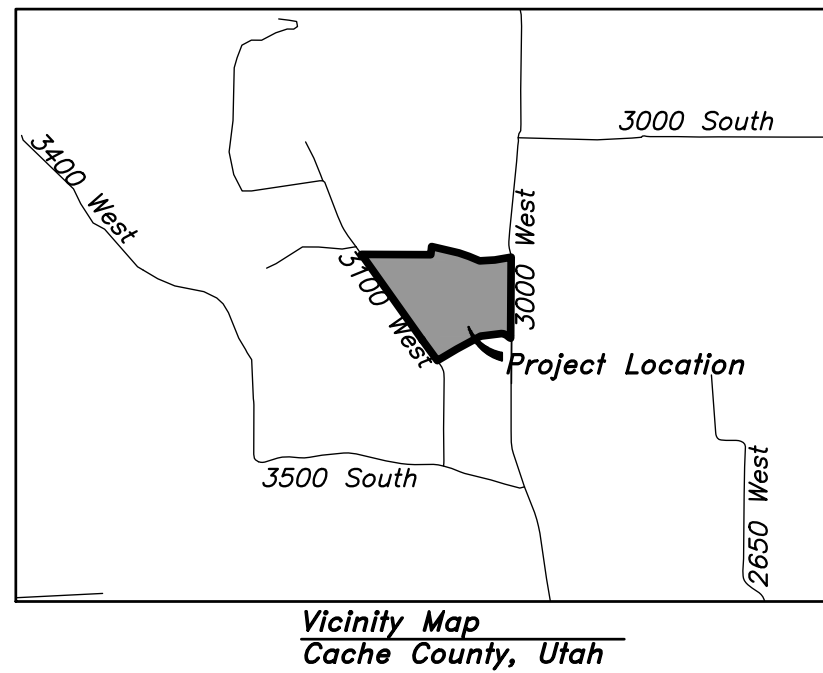
| Sensitive Area Calculations | | |
|-----------------------------|-------------|------|
| Total Area: | 26.05 Acres | |
| Floodplain | 0.000 Acres | 0% |
| 100ft Floodplain Buffer | 0.000 Acres | 0% |
| Wetlands | 0.000 Acres | 0% |
| 20% Slopes | 0.061 Acres | 0.2% |
| 30% Slopes | 0.000 Acres | 0% |

Note: Areas shown are based on information from Cache County GIS.

GENERAL NOTES:

- Culinary Water: Cache County has not determined the availability or adequacy of culinary water to any of the lots identified. All owners are advised of the requirements to obtain an approved culinary water source and comply with all other requirements for the issuance of a zoning clearance prior to the issuance of a building permit.
- Dry Lot Development restricted until an approved domestic water right is provided.
- Storm Water Drainage: Compliance with the standards of the Cache County Manual of Roadway Design and Construction Standards and State of Utah storm water permitting are required. This includes, but is not limited to, any increased level of storm water drainage from any portion of any lot or remainder parcel of this subdivision to any adjacent properties, ditches, canals, or waterways, or the alteration of any existing, historic, or natural drainage without prior written authorization provided by the affected party or entity (may include but is not limited to: adjacent property owner(s), ditch or canal company, Cache County, or the State Water Engineer's Office.)
- Agricultural Uses: Current and future property owners must be aware that they will be subject to the sights, sounds and smells associated with agricultural activities which are permitted uses in the Agricultural Zone and Forest Recreation Zone.
- Pursuant to Utah Code Ann. 54-3-27 this plat conveys to the owner(s) or operators of utility facilities a public utility easement along with all the rights and duties described therein.
- Pursuant to Utah Code Ann. 17-27a-603(4)(c)(ii) Rocky Mountain Power accepts delivery of the PUE as described in this plat and approves this plat solely for the purpose of confirming that the plat contains public utility easements and approximates the location of the public utility easements, but does not warrant their precise location. Rocky Mountain Power may require other easements in order to serve this development. This approval does not affect any right that Rocky Mountain Power has under:
 - a recorded easement or right-of-way
 - the law applicable to prescriptive rights
 - Title 54, Chapter 8a, Damage to Underground Utility Facilities or any other provision of law.
- Dominion Energy approves this plat solely for the purpose of confirming that the plat contains public utility easements. Dominion Energy may require other easements in order to serve this development. This approval does not constitute abrogation or waiver of any other existing rights, obligations or liabilities provided by law or equity. This approval does not constitute acceptance, approval or acknowledgment of any terms contained in the plat, including those set in the owner's dedication and the notes and does not constitute a guarantee of particular terms of natural gas service. For further information please contact Dominion Energy's right-of-way department at 1-800-366-5532.
- Agriculture Protection Area: This property is located in the vicinity of an established agriculture protection area in which normal agricultural uses and activities have been afforded the highest priority use status. It can be anticipated that such agricultural uses and activities may now or in the future be conducted on property included in the agriculture protection area. The use and enjoyment of this property is expressly conditioned on the acceptance of any circumstance related to land use which may result from such normal agricultural uses and activities.
- Setback lines are for primary buildings only.

| | |
|---------------------|--------|
| Front: | 30.00' |
| Rear: | 30.00' |
| Side: | 12.00' |
| Side along Roadway: | 30.00' |



Cache County Brass Cap Monument
Southeast corner Section 24
Township 11 North, Range 1 West
Tie Sheet #85

Record Owners: Vernon Investments LC
PO Box 3452
Logan, Utah 84321
(435) 757-4450

SURVEYOR'S CERTIFICATE

I, JEFF C. NIELSEN, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 5152661 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS HEREAFTER TO BE KNOWN AS: SHARP MINI SUBDIVISION AND THE SAME HAS BEEN CORRECTLY SURVEYED AND ALL STREETS ARE THE DIMENSIONS SHOWN.

Subdivision Boundary

PARCEL 11-056-0006

A PART OF THE OF SOUTHWEST QUARTER OF SECTION 24 AND SOUTHEAST QUARTER OF SECTION 23 TOWNSHIP 11 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTERLINE OF 3100 WEST STREET, BEING LOCATED NORTH 00°11'22" WEST, A DISTANCE OF 1437.00 FEET AND NORTH 89°43'59" WEST, A DISTANCE OF 254.26 FEET FROM THE A.A. HUDSON CAP MARKING THE SOUTHWEST CORNER OF SECTION 24, FROM WHICH CAP THE A.A. HUDSON CAP MARKING THE WEST QUARTER CORNER OF SECTION 24 BEARS NORTH 00°11'12" WEST, A DISTANCE OF 2663.59 FEET; THENCE, SOUTH 89°43'59" EAST, A DISTANCE OF 722.05 FEET; THENCE, NORTH 05°46'01" EAST, A DISTANCE OF 85.44 FEET TO THE CENTERLINE OF AN EXISTING DITCH; THENCE ALONG SAID CENTERLINE THE FOLLOWING SIX (6) COURSES:

- (1) SOUTH 76°47'02" EAST, A DISTANCE OF 190.18 FEET;
- (2) SOUTH 77°13'38" EAST, A DISTANCE OF 102.21 FEET;
- (3) SOUTH 70°57'37" EAST, A DISTANCE OF 110.24 FEET;
- (4) SOUTH 67°08'06" EAST, A DISTANCE OF 120.77 FEET;
- (5) NORTH 86°39'06" EAST, A DISTANCE OF 157.55 FEET;
- (6) NORTH 80°20'00" EAST, A DISTANCE OF 173.62 FEET TO THE WEST LINE OF 3000 WEST STREET;

THENCE ALONG SAID WEST LINE, SOUTH 00°23'59" WEST, A DISTANCE OF 844.11 FEET TO THE CENTERLINE OF AN EXISTING DITCH; THENCE ALONG SAID CENTERLINE THE FOLLOWING FIVE (5) COURSES:

- (1) NORTH 61°30'29" WEST, A DISTANCE OF 14.90 FEET;
- (2) NORTH 50°19'22" WEST, A DISTANCE OF 37.75 FEET;
- (3) NORTH 63°56'25" WEST, A DISTANCE OF 33.73 FEET;
- (4) NORTH 84°25'32" WEST, A DISTANCE OF 24.56 FEET;
- (5) SOUTH 83°00'13" WEST, A DISTANCE OF 216.87 FEET TO AN EXISTING FENCE;

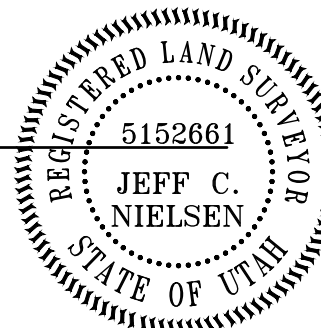
THENCE ALONG SAID FENCE THE FOLLOWING TWO (2) COURSES:

- (1) SOUTH 61°32'42" WEST, A DISTANCE OF 281.62 FEET;
- (2) THENCE SOUTH 59°12'24" WEST A DISTANCE OF 236.50 FEET TO THE CENTERLINE OF SAID 3100 WEST STREET;

THENCE ALONG SAID CENTERLINE THE FOLLOWING TWO (2) COURSES:

- (1) NORTH 36°16'15" WEST, A DISTANCE OF 271.33 FEET;
- (2) NORTH 35°22'13" WEST, A DISTANCE OF 1088.48 FEET TO THE POINT OF BEGINNING.

CONTAINING 26.05 ACRES.



SIGNATURE

DATE

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNERS OF THE TRACT OF LAND DEPICTED AND DESCRIBED HEREON, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS (AS PERTAINS), THE WHOLE TO BE HERINAFTER KNOWN AS THE "SHARP MINI SUBDIVISION". FURTHER, WE DEDICATE THE PORTION OF PROPERTY THAT LIES WITHIN 33' OF THE CENTERLINE OF THE ROADWAYS SHOWN AS 3100 WEST STREET AND 3000 WEST STREET TO CACHE COUNTY FOR THE USE OF THE PUBLIC FOREVER AND HEREBY GRANT TO THE COUNTY THE RIGHT TO MAKE ANY AND ALL IMPROVEMENTS FOR THE CONSTRUCTION, MAINTENANCE, AND REPAIR OF SAID ROADWAY.

Date

Name

Date

Name

ACKNOWLEDGMENT

STATE OF UTAH

) SS.

COUNTY OF CACHE

THE FOREGOING INSTRUMENT WAS PERSONALLY ACKNOWLEDGED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC THIS _____ DAY OF _____, 20____, BY _____, WHO PROVED ON BASIS OF _____ SATISFACTORY EVIDENCE TO BE _____ AND IS SAID PERSON WHOSE NAME IS SUBSCRIBED TO THIS INSTRUMENT AND THAT SAID DOCUMENT WAS SIGNED BY HIM/HER IN BEHALF OF SAID _____ BY AUTHORITY OF ITS BYLAWS.
WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC

COUNTY RECORDER'S NO.

STATE OF UTAH, COUNTY OF _____, RECORDED AND FILED

AT THE REQUEST OF: _____

DATE: _____ TIME: _____ FEE: _____

ABSTRACTED _____

INDEX _____

FILED IN: FILE OF PLATS COUNTY RECORDER

DEPUTY COUNTY SURVEYOR'S CERTIFICATE

I CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED AND FIND THAT IT IS CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE; AND FURTHER, IT MEETS THE MINIMUM STANDARDS FOR PLATS REQUIRED BY COUNTY ORDINANCE AND STATE LAW.

DEPUTY COUNTY SURVEYOR

DATE

CACHE COUNTY PLANNING COMMISSION

THIS PLAT WAS RECOMMENDED FOR APPROVAL/DENIAL BY THE PLANNING COMMISSION ON THE _____ DAY OF _____, 20____.

DATED THIS _____ DAY OF _____, 20____.

BY: _____

CHAIR

COUNTY ATTORNEY APPROVAL

I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND APPROVE THE PLAT AS TO FORM AS REQUIRED BY STATE LAW AND COUNTY ORDINANCE.

DATE

CACHE COUNTY ATTORNEY

BEAR RIVER HEALTH DEPT. APPROVAL

THE SUBDIVISION DESCRIBED IN THIS PLAT HAS BEEN APPROVED BY THE BEAR RIVER HEALTH DEPARTMENT THIS _____ DAY OF _____, 20____.

BY: _____

TITLE: _____

FORESIGHT
LAND SURVEYING

2005 North 600 West, Logan, Utah
435-753-1910

Project No. 19-057
Prepared by HB, 3/02/21

Staff Report: Cub River Estates I Rezone

3 March 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: Vern Fielding

Parcel ID#: 09-025-0016

Staff Recommendation: Denial

Type of Action: Legislative

Land Use Authority: Cache County Council

Location

Reviewed by Angie Zetterquist

Project Address:

~535 East Cannibal Road
Cove

Acres: 44.46

Surrounding Uses:

North – Lewiston City/Agricultural

South – Agricultural/Residential

East – Agricultural

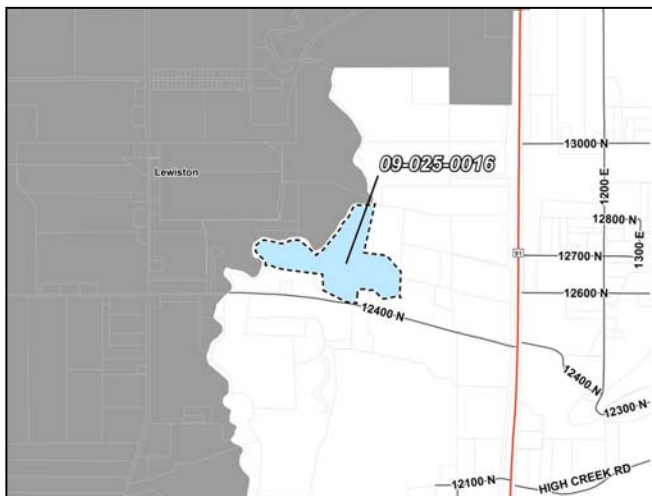
West – Lewiston City/Agricultural/Residential

Current Zoning:

Agricultural (A10)

Proposed Zoning:

Rural 5 (RU5)



Findings of Fact

A. Request description

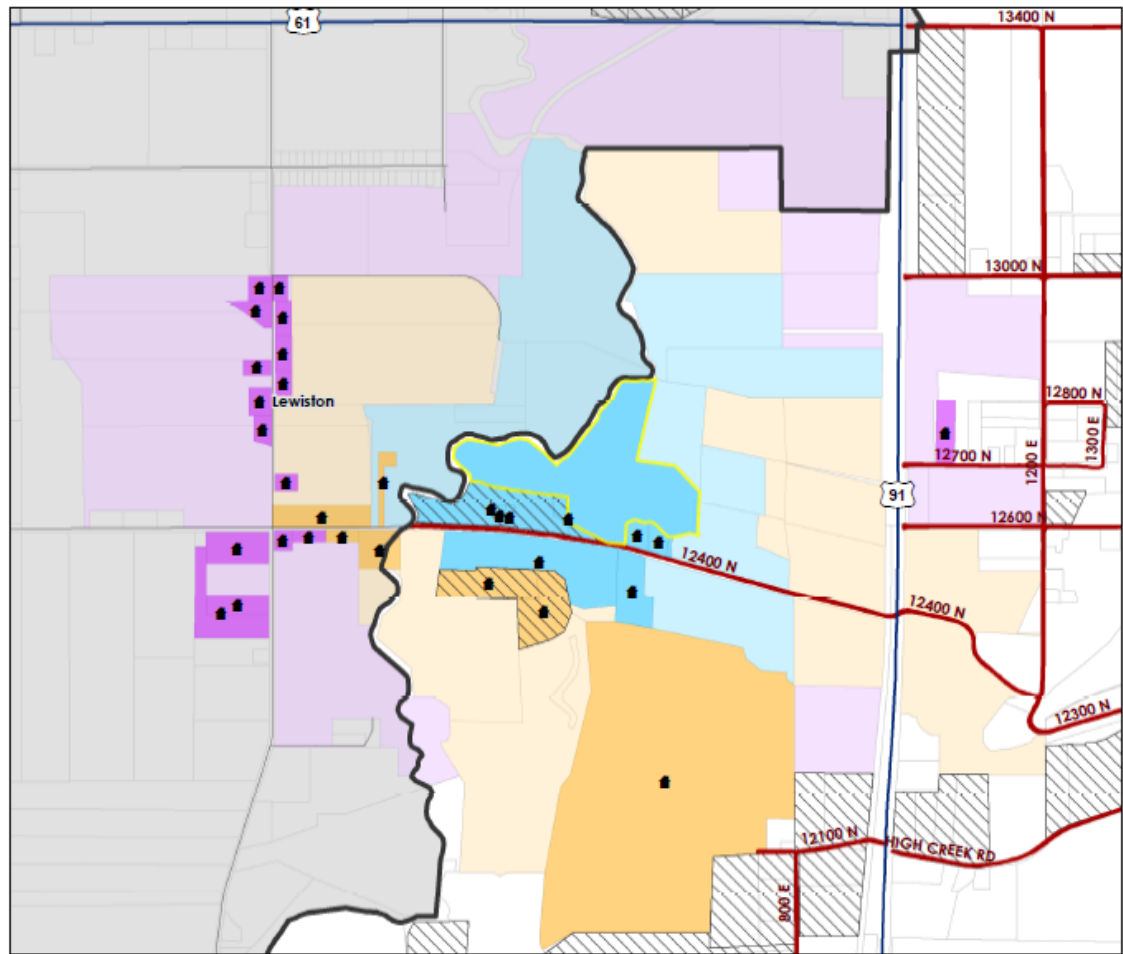
1. A request to rezone 44.46 acres from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone.
2. This rezone may allow the parcel to be legally divided into a maximum of 8 separate lots as part of a subdivision process.
3. The public hearing was held on December 2, 2021, but the item was continued to allow time for the applicant to provide analysis and confirmation from an engineer to the Development Services Department, Public Works Department, and Fire District to review and determine if the proposed access from Cannibal Road meets the requirements of Title 17 - Zoning Regulations, the County Road Manual, and the Fire Code. Further discussion of the analysis

provided by the applicant's engineer is located in Sections C: Access and D: Sensitive Areas of this staff report.

4. 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: 37.6 Acres (5 Parcels) |
| | Without a Home: 44 Acres (5 Parcels) |
| 1/4 Mile Buffer | With a Home: 21.8 Acres (10 Parcels) |
| | Without a Home: 20.1 Acres (16 Parcels) |
| 1/2 Mile Buffer | With a Home: 7.8 Acres (39 Parcels) |
| | With a Home in Lewiston City: 4 Acres (1 Parcel) |
| | Without a Home: 18.3 Acres (34 Parcels) |
| | Without a Home in Lewiston City: 28.6 Acres (7 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 and single family dwellings with the boundaries of Lewiston City to the north and west of the proposed rezone.
- v. Annexation Areas: The subject property is not located within the Lewiston City future annexation area. As part of the application submittal, the applicant did provide a letter from the Mayor of Lewiston stating it was not part of the future annexation area nor would the City provide utilities for any future development. (Attachment B)
- 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 borders of Lewiston City are located immediately adjacent to the subject property along the north and west property lines.

The nearest RU5 zone is east of the subject property approximately 2.5 miles away as the crow flies. This RU5 zone, the Michael Allen Rezone, included a total of 31.5 acres and was approved in 2012 (Ordinance 2012-04). A four-lot subdivision (i.e., Michael Allen Subdivision) was approved in 2013. The number of lots in the Michael Allen Subdivision was limited to a maximum of 4 lots after non-developable sensitive areas were removed from the gross acreage.

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

- 5. 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.
- 6. 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.”

7. 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

8. The Road Manual specifies the following:

9. §16.04.040 [A] Roads – All roads must be designed and constructed in accordance with Title 12 of the County Code.

10. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).

11. A basic review of the access to the subject property identifies the following:

12. Primary access to the subject properties is from 12400 North/Cannibal Road, a County road.

a. 12400 North/Cannibal Road:

i. Is an existing county facility that provides access to agricultural and residential lots and has access to US Highway 91.

ii. Is classified as a Major Local road.

iii. The road consists of a 20-foot-wide paved surface, but is substandard as to right-of-way and paved and gravel shoulders.

iv. The subject property has approximately 187 feet of frontage along the County road. The frontage is at grade with the road, but the terrain contains moderate and steep slopes approximately 220 feet into the property before it plateaus onto the flat agricultural field (Attachment C). Current agricultural access to the property is located on an adjacent parcel to the east of the subject property (parcel #09-030-0009). The applicant is proposing that access to the property for future development would be directly from the County road where the property has frontage. Prior to the December 2, 2021, meeting the applicant stated that the property owner had consulted with an engineer who indicated that access which meets the current County Road Manual requirements is possible; however, no plans had been drafted to confirm access at that time. Consequently, the rezone request was continued to allow the applicant time to provide analysis and confirmation from an engineer to the Development Services Office, Public Works Department, and the Fire District for review.

D. Sensitive Areas:

13. §17.18.050: Standards and Development Plan:

These standards are provided to ensure that any development proposed wholly, or in part, within a sensitive area recognizes the physical and environmental constraints of the development site. These standards shall supplement, and are in addition to, other development standards provided by this code, state, and/or federal code or rule. At the time of application, provide a development plan for the property that addresses and includes the following:

A. *Nondevelopable: As applicable, provide a description of all impacts and mitigation regarding development activities that will or are likely to impact any nondevelopable areas on the property.*

2. *Steep Slopes: No building, structure, construction, excavation, or landfilling shall occur on any area determined to be a steep slope.*

a. In response to the Planning Commission’s request for additional information, the applicant’s engineer submitted a letter stating that an analysis had been completed (Attachment D) and that he had determined access across the steep slopes was feasible. However, at that time, no supporting documentation was provided. Later, the engineer

provided a concept plan (Attachment E) that illustrated a 288-foot access road could be cut through the steep slope area with a slope of plus/minus 7%.

After reviewing the concept plan, the County Engineer concluded an access road is feasible that meets the County Road Manual requirements for grade as the proposed road slope is less than the maximum 10% allowed. The Fire Marshal also reviewed the concept plan and determined the proposed slope will meet the requirements of the Fire Code.

However, in reviewing the concept plan against the requirements of the County Land Use Code, specifically §17.18.050 Standards and Development Plan, item A, number 2 (copied above), the proposed access road, though feasible, would require construction, excavation, and land filling in a sensitive steep slope area, which is not permitted per the Code.

Section 17.18.030(D) Hardship Relief, does allow some flexibility: *“If the applicant demonstrates that the regulations imposed by this chapter would deny all reasonable use of the subject property, the county council, following the receipt of a recommendation from the planning commission, may modify the exercise of these requirements to provide the applicant reasonable use of the property and may provide a modified determination of development potential...”*

Given the needed excavation and land filling required to place the proposed access road through the sensitive steep slope area and that no demonstration has been made that the requirements of the Code *“deny all reasonable use of the subject property”*, the provided concept plan does not provide justification to change staff’s recommendation to deny the rezone request.

E. Service Provisions:

14. §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.
15. §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.

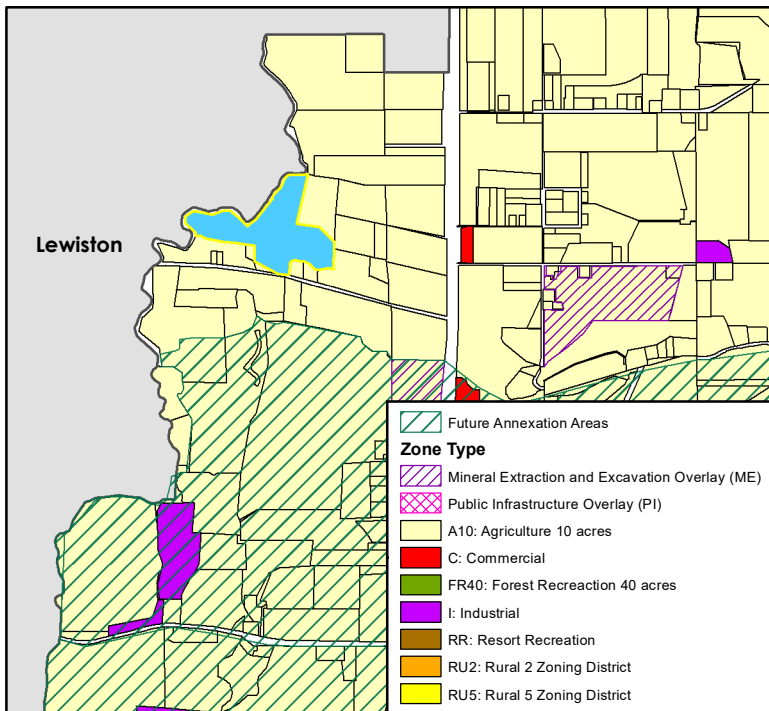
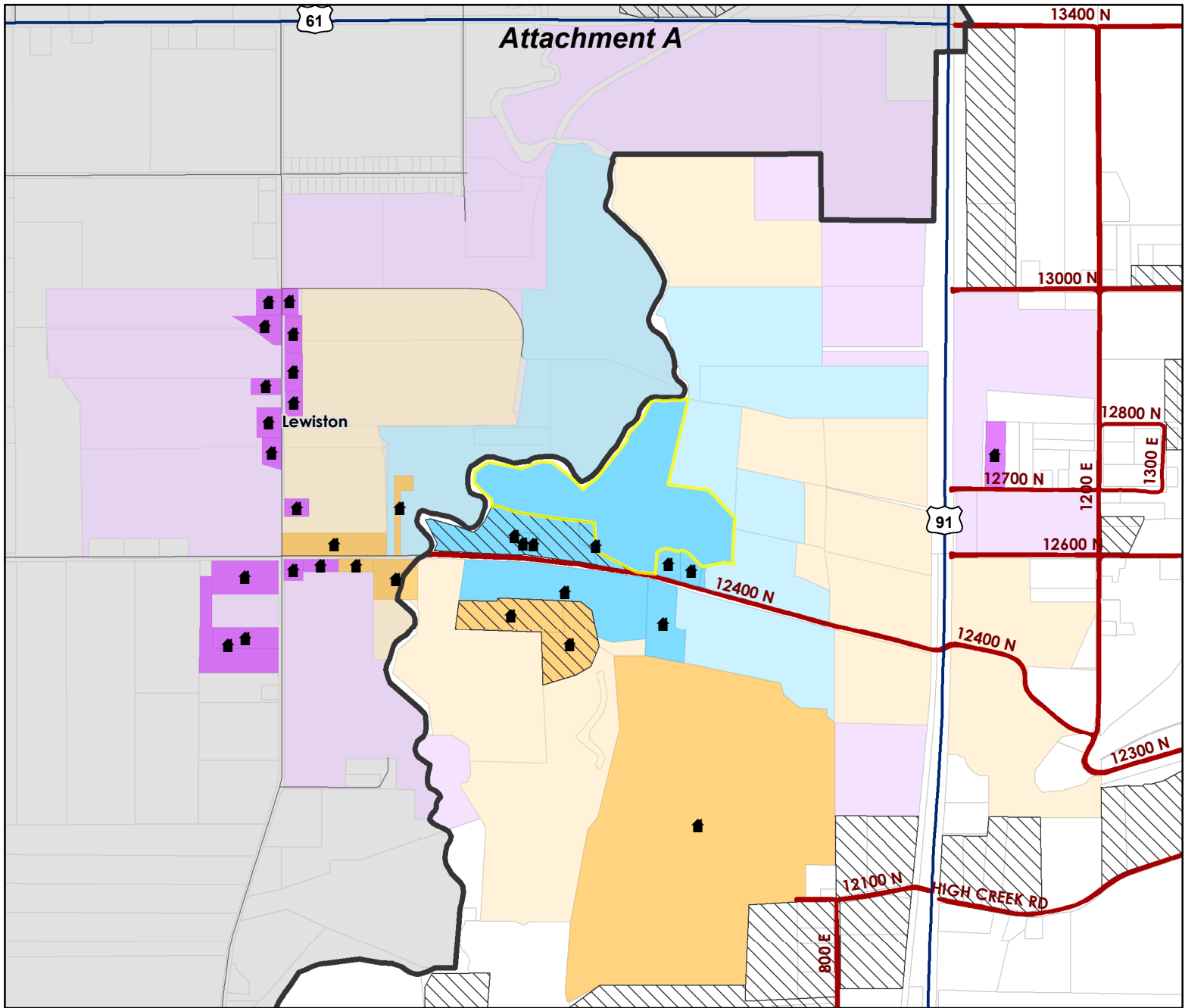
F. Public Notice and Comment—§17.02.040 Notice of Meetings

16. Public notice was posted online to the Utah Public Notice Website on 19 November 2021.
17. Notices were posted in three public places on 19 November 2021.
18. Notices were mailed to all property owners within 300 feet and Lewiston City on 19 November 2021.
19. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

Recommendation and Conclusion

Based on the findings of fact noted herein, the Cub River Estates I Rezone is hereby recommended for denial to the County Council as follows:

1. Access to future development on the subject property is through an area of steep and moderate slopes. The County Code does not permit any building, structure, construction, excavation, or landfilling on any area determined to be a steep slope. Though the applicant provided a concept plan that shows a road access is feasible, the needed excavation and land filling required to construct the access is located within a sensitive steep slope area in contradiction to Section 17.18.050(A)(2) of the County Land Use Code and the applicant has not demonstrated the requirements for Hardship Relief (17.18.030(D)) that the sensitive area regulations imposed by the Code deny all reasonable use of the subject property.



Legend

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

| Average Parcel Size | |
|---------------------|---|
| Adjacent Parcels | With a Home: 6.2 Acres (6 Parcels) |
| | Without a Home: 14.7 Acres (5 Parcels) |
| | Without a Home in Smithfield City: Acres (Parcels) |
| 1/4 Mile Buffer | With a Home: 6.6 Acres (11 Parcels) |
| | With a Home in Smithfield City: 1 Acre (1 Parcel) |
| | Without a Home: 10.5 Acres (20 Parcels) |
| 1/2 Mile Buffer | Without a Home in Smithfield City: 8.8 Acres (13 Parcels) |
| | With a Home: 7.1 Acres (16 Parcels) |
| | With a Home in Smithfield City: 0.4 Acres (173 Parcels) |
| | Without a Home: 13.3 Acres (38 Parcels) |
| | Without a Home in Smithfield City: 3.8 Acres (58 Parcels) |



11/15/2021

Attachment B

October 14, 2021

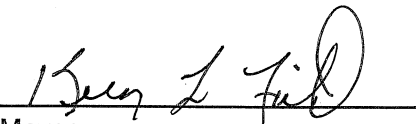
Lewiston City Corporation
PO Box 36
Lewiston, UT 84320

RE: TAX ID#09-025-0016

To Whom It May Concern:

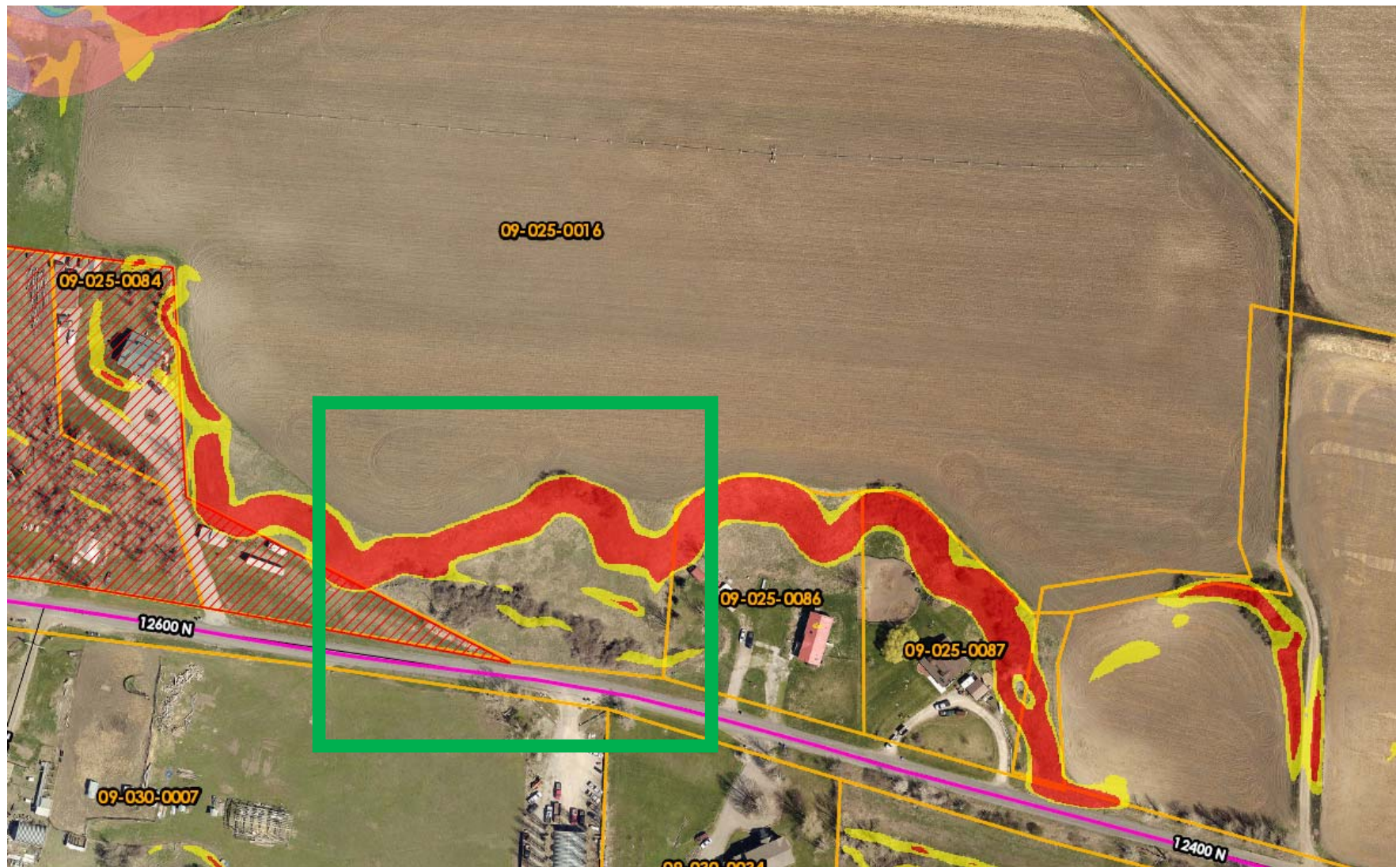
We have reviewed tax id#09-025-0016 for annexation potential. As of October ^{19, 2021} ~~14, 2022~~ ^{KF}, this parcel is not included in our long-term annexation plans, nor does Lewiston City anticipate providing any utilities to this property.

Thanks for your consideration.



Mayor

Attachment C



Red = steep slopes (>30%)

Attachment C



View North East

Attachment C



View North West

Attachment C



View West



Jan 20, 2022

To Whom It May Concern:

Todd Davis hired me, to provide a preliminary analysis of a future access road to a proposed development located at approximately 500 E Cannibal Rd, Lewiston Utah known as Tax Parcel No. 09-025-0016.

I have completed a topographic survey of the above-mentioned parcel to determine if a future road meets the road grade standards per Cache County Roads as specified in Table B-4 "Maximum Grades for Cache County Roads". The subject property has some relief to it but the proposed access road from Cannibal Road will fall below the 10% road grade as specified for "Rolling Terrain".

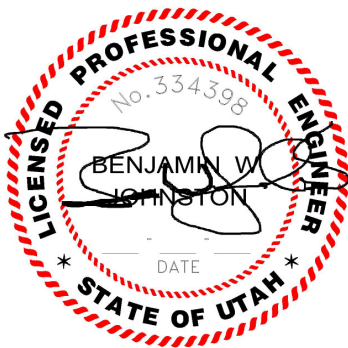
I find the subject property to be a great site for a proposed development and will conform to the Cache County "Manual of Roadway Design and Construction Standards".

Contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ben Johnston', is written over a faint, larger version of the same signature.

Benjamin Johnston, P.E., P.L.S.



Attachment E

/ SUNSPOT PROPERTIES LLC /
Tax Parcel No. 09-025-0016 /

- CONCEPT PLAN for ENTRANCE ROAD - CUB RIVER ESTATES

**A PART OF THE S/2 OF SECTION 10, T 14 N, R 1 E, SLB&M
COVE, CACHE COUNTY, UTAH**

OWNER / DEVELOPER:

Todd Davis
1349 E 300 S
Smithfield, Utah 84335

SUNSPOT PROPERTIES LLC
Tax Parcel No. 09-025-0016

- CL FG
ELEV. 4508 ±

ROAD CUT/FILL AND ADVANCED DESIGN
ADDRESSED AT DESIGN STAGE

FG (Existing)
Elev. 4487.80'

TERRY & DIANNA GRIFFING
Tax Parcel No. 09-025-0086

CANNIBAL ROAD



| | | | | | | | |
|-------------|----------|-----|--|-------|--|-----------|--|
| DESIGN# | 3-W-1 | NO. | | DATE: | | REVISION: | |
| DRAWN# | 3-W-1 | | | | | | |
| HORIZ SCALE | 1"=60' | | | | | | |
| VERT SCALE | 1"=4' | | | | | | |
| DRAWN | 02-21-52 | | | | | | |

CONCEPT PLAN - CUB RIVER ESTATES



JOHNSTON
ENGINEERING, INC.

CIVIL • SURVEYING • STRUCTURAL

| | |
|------------|-------|
| SHEET | |
| 1 | SHEET |
| JOB NUMBER | |
| 22CA104 | |



OWNER / DEVELOPER:

Todd Davis
1349 E 300 S
Smithfield, Utah 84335

SUNSPOT PROPERTIES LLC
Tax Parcel No. 09-025-0016

**- CONCEPT PLAN for ENTRANCE ROAD -
CUB RIVER ESTATES**

**A PART OF THE S/2 OF SECTION 10, T 14 N, R 1 E, SLB&M
COVE, CACHE COUNTY, UTAH**

CL FG
ELEV. 4508 ±

ROAD CUT/FILL AND ADVANCED DESIGN
ADDRESSED AT DESIGN STAGE

CL FG
ELEV. 4599 ±

SUNSPOT PROPERTIES LLC
Tax Parcel No. 09-025-0016

TERRY & DIANNA GRIFFING
Tax Parcel No. 09-025-0086

EXIST. EDGE ASPHALT

CANNIBAL ROAD

CL FG (Existing)
ELEV. 4487.80'

GATE
OPENING



| DESIGN: | NO. | DATE: | REVISION: |
|----------------------|-----|-------|-----------|
| 3/1/11 | | | |
| B.W.J. | | | |
| HORIZ. SCALE: 1"=40' | | | |
| VERT. SCALE: N/A | | | |
| DATE: 03-05-22 | | | |

ALL DESIGNS, REPORTS, FIELD DATA, FIELD NOTES, DRAWINGS, SPECIFICATIONS, CALCULATIONS, ETC. ARE THE PROPERTY OF JOHNSTON ENGINEERING, P.C. UNLESS PREVIOUSLY ESTABLISHED BY WRITTEN AGREEMENT.

CONCEPT PLAN - CUB RIVER ESTATES

ENTRANCE ROAD TO CUB RIVER ESTATES
SITUATE IN S/2 SECTION 10, T 14 N, R 1 E, S.L.B.&M.
COVE, CACHE COUNTY, UTAH



844 EAST MAIN | TREDMONT, UT 84337 | 435.257.1156 | 435.257.1166

| SHEET | 1 |
|------------|--------|
| 1 | SHEETS |
| JOB NUMBER | |
| 22CA104 | |

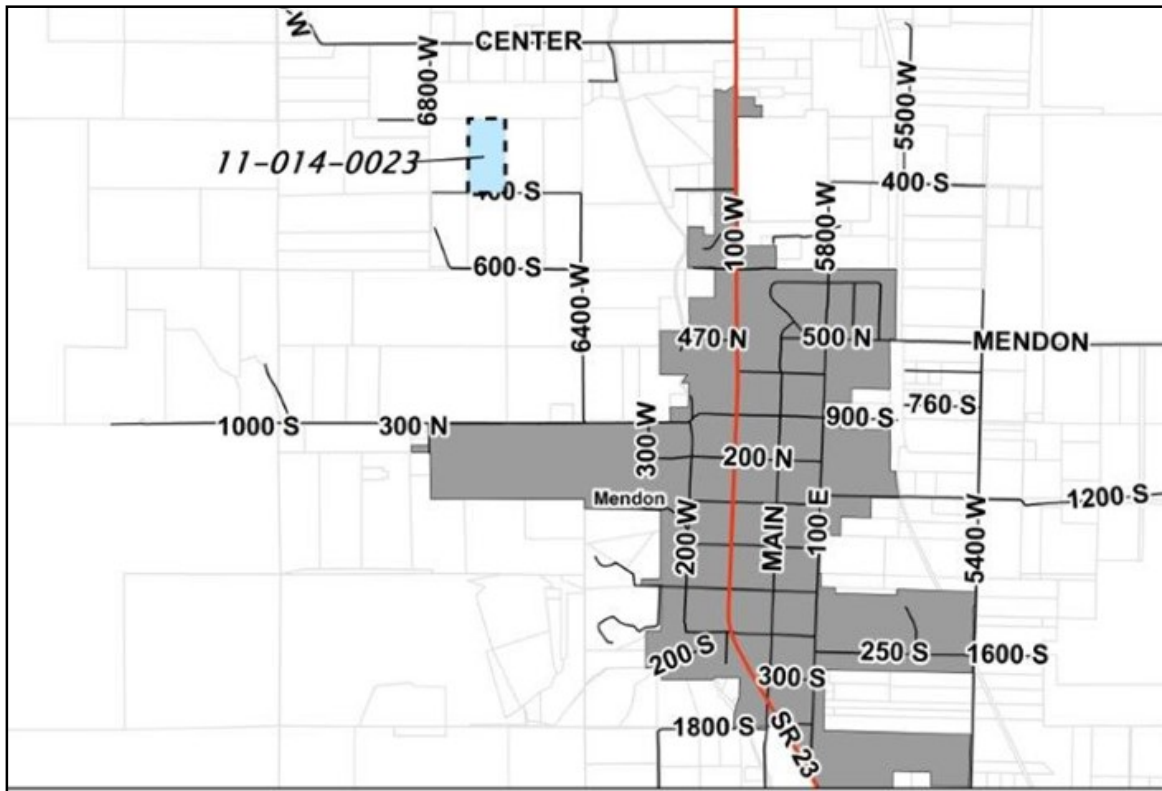
Staff Report: Holyoak Airport CUP Review

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.



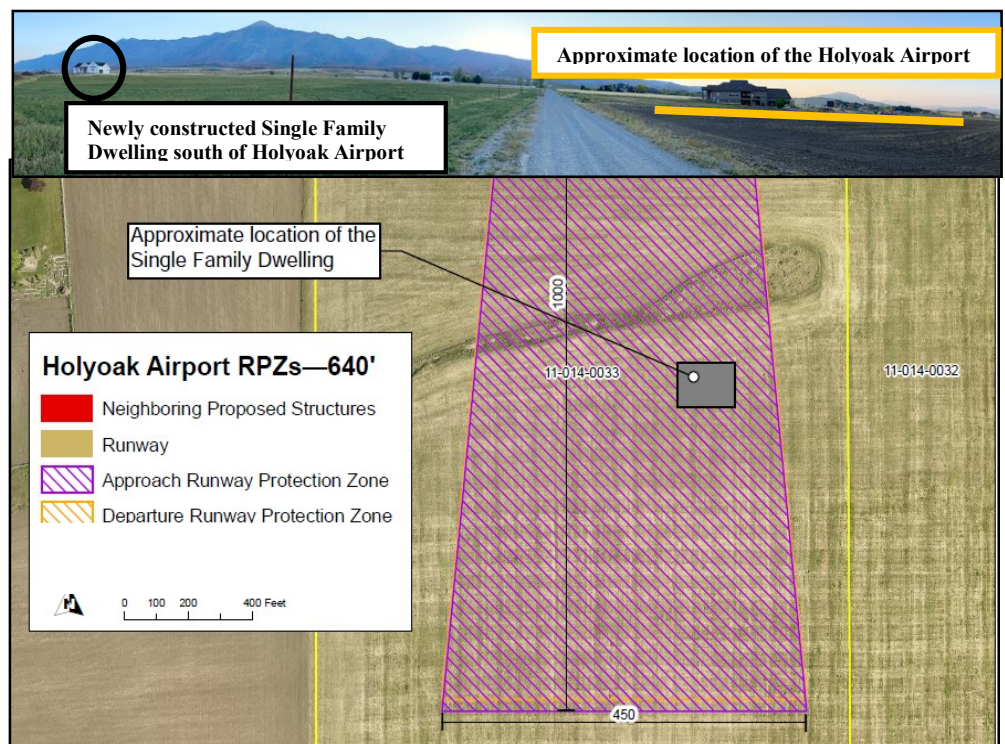
C. Background

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 recorded CUP have occurred. A copy of the recorded CUP and the final 2016 staff report are included in Attachment 1.
3. In a separate review 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 at that time 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.

- b. The appellant then pursued the matter to District Court, however, prior to any action, the appellant removed the County from the complaint, and the decision of the Commission and the CUP remain in place.
 - c. The property owners were deposed as part of the ongoing District Court case and as part of that deposition, the use of the runway since the approval of the CUP in 2016 came into question. Staff has reviewed those depositions and based on those statements, there is not sufficient information in the depositions alone for the County to support the claim that the airport has not been used.
4. Condition #8 of the approved and recorded CUP states that,
 - a. “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”. The Runway Protection Zone (RPZ) is one of these zones.
5. From the May 5, 2016, Commission meeting where the Commission acted to approve the CUP, the applicant, Rachel Holyoak (Holyoak) stated that the possible revocation of the CUP made sense in the case of development occurring on the surrounding properties as follows (See Attachment 5):

“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.”

 - a. Just prior to the expiration of the CUP approval, the proponent shortened the length of the runway from 1,300 feet to 640 feet. Additional shortening of the length of the runway under the existing CUP is not possible and does not adjust the applicable RPZ sufficiently to remove the structure from its boundary without impacting other structures.
6. Earlier this year, parcel 11-014-0033, Lot #3 of the Pheasant Ridge Estates Subdivision, located directly to the south of the subject property across the private road, 400 South, obtained a building permit and is currently in the process of constructing a Single Family Dwelling. This structure is within the airport’s approach (Runway 36) and departure



(Runway 18) RPZ and therefore the CUP is being reconsidered by the Commission. A copy of the aerial map showing the applicable portion of the RPZ has also been included in Attachment 2.

7. The property owner has provided additional information addressing items specific to the operation of the airport. This has been reviewed by County staff and that information with staff's comments is included in Attachment 5.
8. 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.”
 - c. 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,
“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.** The options proposed by Holyoak to address the structure located in the runway RPZ are not sufficient to meet the design criteria established by the County Code (See Attachment 5).
- c.** While the basic performance specifications from the Cessna 182M Pilot's Operating Handbook (POH) were included with the initial application and applied to the existing CUP, the charts for short takeoff and landing that address temperature, elevation, and runway surface in calculating runway length, and the specifications relating to the modified aircraft's STOL kit and increased horsepower were not provided or considered. For example, the most conservative estimates for a similar aircraft (2,700 lbs.) places both short-field takeoff and landing closer to a minimum of 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). This is a notable difference given the existing runway length of 640 feet. 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 are necessary to accurately determine the minimum distances required for takeoff and landing.
- d.** 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”.
- e.** 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.”
- f.** 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.”
- g.** 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.
- h.** 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.

- i. Staff's determination is that a Single Family Dwelling is an incompatible land use in the RPZ.

F. Recommendation and Conclusion

Based on the information included in this staff report and the associated attachments, staff recommends that the Commission revoke the Holyoak Airport CUP as conditions that justify revocation exist as noted in the following conclusion:

1. The conditions of the Conditional Use Permit have not been met.
 - a. 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, "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. 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 meet or implement the required design criteria in compliance with the County Land Use Code.



DEVELOPMENT SERVICES DEPARTMENT

BUILDING | SURVEYING | ENGINEERING | GIS | PLANNING & 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**ZONE:** Agricultural (A10)**OWNER NAME:** Nathan and Rachel Holyoak**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.

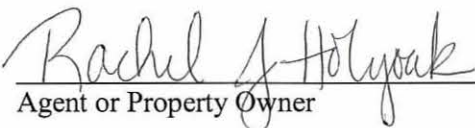

Director of Development Services

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

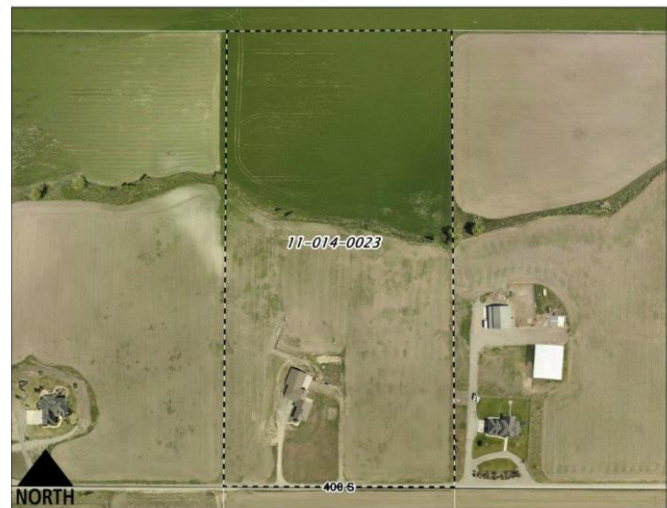
Surrounding Uses:

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"> 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"> a. The current FAA Form 7480-1, and; b. FAA response to the Form 7480-1 submission. c. A copy of the Airport Master Record. 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. | { | Exhibit A |
| | { | Exhibit 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)

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)

ITEM

Runway Design

Runway Length
Runway Width
Shoulder Width *N/A*
Blast Pad Width *N/A*
Blast Pad Length *N/A*
Crosswind Component

Runway Protection

Runway Safety Area (RSA)
Length beyond departure end ^{9, 10}
Length prior to threshold
Width

Runway Object Free Area (ROFA)
Length beyond runway end
Length prior to threshold
Width

Runway Obstacle Free Zone (ROFZ)
Length
Width

Precision Obstacle Free Zone (POFZ)
Length
Width

Approach Runway Protection Zone (RPZ)
Length
Inner Width
Outer Width
Acres

Departure Runway Protection Zone (RPZ)
" Length
" Inner Width
" Outer Width
Acres

Runway Separation - *N/A*

Runway centerline to:

Parallel runway centerline
Holding position
Parallel Taxiway/Taxilane centerline ^{2, 4}
Aircraft parking area
Helicopter touchdown pad

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.

B - I Small Aircraft

Visibility Minimums

DIM¹ Visual Not Lower than 1 mile Not Lower than 3/4 mile Lower than 3/4 mile

| | | | | |
|---|---------------------------------|------------|------------|------------|
| A | Refer to paragraphs 302 and 304 | | | |
| B | 60 ft | 60 ft | 60 ft | 75 ft |
| | 10 ft | 10 ft | 10 ft | 10 ft |
| | 80 ft | 80 ft | 80 ft | 95 ft |
| | 60 ft | 60 ft | 60 ft | 60 ft |
| | 10.5 knots | 10.5 knots | 10.5 knots | 10.5 knots |

| | | | | |
|---|--------|--------|--------|--------|
| R | 240 ft | 240 ft | 240 ft | 600 ft |
| P | 240 ft | 240 ft | 240 ft | 600 ft |
| C | 120 ft | 120 ft | 120 ft | 300 ft |

| | | | | |
|---|--------|--------|--------|--------|
| R | 240 ft | 240 ft | 240 ft | 600 ft |
| P | 240 ft | 240 ft | 240 ft | 600 ft |
| Q | 250 ft | 250 ft | 250 ft | 800 ft |

| | | | |
|--------|--------------------------------|--|--|
| 200 ft | Refer to paragraph 308 a. | | |
| 250 ft | Refer to paragraph 308 a.1. b. | | |

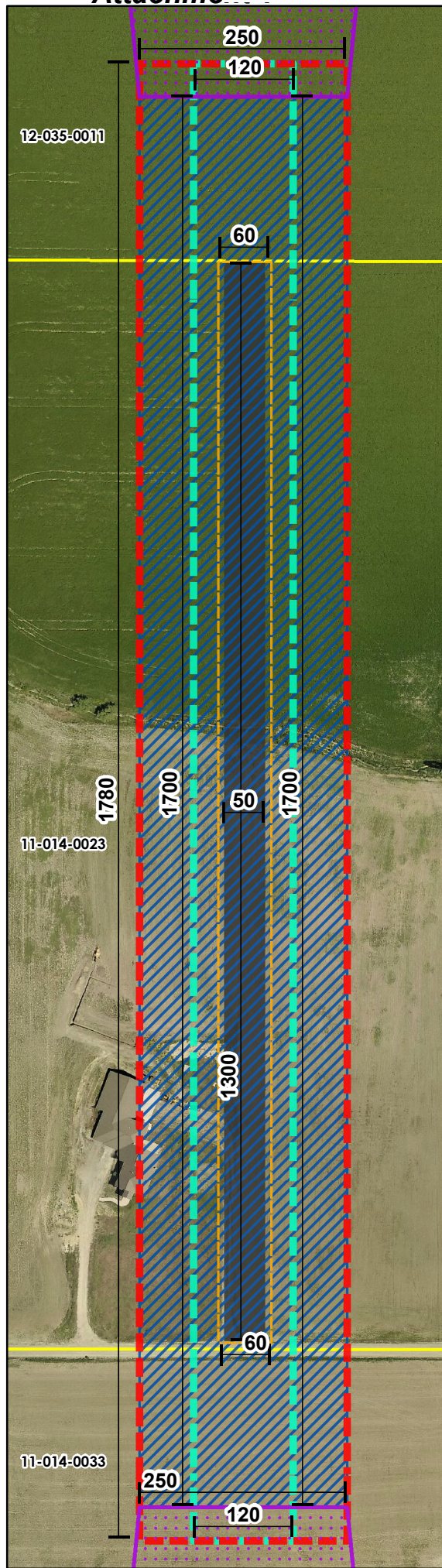
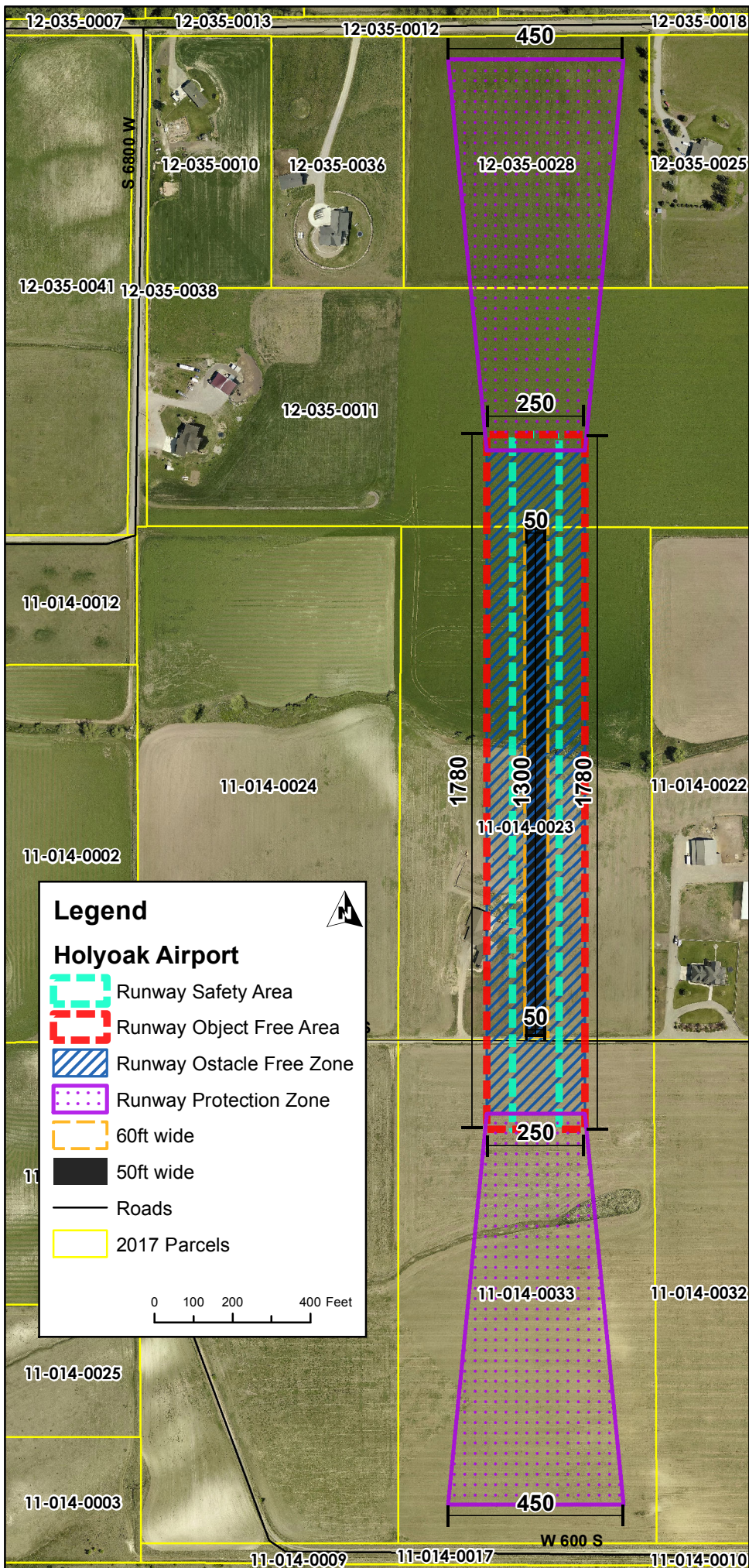
| | | | |
|-----|-----|-----|-----|
| N/A | N/A | N/A | N/A |
| N/A | N/A | N/A | N/A |

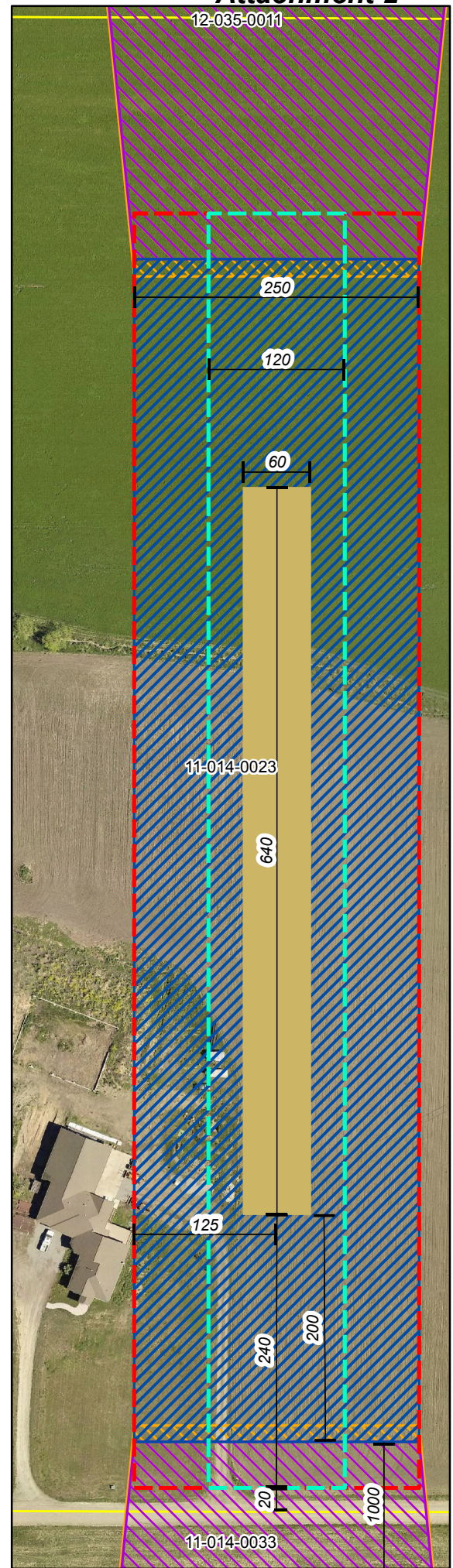
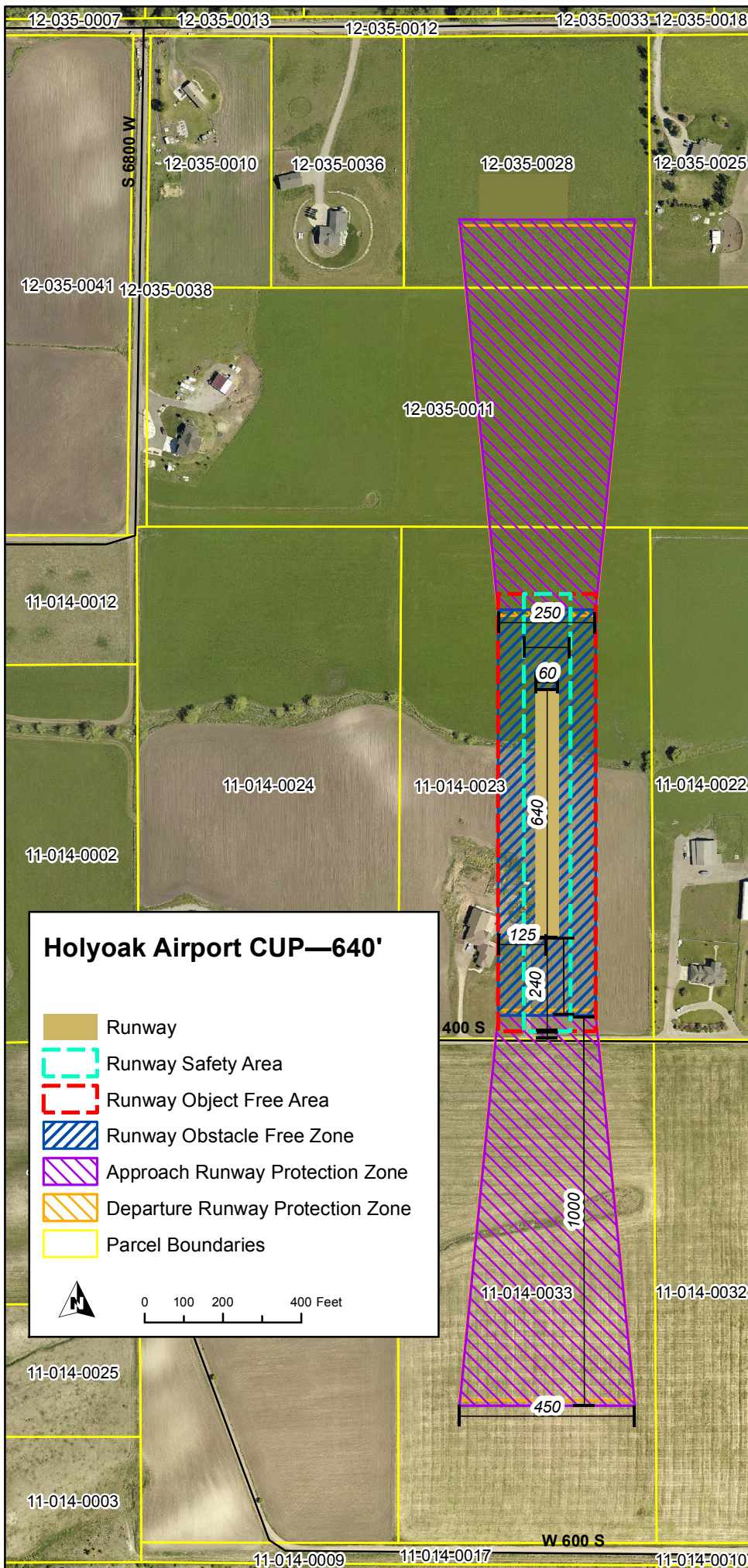
| | | | | |
|---|---------|---------|---------|---------|
| L | 1000 ft | 1000 ft | 1700 ft | 2500 ft |
| U | 250 ft | 250 ft | 1000 ft | 1000 ft |
| V | 450 ft | 450 ft | 1510 ft | 1750 ft |
| | 8.035 | 8.035 | 48.978 | 79.000 |

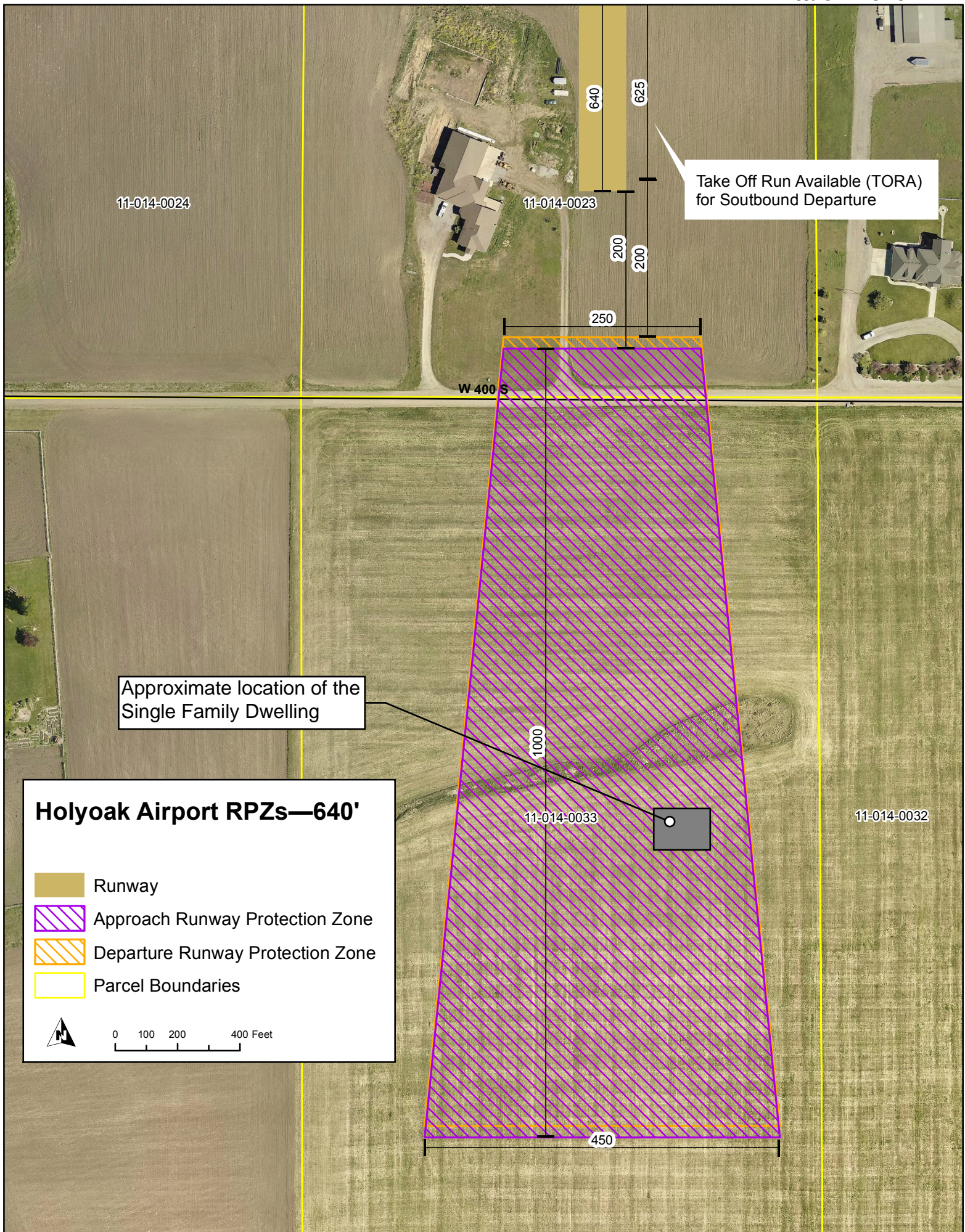
| | | | | |
|---|---------|---------|---------|---------|
| L | 1000 ft | 1000 ft | 1000 ft | 1000 ft |
| U | 250 ft | 250 ft | 250 ft | 250 ft |
| V | 450 ft | 450 ft | 450 ft | 450 ft |
| | 8.035 | 8.035 | 8.035 | 8.035 |

| | | | | |
|---|------------------------|--------|--------|--------|
| H | Refer to paragraph 316 | | | |
| | 125 ft | 125 ft | 125 ft | 175 ft |
| D | 150 ft | 150 ft | 150 ft | 200 ft |
| G | 125 ft | 125 ft | 125 ft | 400 ft |
| | N/A | N/A | N/A | N/A |

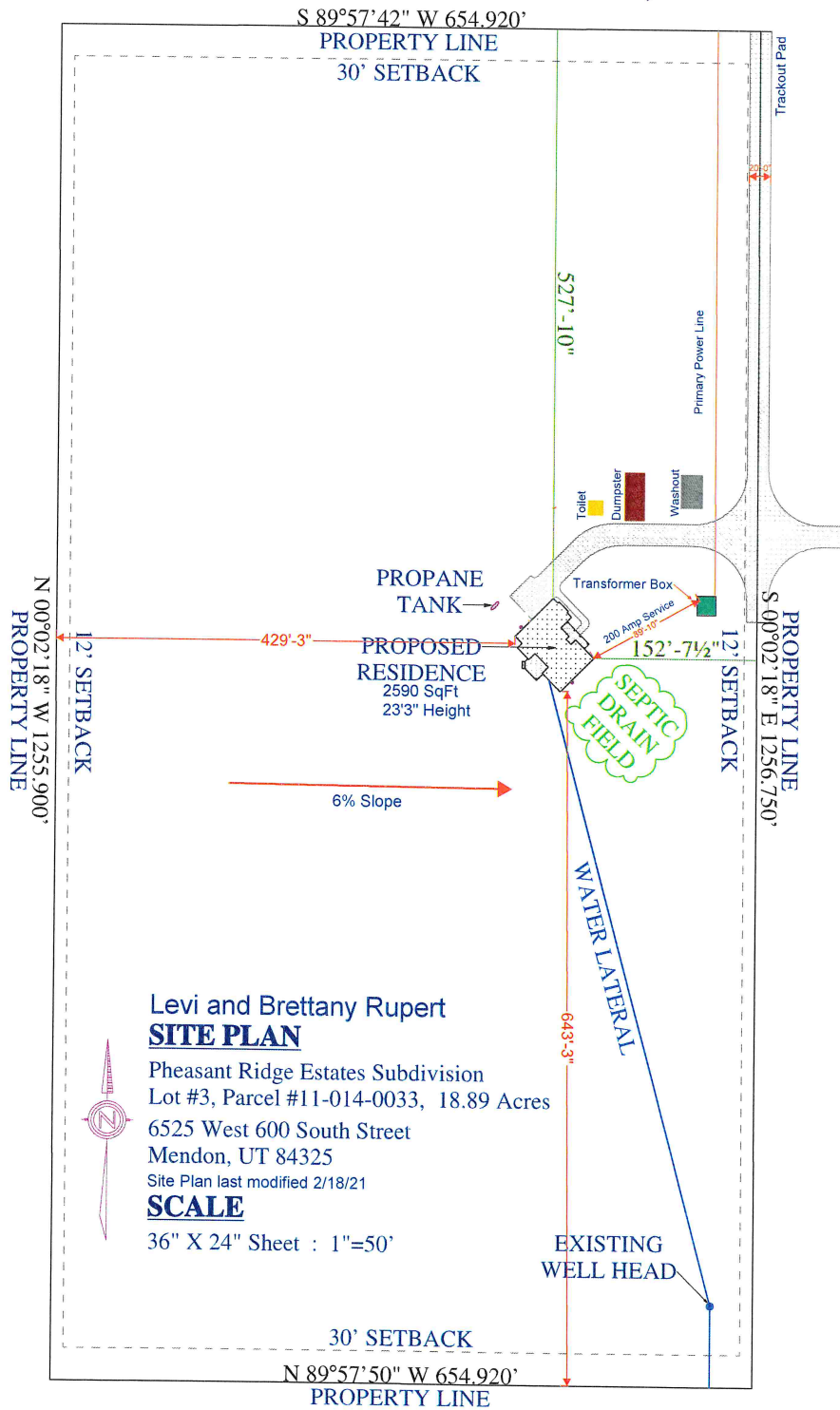
Interactive Form







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.

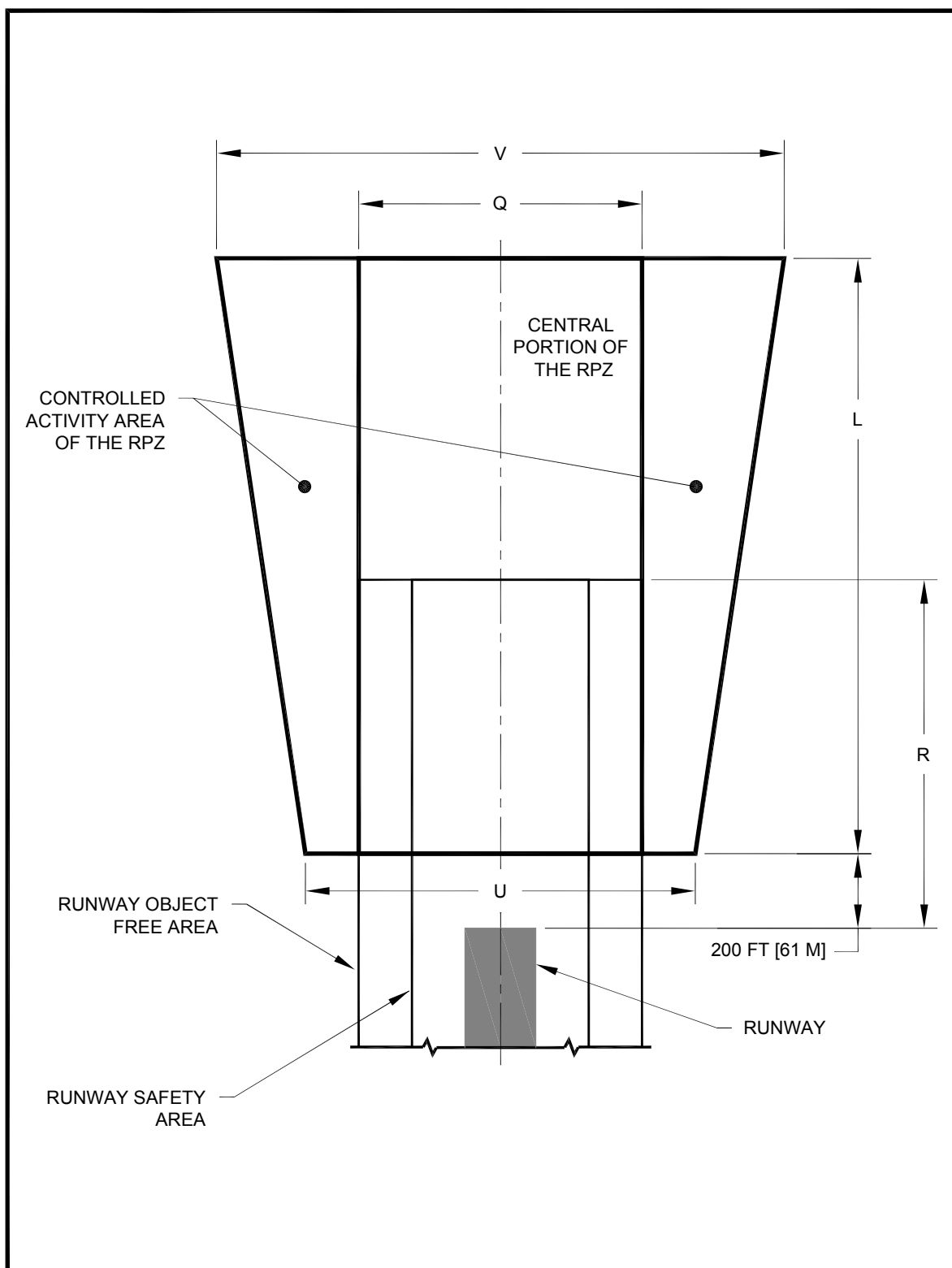
(2) In conjunction with the introduction of the RPZ as a replacement term for Clear Zone, the RPZ was divided into "extended object free" and "controlled activity" areas. The extended object free area has subsequently been renamed as the "central portion of the RPZ." The RPZ function is to enhance the 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.

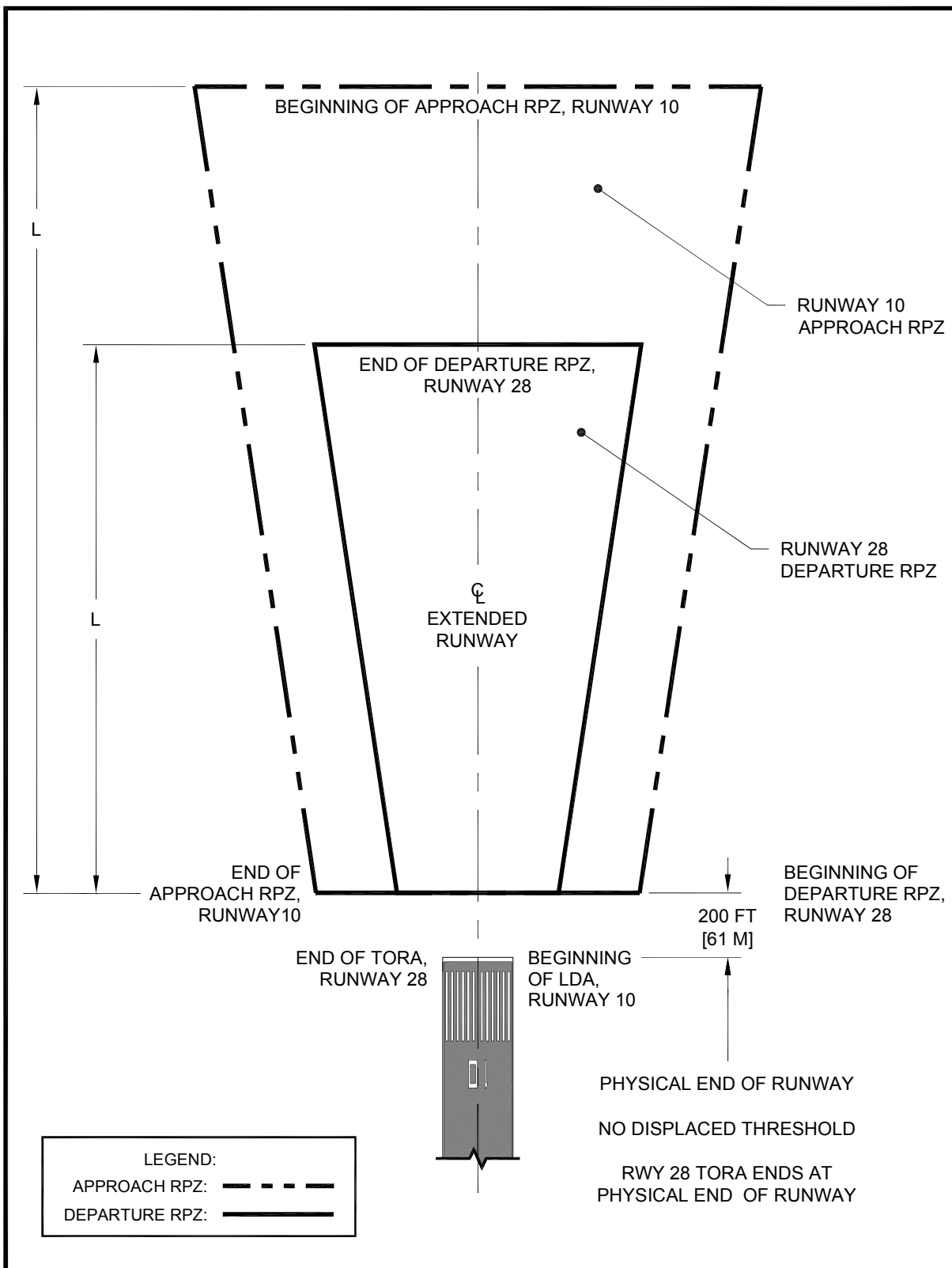


Figure 3-17. Runway with all declared distances equal to the runway length

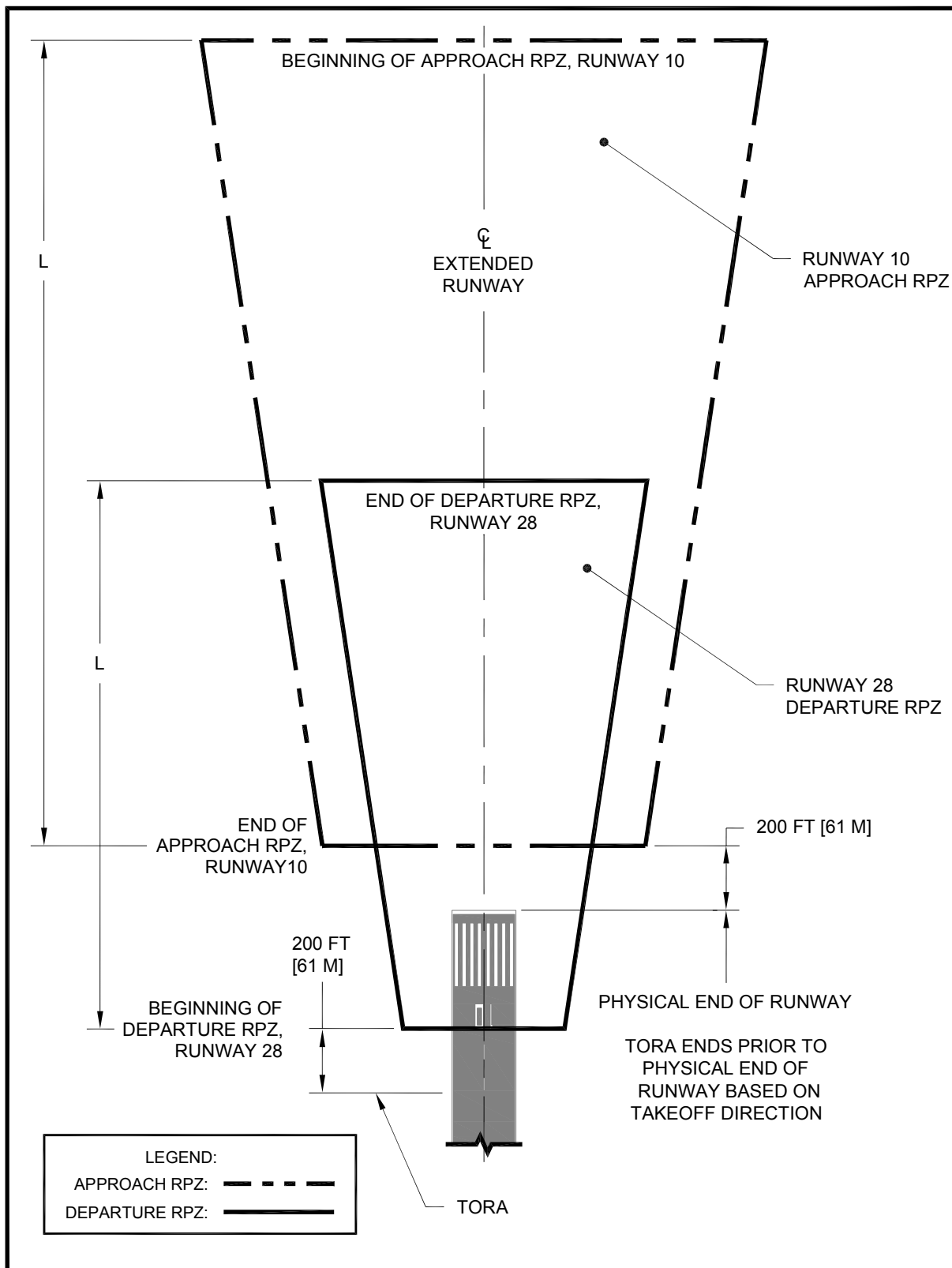


Figure 3-18. Approach and departure RPZs where the Takeoff Run Available (TORA) is less than the Takeoff Distance Available (TODA)



Federal Aviation Administration

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

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 or (202) 267-8772 or Danielle Rinsler, APP-401, at danielle.rinsler@faa.gov or (202) 267-8784.

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 8th 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 8th 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

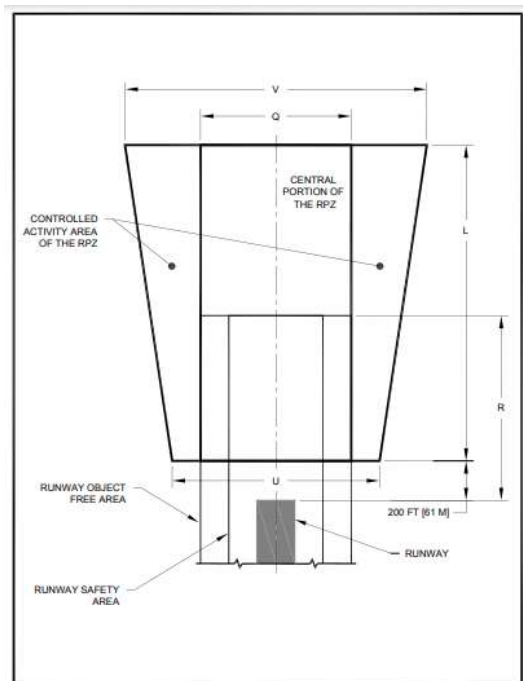
b. Standards.

(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

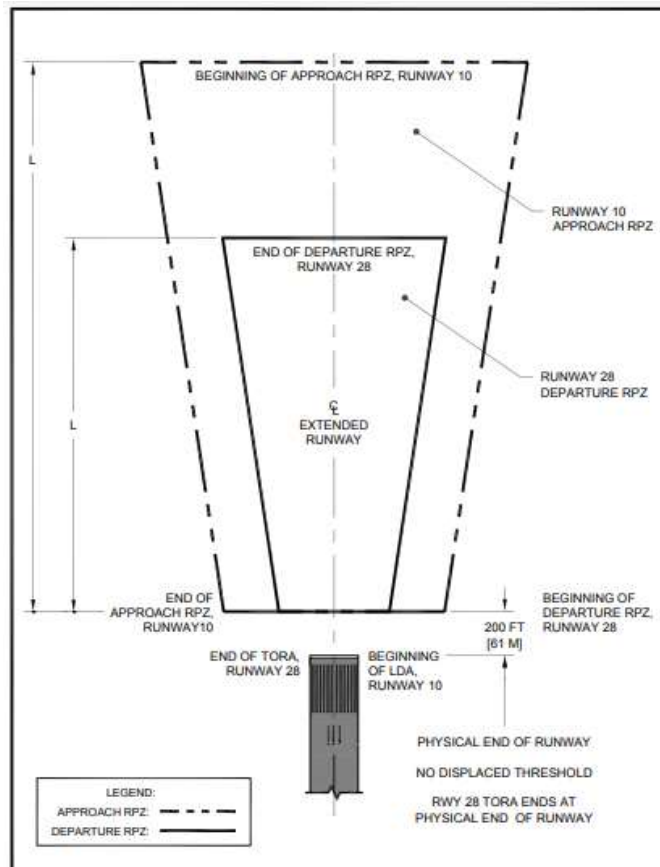


Figure 3-17. Runway with all declared distances equal to the runway length

- 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

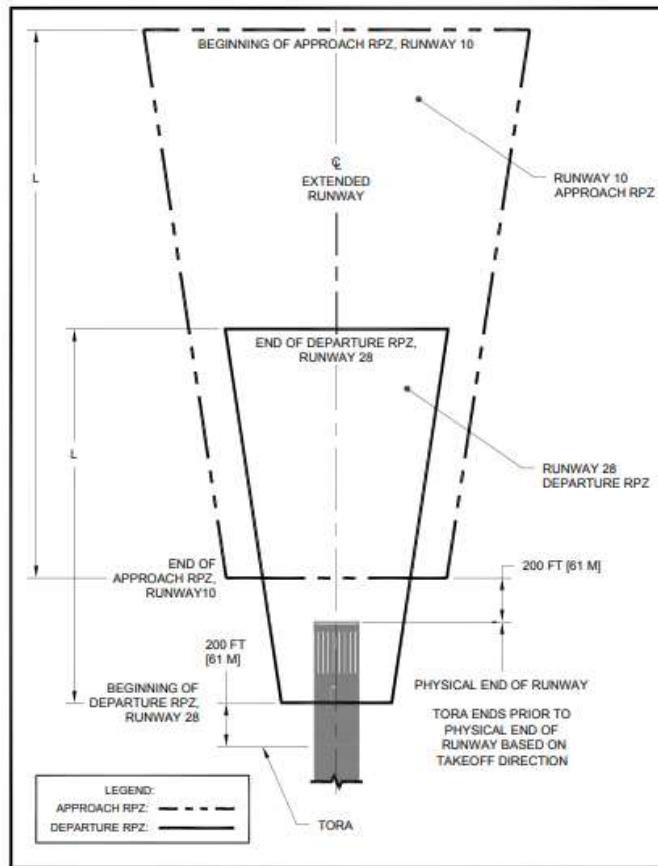
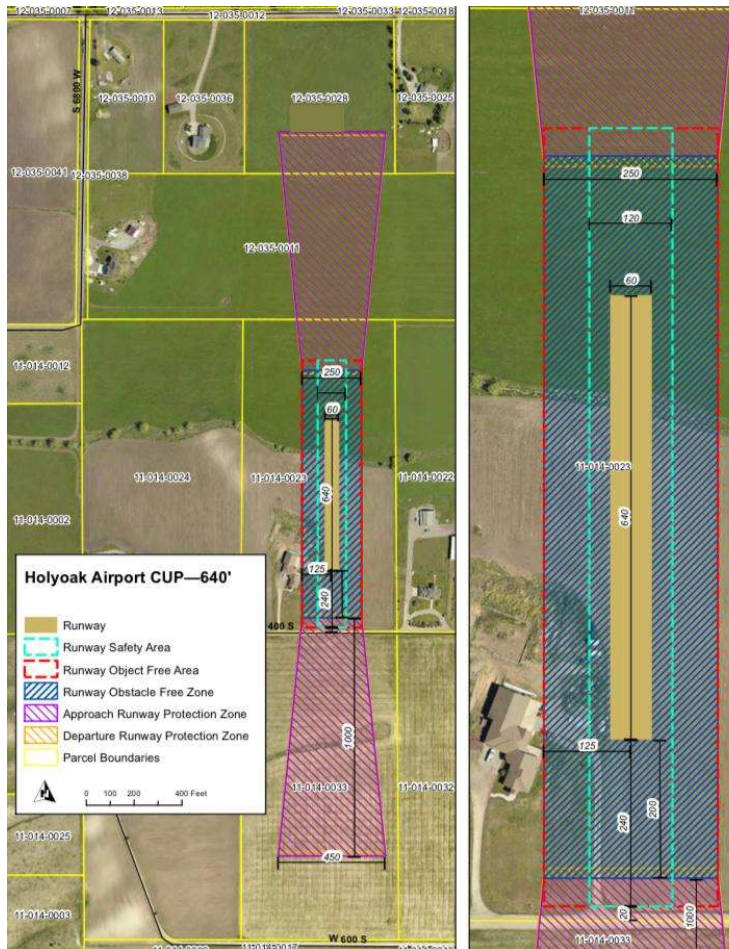


Figure 3-18. Approach and departure RPZs where the Takeoff Run Available (TORA) is less than the Takeoff Distance Available (TODA)

- 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?

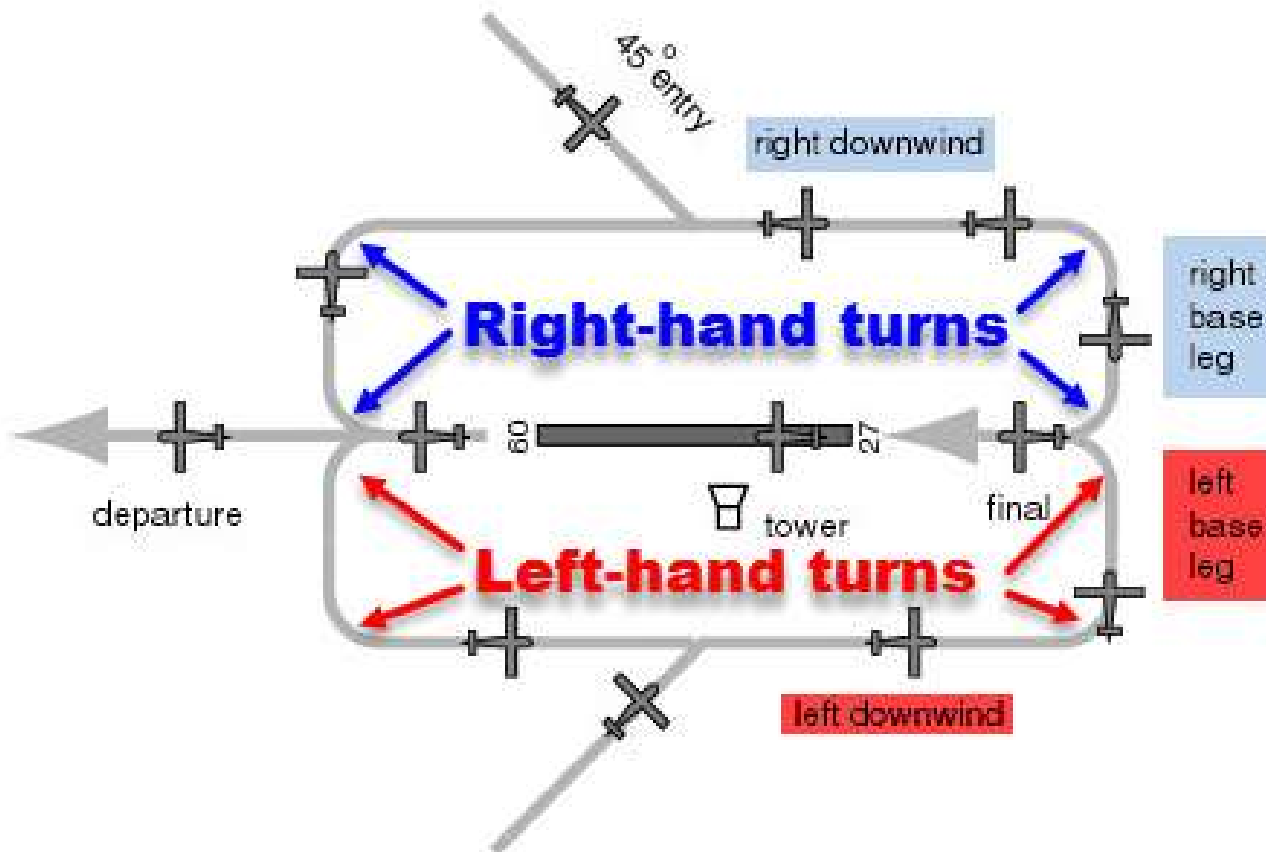


- Airport runway is designated as area that allows a standard (Option 1) single RPZ on both ends
 - Runway assumes same length/land for north and south approaches and departures
 - Allows for both a left-hand and right-hand pattern from either the north or the south

Introduction to Key Flight Factors

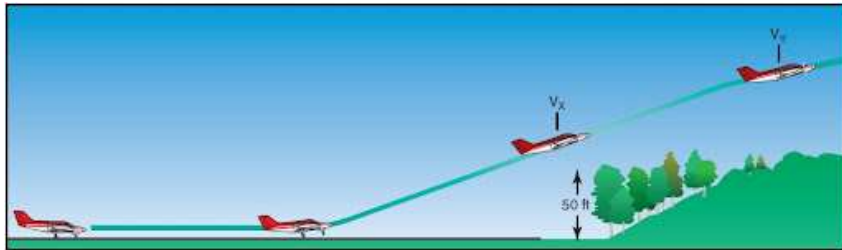
- To full understand the options available, a quick education on some pertinent flight information is required. The following slides attempt to provide some basic information that will aid in the discussion of the options:
 - Airport Traffic Patterns
 - Short-Field Take-off and Landing Requirements

Airport Traffic Patterns

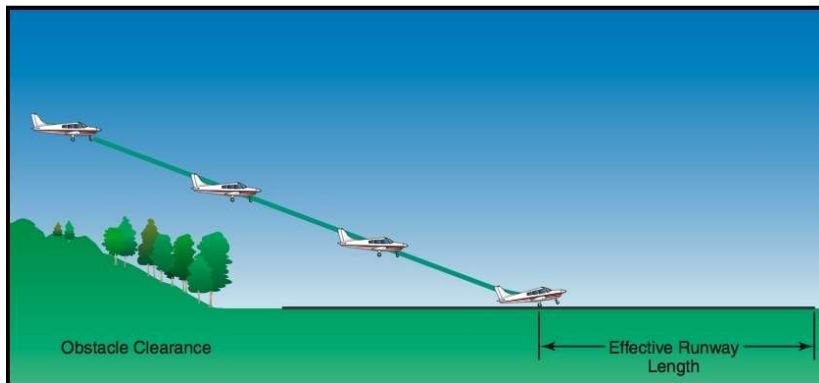


- A left-hand pattern is “standard” at most airports although both are usually allowed
- Some airports are restricted to only one traffic pattern or traffic patterns on only one side
 - Example – SLC Airport #2 does not allow an east side pattern to avoid traffic with SLC international
- While a “straight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

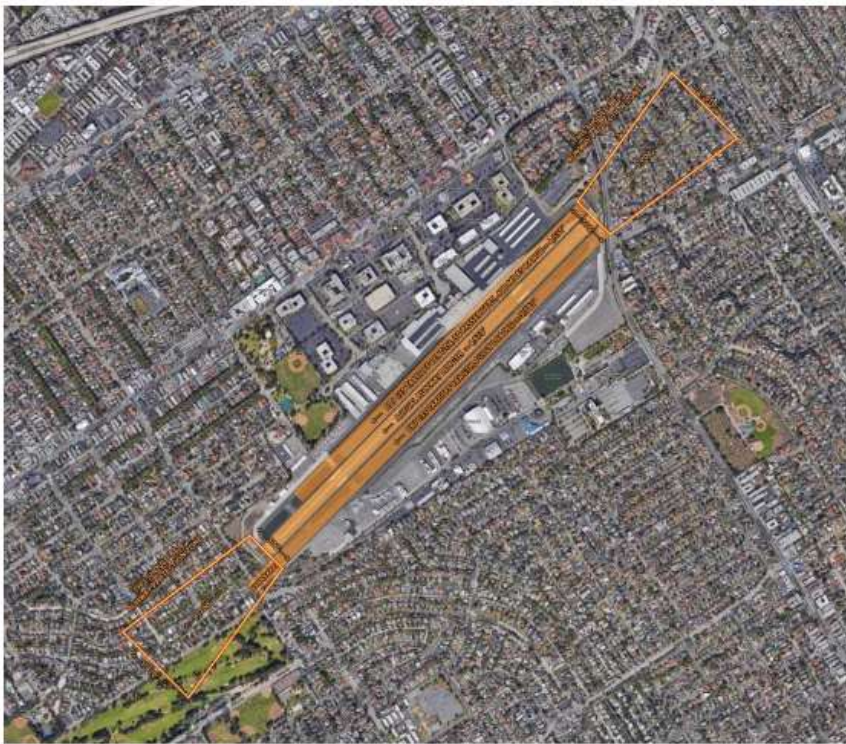
What are the options for a reconfiguration?

- 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

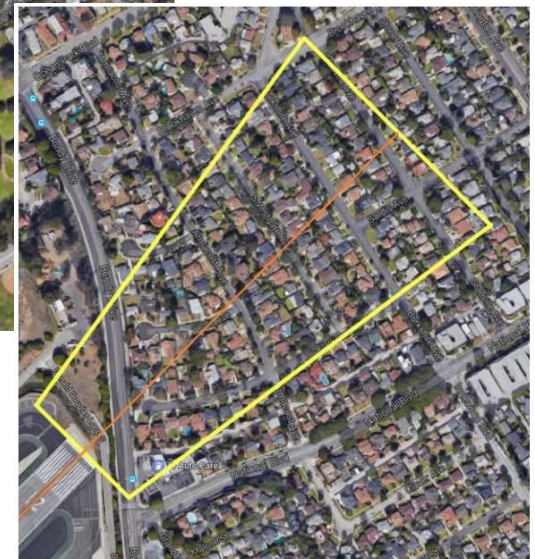
Is there precedence at other airports?

- 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

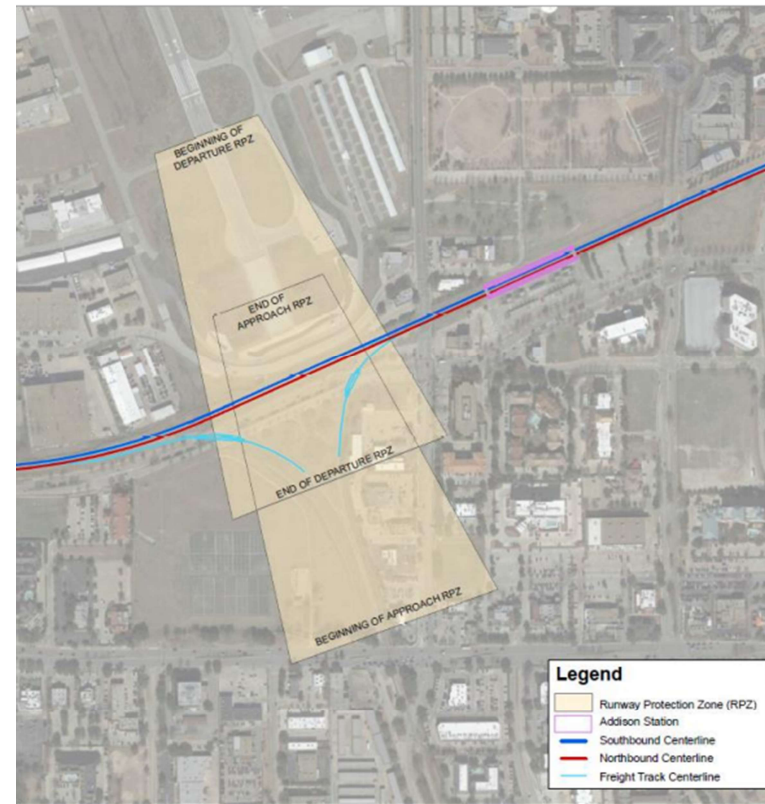
Driggs Idaho Airport



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



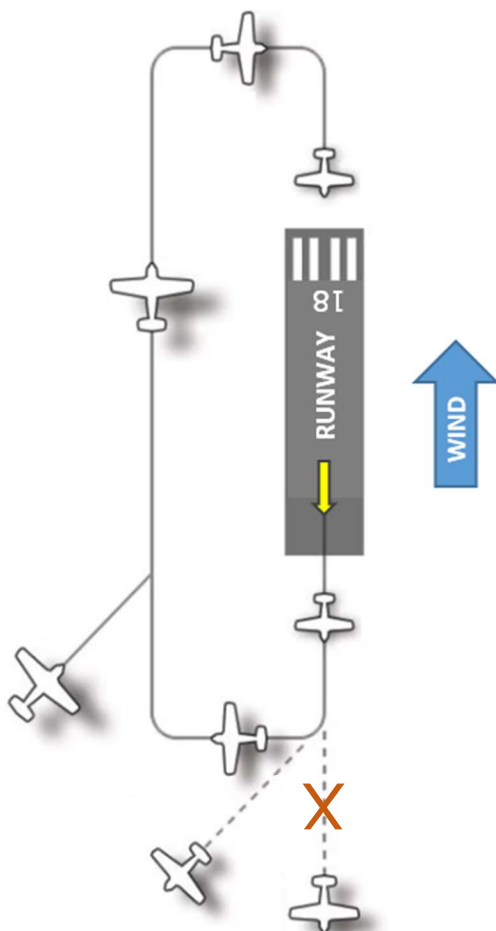
Staff Review – Proposed Options for the Holyoak Airport CUP

This is a staff overview of the options proposed by the Holyoak Airport CUP holder (Holyoak) to address the conflict between the Holyoak Airport Runway Protection Zone (RPZ) and the Single Family Dwelling that was recently built within that zone.

Option 1 - Landing and Take-off restrictions

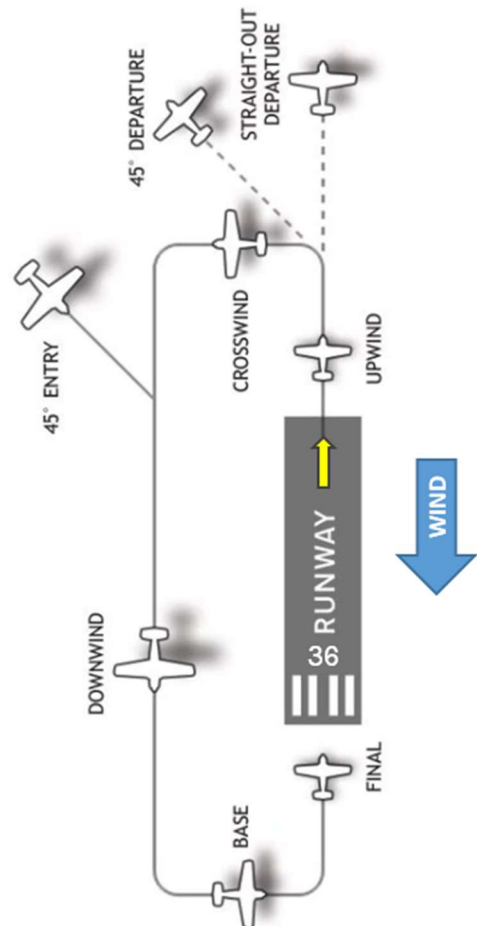
- “Allow only Right Turn Out on Runway 18 Departures
- Allow only Left Hand Pattern on Runway 36 Landings”

Right Turn Out on Runway 18 Departures



? - Will Runway 18 landings also be allowed as Right Hand Pattern only?

Left Hand Pattern on Runway 36 Landings



? – Will Runway 36 departures also be allowed as Left Hand Pattern only?

In reference to Holyoak's Option 1 landing and take-off restrictions:

- "Air traffic would not be allowed to enter or depart to the east thus eliminating a chance of flying over the residence.
- This should eliminate the east side of the RPZ or re-align the RPZ to the centerline of the expected departure/approach path and therefore eliminate the conflict with the east controlled activity area and the new residence."

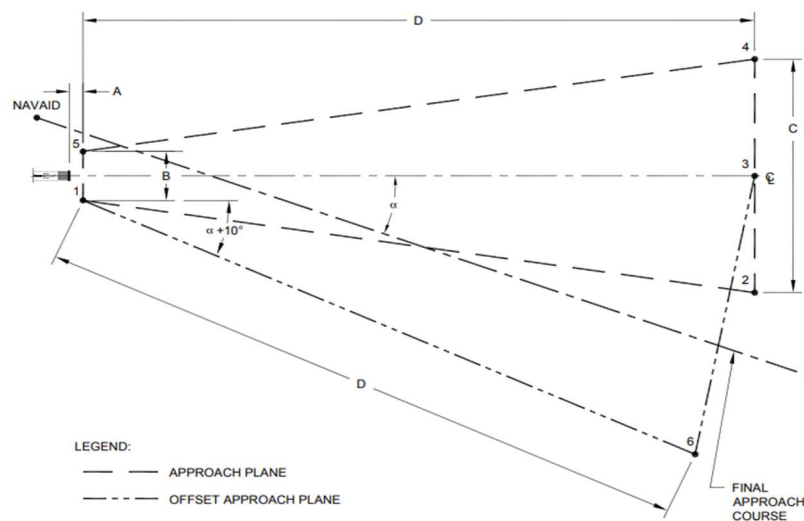
The following figure 3-3 from the Circular was included as a representation of a possible re-alignment supported by the Circular for the RPZ. Holyoak proposes that the RPZ may be offset to reflect the traffic patterns that keep the air traffic landings and departures to the west side of the runway.

From the Circular (**emphasis added**):

"303. Runway end siting requirements.

b. Approach surfaces

(1) General. **Approach surfaces are designed to protect the use of the runway** in both visual and instrument meteorological conditions near the airport. The approach surface typically has a trapezoidal shape that extends away from the runway **along the centerline at a specific slope**, expressed in horizontal feet by vertical feet, with a starting point at the runway threshold elevation (see Figure 3-2, note 2). For example, a 20:1 slope rises one unit vertically for every 20 units horizontally. The specific size, slope and starting point of the trapezoid depends upon the visibility minimums and the type of procedure associated with the runway end. See Figure 3-2, paragraph 306, and Table 3-2. **If necessary to avoid obstacles, the approach surface may be offset as shown in Figure 3-3."**



Notes:

1. Refer to [Table 3-2](#) for all applicable dimensional standards and slopes.
2. To determine offset approach plane:
 - a. Construct the approach trapezoid for the runway type in [Table 3-2](#) locating points 1, 2, 3, 4, and 5.
 - b. Point 1 is located at distance "A" from the runway threshold and distance 1/2 "B" from the runway centerline in the direction of the offset (α).
 - c. From point 1, extend line at an angle ($\alpha + 10^\circ$) a distance "D" locating point 6.
 - d. Connect point 6 to point 3.
 - e. The offset area is defined by the perimeter 1-6-3-4-5-1.
 - f. α = angle of the offset final approach (angle formed by the intersection of the offset final approach course with the extended runway CL).

Fig. 3-3. Approach slopes – with offset approach course

In contrast to the purpose of the approach surface to protect the use of the runway, the purpose of the RPZ is to protect people and property on the ground.

From the Circular (**emphasis added**):

“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.”

Specific to the placement of the RPZ, the requirements and location of the RPZ are centered on the extended runway centerline, and without reference to an option to offset away from that centerline as is permitted, but not recommended, with the approach surface.

From the Circular (**emphasis added**):

“310. Runway Protection Zone (RPZ).

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.”

Given these factors, it appears that the approach surface (airspace) and RPZ (on the ground) serve different purposes and the adjustment of the approach surface, does not result in the adjustment or offset of the RPZ.

To verify this assumption, I contacted John Sweeney with the Northwest Mountain Region of the FAA on 2/18/2022. Mr. Sweeney confirmed that the approach surface and RPZ serve different purposes and the adjustment of the approach surface, does not result in the adjustment or offset of the RPZ.

Having reviewed Option 1 as proposed by Holyoak, it has become clear that the requirements of the County Land Use Code cannot be met under the specifications of this proposal.

Options 2, 3, and 4

And having reviewed Holyoak’s Options 2, 3, and 4, each of these proposals requires the amendment of the existing CUP, and must pursue amendment through the process defined under the County Land Use Code, section 17.06.020, item B, that states, “No use approved as a conditional use may be modified, enlarged or expanded, without obtaining an approved modification to the permit. The application for modification shall be processed as a new permit application under this chapter. The issuance of a permit

may require that the existing development site be brought into substantial conformance with the terms of this code in effect on the date the use permit is approved, including, but not limited to: landscaping, screening, parking, and stormwater retention."

Option "do nothing and uphold the existing airport"

And having reviewed the option "to do nothing and uphold the existing airport", it has already been stated by staff and is supported by the Land Use Code, that the location of a residence in the RPZ is not a safe or permissible situation for people or property on the ground, and that an FAA evaluation of the existing airport in this instance, and regarding County land use regulations, is not the role or jurisdiction of the FAA.

Option "Unknown Options"

And having reviewed the option "Unknown Options", the absence of an option does not address the issue at hand.

CUP Holder Recommendations

And having reviewed the "CUP Holder Recommendations", and as Option 1 does not meet the requirements of the County Land Use Code, and as it is not the role of the FAA to act or advise in land use regulation, and as amendments to the existing CUP must conform to the County Land Use Code through a new application, staff has not been able to identify an approach within among the noted options that adequately addresses the safety issues present under the existing Holyoak Airport CUP and conforms with the County Land Use Code.

Conclusion

At this time, it is staff's recommendation that the Holyoak Airport CUP be revoked. This memo serves to document staff's review, and a full staff report will be prepared for the Planning Commission's March meeting that includes all pertinent details as noted in this memo. If you have additional information, please provide that information to our office by Tuesday, February 22, 2022 to allow staff review.

Sincerely,



Chris Harrild, AICP
Director of Development Services

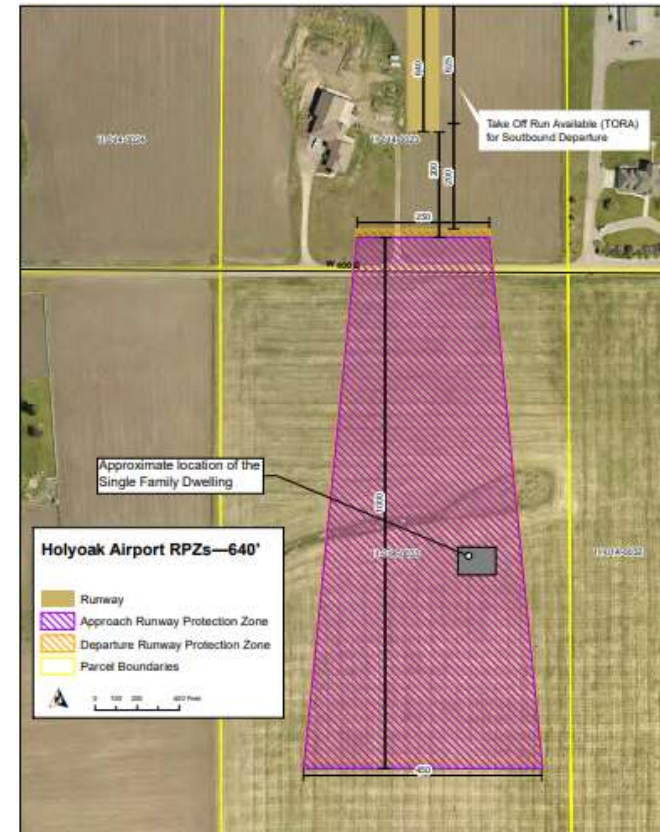
Holyoak Airport Conditional Use Permit (CUP) Reconsideration Review

February 10, 2022



Problem Statement – Why reconsider the CUP?

- A residence has been built within the Runway Protection Zones (RPZ) for approach on Runway 36 and departure on Runway 18 as currently shown on the airport configuration map associated with the CUP
 - Runway configuration was 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 (Condition 8 of the CUP):



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.

Purpose of the Meeting

- The CUP holders would like to discuss proposal(s) with staff before any actions are finalized and address the following:
 - Ensure the CUP holders' interpretation of the requirements and how they apply to the proposals and staff's interpretation of the requirements are in agreement
 - Discuss if both the CUP holders and the county should be using the FAA to determine the most appropriate course of action (neither the county nor the CUP holders are airport designers or experts)
 - Agree to an immediate mitigation path while the proposals are being evaluated
 - Discuss what paperwork from the original CUP may require updates or amendments as part of the filing
- The intent of this meeting is:
 - To review the proposals for maintaining the current land use
 - Gain concurrence that a proposal meets the requirements and the level of FAA involvement in acceptance of any proposals
 - Agree to utilize the FAA as the adjudicating body in the event of a disagreement
 - Identify additional paperwork that may be required
 - Provide clear direction on next steps for the CUP holders
- When filing a CUP amendment, a meeting is now required prior to the paperwork being formally submitted to the planning and zoning office.

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 1000+ requirement
 - Cache County requires private airstrips to meet this set of requirements even though the FAA only requires Federal funded airports to meet this circular

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.

Use of the FAA

- The FAA is the owning entity of the circular and the requirements set, they are best suited to determine what is required by the circular and what meets the intent of the circular and the requirements of the circular.
- The FAA are the experts on safety and airport design
- Both the county (staff, planning commission) and CUP holders have faced and continue to face incredible scrutiny over whether or not the airport design complies to the circular. As we talk potential options, that the CUP holder believes are acceptable by the circular, neither the county nor the CUP holders are experts in airport design.

Existing Airport to Consider

c. **Existing airports.** Every effort should be made to bring an airport up to current standards. It may not, however, be feasible to meet all current standards at existing airports, and in the case of federal assistance programs, funding of improvements may be subject to FAA criteria. In those cases, consultation with the appropriate offices of the FAA Office of Airports and Flight Standards Service will identify any applicable FAA funding criteria and/or adjustments to operational procedures necessary to accommodate operations to the maximum extent while maintaining an acceptable level of safety. For non-standard conditions associated with such projects, the FAA may consider alternative means of ensuring an acceptable level of safety. For further information regarding a modification of standards, refer to Order 5300.1, Modification to Agency Airport Design, Construction, and Equipment Standards.

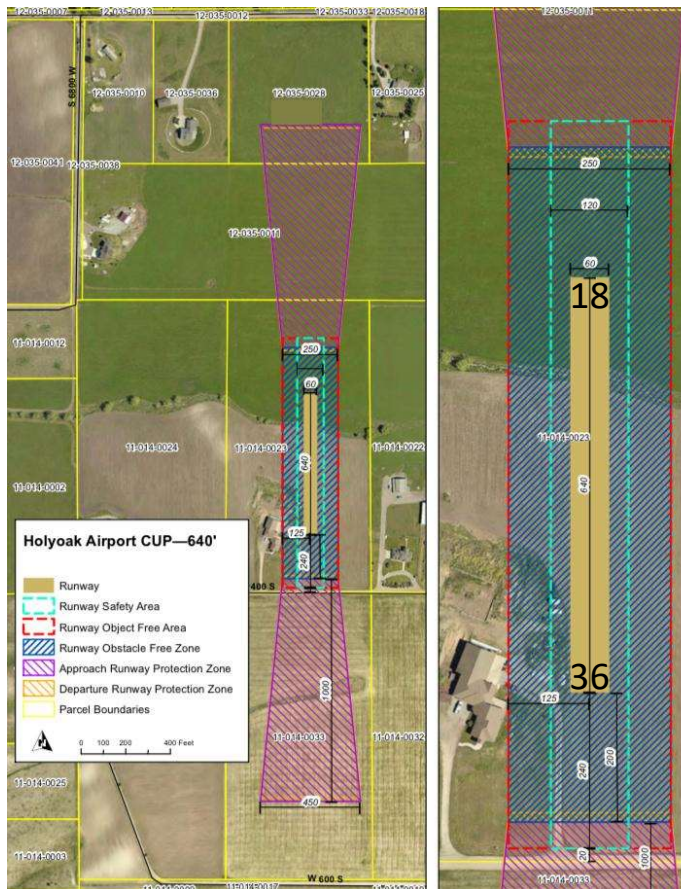
IF the requirements of the circular cannot be met on an existing airport , the circular indicates the FAA should review what adjustments are needed to operational procedures necessary to accommodate operations to the maximum extend while maintaining an acceptable level of safety

A few ground rules for the discussion

- Assume the current runway length of 640' is sufficient for this discussion
 - We can discuss what is needed on the aircraft information
 - It is the CUP holders intent to sell the Cessna 182 aircraft originally specified in the 2016 CUP letter of intent (it's been up for sale since October)
 - The existing Cessna 182 with it's modifications is capable of:
 - Landing at 50 knots airspeed
 - Landing in less than 640' at this altitude
 - It is the CUP holders intent to purchase another aircraft after the Cessna 182 is sold. This aircraft will likely be a Piper Cub, however, may end up being a different make or model with similar flight characteristics depending on what is available in the market at that time.
 - A Cub lands at 38 mph = 33 knots

(1) Aircraft operations cannot be prevented, regulated, or controlled simply because the airport or runway does not meet the design standards for a particular aircraft type. For specific operational situations unique to the airport, consult with the FAA Flight Standards Service.

What is the current configuration?



- Runway Safety Area (RSA) requires 240 feet beyond the runway on both the north and the south
- Runway Protection Zones (RPZs) start 200 feet after the end of the runway on both the north and the south
- Holyoak Airport has 2 runways – 18 (Southbound) and 36 (Northbound)
- Runways are mutually 640 feet
- Distance from south Holyoak property line to north property line is approximately 1312 feet (confirmed by April 2021 boundary survey)

Appendix 7. Runway Design Standards Matrix

Table A7-1. Runway design standards matrix, A/B-I Small Aircraft

| Aircraft Approach Category (AAC) and Airplane Design Group (ADG): | | A/B - I Small Aircraft | | | |
|---|-----|---------------------------------|-----------------------|-------------------------|---------------------|
| ITEM | DIM | VISIBILITY MINIMUMS | | | |
| | | Visual | Not Lower than 1 mile | Not Lower than 3/4 mile | Lower than 3/4 mile |
| RUNWAY DESIGN | | | | | |
| Runway Length | A | Refer to paragraphs 302 and 304 | | | |
| Runway Width | B | 60 ft | 60 ft | 60 ft | 75 ft |
| Shoulder Width | | 10 ft | 10 ft | 10 ft | 10 ft |
| Blast Pad Width | | 80 ft | 80 ft | 80 ft | 95 ft |
| Blast Pad Length | | 60 ft | 60 ft | 60 ft | 60 ft |
| Crosswind Component | | 10.5 knots | 10.5 knots | 10.5 knots | 10.5 knots |
| RUNWAY PROTECTION | | | | | |
| Runway Safety Area (RSA) | | | | | |
| Length beyond departure end ^{a, m} | 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 | | Refer to paragraph 308 | | | |
| Width | | Refer to paragraph 308 | | | |
| 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 | 1,000 ft | 1,000 ft | 1,700 ft | 2,500 ft |
| Inner Width | U | 250 ft | 250 ft | 1,000 ft | 1,000 ft |
| Outer Width | V | 450 ft | 450 ft | 1,510 ft | 1,750 ft |
| Acres | | 8.035 | 8.035 | 48.978 | 79.000 |
| Departure Runway Protection Zone (RPZ) | | | | | |
| Length | L | 1,000 ft | 1,000 ft | 1,000 ft | 1,000 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 |
| RUNWAY SEPARATION | | | | | |
| Runway centerline to: | | | | | |
| Parallel runway centerline | H | Refer to paragraph 316 | | | |
| Holding Position | | 125 ft | 125 ft | 125 ft | 175 ft |
| Parallel taxiway/taxilane centerline ^{2, 4} | D | 150 ft | 150 ft | 150 ft | 200 ft |
| Aircraft parking area | G | 125 ft | 125 ft | 125 ft | 400 ft |

Note:

- Values in the table are rounded to the nearest foot. 1 foot = 0.305 meters.

The visual column applies as the Holyoak Airport does not allow an instrument flight rating (IFR) landing or departure

Runway Safety Area (RSA)

a. RSA development.

(1) **Historical Development.** In the early years of aviation, all aircraft operated from relatively unimproved airfields. As aviation developed, the alignment of takeoff and landing paths centered on a well-defined area known as a landing strip. Thereafter, the requirements of more advanced aircraft necessitated improving or paving the center portion of the landing strip. While the term “landing strip” was retained to describe the graded area surrounding and upon which the runway or improved surface was constructed, the primary role of the landing strip changed to that of a safety area surrounding the runway. This area had to be capable under normal (dry) conditions of supporting aircraft without causing structural damage to the aircraft or injury to their occupants. Later, the designation of the area was changed to “runway safety area” to reflect its functional role. The RSA enhances the safety of aircraft which undershoot, overrun, or veer off the runway, and it provides greater accessibility for fire-fighting and rescue equipment during such incidents. Figure 3-8 below depicts the approximate percentage of aircraft overrunning the runway which stay within a specified distance from the runway end. The current RSA standards are based on 90% of overruns being contained within the RSA. The RSA is depicted in Figure 3-5 and its dimensions are given in interactive Table 3-5.

This statement means that the RSA of 240 feet for the small aircraft landing at the Holyoak airport statistically would contain 90% of the overruns

Please note: This figure includes information for ALL aircraft types (jets, airliners, small planes, etc.)

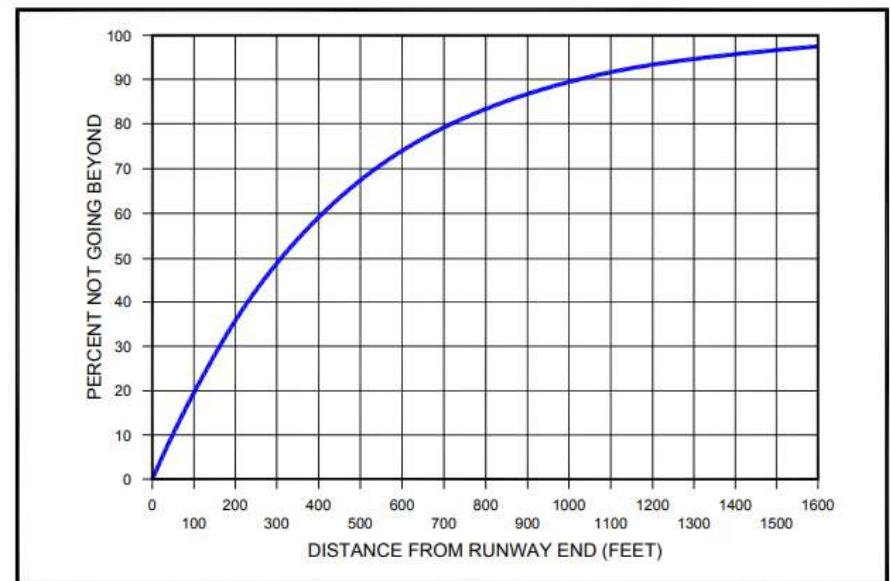
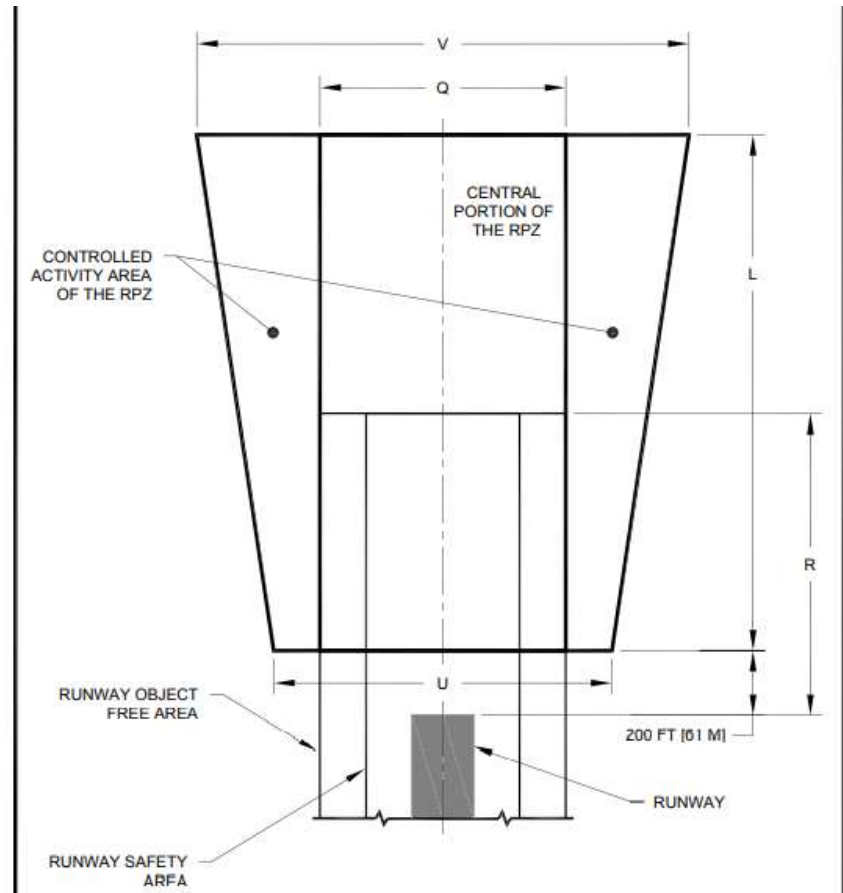


Figure 3-8. Percent of aircraft overrun versus distance beyond the runway end

The RSA + RPZ required by the circular for the small aircrafts which might land at the Holyoak Airport is 1200 ft, which is equivalent to **5 times** the amount required to contain 90% of the overruns

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

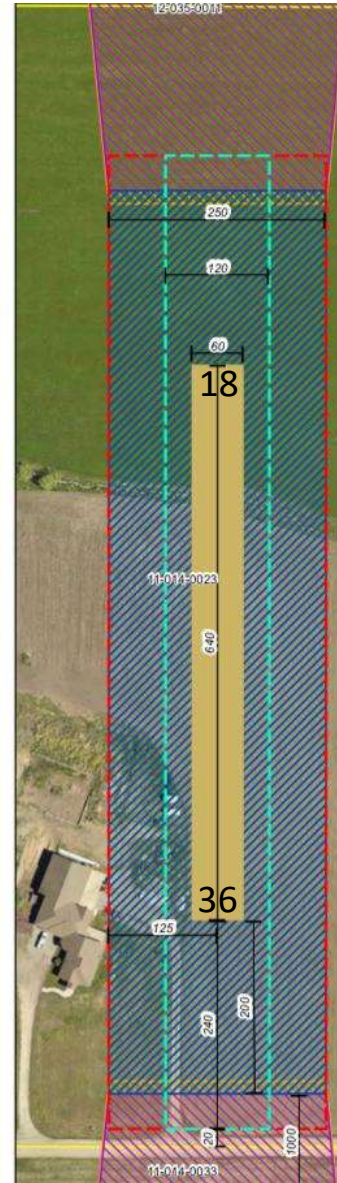


Example of Momentum in a Crash

- Momentum = mass x velocity
 - The Cessna 182 weighs ~3,000 lbs and let's say it's flying at 100 mph (Note: The 182 climbs on it's own at 90 mph). Assume the plane hits a concrete barrier as it's flying along (something that immediately stops it). The plane has momentum of 300,000.
 - A standard sedan car weighs ~6,500 lbs. If it had the same amount of momentum (300,000) that would be equivalent to hitting that same concrete barrier at 46.2 mph.
- As you think about the physics of an airplane crash and consider the “crash” aspects of the RPZ; think about the highway safety standards for the side barriers and “debris” field for a head-on crash with an equivalent speed of 46.2 mph (meaning if split equally, the crashing cars in a head-on would each be doing 23.1 mph). That's the same momentum the plane is going to have if it crashes while flying at 100 mph.

This is the Departure RPZ for Runway 36 and Arrival RPZ for Runway 18

This is the Departure RPZ for Runway 18 and Approach RPZ for Runway 36

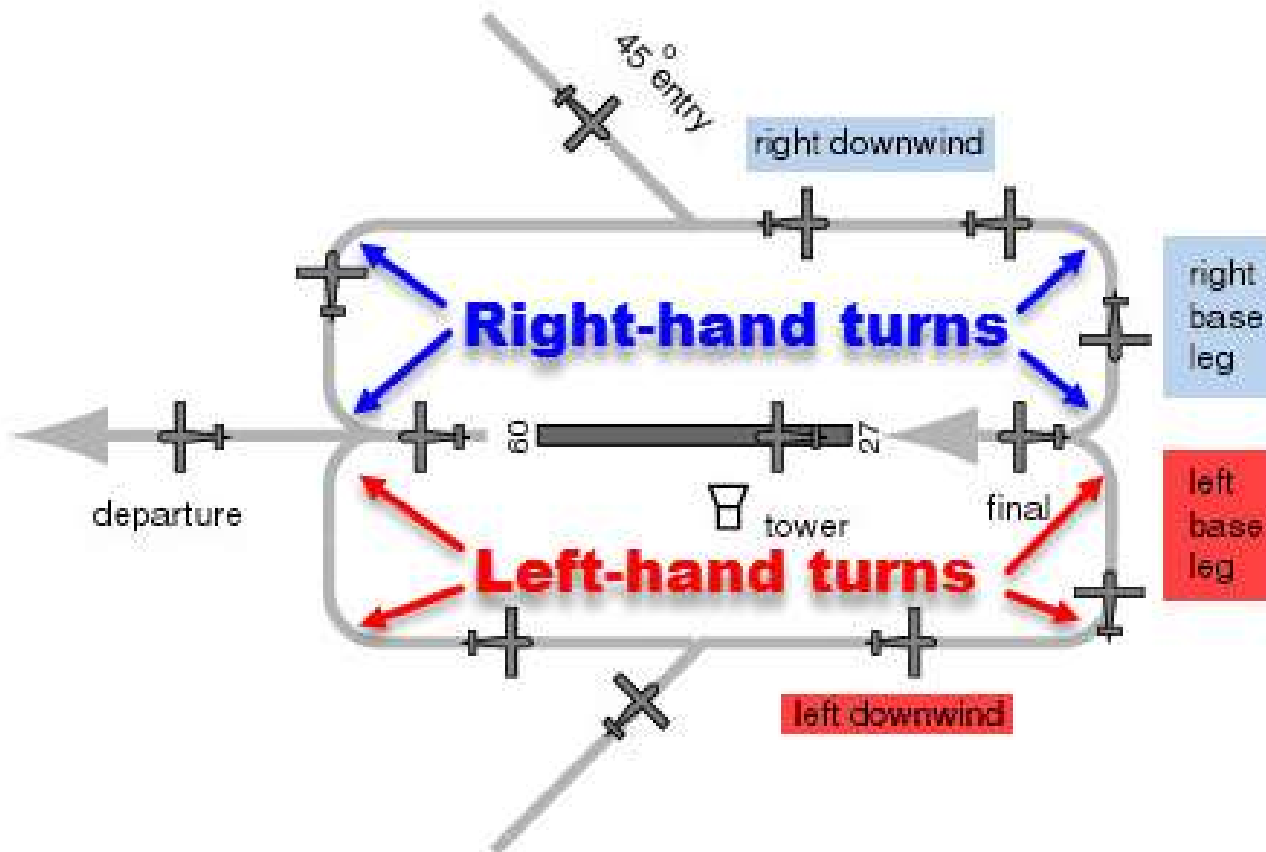


Note: The number you first cross whether taking off or landing determines which runway you are using.

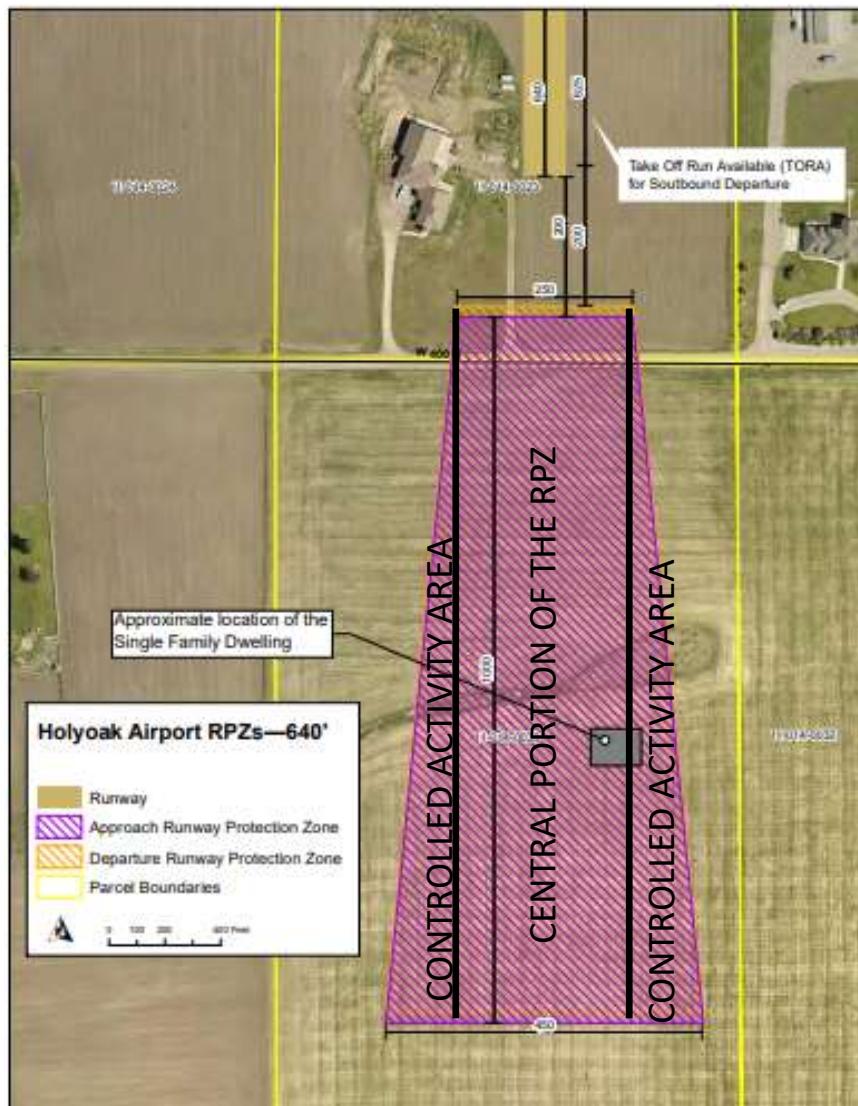
The current airport design allows landing, take-offs, and entering the airport pattern from any and all available directions

Additional Information: The take-off distance required is usually less than the landing rollout distance on an aircraft

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



The new residence may not be in the Central Portion of the RPZ and may reside only in the east side of the Controlled Activity Area for runway 18 departures and runway 36 arrivals.
(How accurate is the approximate location on the staff report?)



Site plan shows house at an angle
Garage may be the only portion on the edge of the central portion of the RPZ

(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.

The Controlled Activity Areas of a standard RPZ assumes air traffic can enter the pattern and depart the pattern from or in either direction (right or left hand)

Proposals to be Evaluated

Background on Proposal Options

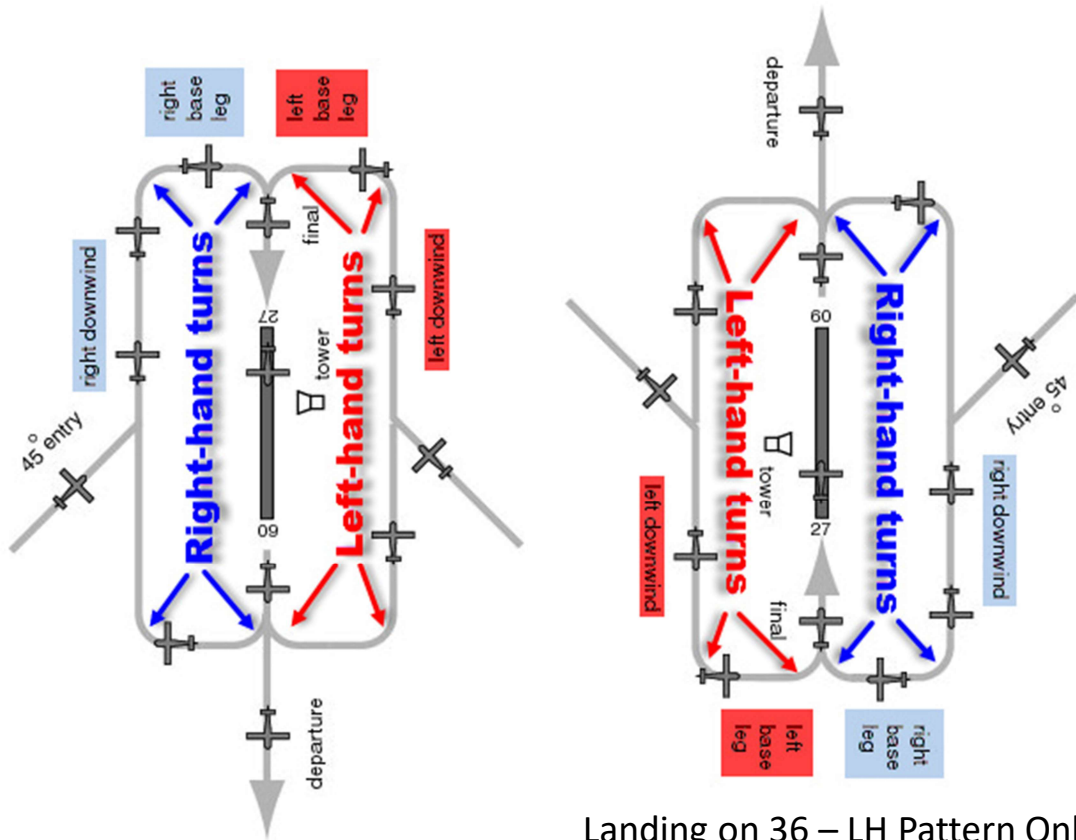
- The CUP holders have debated on which option is the best for safety as that is the purpose of the RPZ. If an amendment to the airport is required, the CUP holders have listed the amendment options in their loose order of preference.
- The CUP holders have realized through this process, after floundering through which one to propose, that the FAA circular would indicate the FAA should be involved in selecting which proposal best mitigates the safety risks the RPZ is intended for.

CUP Holders' Option 1 Proposal

CUP Holders' Option 1 Proposal

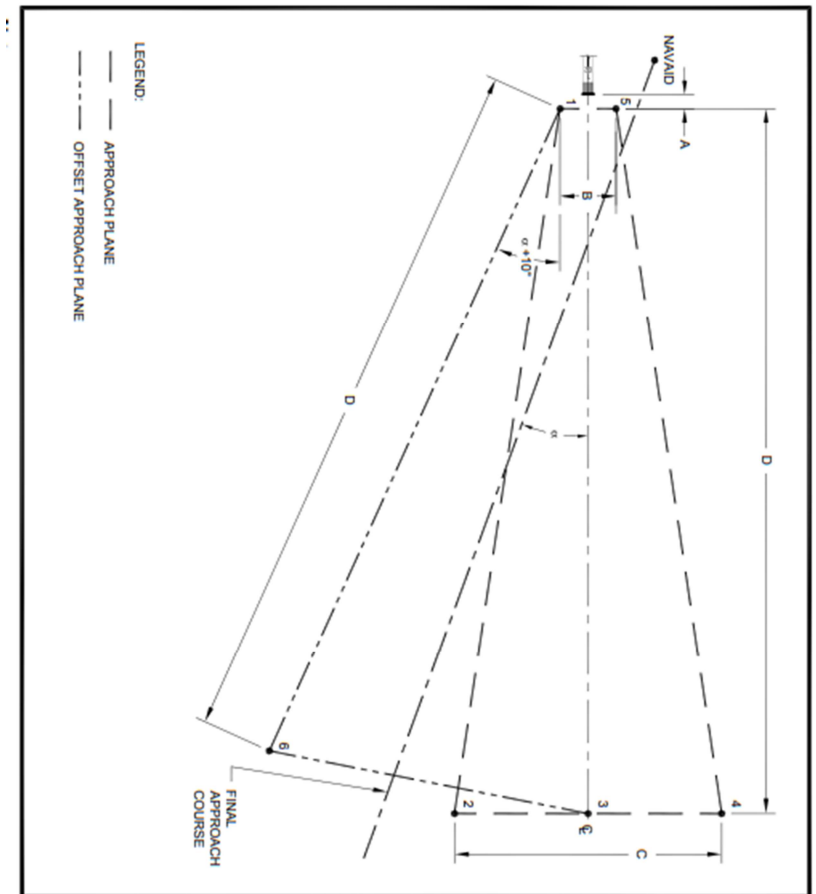
- Allow only Right Turn Out on Runway 18 Departures
 - Allow only Left Hand Pattern on Runway 36 Landings
-
- Air traffic would not be allowed to enter or depart to the East thus eliminating a chance of flying over the residence
 - This should eliminate the east side of the RPZ or Re-align the RPZ to the centerline of the expected departure/approach path and therefore eliminate the conflict with the east controlled activity area and the new residence

CUP Holders' Option 1 Proposal

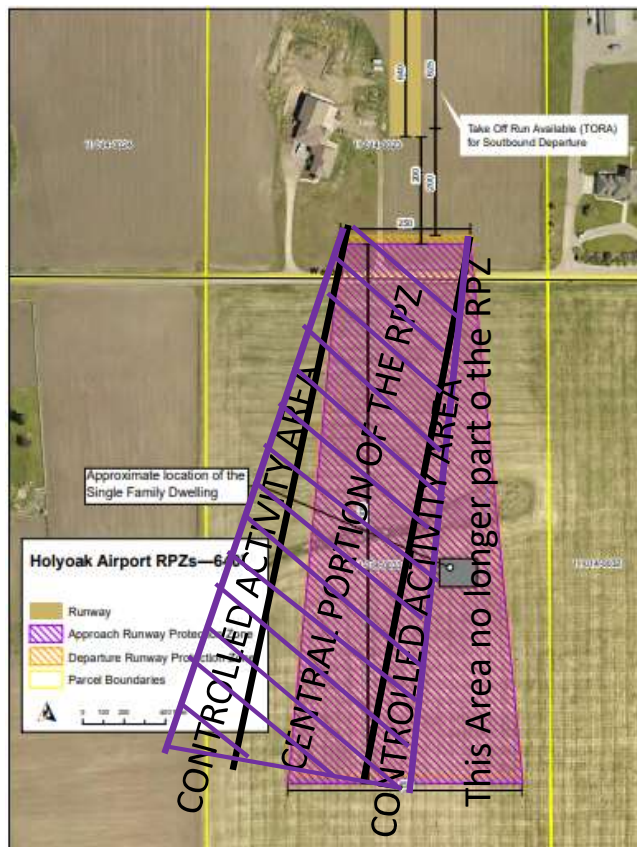


Landing on 36 – LH Pattern Only

Departure on 18 – Right Turn Out Only



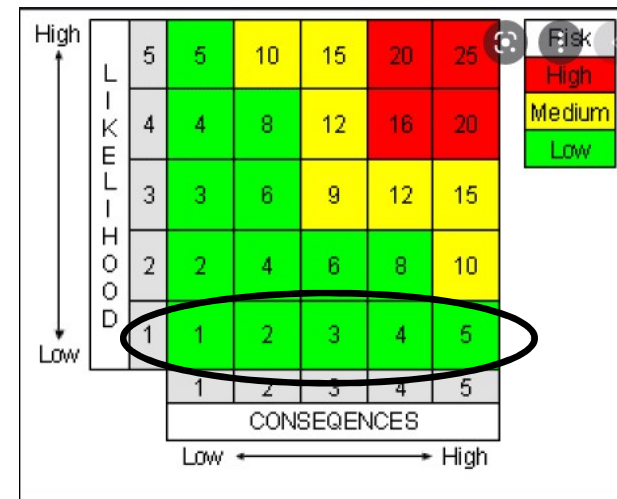
CUP Holders' Option 1 Proposal



Risk Assessment for any damage to people or property off the airport property:

Likelihood: 1

- 90% of overruns will occur in the first 240 feet (still on airport property owners' property)
- Property owners have a barb-wire fence at the property line which would serve as a "debris" barrier
- Momentum calculation does not support debris likely reaching the additional 500 feet if crash happened at the property line



Advantages of Option 1 Proposal

- Amendment/modification is the simplest
- Aligns with other airports in the state of Utah that have obstacles on one side or the other of the airport
- Uses a standard the pilot will be familiar with upon landing or departing (RTO or LH Pattern)
- Maintains the mutual 640' for runways 18 and 36

CUP Holders' Option 2 Proposal

CUP Holders' Option 2 Proposal

- Reconfigure the runway with thresholds
 - Takeoff of Runway 18 should begin at the north property line and extend approximately 640' into the property, the RSA for this path then takes up 240', and the 1000' foot departure RPZ begins 200' after the departure threshold
 - If needed, the runway length may be adjusted by a foot (639') to address any small overages the RPZ may have
 - Site plan indicates the residence is 527'10" from the property line to the corner of the residence.
 - RPZ should end within 2" of the corner of the residence if the site plan was followed.
 - Landing on Runway 36 should be adjusted similar to departure of Runway 18 where the RSA starts at the north property line for 240' into the property, then extends the runway distance south for the runway length (~400 feet), and then starts the 1000' approach RPZ 200' after the approach threshold. This runway will be shorter than any of the others and may not be used for some aircraft.
 - Landing of Runway 18 remains unchanged (current 640' location)
 - Takeoff of Runway 36 remains unchanged (current 640' location)

CUP Holders' Option 2 Proposal

(2) **Threshold.** The threshold is ideally located at the beginning of the runway. The threshold is located to provide proper clearance for landing aircraft over existing obstacles while on approach to landing. When an object beyond the airport owner's power to remove, relocate, or lower obstructs the airspace required for aircraft to land at the beginning of the runway for takeoff, the threshold may be located farther down the runway. Such a threshold is called a "displaced threshold." Thresholds can also be displaced to provide:

- (a) A means for obtaining additional RSA prior to the threshold. See paragraph 307.
- (b) A means for obtaining additional ROFA prior to the threshold. See paragraph 309.
- (c) A means for locating the RPZ to mitigate unacceptable incompatible land uses. See paragraph 310.
- (d) Mitigation of environmental impacts, including noise impacts.

Displacement of a threshold reduces the length of runway available for landings. The portion of the runway behind a displaced threshold may be available for takeoffs and, depending on the reason for displacement, may be available for takeoffs and landings from the opposite direction. Refer to paragraph 322 for additional information.

d. For takeoff. Start of takeoff ends of runway: The start of takeoff for ASDA, TORA and TODA will always be collocated. Neither, the threshold locations, the RPZs, nor the RSA and ROFA behind the start of takeoff, are considered in establishing the start of takeoff. The start of takeoff is most often at the beginning of the runway, but may also be located farther up the runway (see Figure 3-27). When TODA, ASDA and TORA are declared starting at such a location, start of takeoff may not start behind that point.

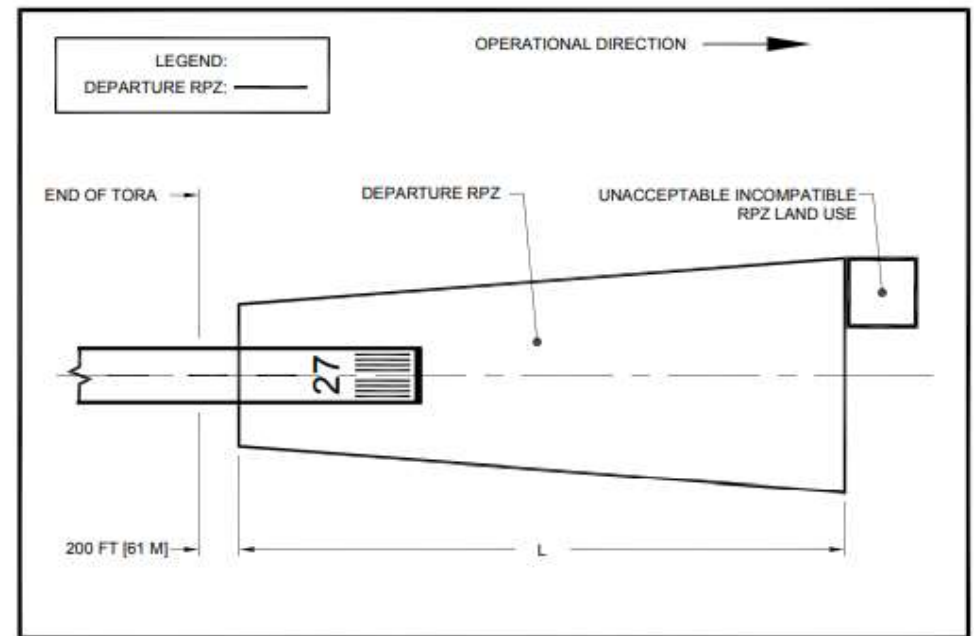


Figure 3-29. Departure end of TORA based on departure RPZ located to mitigate unacceptable incompatible land use

CUP Holders' Option 2 Proposal

e. For landing.

(1) LDA — the length of runway declared available and suitable for satisfying landing distance requirements. The threshold siting criteria, the approach RPZ, the RSA and ROFA prior to the threshold and beyond the LDA are considerations in establishing this distance.

(a) The beginning of the LDA. The LDA begins at the threshold. When the RSA, ROFA, approach RPZ and threshold siting requirements are met the threshold is normally placed at the beginning of the runway. (See Figure 3-38). When these requirements are not met the threshold may be displaced. When there are multiple reasons to displace a threshold, each displacement requirement is calculated. The longest displacement is selected. All other criteria are then reevaluated from the calculated threshold location to ensure that they are not violated, such as new obstacle penetrations due to the splay of the approach surface that is associated with the new threshold. The threshold may be displaced to obtain additional RSA and ROFA, to mitigate unacceptable incompatible land uses in the RPZ, to meet approach surface requirements, and to mitigate environmental effects (see Figure 3-38, Figure 3-39, Figure 3-40, Figure 3-41 and Figure 3-42).

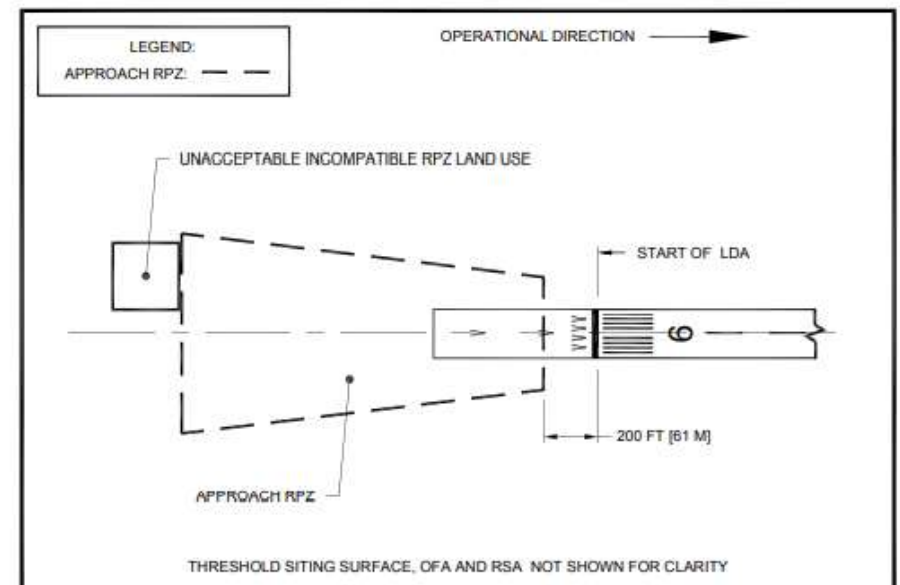


Figure 3-40. Start of LDA at displaced threshold based on approach RPZ located to mitigate unacceptable incompatible land use

Guidance on Displacement Thresholds

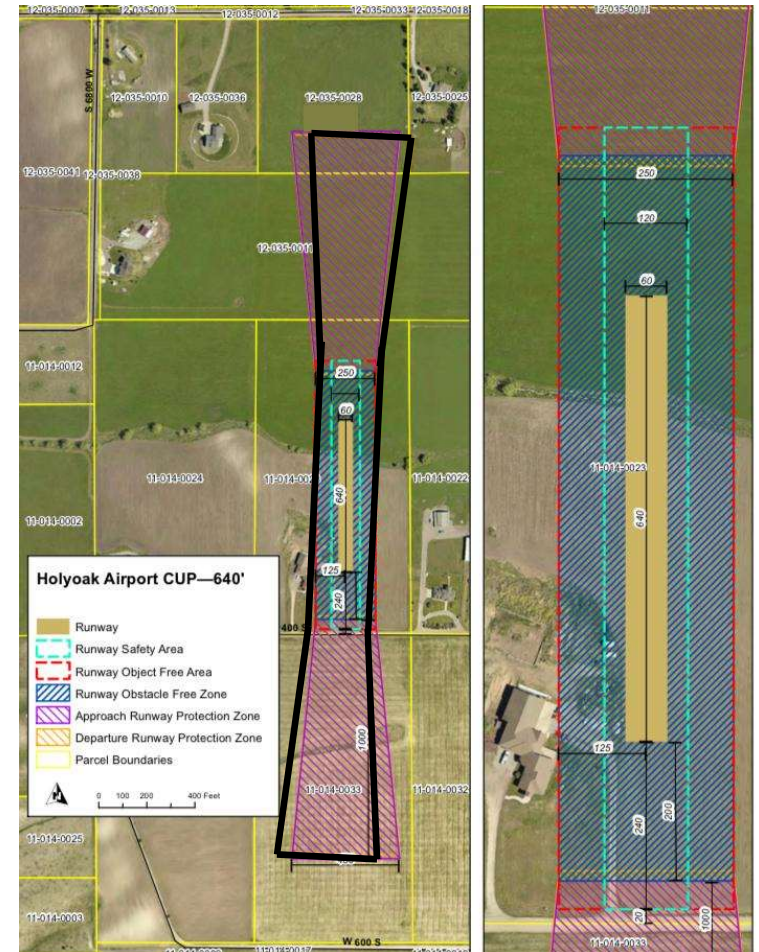
Displacement of the threshold often introduces disruptions to an otherwise orderly airport design. Approach light systems and NAVAIDs used for landing need to be moved. Taxiways that remain in the new approach area (prior to the threshold) can create situations where taxiing aircraft penetrate the approach surface or the Precision Obstacle Free Zone (POFZ) (see paragraph [308.d](#)), and may be considered end-around taxiways (see paragraph [102.hh](#)). Holdlines (see paragraph [315](#)) may also need to be moved to keep aircraft clear of these areas and runway capacity may be affected. While threshold displacement is often used to as a solution for constrained airspace, airport designers need to carefully weigh the trade-offs of a displaced threshold. Displacing a threshold may also create a situation where the holdline must be placed on the parallel taxiway. This is undesirable as pilots do not normally expect to encounter a holdline on the parallel taxiway.

This guidance should not be interpreted as an FAA endorsement of the option to displace a runway threshold. Threshold displacement should be undertaken only after a full evaluation reveals that displacement is the best alternative. These standards minimize the loss of operational use of the established runway and reflect the FAA policy of maximum utilization and retention of existing paved areas on airports

CUP Holders' Option 3 Proposal

CUP Holders' Option 3 Proposal

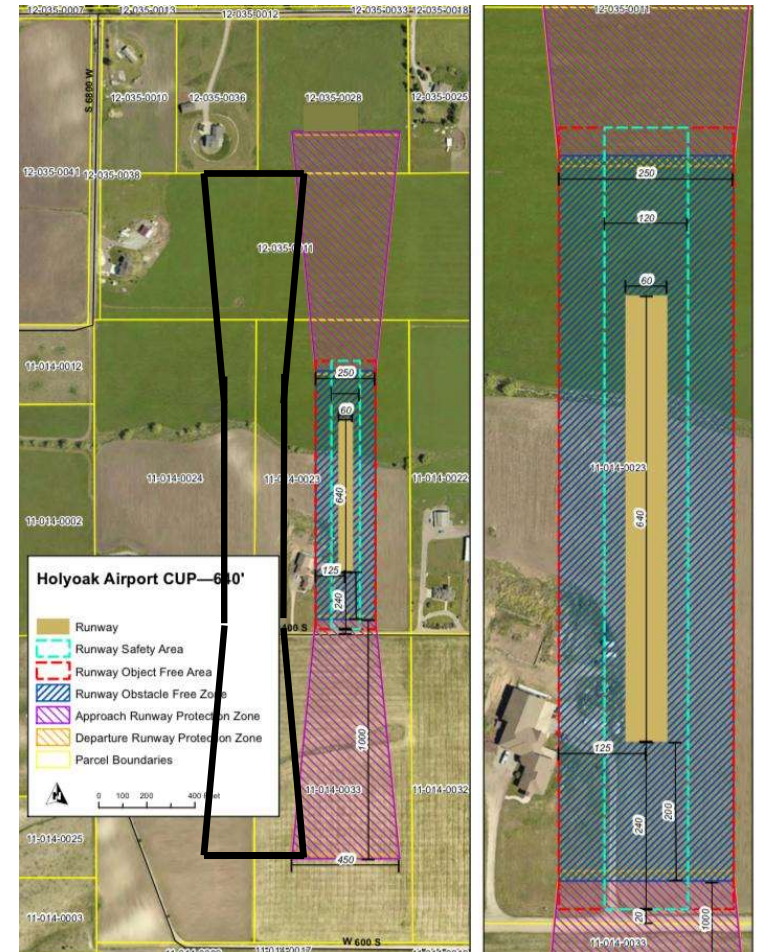
- Angle the runway slightly so the centerline of the runway puts the RPZ clear of the residence
- Rotation would be around a point associated with the CUP holder's home as that is the current constraint for the runway placement
- A small angle rotation would change the RPZ to avoid the residence



CUP Holders' Option 4 Proposal

CUP Holders' Option 4 Proposal

- Move the runway to the west of the home
- Determine how to meet the requirements while having a vested interest in the RSA and ROFA and ROFZ on a west runway
- Determine runway length based on residence on the north



Option to do nothing

Option to do nothing and uphold the existing airport

- The FAA may determine the airport as-is meets the safety requirements and intent of the circular and no action is required
 - May determine that any of the options proposed are more dangerous than simply upholding the existing configuration
 - Circular allows the FAA to evaluate an existing airport
 - Note this property has been used for the landing of aircraft since at least 2006

Additional Options

Unknown Options

- An airport designer or expert may have additional options that are available that have not been thought of by the CUP holders

CUP Holder Recommendations

- Put a mitigating condition on the CUP right now that adopts Option 1 for a time bound period (3 years).
 - This immediately mitigates the risk of planes flying low over the residence
 - It takes immediate action to address the safety concerns with a residence in the RPZ
 - It complies with condition 8 of the CUP where the planning commission has reconsidered the CUP and taken mitigating action
 - It allows time for the CUP holders, the county, and the affected parties to vet the safest option, for the long-term amendment or reconsideration, with the FAA (the adjudicating body of the requirements)
- Agree on next steps for involving the FAA in review of the proposals
- Agree on path forward, with timelines and as needed, status updates

Background Information

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

(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

(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

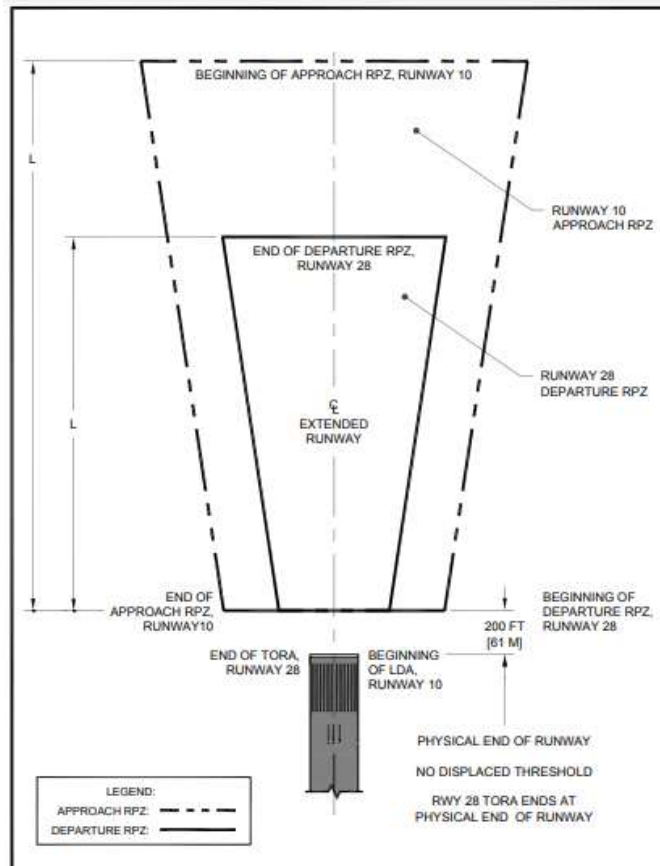


Figure 3-17. Runway with all declared distances equal to the runway length

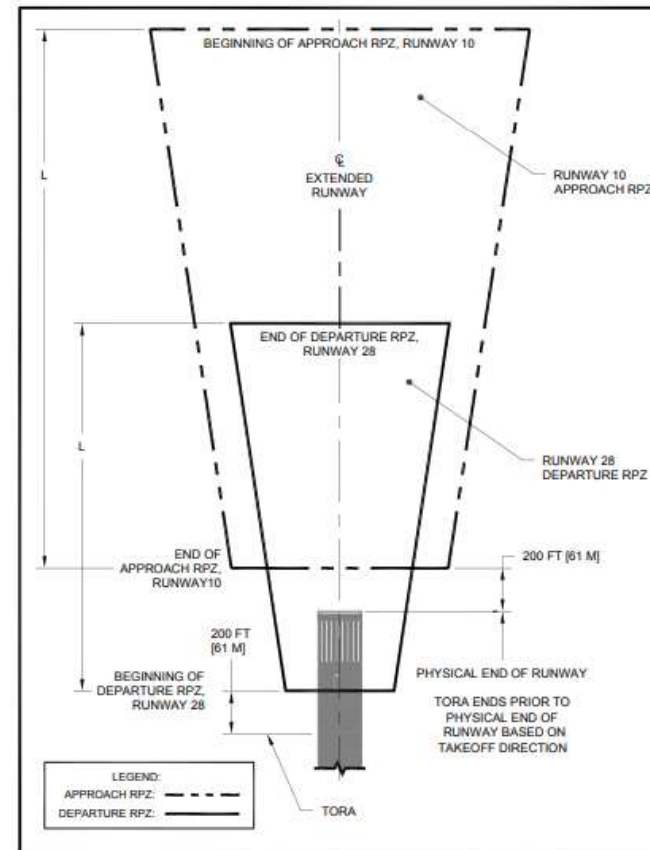


Figure 3-18. Approach and departure RPZs where the Takeoff Run Available (TORA) is less than the Takeoff Distance Available (TODA)

The following is the text from an email from Rachel Holyoak in response to the Staff Review of the Proposed Options for the Holyoak Airport CUP, dated February 21, 2022.

“Chris,

Thank you for the memo to outline the county position on the options discussed at a meeting on Thursday, February 10, 2022. The memo makes it very clear that some key and critical points in the slides leading up to the options were forgotten, not retained, or not understood.

Let me try again to explain.

The current CUP allows four different/independent uses – arrival/landing on runway 18, departure/take-off on runway 18, arrival/landing on runway 36, and departure/takeoff on runway 36 (see attached slides for clarity). The residence built in the southern runway protection zone (RPZ) only affects two of these four uses (specifically departure/take off on runway 18 and arrival/landing on runway 36).

The ability to depart/take-off on Runway 36 and arrive/land on runway 18 as currently permitted are UNAFFECTED by the new residence. The land use of departure/take-off on Runway 36 and arrival/landing on runway 18 SHOULD NOT BE under consideration for revocation and ARE NOT AFFECTED in any way, shape, or form by whatever the outcome of the discussion and building of a residence in the RPZs for taking off on runway 18 and landing on runway 36. Therefore, after all of our discussion, I do not understand the revocation recommendation. I can see a restriction to limit the CUP use from four uses to two uses but there is a way to land and take off, as currently permitted, that are unaffected by the pending action. Nothing in the memo outlines where the county identified the existing use of departure/take off on Runway 36 or arrival/landing on runway 18 are no longer in compliance with the circular. After re-reviewing it again, just to make sure, I cannot find where there is a violation. We discussed briefly in our meeting on Feb. 10 that there are plenty of examples of airports that require a pilot to “exit the same way they entered”.

The fact that there is a way to land and take off without even utilizing the southern RPZ, alone, should be enough to squelch a blanket revocation recommendation. The county should not be revoking the entire land use right where there is no violation for two of the four uses currently permitted. If the recommendation is to restrict the conditional use permit to the two unaffected uses, and that requires me to take action, please let me know what else you need from me (as I expressed again in that meeting as I have before, I am willing to file the necessary paperwork but I need some help navigating the process for doing that – you indicated you would talk to the county attorney and review the code to see what is required if the recommendation was to place an additional restriction on the CUP and then get back to me if I needed to take action).

I am happy to discuss this key piece of information further if you or other staff members have questions but I feel it is pretty straightforward.

In regards to the options presented, it is ideal (but not required) to land and take-off into the wind, thus making it desirable (but again, NOT REQUIRED) to keep all four uses open if possible. The wind direction and intensity is a factor that is considered in every flight. Crosswinds are common on many runways (no one can control which way the wind blows on a given day or time, nor is it possible to have a runway configuration that always allows a pilot to always take off or land directly into the wind). One of the reasons for having the windsock is to make sure it is clear if the wind is blowing, and if so, which way and relative idea at what intensity.

As I presented Option 1 in the Feb 10 meeting, I clearly did not get the main point across in a way that articulated the ambiguity of the circular I was outlining. I fully understand that the approach (and departure) surface and the RPZ serve different purposes, however, I believe there is a correlation between them. While I would expect the FAA to answer your question, exactly as they did, it wasn't the right question to adjudicate the viability of Option 1. The graphic provided in the slides on February 10 shows how an approach zone may be altered, but as I stated in the meeting, there is no

information about how the correlating RPZ would be altered as a result. The question that needs to be answered, because the circular isn't clear, is what is the correlation between the approach (and departure) surface and the corresponding RPZ.

The RPZ outlined in the circular assumes a take off that is straight and allows a pilot to exit the pattern in either direction. We (you and I) both concurred that was the configuration shown in the circular and the underlying assumption for that configuration in that meeting. The circular then gives details about what to do with the approach/departure surface if it is not a "straight" approach (or departure) but does not give any details about how to adjust the RPZ for those cases. We also discussed the lack of information and details about how to alter the corresponding RPZ. From a common sense standpoint, if the planes are all flying in at a different approach (or departing) and all the danger is below them, it doesn't make walking around sense to have "people and property on the ground" protected in an area or configuration that isn't even under the area where planes are flying in or departing from. (See slide 9 in attachment). This is why I asked for the FAA to be involved in the review and interpretation of the circular in regards to the additional options to keep all four uses available. The county, the affected land owners, and us as the CUP holders need to understand the correlation and standard adjustments expected when traffic patterns are altered, approach zones are altered, etc. from the regulatory entity. The circular implies adjustments are allowed, however, fails to specify the exact regulations regarding the adjustments. I am confident there is precedence out there and additional requirements and standardized interpretations that the FAA will be able to provide.

It remains my/our position that the circular is ambiguous and unclear on how the RPZ should be adjusted when an approach or departure surface and traffic pattern/direction are not standard. The memo does nothing to indicate the correlation was even considered or addressed. I can appreciate the hesitancy to use the FAA since the county has chosen to apply a standard that applies to the air to land use, but I do think it's in everyone's best interest to ask some questions of the regulatory body about the various requirements and how they would be interpreted, correlated, and altered for

other allowed options that are clearly outlined in the circular. If the county doesn't agree with the implied alterations in the circular (which is the question I asked in the Feb. 10 meeting), we need to involve an authoritative source and adjudicative entity. I believe if you review the county council or planning commission record (I don't remember which meeting but it was one of them) when the county requirement to use the FAA circular as a land use requirement was being considered, Mr. Chambers made a public comment that one of the challenges would be the land use authority is not the interpretative entity of the circular requirements, if the circular was adopted in whole, as part of the county code.

With all this in mind, and knowing that getting the answers for the options to maintain all four uses if the county disagreed with the implied interpretation of the standard (which is ambiguous), is the reason it was suggested by us as the CUP holder, that the county take immediate mitigatory action (it was requested leaving all four uses open but limiting the traffic patterns on runway 18 takeoffs and runway 36 landings) while determining the course forward on reviewing the options with an authoritative source. Alternatively, the county could restrict the current CUP to the existing two uses that are unaffected by the southern RPZs and instead ask staff and the CUP holder to either request another review or file an amendment to reinstate the other two uses upon completion of a review with the FAA (the authoritative source of the circular requirements). I suppose the county could also follow the law regarding ambiguity requires ruling in favor of the land owner and concur that the RPZ should be altered as suggested by the land owner when the approach/departure surface is altered. Any of these seem more in line with the county code, the land use laws and guidelines, than a revocation recommendation.

Are there other examples within the county where a CUP has been revoked because one of several land uses was no longer compliant with the CUP conditions or county code even though the remaining uses on the same CUP were still compliant?

Lastly, I am still confused about the process for filing an amendment to the CUP. I have asked on at least two separate occasions in writing and one verbally at our Feb. 10

meeting for clarification. The planning and zoning commission indicated that they would entertain a review of an amendment in parallel with the revocation action currently under consideration. When I inquire about the process, I continue to be told that I should wait until the pending action is resolved, then told I need to take action and back again. Leaving the meeting on February 10, you indicated you would let me know if an amendment would be required. While Option 1 remains our preference (with interpretation of the circular by the FAA), from the memo, it sounds like Options 2 – 4 would require an amendment to be filed. Please clarify if the discussion we held on February 10 counts as the “pre-filing review” should we chose to pursue Options 2 - 4 or if I need to schedule yet another review for a chosen option. We are still most interested in vetting Option 1 with the FAA before moving to the other options. In addition, please advise for the timeline as I recognize that the ability to file an amendment under the current requirements will not support a parallel review with the commission on March 3.

It may be that the planning commission needs to have all of this information provided to them and then decide if they would like to take immediate mitigatory action (either option presented above – restrict the use to the two uses that are unaffected or allow all four uses to continue but restrict the traffic pattern / departure on the two affected) or postpone a decision until the FAA review of Option 1 can be completed and allow us sufficient time to file an amendment, if required, so it can be reviewed in parallel.

As I stated in the Feb. 10 meeting, I understand the need for mitigatory action to be taken sooner rather than later and am proposing options that allow immediate mitigation of the concerns while the viability of longer-term options are reviewed with the right entities since there is ambiguity. This property right is important to us and we want to make sure due process is followed and all parties are provided the amount of time necessary to adjudicate the ambiguity of the requirement and decide the appropriate option.

Finally, I again re-iterate that the existing ability to take off on runway 36 and land on runway 18 are unaffected by the residence that has been built and should be upheld on the current CUP regardless of where the discussion/decision about the two uses associated with the southern RPZs goes.

Let me know if you have questions or want to discuss further.

-Rachel”

The following is staff's comment to the Commission regarding the questions posed in the February 21, 2022 email from Rachel Holyoak.

- The specific concerns and questions raised in this email have been addressed in previous emails, reports, and memorandums and require no additional comment.
- The requirements of the County Land Use Code specific to Private Airports are clear and unambiguous, and the requirements of the existing CUP are clear and unambiguous.

Discussion Item**3 March 2022****To:** Planning Commission**Subject:** **Proposed Ordinance Amendment - §17.07.030 Use Related Definitions – 4100 Recreational Facility; §17.09.030 – Schedule of Zoning Uses by Zoning District – 4100 Recreational Facility**

Recreational facilities are currently allowed in the A10, FR40, RR, and C zones with approval of a Conditional Use Permit (CUP).

Chapter 17.07.030 Use Related Definitions

4100 RECREATIONAL FACILITY: A place, either indoor or outdoor, 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. A recreational facility is operated for a period of greater than thirty (30) days per year and may also include incidental transient lodging accommodations for up to fifteen (15) rooms. For the purposes of a recreational facility only, "room" is defined as a self-contained area within a structure that has a maximum of two (2) sleeping areas, one bathroom, and no provision for cooking. A room provides sleeping accommodations for the general public utilizing the associated recreational facility. All rooms associated with a recreational facility must be contained within a single structure, and access to rooms must be primarily from interior lobbies or halls. A central kitchen and dining room catering to guests and the general public can be provided within the same structure. The term recreational facility includes, but is not limited to, the following: ski facility, golf course, and campground.

Chapter 17.07.040 General Definitions

CAMPGROUND: Any area with more than three (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 thirty (30) days or less.

Proposed Text Amendments:**§17.07.030: Use Related Definitions – 4100 Recreational Facility****§17.09.030: Schedule of Uses by Zoning District – 4100 Recreational Facility**

Cache County Development Services proposes either to remove *campground* from the definition of use type 4100 Recreational Facility in §17.07.030: Use Related Definitions, or amend §17.09.030 Schedule of Uses by Zoning District – 4100 Recreational Facility to change from "C" (allowed as a Conditional Use Permit) to "N" (prohibited) in the Agricultural (A10) Zoning District.



Application: Ordinance Amendment

| Date Received: | By: | Receipt #: | Amount: | Check #: |
|----------------|----------|------------|---------|----------|
| 2/10/22 | A. Hanks | N/A | N/A | N/A |

1. Applications are accepted by appointment only. Call (435) 755-1640 to set an appointment.
2. The items indicated in the attached checklist must accompany this application.
3. Incomplete applications are not accepted.
4. Late applications are held for the next meeting's agenda.
5. The application fee is not refundable.
6. Any information submitted with this application becomes public record and is posted online.

Ordinance Information

Ordinance Section(s): 17.07.030: Use Related Definitions - 4100 Recreational Facility
17.09.030: Schedule of uses by Zoning District - 4100 Recreation Facility
Affected Zones: A10, FR40, RR, C

Agent Contact Information

Agent Name: CHRIS HARRILD Email: Chris.harrild@cachecounty.org
Phone: 755-1630 Mailing Address: 179 N Main, Suite 305
Logan, UT 84321

Review Process

- 1) Staff will review the application with the applicant to ensure that the information submitted is sufficient to completely review the request.
- 2) Complete applications are forwarded to the necessary county departments for review and comment. The application, site visits, and department reviews are used in the preparation of the staff report that is presented to the county land use authority and is available to all interested parties and is posted online at <http://www.cachecounty.org/pz/>.
- 3) Notices are posted in the Herald Journal. Agendas are posted online at www.cachecounty.org and at <http://www.utah.gov/pmn/index.html>.
- 4) Projects requiring County Council approval are placed on the next available council agenda once the Planning Commission has made a recommendation. Staff forwards the staff report, the Planning Commission's recommendation, and any other pertinent information for County Council's review.

| 2022 Meeting Dates and Application Deadlines | | | | | |
|--|----------------------------|--|---------|--|----------------------------|
| Planning Commission (1 st Thursday of each month*) | | County Council (2nd & 4th Tuesday*) | | Board of Adjustments (3 rd Thursday of each month) | |
| Application Deadline 3:00 PM | MEETING DATE 5:30 PM | MEETING DATE 5:00 PM | | Application Deadline 3:00 PM | MEETING DATE 6:00 PM |
| 1 Dec 21 | 6 Jan | 11 Jan | 25 Jan | 30 Dec 21 | 20 Jan |
| 5 Jan | 3 Feb | 8 Feb | 22 Feb | 27 Jan | 17 Feb |
| 2 Feb | 3 Mar | 8 Mar | 22 Mar | 24 Feb | 17 Mar |
| 2 Mar | 7 Apr | 12 Apr | 26 Apr | 31 Mar | 21 Apr |
| 6 Apr | 5 May | 10 May | 24 May | 28 Apr | 19 May |
| 4 May | 2 Jun | 14 Jun | 28 Jun | 26 May | 16 Jun |
| 1 Jun | 7 Jul | 12 Jul | 26 Jul | 30 Jun | 21 July |
| 6 Jul | 4 Aug | 9 Aug | 23 Aug | 28 Jul | 18 Aug |
| 3 Aug | 1 Sep | 13 Sep | 27 Sep | 25 Aug | 15 Sep |
| 31 Aug | 6 Oct | 11 Oct | 25 Oct | 29 Sep | 20 Oct |
| 5 Oct | 3 Nov | 8 Nov | 22 Nov | 27 Oct | 17 Nov |
| 2 Nov | 1 Dec | 6 Dec* | 13 Dec* | 23 Nov | 15 Dec |

Ordinance Amendment

Application Checklist and Acknowledgment

A complete application must include the items noted below unless specified otherwise. Further information may be required by staff, other departments and agencies, and/or the authority that reviews the application based on the proposed amendment.

- 1) ☒ A completed Ordinance Amendment application form and non-refundable review fees: \$600 *N/A*
- 2) ☒ A copy of the proposed ordinance amendment and any supporting materials. *af*

Acknowledgment

I, Chris Harwood the undersigned agent and/or owner of the property acknowledge that I have read and understand the information and requirements presented in this application, and that the information I have provided is accurate and complete.

Signature

Date

Proposed Text Amendments to

Section 17.07.030: Use Related Definitions – 4100 Recreational Facility, and
Section 17.09.030: Schedule of Uses by Zoning District – 4100 Recreation Facility

Cache County Development Services would propose either to remove campground from the definition of use type 4100 Recreational Facility in Section 17.07.030: Use Related Definitions, or amend 17.09.030 Schedule of Uses by Zoning District – 4100 Recreation Facility to change from C (allowed as a Conditional Use Permit) to N (prohibited) in the A10 Zoning District.