

# Woods Cross Planning Commission

Meeting Held at the Woods Cross Municipal Building  
1555 South 800 West, Woods Cross, Utah

This meeting will be held in person and via Zoom.

To join using Zoom, click here <https://us02web.zoom.us/j/9358074960> or go to zoom.us and select JOIN A MEETING. Meeting ID: 935 807 4960. Please mute your microphone except during the open comment period. Questions and comments are best made in the CHAT feature.

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## AGENDA

OCTOBER 8, 2024

6:30 P.M.

1. PLEDGE OF ALLEGIANCE

(Michael Doxey)

2. ELECTION OF VICE CHAIR

(Joe Rupp)

3. MINUTE APPROVAL

(Joe Rupp)

4. OPEN SESSION

(Joe Rupp)

5. HAULAGE LLC CONDITIONAL USE

2561 South 1560 West, Suite D (AP Airport Zone)

(Tod Orrell)

6. PUBLIC HEARING - AIRPORT OVERLAY ZONE TEXT AMENDMENT

(Curtis Poole)

7. AIRPORT OVERLAY ZONE TEXT AMENDMENT CONSIDERATION AND RECOMMENDATION TO COUNCIL

(Joe Rupp)

8. CITY COUNCIL REPORT

(Gary Sharp)

9. GENERAL & PENDING BUSINESS

The Public is invited to participate in all Planning Commission meetings. If you need special accommodation to participate in the Planning Commission meeting, please call the Community Development Director's Office at 801-292-4421.

**WOODS CROSS PLANNING COMMISSION MEETING  
SEPTEMBER 24, 2024**

The minutes of the Woods Cross Planning Commission meeting held September 24, 2024, at 6:30 P.M. in the Woods Cross City Hall located at 1555 South 800 West, Woods Cross, Utah.

**COMMISSION MEMBERS PRESENT:**

Joe Rupp, Chairman  
LeGrande Blackley  
Mike Doxey--online

Jake Hennessy  
Eric Jones  
David Lewis IV

**COMMISSION MEMBERS EXCUSED:**

Jim Grover

**STAFF PRESENT:**

Curtis Poole, Community Development Director  
Bonnie Craig, Administrative Assistant

**CITY COUNCIL MEMBERS PRESENT:**

Gary Sharp, City Council Member

**VISITORS:**

Trent Elizondo  
Steffen Olson

**PLEDGE OF ALLEGIANCE:**

Jake Hennessy

**MINUTE APPROVAL**

Chairman Rupp called for the review of the minutes for the Woods Cross Planning Commission meeting held September 10, 2024.

Following the review of the minutes, Commissioner Blackley made a motion to approve the minutes as written with Commissioner Jones seconding the motion and all voted in favor of the motion through a roll call vote.

**OPEN SESSION**

Chairman Rupp then asked if there was anyone who would like to address the Commission during the open session for items that were not on the agenda.

There were no items for the open session and Chairman Rupp closed the open session.

**A.W. CHESTERTON CONDITIONAL USE—2119 SOUTH 1200 WEST SUITE 104—TRENT ELIZONDO**

The Community Development Director, Mr. Curtis Poole, reviewed this agenda item with the Planning Commission. He noted that the applicant, Mr. Trent Elizondo, on behalf of A.W. Chesterton, is requesting

**OFFICIAL MINUTES**  
**WOODS CROSS PLANNING COMMISSION MEETING**  
**SEPTEMBER 24, 2024**  
**PAGE 2**

approval of a conditional use permit for the purpose of operating a retail warehouse and service center at this location. He said the business would be located on the east side of the Woods Cross Industrial Park building. He noted the property is located to the east of Legacy Preparatory Academy and is surrounded by other uses within the I-1 zone. He said that retail warehouse and a service center is an allowed use within the I-1 zone subject to a conditional use review.

Mr. Poole went on to say that A.W. Chesterton Company is a national company that manufactures mechanical seals, mechanical packing, gaskets, hydraulic/pneumatic seals, epoxy coatings, and lubricants. He said this location will be the first retail and service center in the Rocky Mountain area. He said the applicant has indicated the company will maintain an inventory of the products to sell. He said in addition, this facility will serve as a repair center for the western region of their business.

Mr. Poole noted this facility will operate between the hours of 7:30 and 4:30 P.M. Monday through Friday and there will be three full-time employees that will work out of this location. He also said the applicant has indicated that there will be no outdoor storage of materials, products, or vehicles at this location. Mr. Poole also indicated this site has sufficient parking to accommodate the parking requirement for this use.

Following the information given by the Community Development Director, Mr. Trent Elizondo addressed the Commission. He said he is with A.W. Chesterton and his title is North American Director of Operations Centers and he is in charge of all the service centers in North America. He said they have several centers located within the eastern portion of the United States, but this was the first center located west of the Rocky Mountains. He said they are excited to be locating here in Utah and to be able to expand their business here.

Commissioner Jones asked what type of business activities would be done in the building. Mr. Elizondo said they manufacture multiple product lines, but the main operation is mechanical seals and packing. He said they do things such as make sealing devices for valves to make them work correctly. He said they also help businesses reduce emissions or help with their environmental footprint. He said they will have a service center, and a distribution center located in Woods Cross, and will have inventory stored there for other facilities located in the neighboring states to access. Mr. Elizondo said there would be mainly storage, some repair, order fulfillment and distribution at the Woods Cross location.

There were no further questions and Commissioner Jones made a motion to approve the conditional use for A.W. Chesterton, with the following conditions:

1. Obtain and maintain a business license.
2. Obtain a South Davis Metro Fire inspection, if required, and submit a copy to the city prior to the issuance of a business license.
3. Business shall be in compliance at all times with any government entity having jurisdiction over the business or the subject property.
4. Business operations shall not negatively impact the adjacent business and properties.

Commissioner Hennessy seconded the motion, and all voted in favor of the motion through a roll call vote.

**OFFICIAL MINUTES  
WOODS CROSS PLANNING COMMISSION MEETING  
SEPTEMBER 24, 2024  
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**CITY COUNCIL REPORT**

Council Member Sharp reported on the City Council meeting held September 17, 2024. Please see the minutes of that meeting for the details of his report.

Council Member Sharp mentioned there were several candidates who had filed applications for the vacant City Council seat. He said there would be a meeting held by the City Council to interview the candidates so a new Council Member could be chosen to fill the vacant seat.

**GENERAL AND PENDING BUSINESS**

Mr. Poole then noted there was training at the recent ULCT to make meetings more efficient. For example, the Council is working on possibly having a consent agenda. He said he was not sure if that would work for the Commission since the Commission needs to review a lot of the applications that come in. He said if there are more routine items, they could be put on a Consent Agenda if the Commission would like to do that. He asked the Commission to think about it and they can discuss it at a future meeting.

Mr. Poole said he would be bringing the draft of the Airport Overlay Zone to the next Commission meeting for the Planning Commission's review. He said he will put something together and will have the city attorney and the Skypark Airport manager look it over to make sure everything is in order before bringing it back to the Commission for their review.

He also said there will be another conditional use for the Commission to review at their next meeting.

Council Member Sharp said he would not be attending the next Planning Commission meeting.

**ADJOURNMENT**

There being no further business before the Planning Commission, Commissioner Lewis made a motion to adjourn the meeting at 6:43 P.M.

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Joe Rupp, Chairman

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Bonnie Craig, Administrative Assistant

# STAFF REPORT

**To:** Planning Commission

**From:** Curtis Poole, Community Development Director

**Date:** October 8, 2024

**Re:** Conditional Use Request – Haulage LLC



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**Location:** 2561 South 1560 West, Suite 201

**Zoning:** AP (Airport) Zone

## Background

The applicant, Tod Orrell, on behalf of Haulage LLC, is requesting approval of a conditional use permit for the purpose of operating an office warehouse at this location. The property is located in the southeast corner of the AP zone along 2600 South. A single-family residential neighborhood is located to the east of the property. An office warehouse is an allowed use within the AP zone subject to a conditional use review.

City code authorizes the Planning Commission to review conditional use requests and section 12-22-104 outlines the standards by which the Commission may impose conditions to mitigate potential adverse impacts to surrounding property owners.

## Staff Review

Haulage LLC is the parent company of Haulage Trucking Company and Haulage Construction Company. Both will operate from this location; however, only the northeast portion of the building will be utilized by the applicant's business.

There will be a total of ten employees, with three working in the office area of the building. The facility will operate between the hours of 8:00 am and 5:00 pm, Monday through Friday. In addition to the office space, the applicant indicates there will be storage of construction tools, truck parts, and other supplies. All storage will be contained within the building.

Based on the number of employees, the total number of parking stalls required by the code is ten. The site has sufficient parking to accommodate the parking requirement.

Staff finds the use complies with City codes, is consistent with the General Plan, and is compatible with neighboring properties within the zone, and based on the applicant's description of the business, should not negatively impact the single-family residential properties.

## Staff Recommendation

Staff recommends the Planning Commission approve the conditional use request for Haulage LLC, with the following conditions:

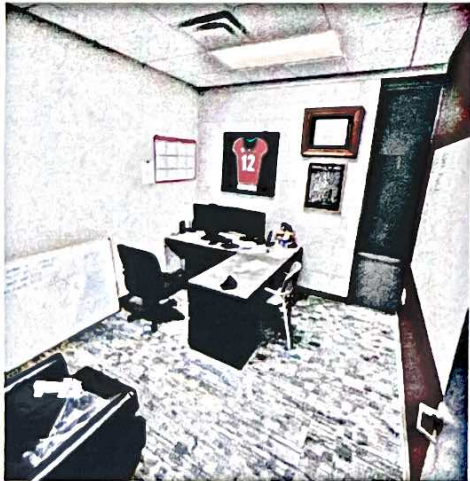
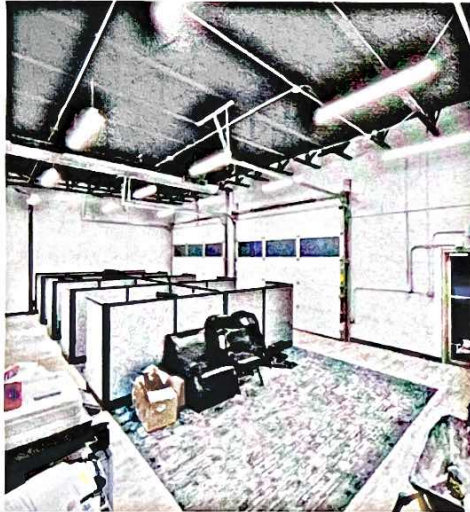
1. Obtain and maintain a business license for each of the businesses operating from this location.

2. Obtain a South Davis Metro Fire inspection, if required, and submit a copy to the city prior to the issuance of a business license.
3. Businesses shall be in compliance at all times with any government entity having jurisdiction over the business or the subject property.
4. Business operations shall not negatively impact the adjacent businesses and properties.



# SKYPARK INDUSTRIAL

2561 South 1560 West | Woods Cross, UT 84087



Contact

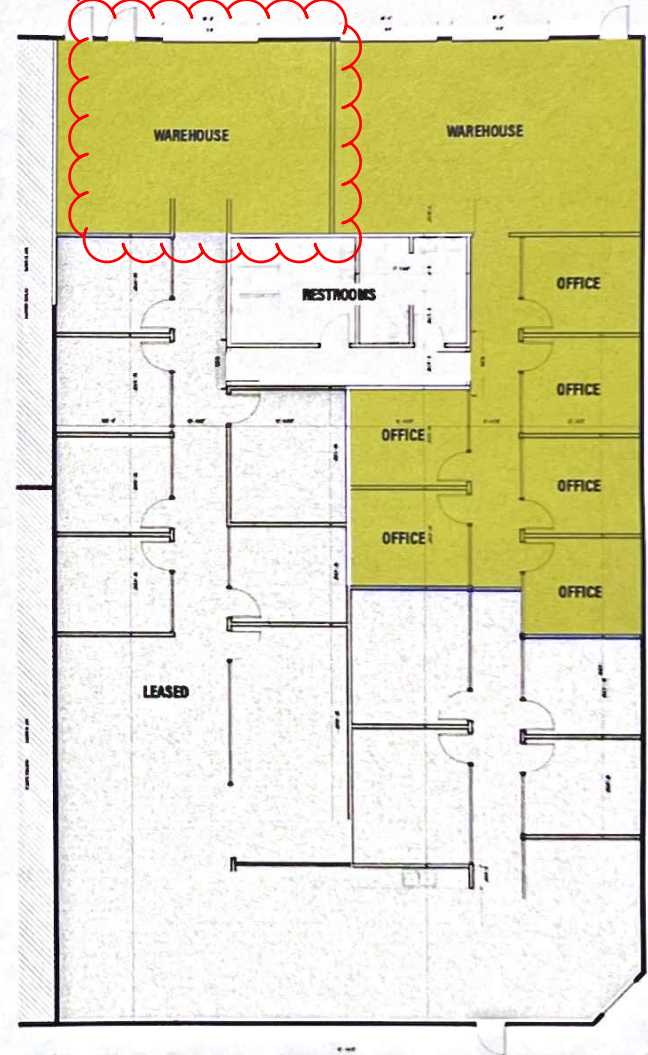
**SKYLER PETERSON, SIOB**  
Executive Vice President  
m 801.656.7354  
speterson@legendcommercial.com

**THE BOURDEAUX, SIOB**  
Vice President  
m 801.824.0397  
tbourdeaux@legendcommercial.com

**PARKER TAGGART**  
Senior Associate  
m 801.928.1815  
ptaggart@legendcommercial.com

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801.930.6750 | www.legendllp.com  
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**SKYLER PETERSON, SIOB**  
Executive Vice President  
m 801.656.7354  
speterson@legendcommercial.com

**THE BOURDEAUX, SIOB**  
Vice President  
m 801.824.0397  
tbourdeaux@legendcommercial.com

**PARKER TAGGART**  
Senior Associate  
m 801.928.1815  
ptaggart@legendcommercial.com

**LEGEND**  
PARTNERS  
801.930.6750 | www.legendllp.com  
280 S 1300 E, Suite 240 | Salt Lake City, UT 84106

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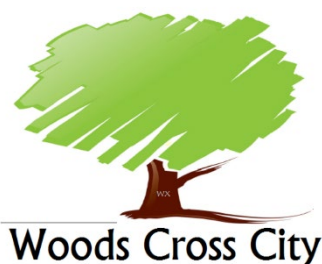
# STAFF REPORT

**To:** Planning Commission

**From:** Curtis Poole, Community Development Director

**Date:** October 8, 2024

**Re:** Code Text Amendment – Airport Overlay Zone



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## Background

With the passage of HB 206 in the 2023 General Legislative Session, the Utah Legislature required municipalities and counties with airports to adopt land use regulations protecting the airports. The bill encourages these political subdivisions to adopt an airport overlay zone, notify property owners and developers of airport impacts, and grant aviation easements as a condition of granting a building permit, subdivision, or zone change. The code also needs to follow the requirements of FAR Part 77, regarding preservation of navigable airspace.

Chapter 12-31, *Airport Protective Area*, of City Code addresses many of the requirements of HB 206; however, after consulting with other municipalities it was determined there were some updates needed to bring city code into compliance with state requirements.

Rather than presenting these amendments in a strikeout version of the chapter, Staff is instead recommending striking title and body of Chapter 12-31 and replacing it with the new Chapter 12-31, attached to this report. However, the following is a list of the proposed amendments:

- Renaming Chapter 12-31, *Airport Protective Area*, to *Airport Overlay Zone (AOZ)*
- Amending the purpose.
- Adding definitions specific to this chapter.
- Updating the language for Approach, Transitional, Horizontal, and Conical Zones.
- Adding a Surface Zone.
- Adding a Runway Protection Zone and adding prohibited uses within this area.
- Adding language that this chapter serves as a notice to potential developers, builders, and property owners.
- Removing the references to “Enforcement” and “Penalties” as they are or will be addressed in 12-4-105, “Zoning Enforcement.” This section is also going through an amendment which will come before the Commission in a future meeting.

In addition to the above amendments to Chapter 12-31, Staff is recommending adding references to the new overlay zone in Chapter 12-18 (Airport Zone AP).

## Staff Recommendation

Staff recommends the Planning Commission review the proposed text amendments, hold a public hearing, and forward a positive recommendation to the City Council approving the Airport Overlay Zone amendments to City Code.



## **CHAPTER 12-18      AIRPORT ZONE AP**

- 12-18-101.      Purpose and Objectives.**
- 12-18-102.      Accessory Uses.**
- 12-18-103.      Area and Density Requirements**
- 12-18-104.      Lot Frontage.**
- 12-18-105.      Yard Requirements – Setbacks.**
- 12-18-106.      Development Standards.**
- 12-18-107.      Building Height.**
- 12-18-108.      Uses Within Buildings.**
- 12-18-109.      Uses Within Hangars.**
- 12-18-110.      Distance Between Buildings.**
- 12-18-111.      Business Activities Within Enclosed Buildings – Outside Storage Requirements.**
- 12-18-112.      Permissible Lot Coverage.**
- 12-18-113.      Storage – Trash, Garbage, Etc.**
- 12-18-114.      Parking, Loading and Access.**
- 12-18-115.      Clear vision and Intersections.**
- 12-18-116.      Bonds.**
- 12-18-117.      Signs.**
- 12-18-118.      Site Plan Review.**
- 12-18-119.      Development Requirements – Business or Industrial Parks.**
- 12-18-120.      Restrictive Covenants – Ownership Association.**
- 12-18-121.      Outdoor Retail Displays and Outdoor Storage of Retail Products.**

### **12-18-101.      Purpose and Objectives.**

The purpose of this Zone is to provide for and establish reasonable regulations similar to the City's Light Industrial/Business Park Zone (I-1) and, due to its proximity to the airport known as "Skypark Airport," to provide reasonable regulations related to the airport and to aviation related uses.

The Airport Zone (AP) is established to:

- (a) Allow airport and aviation related services, including businesses such as fixed-base operations, fuel sales, aircraft maintenance and parts, hangars, flight schools, etc.
- (b) Provide reasonable regulations for aesthetically pleasing, safe and well-designed light industrial, light manufacturing, light industrial parks, business parks, professional offices and research and development uses within the zone. The definitions of "light industrial," "light manufacturing," "light industrial park" and "business park" shall be as set forth in Section 12-19-101, as amended (Light Industrial I-1 Zone).
- (c) Regulate the development of light industrial and airport areas to provide for, protection of adjacent properties, preservation of street functions, provisions of off-street parking and efficient use of municipal services.
- (d) Provide areas in the City where airport and light industrial/manufacturing uses engage in activities which are performed entirely within buildings designed and

constructed in a manner which does not cause or produce a nuisance to adjacent properties.

- (e) Provide adequate and accessible employment opportunities and airport, aviation, light industrial/manufacturing and business services to City residents and other area residents.

#### **12-18-102. Accessory Uses.**

Accessory uses and buildings customarily incidental to the permitted and conditional uses provided herein may be approved by the City in accordance with the provisions of this Title.

#### **12-18-103. Area and Density Requirements.**

Each single lot or parcel of land in the AP Zoning District shall contain a minimum of 1/2 acres.

#### **12-18-104. Lot Frontage.**

Each lot or parcel of land in the AP Zone shall have a minimum frontage of 100 feet abutting a public street. However, parcels of land, which in the opinion of the Planning Commission, are "interior" to the airport facilities (e.g., primarily oriented toward and/or facing the airport runway and related facilities, such as a hangar door through which aircraft enter or exit) and are proposed for use as an airport or aviation-related service such as a hangar, fuel service, flight school, aviation maintenance and repair, etc. may request a waiver of this requirement by the Planning Commission, which waiver may be granted upon finding the following:

- (a) The parcel of land is interior to and functions as a needed and compatible part of the airport operations and facilities.
- (b) The proposed use of the property is for airport and aviation-related activities. Vehicular and pedestrian access to the property will be through the main parking lot and entrance to the airport.
- (c) Other conditions may be imposed to mitigate any adverse effects of such a waiver.

#### **12-18-105. Yard Requirements – Setbacks.**

The following minimum yard requirements shall apply to the AP Zone:

- (a) Front Yard: Each lot or parcel of land in the AP Zone shall have a front yard depth of not less than 30 ft. except the Planning Commission may reduce the front yard to 20 ft. if it finds the yard reduction provides a more attractive and efficient use of the property and the negative effects, if any, thereof may be mitigated by the imposition of reasonable conditions.
- (b) Side Yard: Each lot or parcel of land in the AP Zone shall have a side yard of at least 30 feet; the total width of the two required side yards shall not be less than 70 feet on land located adjacent to a zoning district other than the AP, I-1 or I-2 district. There shall be no side yard requirements in those instances where the side property line abuts another property located within the AP Zone, I-1 or I-2

Zones.

- (c) Side Yard-Corner Lots: On corner lots, the side yard contiguous to the street shall not be less than 30 feet except the Planning Commission may reduce the side yard to 15 feet if it finds the yard reduction provides a more attractive and efficient use of the property and the negative effects, including site lines for safe vehicular and pedestrian travel, thereof may be mitigated by the imposition of reasonable conditions.
- (d) Side Yard-Driveways: When used for access to any garage, carport, hangar or parking area having less than 5 parking spaces, the side yards shall be wide enough to accommodate an unobstructed 12 ft. paved driveway. When used for access to a garage, carport or parking areas having 6 or more parking spaces, the side yards shall be wide enough to provide an unobstructed 12 ft. paved driveway for one-way traffic, or a 20 ft. paved driveway for 2-way traffic. All driveways shall meet any conditions or requirements of the South Davis Metro Fire Service Area.
- (e) Rear Yard: Not less than 15 feet for all uses within the AP Zone; in cases where a building is located upon a lot or parcel adjacent to any zone other than the AP, I-1 or I-2 Zones, the rear yard shall be not less than 30 feet. In the event that the rear of a building faces an arterial or collector street, there shall be a setback of 30 feet. The Planning Commission may reduce the rear yard, if in its judgment the yard reduction provides a more attractive and more efficient use of the property and the negative effects, if any, thereof may be mitigated by the imposition of reasonable conditions.
- (f) Other Requirements: For property within the AP Zone, which has been determined by the Planning Commission to be interior to the airport as outlined in 12-15A-106, a reduced yard or setback requirement may be granted if, in the opinion of the Planning Commission, such reduction or reductions will not be detrimental for any reason or that adverse effects can be mitigated with appropriate conditions.

**12-18-106. Development Standards.**

- (a) The development standards set forth in the I-1 Zone (Section 12-19-108, as amended) and the Airport Overlay Zone shall apply within the AP Zone.
- (b) In addition to the I-1 Development Standards structures used exclusively as airplane hangars may be constructed entirely of metal in accordance with standards of the aviation industry. Unless demonstrated to be infeasible, exterior walls that are visible to the public from adjoining streets should meet the exterior material requirements of Section 12-19-108, as amended.
- (c) In the event the use of a hangar structure is changed from exclusively aircraft hangar use to another use or combination of uses, the exterior of the building shall be modified to comply with the requirements of Section 12-19-108, as amended.

#### **12-18-107. Building Height.**

The building height standards of ~~Chapter 19~~the I-1 and the Airport Overlay Zones shall be followed in the AP Zone.

In the AP Zone, the height of every building or structure hereinafter designed, erected or structurally altered or enlarged shall also conform to the requirements of the most recent edition of the International Building Code, as adopted by the City, to the requirements of the ~~Airport-Protective Provisions of Chapter 31~~Airport Overlay Zone of this Title and to the requirements of Part 77 of Federal Aviation Administration regulations, all as amended.

#### **12-18-108. Uses Within Buildings.**

Except as otherwise provided in this Chapter, all uses established in the AP Zone shall be conducted entirely within a fully enclosed building.

#### **12-18-109. Uses Within Hangars.**

Except as approved as a conditional use by the Planning Commission, all structures approved as aircraft hangars shall be used exclusively for the storage, maintenance and construction of aircraft and business/office activities directly related to the same.

#### **12-18-110. Distance Between Buildings.**

The distance between buildings shall be as dictated by the requirements of this chapter, latest edition of the International Building Code and other standard building codes adopted by the City and the State of Utah, by the requirements of the South Davis Metro Fire Service Area, and as applicable, operational standards of the Federal Aviation Administration.

#### **12-18-111. Business Activities Within Enclosed Buildings – Outside Storage Requirements.**

Except as expressly modified herein, all uses in the AP Zone shall comply with Section 12-19-112, as amended – “Business Activities Within Enclosed Buildings – Outside Storage Requirements.”

#### **12-18-112. Permissible Lot Coverage.**

Lot coverage by buildings and covered or semi-enclosed out-buildings or accessory buildings shall be consistent with the requirements of Section 12-19-113, as amended.

#### **12-18-113. Storage – Trash, Garbage, Etc.**

Any use in this Zone shall comply with the requirements of Section 12-19-114, as amended.

#### **12-18-114. Parking, Loading and Access.**

Each lot or parcel in the AP Zone shall have on the same lot or parcel off-street parking sufficient to comply with Chapter 19 of this Title.

**12-18-115. Clear vision and Intersections.**

No landscape, wall, fence, sign or other structure that would obstruct the clear vision of intersecting streets shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points 30 feet from the intersection of the public street lines.

**12-18-116. Bonds.**

Completion assurances and bonds shall be provided as required in other provisions of the Woods Cross City Code, including without limitation Title 11, Subdivisions.

**12-18-117. Signs.**

The requirements of the Sign Ordinance of the City shall apply to this zone.

**12-18-118. Site Plan Review.**

The requirements of Chapter 23 of this Title shall be enforced for any uses requiring site plan review.

**12-18-119. Development Requirements – Business or Industrial Parks.**

Any industrial park or business park development shall comply with the requirements of ~~Section-12-19-120~~ the I-1 and Airport Overlay Zones, as amended.

**12-18-120. Restrictive Covenants – Ownership Association.**

Where required as part of the site plan approval or conditional use process, the developer of a subdivision within this Zone shall comply with the requirements of Section 12-19-121, as amended.

**12-18-121. Outside Retail Displays and Outdoor Storage of Retail Products.**

The outside display, sale and storage of merchandise, goods, materials, vehicles or equipment for sale at retail as a conditional use under this Chapter shall comply with the requirements of Section 12-19-122, as amended.

## **Chapter 12-31          AIRPORT OVERLAY ZONE (AOZ)**

- 12-31-101.    Purpose.**
- 12-31-102.    Definitions.**
- 12-31-103.    Establishment of Airport Height and Use Restriction Zones.**
- 12-31-104.    Height Limitations.**
- 12.31.105.    Use Regulations.**
- 12.31.106.    Permitting Requirements.**
- 12-31-107.    Existing Uses.**
- 12-31-108.    Nonconforming Uses.**
- 12-31-109.    Hazard Marking and Lighting.**
- 12-31-110.    Conflicting Regulations.**
- 12.31.111.    Warnings and Disclaimers of Liability.**

### **12-31-101.    Purpose.**

Airport hazards endanger the lives and property of airport users, and or occupants of land in its vicinity. Airport hazards reduce the size of the area available for landing, takeoff, and maneuvering of aircraft, and impair the utility and investment in the airport.

Accordingly, the City finds that:

- (a) The creation or establishment of an airport hazard is a public nuisance and an injury to the community served by the airport.
- (b) It is necessary in the interest of public health, public safety, and general welfare that the creation or establishment of airport hazards be prevented.
- (c) This should be accomplished, to the extent legally possible, by the exercise of police power without compensation.
- (d) Both the creation and prevention of these hazards, and the elimination, removal, alteration, mitigation, or marking and lighting of existing hazards are public purposes for which political subdivisions may raise and expend public funds and acquire land or property interests in land.
- (e) The establishment of an Airport Overlay Zone best prevents the creation or establishment of an airport hazard, and promotes public health, safety, and general welfare.



## **12-31-102. Definitions.**

**Airport.** Any publicly used area of land or water that is used, or intended to be used, for the landing and take-off of aircraft and utilized or to be utilized in the interest of the public for these purposes.

**Airport Airspace Analysis (AAA).** A study performed by the FAA that:

- (a) Evaluates the effect of construction of a structure, or other improvement or an alteration of an existing structure, or other improvement, on existing and planned aircraft operating procedures; and
- (b) Determines the potential hazardous effect of the proposed construction of a building, structure, or other improvement or an alteration of an existing building, structure, or other improvement on air navigation; and
- (c) Identifies potential mitigating measures to enhance safe air navigation.

**Airport Elevation.** The highest point of the airport's usable landing area measured in feet above mean sea level.

**Airport Hazard.** As defined in Utah Code Section 72-10-401.

**Airport Influence Area.** As defined in Utah Code Section 72-10-401.

**Airport Imaginary Surfaces.** Shall have the meaning established in 14 CFR 77.19 – *Civil Airport Imaginary Surfaces*, as described in 14 CFR 77.19, airport imaginary surfaces include “horizontal surface”, “conical surface”, “primary surface”, “approach surface”, and “transitional surface” as defined in that federal regulation.

**Airport Overlay Zone (AOZ).** As defined in Utah Code section 72-10-401.

**Airport Reference Point.** The point established as the approximate geographic center of the airport landing area.

**CFR.** The Code of Federal Regulations.

**FAA.** The Federal Aviation Administration.

**Instrument Flight Rules (IFR).** Rules and regulations established by the Federal Aviation Administration to govern flight under conditions in which flight by outside visual reference is not safe. IFR flight depends upon flying by reference to instruments in the flight deck, and navigation is accomplished by reference to electronic signals. Regulations for flying under IFR are defined in 14 CFR 91.167-91.193.

**Instrument Landing System (ILS).** An electronic system that provides both horizontal and vertical guidance to a specific runway, used to execute a precision instrument approach procedure.

**Land Use Regulation.** As defined in Utah Code Section 10-9a-103.

**Nonconforming Use.** As defined in Utah Code Section 10-9a-103.

**Nonprecision Instrument Runway.** A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned, and for which no precision approach facilities are planned or indicated on an FAA planning document.

**Obstruction.** Any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth by this Ordinance.

**Obstruction Evaluation (OE).** Aeronautical studies conducted by the FAA for any object that may affect the national airspace, air navigation facilities, or airport capacity. Aeronautical studies are coordinated by the FAA's Obstruction Evaluation Group (OEG).

**Person.** An individual, firm, partnership, corporation, company, association, joint stock association or governmental entity. It includes a trustee, receiver, assignee or similar representative of any of the foregoing.

**Precision Instrument Runway (PIR).** A runway having an existing instrument approach procedure utilizing an instrument landing system (ILS) or a precision approach radar (PAR). It shall also mean a runway for which a precision approach system is planned and is so indicated on an FAA approved airport layout plan or any other FAA approved planning document.

**Primary Surface.** A surface longitudinally centered on a runway.

- (a) When the runway has a specially prepared hard surface, the primary surface extends 500 feet beyond each side of the runway and 200 feet beyond the end of that runway.
- (b) The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

**Runway.** A defined area on the airport prepared for landing and takeoff of aircraft along its length.

**Structure.** Anything constructed or erected which is either located on the ground or attached to something having a location on the ground

## **Transitional Surfaces.**

- (a) These surfaces extend outward at ninety-degree angles to the runway centerline and the runway centerline extended at a slope of seven feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces.
- (b) Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at ninety-degree angles to the extended runway centerline.

**Tree.** Any object of natural growth.

**Utility Runway.** A runway that is constructed for and intended to be used by propeller driven aircraft of twelve thousand five hundred (12,500) pounds' maximum gross weight or less.

**Visual Runway.** A runway intended solely for the operation of aircraft using visual approach procedures.

### **12.31.103. Establishment of Airport Height and Use Restriction Zones.**

Construction of buildings and other structures within the airport vicinity must not conflict with airport operations. Therefore, all proposed construction and development must be reviewed in accordance with FAR part 77 regulations to ascertain obstructions and/or potential penetrations.

By this zoning ordinance, the city hereby notifies potential builders/developers and property owners of the FAA notification requirements for construction (FAA form 7460-1) or alterations of manmade structures. This FAA notification requirement applies to any construction or alteration of:

- (a) A structure (permanent or temporary) more than two hundred feet (200') in height above the ground level at its site, and/or
- (b) A structure of greater height than an imaginary surface extending outward and upward at a ratio of 100:1 slope for a horizontal distance of twenty thousand feet (20,000') from the nearest point of the nearest runway.

The following height limiting zones are hereby established:

**Primary Surface Zone:** A zone symmetrically located on the runway centerline and extending a distance of two hundred feet (200') beyond each runway end.

**Approach Surface Zone:** A zone longitudinally centered on the extended runway centerline and extending outward and upward from each end of the Primary Surface Zone at horizontal:vertical ratio of 20:1.

**Horizontal Surface Zone:** A horizontal surface zone as an oval area within arcs and connecting tangent lines of ten thousand feet (10,000') radius from points two hundred feet (200') beyond the runway end. The horizontal surface is 150 feet (150') above the established airport elevation.

**Conical Surface Zone:** A zone that commences at the periphery of the Horizontal Surface Zone and extends outward and upward at a slope ratio of 20:1 for a horizontal distance of four thousand feet (4,000'). The zone extends to a height of three hundred fifty feet (350') above the established airport elevation.

**Transitional Surface Zone:** A zone that begins at the edge of the Primary Surface Zone and slopes upward and outward at a ratio of 7:1 until it intersects the horizontal surface.

#### **12.31.104. Height Limitations.**

Except as otherwise provided in this title, no structure or tree shall be erected, altered, allowed to grow, or maintained in any height limiting zone created by this title to a height penetrating the limits herein established for each of the height limiting zones.

Nothing in this title shall be construed as prohibiting the growth, construction, or maintenance of any tree or structure to a height consistent with the terms of this chapter.

Where a zone is covered by more than one height limitation the more restrictive limitation shall prevail.

#### **12.31.105. Use Regulations.**

Notwithstanding any other provisions of this title, no use shall be made of land within any height limiting zone established by this title in such a manner as to do any of the following:

- (a) Create electrical interference with radio communication between the airport and aircraft;
- (b) Make it difficult for pilots to distinguish between airport lights and other lights;
- (c) Result in glare in the eyes of pilots taxiing, landing at, or taking off from the airport;
- (d) Impair visibility in the vicinity of the airport; or
- (e) Otherwise endanger the landing, taking off, or maneuvering of aircraft.

**Runway Protection Zone (RPZ):** The RPZ is trapezoidal in shape and centered about the extended runway centerline. Some uses are permitted within the RPZ provided they do not attract wildlife and do not interfere with navigational aids. The dimensions of the RPZ is an inner width of two hundred and fifty feet (250') wide at a two hundred foot (200') distance from the end of the runway and an outer width of four hundred and fifty feet (450') at a distance of one thousand feet (1,000') from the end of the runway, drawing straight lines from the outer edges of the inner and outer width to create a trapezoid.

The following land uses are prohibited in the RPZ:

- (a) Any residential use
- (b) Places of public assembly; i.e.; churches, schools, etc.
- (c) Hospitals
- (d) Office buildings or shopping centers
- (e) Any other use with similar concentrations of persons

#### **12.31.106. Permitting Requirements.**

Except as specifically provided in this section, no material change shall be made in the use of land and no structures or tree shall be erected, altered, planted, or otherwise established in any zone hereby created unless a permit thereof shall have been applied for and granted by the city. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure, or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted.

- (a) For properties lying within the limits of the Horizontal Surface Zone and the Conical Surface Zone, no permit shall be required for any tree or structure less than seventy-five feet (75') of vertical height above the ground, except when because of terrain, land contour, or topography features such tree or structure would extend within twenty-five feet (25') of the height limits prescribed for such zone.
- (b) For properties lying with the limits of the Approach Surface Zone, no permit shall be required for any tree or structure more than twenty-five feet (25') of vertical height below the approach surface.
- (c) For properties lying within the limits of the Transitional Surface Zone beyond the perimeter of the Horizontal Surface Zone, no permit shall be required for any tree or structure more than twenty-five feet (25') of vertical height below the limit prescribed.

- (d) Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, alteration, or growth of any structure or tree in excess of any of the height limits established by this title.

**12.31.107. Existing Uses.**

No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a nonconforming use, structure, or tree to be made or become higher, or become a greater hazard to air navigation, than it was on the effective date hereof, or any amendments thereto, or than it is when the application for a permit is made. Except as indicated, all applications for such permit shall be granted.

**12.31.108. Nonconforming Uses.**

Whenever the building official determines that a nonconforming structure or tree has been abandoned or more than eighty percent (80%) torn down, physically deteriorated, or decayed, any existing permit shall be rescinded, and the nonconforming structure or tree shall be removed by the owner.

**12.31.109. Hazard Marking and Lighting.**

Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this title and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question at his own expense, to install, operate, and maintain thereon such markers and lights as may be necessary to indicate to flyers the presence of any airport hazard.

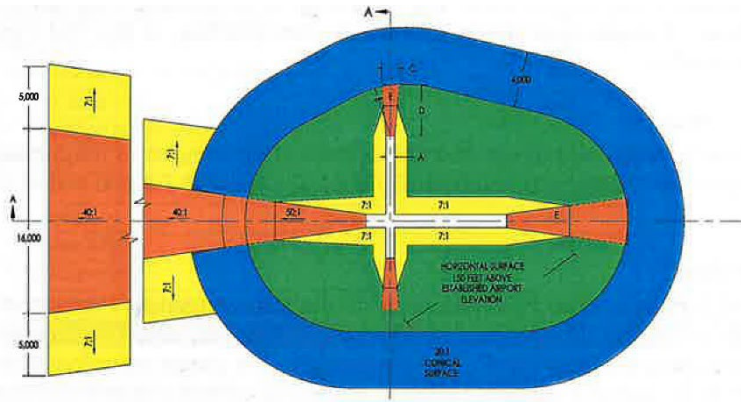
**12.31.110. Conflicting Regulations.**

Where there exists a conflict between any of the regulations or limitations prescribed in this title or any other regulations applicable to the same zone, whether the conflict be with respect to the height of structures or trees, the use of the land, or any other matter, the more stringent limitation or requirement shall govern and prevail.

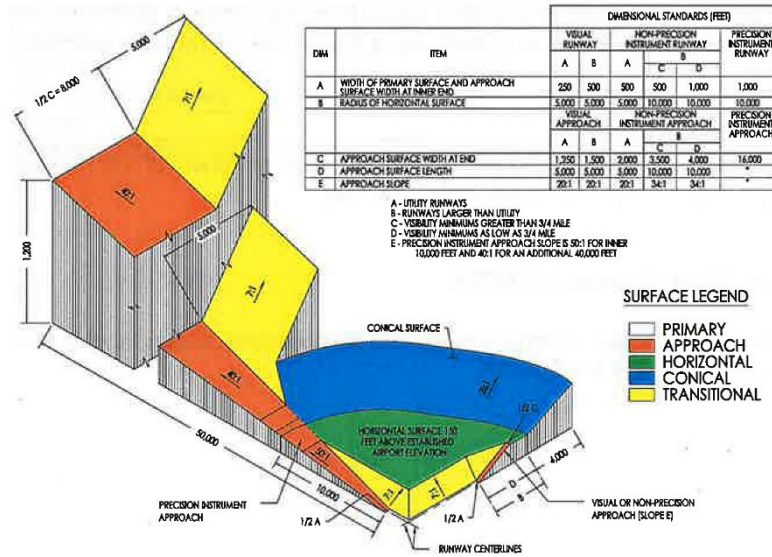
**12.31.111. Warnings and Disclaimers of Liability.**

The degree of flight protection adjacent to airports provided by this Ordinance is considered reasonable for regulatory purposes and is based on FAA regulations and scientific and engineering considerations. This Ordinance does not imply that flights either within or outside the restricted areas specified in this Chapter will be safe or free from flight or other hazards. Furthermore, this Chapter shall not be construed to create liability on the part of the City, or any officer, employee or agent thereof that may result from reliance on this Chapter or any administrative decision lawfully made hereunder.

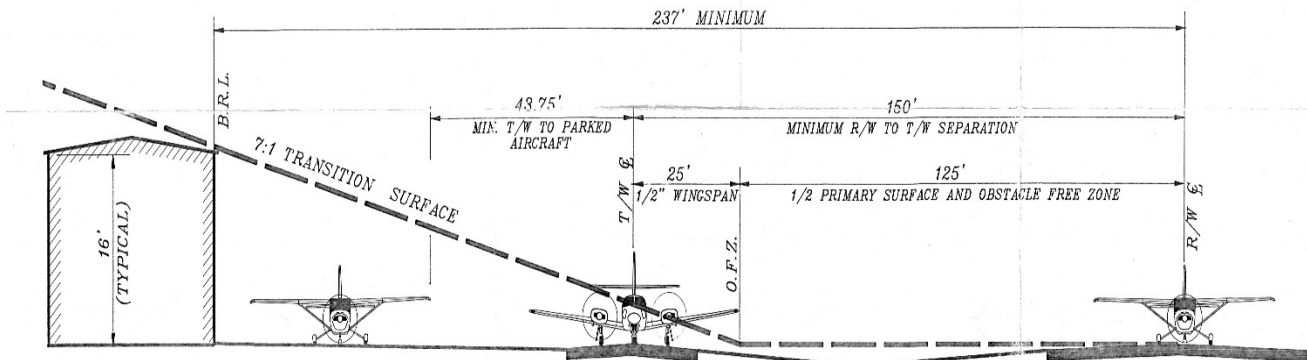




**SCHEMATIC VIEW**



**ISOMETRIC VIEW OF SECTION A-A**



**TRANSITIONAL SURFACE PROFILE DIAGRAM**