

Rio Arriba County
Planning and Zoning Department



Thomas Aragon
Director

STAFF REPORT

TO: Board of County Commission
FROM: Michael Garcia, Planner
SUBJECT: Special Use Permit No: 2017-S034- John T. Hunt-Youngsville Grass Airstrip
DATE: November 30, 2017

BACKGROUND

Case No 2017-S034, Special Use Permit, (SUP) Class III, (Large Scale Mixed Use) Applicant John T. Hunt-Youngsville Grass Airstrip, is proposing to establish a non-commercial, private use, restricted access grass airstrip runway of approximately 2,500 feet in length for his personal plane. In addition to the grass airstrip, an aircraft hangar will be built. The proposed location is adjacent to State Road 96 approximately 2 miles east of the town of Youngsville, New Mexico, on approximately 247.70 acres parcel, also identified by UPC No. 1-021-135-083-268. Approval of a special use permit for land use category large scale mixed use is required to establish the proper zoning for this specific proposed land use.

FINDINGS OF FACT

1. This application is made pursuant to the requirements of the Rio Arriba County Design and Development Regulation System Ordinance 2012-001, Article IX, Section 9.02 Special Use Permit (SUP). A Class III land use is larger in scope than is permitted by a conditional use permit because of its special requirements or characteristics that is not permitted by right in the CRAD.
2. The property is vacant land and is primarily used for ranching and grazing of cattle. The applicant proposes to establish a non-commercial, private use, restricted access grass airstrip runway of approximately 2,500 feet in length and 100 feet wide composed entirely of native grasses. The grass airstrip is intended for daytime use only and has no runway lighting. The runway is intended for use by applicant's airplane or other aircraft that the applicant explicitly grants permission to use.
3. In addition to the grass airstrip the applicant proposes to build a 2,500 square foot aircraft hangar to store his personal plane with gravel road access from State Road 96. If the proposed airstrip is allowed, a development permit application must be submitted for review and approval for the aircraft hangar building project. Additional hangars, buildings or structures may be

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added in the future, meeting design & development regulations listed in this ordinance. Additional aircraft may be based at the airfield in the future. No excavation for the runway will be done

4. The proposed Youngsville Grass Airstrip property is zoned County Residential Agricultural District, (CRAD), as are the surrounding privately owned properties. No Critical Management Areas such as (floodplains, irrigated agricultural land, riparian habitat or headwaters) will be affected by the proposed airstrip. The closest residence is approximately 1.50 miles from the proposed airstrip.
5. Legal notice for this Public Hearing has been made pursuant to Ordinance 2012-00, Article IX, Section 9.02. By certificate of posting meeting notice placards at the subject property, sending meeting notice letters to property owners within a half mile radius of the proposed project by US Mail with Proof of Delivery Receipt, posting notice at the Youngsville Post Office and posting on the Rio Arriba County website. All posting has occurred on October 18, 2017.
6. Proof of ownership has been established by Memorandum of Contract for Sale. Between the Survivor's Trust of the Salazar Living Trust (Seller) and John T. Hunt (Buyer) of Youngsville, New Mexico, they have entered into a Land Purchase Agreement dated September 11, 2017 for a 247.70 acre tract of vacant land. This Memorandum is solely intended to demonstrate that Mr. Hunt has a purchase interest in the property and can represent same in a zoning permit process with the County of Rio Arriba, signed by both parties. Taxes are current and are recorded under the current owners, Ubaldo D. Salazar Living Trust.
7. The grass airstrip runway has been registered and approved as a private airport by the Federal Aviation Administration (FAA). The FAA Form 7480-1, was approved on October 4, 2017 and has been named by FAA as the **PEDERNAL AIRPORT**. The Notice of Airport Airspace Analysis Determination to Establish a Private Use Airport, has **No Objection** to the proposed airport but has set certain conditions of approval for construction standards for airport design. The aeronautical study has determined that the establishment of the private use airport will not adversely affect the safe and efficient use of navigable airspace by aircraft. (See attached FAA approval).
8. Any approved special use permit will expire if the use is not established within one year of approval date, is discontinued for one year, or is replaced by another use of land.
9. State Fire Marshall Approval is pending development permit application submittal and review along with an Emergency Response Plan. New Mexico State Department of Transportation (NMDOT) has stated that they have no jurisdiction for airport regulations.
10. A site inspection was conducted by Planner, Michael Garcia on October 18, 2017 of the vacant land, found nothing that would hinder the placement or construction of the grass airstrip or hangar.

11. Staff has identified four key issues for evaluating the type of land uses to be considered compatible around airports. These issues derived from publication from “Land Use Compatibility and Airports Guide for Effective Planning”.
 1. The impact of aircraft noise
 2. The potential for aircraft conflicts from tall structures in the vicinity of the airport.
 3. The possibility of electronic interference with aviation navigation aid.
 4. The potential for interaction between aircraft and wildlife attractants.

12. The objectives of compatible land use planning are to encourage land use that are generally considered to be incompatible with airports such as large populated areas, homes, schools, hospitals and churches, and to encourage land uses that are more compatible with aircraft and airport operations such as unpopulated areas, agricultural or mixed use industrial land with minimal tall structures. These open areas minimize noise impacts on communities around airports. The applicant will address these impacts to the communities adjacent to the proposed private grass airstrip.

13. The proposed activity supports the following goals and strategies from the Rio Arriba County Comprehensive Plan:
 - Land Use Goal 1:** Encourage node development that is compatible and reflects settlement patterns for future growth.
 - Strategy 1:** Encouraged small commercial, mixed use and light industrial uses in communities and nodes.
 - Strategy 6:** Encourage development on dry land to minimize irrigated land disturbance and preserve open range and ranching land for grazing.

STAFF RECOMMENDATION:

Based on the Finding of Fact, the Planning and Zoning Department Staff makes a finding that Special Use Permit Case 2017-S034, is suitable land use within the proposed area. Staff recommends approval to allow John T. Hunt, placement of an aircraft hangar and grass airstrip runway (Pedernal Airport) on his property with the following Conditions:

1. **Permissible by Review.** A Special Use Permit shall be allowed only after a decision is made during a public hearing in accordance with Article VIII review Process. The process is intended to evaluate whether particular type of land use having significant impacts will comply with the applicable regulations listed in this ordinance. Special Use Permits are determined in a public hearing process conducted before the Planning and Zoning Committee and the Board of County Commission for final approval, denial or approval with conditions.

2. A development permit application shall be submitted to the Planning and Zoning Department prior to development of the aircraft hangar and any future structures on the property. Applicant must comply with County design & development standard and any additional State and Federal building regulations for the proposed project.

3. Applicant must follow conditions of approval outlined by the Federal Aviation Administration Form 7480-1. It is recommended that the proposed Pedernal Airport be constructed to the standards identified in FAA, Advisory Circular and Airport Design 150/5300-13 and airport must maintain a clear approach slope of 20:1 slope as identified in conditions of approval.

PLANNING AND ZONING COMMITTEE RECOMMENDATIONS:

On November 2, 2017 at 11:00 am. A Public Hearing was held in the Espanola Commission Chambers before the Planning and Zoning Committee. Planning and Zoning Staff presented the Staff Report, Applicant John T. Hunt presented his proposal and all in attendance were given the opportunity to speak for or against the proposal. Planning and Zoning Commission voted unanimously (4-0) to **Approve SUP Case No: 2017-S034 with the following conditions.**

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2. A development permit application shall be submitted to the Planning and Zoning Department prior to development of the aircraft hangar and any future structures on the property. Applicant must comply with County design & development standard and any additional State and Federal building regulations for the proposed project.
3. Applicant must follow conditions of approval outlined by the Federal Aviation Administration Form 7480-1. It is recommended that the proposed Pedernal Airport be constructed to the standards identified in FAA, Advisory Circular and Airport Design 150/5300-13 and airport must maintain a clear approach slope of 20:1 slope as identified in conditions of approval.

FINALE DETERMINATION:

A Public Hearing will be held on November 30, 2017 before the Board of County Commission to make a final determination on **Case No: SUP 2017-S034** to allow applicant John T. Hunt to establish a private grass airstrip to land and store his plane on his property in Youngsville New Mexico.

Submitted by Michael Garcia, Planner

Michael Garcia CZO, CFM

Date: November 3, 2017