

CITY OF KEARNS

Ordinance No. 2024-12-01

Date: December 9, 2024

**AN ORDINANCE OF THE KEARNS CITY COUNCIL ADOPTING AN AIRPORT
OVERLAY ZONE**

RECITALS

WHEREAS, the City of Kearns (“**Kearns**”) is a municipality and has authority to adopt zoning regulations pursuant to Utah Code §§ 10-9a-503 and 10-9a-505; and

WHEREAS, Kearns is located within the “airport influence area” of the South Valley Regional Airport, as that term is defined in Utah Code § 72-10-401(3).

WHEREAS, the South Valley Regional Airport is in the City of West Jordan and operated by the Salt Lake City Department of Airports, and is therefore not subject to Kearns’ jurisdiction; and

WHEREAS, Utah Code § 72-10-403(3) requires municipalities within an airport influence area to adopt an airport overlay zone that complies with 14 C.F.R. Part 77 by December 31, 2024; and

WHEREAS, when Kearns incorporated in 2017 as a metro township, it inherited Salt Lake County’s airport overlay zone, which was not intended to address regional airports and was previously found in Chapter 19.70 of the Kearns Municipal Code; and

WHEREAS, on June 12, 2023, when the Kearns Council (“**Council**”) updated its land use and zoning ordinances via Ordinance 2024-06-01, it repealed Chapter 19.70 and reserved Chapter 19.60 for a future Kearns-specific airport overlay zone to be developed following the completion of the South Valley Regional Airport Master Plan; and

WHEREAS, the South Valley Regional Airport Master Plan has now been completed and Kearns staff have prepared a Kearns-specific airport overlay zone to conform with 14 C.F.R. Part 77 and to satisfy the requirements of Utah Code § 72-10-403(3); and

WHEREAS, the Kearns Planning Commission held a public hearing on December 2, 2024, to consider the adoption of the proposed airport overlay zone in accordance with Utah Code §§ 10-9a-205, 10-9a-502, 10-9a-503, and 10-9a-505; and


WHEREAS, the Planning Commission has recommended that the Council adopt the proposed airport overlay zone attached as **Exhibit A**; and

WHEREAS, the Council finds that it is in the public interest to adopt the proposed airport overlay zone in conformance with 14 C.F.R. Part 77 to satisfy the requirements of Utah Code § 72-10-403(3).

**SUMMARY OF
CITY OF KEARNS
ORDINANCE NO. 2024-12-01**

On December 9, 2024, the Kearns City Council enacted Ordinance No. 2024-12-01 to: enact an airport overlay zone pursuant to 10-9a-205, 10-9a-502, 10-9a-503, 10-9a-505, and 72-10-403.

CITY OF KEARNS


By: Kelly Bush, Mayor

ATTEST:


Nicole Smedley, Recorder

Voting:

- Council Member Bush voting
- Council Member Butterfield voting
- Council Member Peterson voting
- Council Member Schaeffer voting
- Council Member Snow voting



A complete copy of Ordinance No. 2024-12-01 is available in the office of the Kearns City Recorder, 2001 South State Street, N2-700, Salt Lake City, Utah.

EXHIBIT A

ARTICLE A. AIRPORT OVERLAY ZONE

SECTION:

19.60.010 Purpose

19.60.020 Establishment of Airport Overlay Zones

19.60.030 Official Airport Overlay Map

19.60.040 Development Standards

19.60.050 Notice

19.60.010 PURPOSE

The airport overlay zones are established to provide areas near South Valley Regional Airport which, in the interest of the public health, safety and general welfare of Kearns, promote and preserve the function and utility of airport and aircraft activities in appropriate areas while preventing airport hazards from impacting persons or property in the Kearns.

19.60.020 ESTABLISHMENT OF AIRPORT OVERLAY ZONE

The airport overlay zone includes restrictive designations applied in addition to any other zone in this title. The airport overlay zone established and includes the following sub-zones as follows:

A. Runway Protection Sub Zone (RPSZ): A sub zone that commences at the end of and is equal to the width of the primary surface. Where the primary surface of the runway is one thousand feet (1000') wide, the clear zone shall expand outward uniformly to a width of one thousand five hundred and ten feet (1510') at a horizontal distance of one thousand seven hundred (1,700') from the primary surface, its centerline being the continuation of the centerline of the runway.

B. Approach Sub Zone (AASZ): A sub zone starting two hundred feet (200') beyond the runway end at the runway end elevation that is four hundred feet in width (400') centered on the extended runway centerline. The approach zone shall expand outward uniformly at a slope of 34 feet horizontally to 1 foot vertically to a width of three thousand four hundred feet (3,400') , its centerline being a continuation of the centerline of the runway.

C. Noise Sub Zone (ANSZ): A sub zone determined by the exterior boundary of the projected airport activity noise level of sixty-five (65) dB.

D. Horizontal Sub Zone (AHSZ): A sub zone, the perimeter of which is constructed by swinging arcs of a ten thousand feet (10,000') radius from a point on the centerline and two hundred feet (200') beyond the end of each runway and connecting and adjacent arcs by lines

tangent to those arcs. The height being one hundred and fifty feet (150') above the runway end elevation.

E. Conical Sub Zone (ACSZ): A sub zone that commences at the periphery of the horizontal zone and extends outward therefrom a horizontal distance of four thousand feet (4,000'). With a height starting at the same elevation as the AHSZ and sloping upward at a slope of twenty (20') feet horizontally to one (1') foot vertically.

F. Designation: The airport overlay zone and its sub zones shall be designated on the zoning map by affixing the suffixes RPSZ, AASZ, ANSZ, AHSZ, and ACSZ in parentheses after the applicable zone designation, e.g., P-F (Ac).

G. Overlay Zones Supersede: The regulations of the airport overlay zone and its sub zones shall supersede the regulations of the zones to which they are attached.

19.60.030 OFFICIAL AIRPORT OVERLAY MAP

A. Lands to Which the Airport Overlay Zone Applies: The airport overlay zone shall be applied to all land within the airport overlay zone designated on the zoning map, as periodically amended.

B. Establishment of Official Airport Overlay Map: The official airport overlay map, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this title. The official airport overlay map is based on the airport area of influence as established by Salt Lake City Corporation, owner of South Valley Regional Airport, in conjunction with the federal aviation administration, and shall be on file in the offices of the city recorder and the development services department.

C. Rules for Interpretation of Airport Overlay Boundaries: Boundaries of the airport overlay zone and its sub zones shall be determined by scaling distances on the official airport overlay map. Where interpretation is needed as to exact location of the boundaries of the airport overlay zone and its sub zones, the Director shall make the necessary interpretation, subject to appeal to the board of adjustment as provided in this title.

D. Warning and Disclaimer of Liability: This article does not imply that areas outside the airport overlay boundaries or land uses permitted within the airport overlay zone and its sub zones will be free from noise or hazards related to airport activities. Therefore, this article shall not create liability on the part of Kearns or its officers or employees for any damages that result from reliance on this article, or any administrative decision made under this article.

19.60.040 DEVELOPMENT STANDARDS

A. Special Use Provision In RPSZ And AASZ Overlay Zones: No activities or uses shall be permitted in RPSZ and AASZ sub zones which will:

1. Fail to comply with 14 C.F.R. Part 77.

2. Direct a steady light or flashing light of white, red, green or amber color toward an aircraft engaged in a takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport other than a Federal Aviation Administration approved navigational signal light or visual approach slope indicator.

3. Cause sunlight to be reflected toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport.

4. Generate smoke which could attract large concentrations of birds or which may otherwise affect safe navigation within this area.

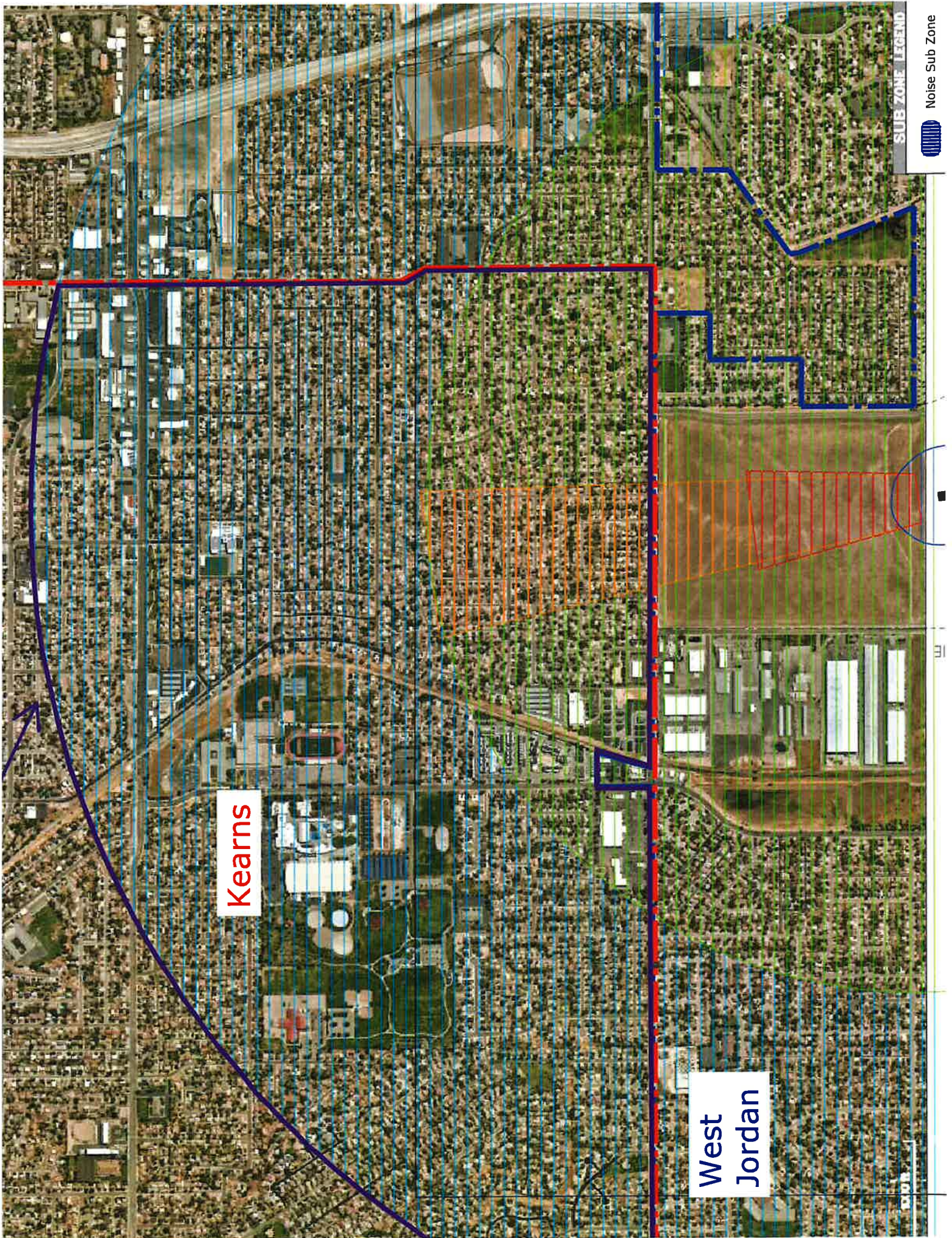
5. Generate electrical interference that may be detrimental to the operation of an aircraft and/or airport instrumentation.

B. Height Restrictions: No structural intrusion shall be permitted that does not comply with the requirements of 14 C.F.R. Part 77.

C. Area, Yard and Coverage Regulations: Except as modified by this chapter, all area, yard and coverage regulations shall be the same as those in the unrestricted zones provided for in this title.

19.60.050 Notice

As soon as reasonably practicable following the receipt of an application for an activity or use within the airport overlay zone, the director shall notify the applicant in writing of the requirements of the applicable airport overlay sub zone in which the activity or use is located and that that the activity or use may experience overflights and associated noise.



Kearns

West
Jordan

SUB-ZONE LEGEND

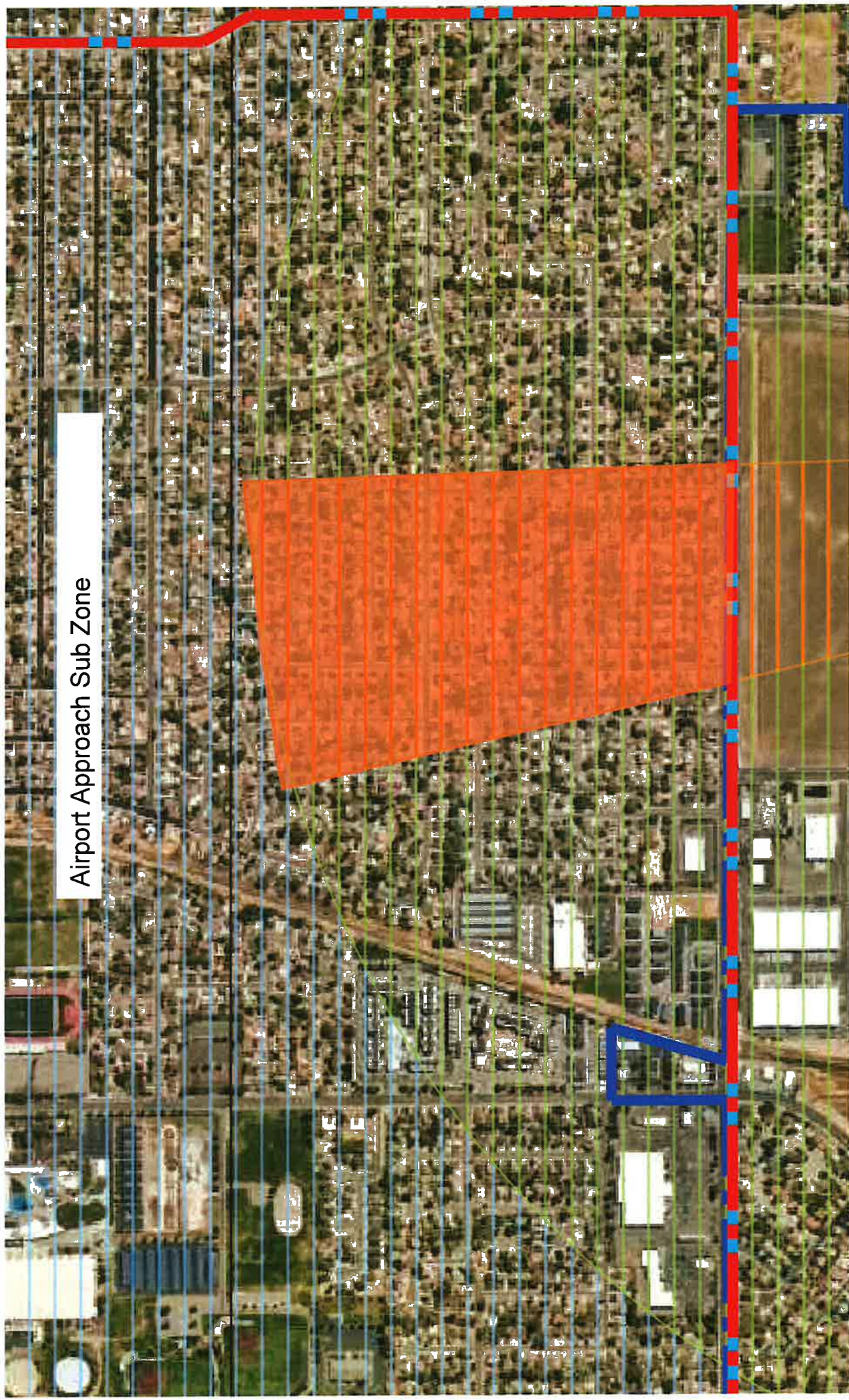


Noise Sub Zone

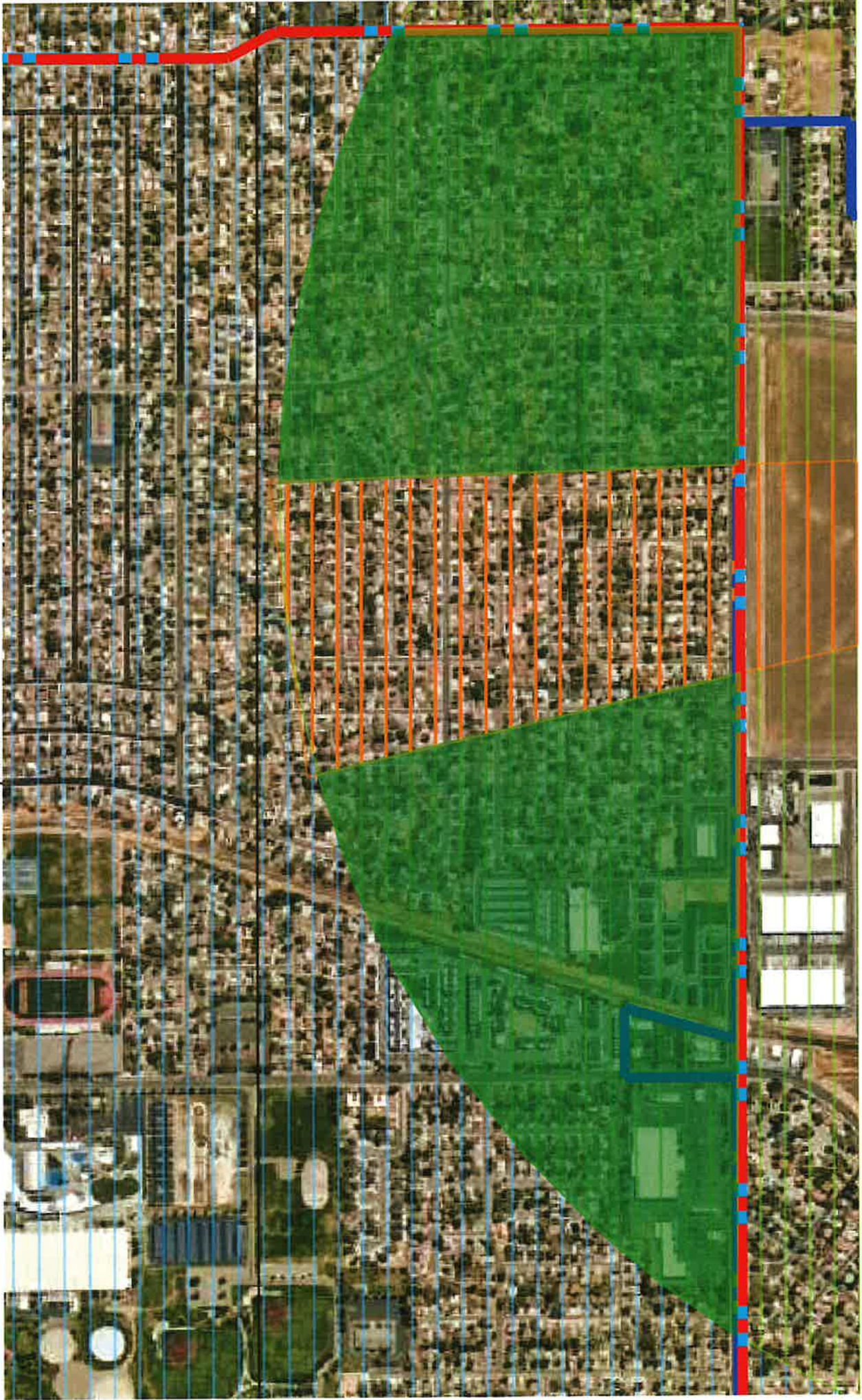
10'

100'

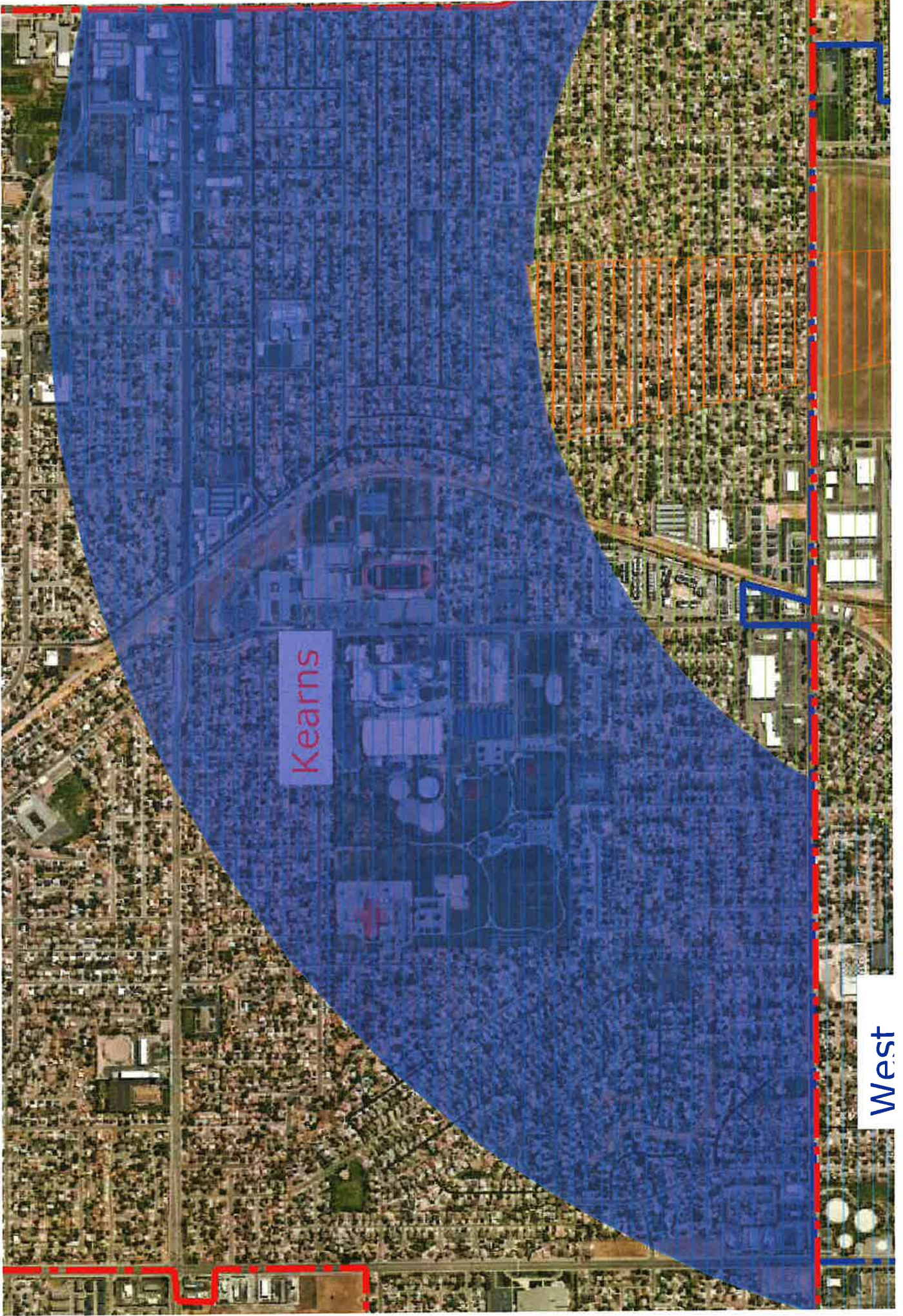
Airport Approach Sub Zone



Airport Horizontal Sub Zone



Airport Conical Sub Zone



West