



Staff Report

Zoning and Land Regulation
Committee

Public Hearing: **October 23, 2018**

Petition: **Petition 11349
CUP 02440**

Zoning Amendment:
**A-2 Agriculture District TO RE-1
Recreational District**

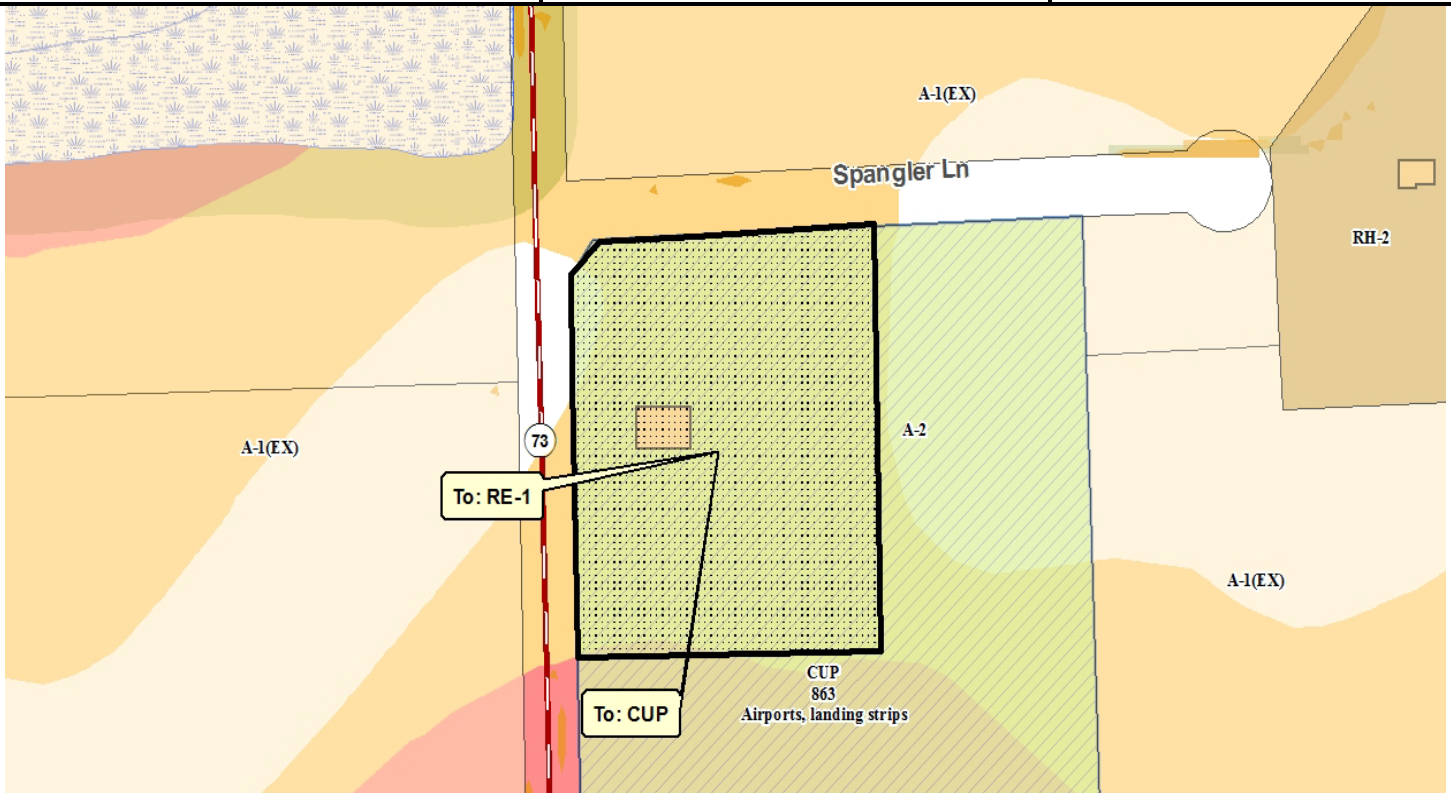
Town/sect:
YORK, Section 10

Acres: 3.83
Survey Req. No

Applicant
MATHAIRE FIELD LLC

Reason:
**ALLOW CAMPING ALONG WITH
THE EXISTING SKYDIVING
OPERATION
CUP: CAMPGROUND**

Location:
7530 STATE HWY 73



DESCRIPTION: This application is for bringing the current use into compliance. The current uses at Mathaire Field include an airfield, airplane hangers, and a skydiving operation (Seven Hills Skydivers). A building serving as a club house and a camping area are part of the skydiving operation. To bring this operation into compliance, the applicant is requesting to rezone 3.8 acres from the A-2 Agriculture district to the RE-1 Recreational district with a conditional use permit (CUP) for camping.

OPERATIONS: Seven Hills Skydivers is a non-profit 501C3 operation that provides skydiving facilities and instruction. It is a seasonal operation that primarily operates from April to October. The operation has been in business since 1962 and has been on the current airport since 1973. Two Cessna (brand name) 182 aircraft are hangered at the south end of the airport, and there is a classroom in the club house. There are two bathrooms (on septic) in the clubhouse. Speakers are located on the north, east and west sides of the clubhouse for manifest operations (i.e., announcing skydivers on the jump plane). There is a floodlight on the east side of the clubhouse for any night time operations that occur after sunset.

On weekends tandem students come in throughout the day. They are there for 3 to 5 hours at a time. To limit the amount of traffic, tandems are staggered with classes at 9 am, 12 pm and 3 pm. There are solo classes on Saturdays of 1 to 15 students. Solo students are there for a full day of instruction.

The camping area is located at the northwest corner of their portion of the airport. Camping is provided for Seven Hills Skydive club members, workers and volunteers. On weekends they average anywhere from 1 to 10 campers and/or tents. Campers use 'porta potties' that are pumped out off site.

There is one larger event held each year in June that requires additional volunteers and workers, and camping for 7 to 20 guests (approximately 15 to 40 tents).



OBSERVATIONS: The surrounding use is primarily agricultural, plus some scattered rural residences.

TOWN PLAN: The subject property is in the *Agriculture Preservation District* of the town plan. This district allows a limited amount of non-farm development. As described in the plan: "This district encompasses the most land within the town and includes productive farmlands, farm dwellings, other agricultural land uses, pastureland, woodlots and scattered non-farm single-family dwellings. The policies for this district allow for a limited amount of non-farm residential and commercial development in keeping with the overall goals and objectives of the town to preserve agriculture and rural character".

RESOURCE PROTECTION: No sensitive environmental features or areas of resource protection corridor located on the property.

STAFF: The proposal appears to be consistent with the town and county comprehensive plans. Staff recommends that the petition be approved with the conditions recommended below, as well as any that may be warranted to address potential nuisances that become known during the public hearing, and any that are required by the town.

OCT 23rd ZLR: The Committee postponed action due to no town action.

TOWN: The Town Plan Commission recommended approval of the Zoning Petition and the CUP. The Town Board will be acting on the proposal on November 12th.

STAFF UPDATE: At the Town's request, the proposed RE-1 Recreational Zoning District has been reduced in size to 1.3 acres. See revised map. The operation plan has also been revised to reflect the reduced size. Staff is suggesting that limitations be placed on the proposal to reduce potential nuisances. See conditions below.

In order for an applicant to obtain a Conditional Use Permit, the Zoning and Land Regulation Committee must find that all of the following standards are met for the proposed land use:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or welfare.
2. The uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.
3. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made; and
5. That adequate measures have been or will be being taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

Staff has prepared a list of conditions that may be used in order to meet the six standards as listed above to allow the conditional use on the property. Please note that the conditions may need to be changed or additional conditions added to address potential nuisances that may become known during the public hearing.

1. Hours of operation of the skydiving operation shall be 7 a.m. to 9 p.m.
2. Camping shall be restricted to 15 campers and/or tents. There may be large events, limited to three per year, that exceed the camping limit.
3. There shall be no additional loudspeakers (currently 3) on site
4. There shall be no additional flood lights (currently one) on site.
5. The proper type and quantity of sanitary facilities shall be provided for campers and visitors. Trash materials shall be collected and disposed of properly.