



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on CUP 2012-01 for a heliport located in an F-40 Zone east of Green Hill Country Estates and approximately two-thirds of a mile from the Maple Street cul-de-sac

Agenda Date: Tuesday, January 24, 2012

Applicant: Timothy Charlwood

File Number: CUP 2012-01

Property Information

Approximate Address: 1600 North Maple Street (two-thirds of a mile east of the Maple Street cul-de-sac)

Project Area: Approximately 78 acres

Zoning: Forest 40 Zone (F-40)

Existing Land Use: Forest/Recreation

Proposed Land Use: Heliport

Parcel ID: 21-001-0010

Township, Range, Section: T6N, R2E, Section 3

Adjacent Land Use

North: Forest/Recreation	South: Forest/Recreation
East: Forest/Recreation	West: Forest/Recreation

Staff Information

Report Presenter: Sean Wilkinson
swilkinson@co.weber.ut.us
801-399-8765

Report Reviewer: JG

Applicable Ordinances

- Weber County Zoning Ordinance Chapter 8 (Forest Zones F-5, F-10, and F-40)
- Weber County Zoning Ordinance Chapter 22-C (Conditional Uses)

Background

On January 3, 2012 the Weber County Commission adopted several amendments to the Weber County Zoning Ordinance regarding heliports in the Ogden Valley. On the same day, the applicant submitted a conditional use application for a heliport located in an F-40 Zone east of Green Hill Country Estates and approximately two-thirds of a mile from the Maple Street cul-de-sac. The proposed heliport location and an additional 446 acres owned by the applicant currently have final approval as a six-lot subdivision known as The Sanctuary. The application originally showed three sites on the applicant's property that were proposed for this use, however, it was discovered that two of the sites were located in an F-5 Zone which does not allow heliports. Only the location in the F-40 Zone is now being proposed for the heliport site.

The applicant is proposing to operate the heliport on a seasonal basis as a pick-up and drop-off site for heli-skiing operations. This site will be used for a maximum of three days per week, only during daylight hours, with no more than ten operations (either take-off or landing) per day due to FAA regulations as described below. The proposed heliport has no permanent structures or facilities. There is also no signage or lighting proposed. The landing area is on an existing rock surface which is free from trees and other obstructions. Refueling may occur on site as necessary, but a fuel truck will not be parked at the site on a permanent basis. If the refueling operation is not approved by the Health Department due to a potential contamination risk in a Drinking Water Source Protection Zone 2, refueling will not be allowed on site. A portable latrine will be used at the site as necessary and may be removed when flights will not occur for several days.

Access to the proposed heliport is through Green Hill Country Estates, which has private roads. The applicant has provided staff with an agreement between the Green Hill HOA and the former owner of the property, which grants access on the

Green Hill private roads to the applicant's property. The applicant has represented that the agreement allows those invited to his property to also use the private roads. However, this is a private matter between the applicant and the Green Hill HOA and should not be discussed by the Planning Commission. This information was included in the staff report because staff has received questions about access to the heliport from property owners in the Green Hill Subdivision, and it is anticipated that the Planning Commission will receive similar questions.

As part of the recent zoning ordinance amendments, the F-40 Zone now allows heliports as a conditional use subject to the following standards:

1. A heliport must be located on a single parcel of record which is not less than 40 acres in area.
2. A heliport must be located at an elevation of at least 6,200 feet above sea level.
3. A heliport must be located at least 200 feet from any property line. The Planning Commission may grant exceptions to the setback requirement if it can be demonstrated that locating the heliport closer than 200 feet to the property line provides a more beneficial situation for purposes of safety, noise abatement, access, or other valid reasons as determined by the Planning Commission.
4. The heliport landing surface must be dust-proof and free from obstructions.
5. Prior to issuance of a conditional use permit for a heliport, written approval from the Federal Aviation Administration (FAA) is required, if necessary.

The proposed application meets each of these standards in the following ways:

1. The proposed heliport is located in an F-40 Zone on a 78 acre parcel.
2. The proposed heliport has an elevation of approximately 6,300 feet above sea level.
3. The proposed heliport is located slightly over 200 feet from the parcel's east boundary line and much more than 200 feet from the other boundary lines.
4. The heliport landing surface is proposed to be on an existing rock surface which is free from dirt. There are no trees or other obstructions in the vicinity of the proposed landing area.
5. The heliport meets the definition of "intermittent use" under the Code of Federal Regulations (CFR) Title 14 Part 157.1.c and, therefore, does not require notification to or inspections from the FAA. Staff recently spoke with the FAA Salt Lake City Flight Standards District Office about this issue and it was confirmed that this heliport would require no inspections because it is seasonal, nothing is being constructed, and it meets the definition of "intermittent use." A similar response (see Exhibit D) was given for the heliport that was proposed at the Red Moose Lodge in 2010.

Summary of Planning Commission Considerations

- Does the proposed use meet the requirements of applicable County Ordinances?
- Are there any potentially detrimental effects that need to be mitigated by imposing conditions of approval, and if so, what are the appropriate conditions?

In order for a conditional use permit to be approved it must meet the requirements listed under "Criteria for Issuance of Conditional Use Permit." The Planning Commission needs to determine if the proposed heliport meets these requirements.

22C-4. Criteria for Issuance of Conditional Use Permit

Conditional uses shall be approved on a case-by-case basis. The Planning Commission shall not authorize a Conditional Use Permit unless evidence is presented to establish:

1. Reasonably anticipated detrimental effects of a proposed conditional use can be substantially mitigated by the proposal or by the imposition of reasonable conditions to achieve compliance with applicable standards. Examples of potential negative impacts are odor, vibration, light, dust, smoke, or noise.
2. That the proposed use will comply with the regulations and conditions specified in the Zoning Ordinance and other applicable agency standards for such use.

After reviewing this conditional use request staff has determined that the criteria listed above have been met in the following ways:

1. The reasonably anticipated detrimental effects for this heliport include safety, noise, dust, and impacts to wildlife. Each of these issues is addressed below:

- **Safety:** This heliport will operate under visual flight rules (VFR) and flights will occur only during daylight hours and good weather conditions. In addition, the number of flights per day and the number of operating days per week are already restricted as mentioned previously. The heliport is located approximately two-thirds of a mile from the nearest residence and the anticipated approach and take-off paths, as described by the applicant, are over his own property, not over the Green Hill Subdivision or other residential areas. Refueling will occur as necessary at the heliport by means of a temporary fuel truck. This truck will not be permanently stored on site. The fuel truck and those who operate it must comply with all applicable regulations including the International Fire Code (IFC). The heliport does not require FAA inspection as explained previously, but all applicable FAA regulations must be complied with.
- **Noise:** Impacts from the noise generated by helicopters using this site are minimal because the site is located two-thirds of a mile from the nearest dwelling and the number of operating days and flights per day are limited. The heliport site is surrounded by the applicant's property and other vacant mountain properties.
- **Dust:** The heliport landing area is on an exposed rock surface which the applicant has stated is free from dirt and other debris. The landing area must be maintained with a dust-proof surface as a standard of approval in the F-40 Zone. Any dust or debris that is generated by this use will remain on the applicant's property due to the setback regulations in place.
- **Wildlife Impacts:** The Ogden Valley Sensitive Lands Ordinance has already been applied for the Sanctuary Subdivision on this property. While the ordinance is applicable for the heliport as well, nothing is being constructed, no new roads are being created, no fencing will be built, and no additional vegetation is being disturbed. Therefore, the heliport complies with the Important Wildlife Habitat Areas section of the Ogden Valley Sensitive Lands Ordinance. Once the helicopter leaves the heliport, its flight path is regulated by the FAA. Impacts to wildlife that may occur during the helicopter flight is not something that can be regulated by the Planning Division or the Planning Commission.

2. The proposed heliport complies with the regulations and conditions specified in the F-40 Zone including parcel area, elevation, setbacks, landing surface, and FAA regulations (all as mentioned previously). The heliport must comply with all other reviewing agency provisions.

Conformance to the General Plan

One of the goals of the Ogden Valley General Plan is to enhance quality recreational opportunities in the Valley. Resolution 3-97 (Ogden Valley General Plan Commercial Zone Map) states that the County continues to support the development of resort-related commercial areas. The General Plan also seeks to clarify the difference between commercial structures and commercial operations, with operations being allowed as conditional uses in appropriate zones. In addition, the heliport is another option for increased emergency medical service in the Valley. However, these goals must be balanced with the goal to make sure that development is compatible with the Valley's rural character and natural setting.

Conditions of Approval

- Requirements of the Weber County Engineering Division
- Requirements of the Weber County Health Department
- Requirements of the Weber Fire District
- Requirements of the Federal Aviation Administration
- Other conditions deemed necessary by the Planning Commission to mitigate potential detrimental effects

Staff Recommendation

Staff recommends approval of the proposed heliport, subject to agency review requirements, based on its compliance with applicable ordinance requirements as described in this staff report.

Exhibits

- A. Applicant's narrative
- B. Site plans

- C. Aerial views of heliport location
- D. Heliport operations guide
- E. Refueling procedures guide
- F. FAA e-mail and CFR 14-157.1
- G. Agency review responses

Map 1



NOTES!

Exhibit A

Tim Charlwood

9793 N Basin Canyon Road, Park City, Utah USA
Mailing Address: P.O. Box 980400, Park City, Utah 84098-0400
Tel: 435 901 2337. Email: timcharlwood@gmail.com

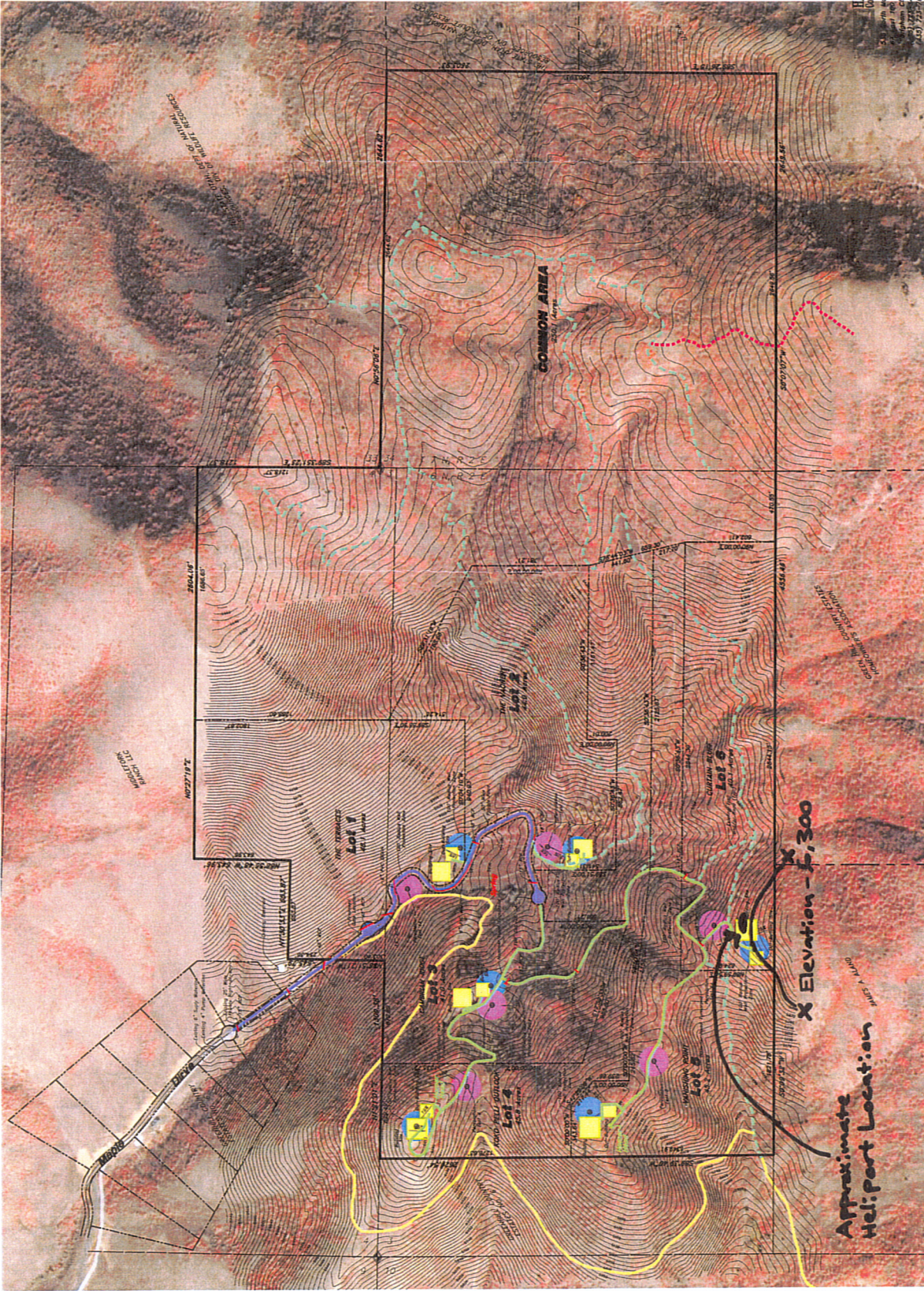
The Sanctuary 9200E 1500N Huntsville UT 84317

1. Heli Port landing zone considerations. Three sites chosen within the Sanctuary all above 6,200 feet. The Landing Zones are set back over 300 feet from property boundary which is surrounded by 10,000 acres of DWR land. All flight approaches and departures are over the Sanctuary Property and then continue over uninhabited forestry land at higher altitude. The ski terrain and flight paths are largely to the NW. Landing zones are on well established rock offering clean sites with no dust. To minimise any noise effect the landing zones are set back over 200 feet from ridge lines. We have three options to land on the 524 available acres giving flexible options for the pilot, it is normally best to approach into wind.
2. All flights will comply with all FAA flying regulations and associated reporting permits required under the ordinance. We comply with the minimum F40 zoning requirements and suggested set backs. In practical terms history has shown 2/3 flyable days a week over the 9 weeks late January through end of March. Last year was far fewer and so far no flights this season. No more than 5 pick up operations in a day. Flying is in daylight hours under visual flying rules.

Exhibit B

SANCTUARY

HUNTSVILLE, WEBER COUNTY, UTAH



LEGEND:

- Dedicated Road
- Private Road
- Horse Trail
- Building Pad
- Well Site
- Septic Site



Scale: 1" = 300'

HANSEN & ASSOCIATES, INC.
 Consulting Engineers and Land Surveyors
 211 North Main Street
 Ogden, Utah 84401
 Phone: (435) 752-7843
 Fax: (435) 752-8222

X Elevation - 6,300

Approximate
 Helipad Location

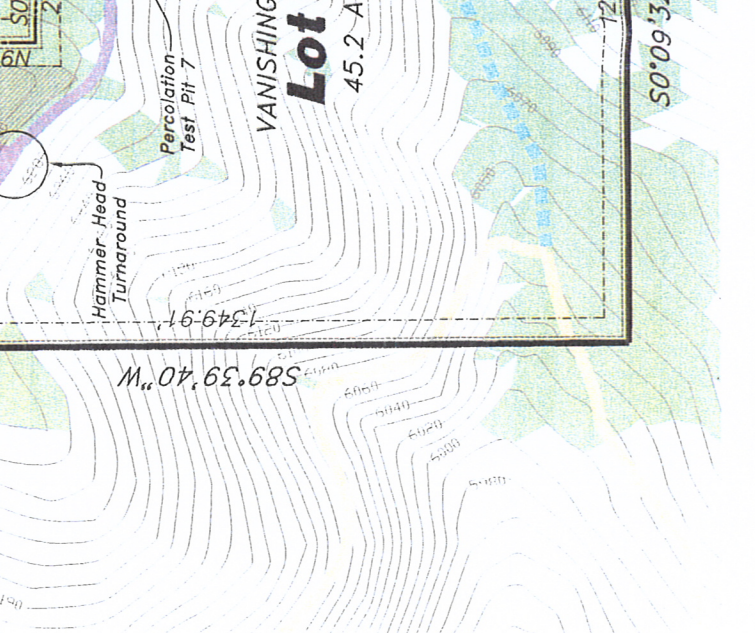
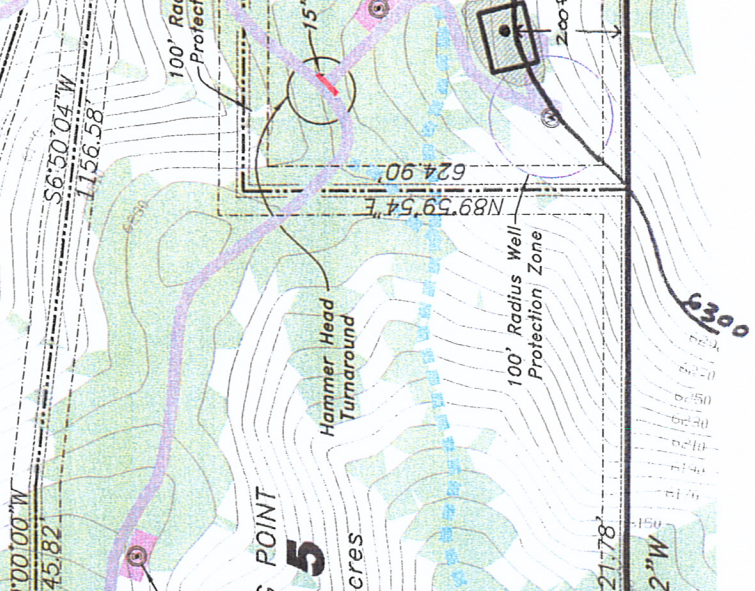
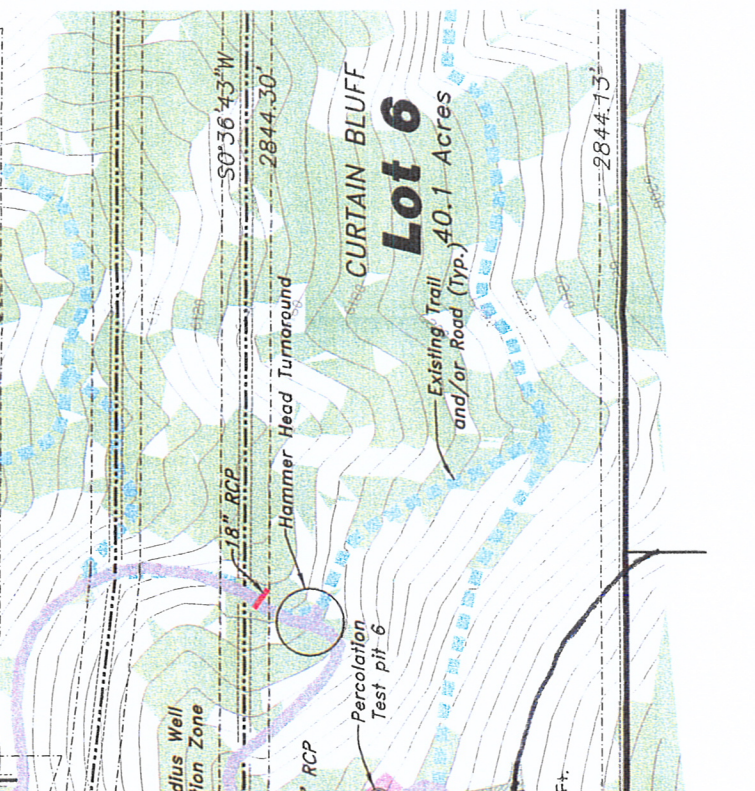
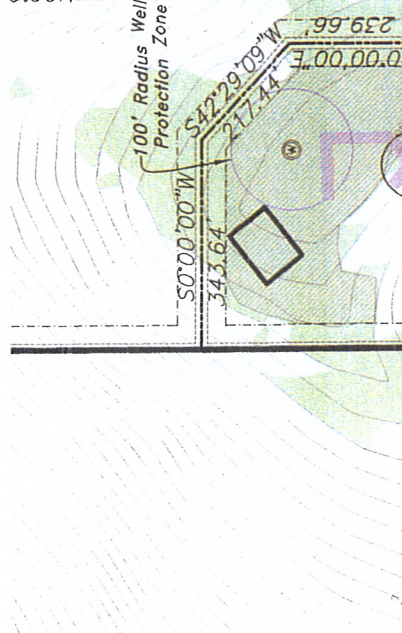
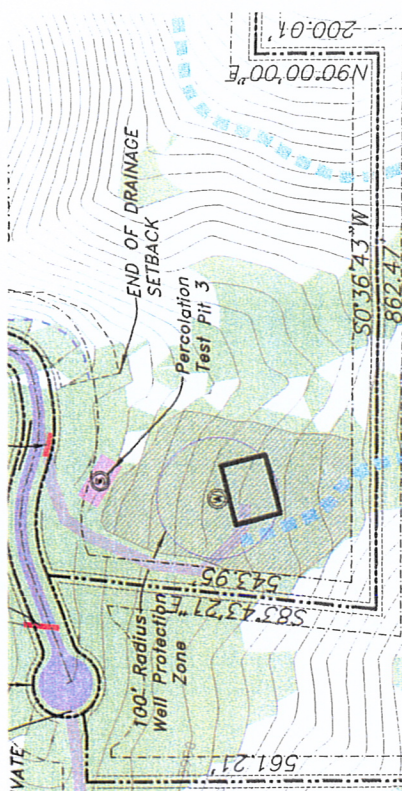
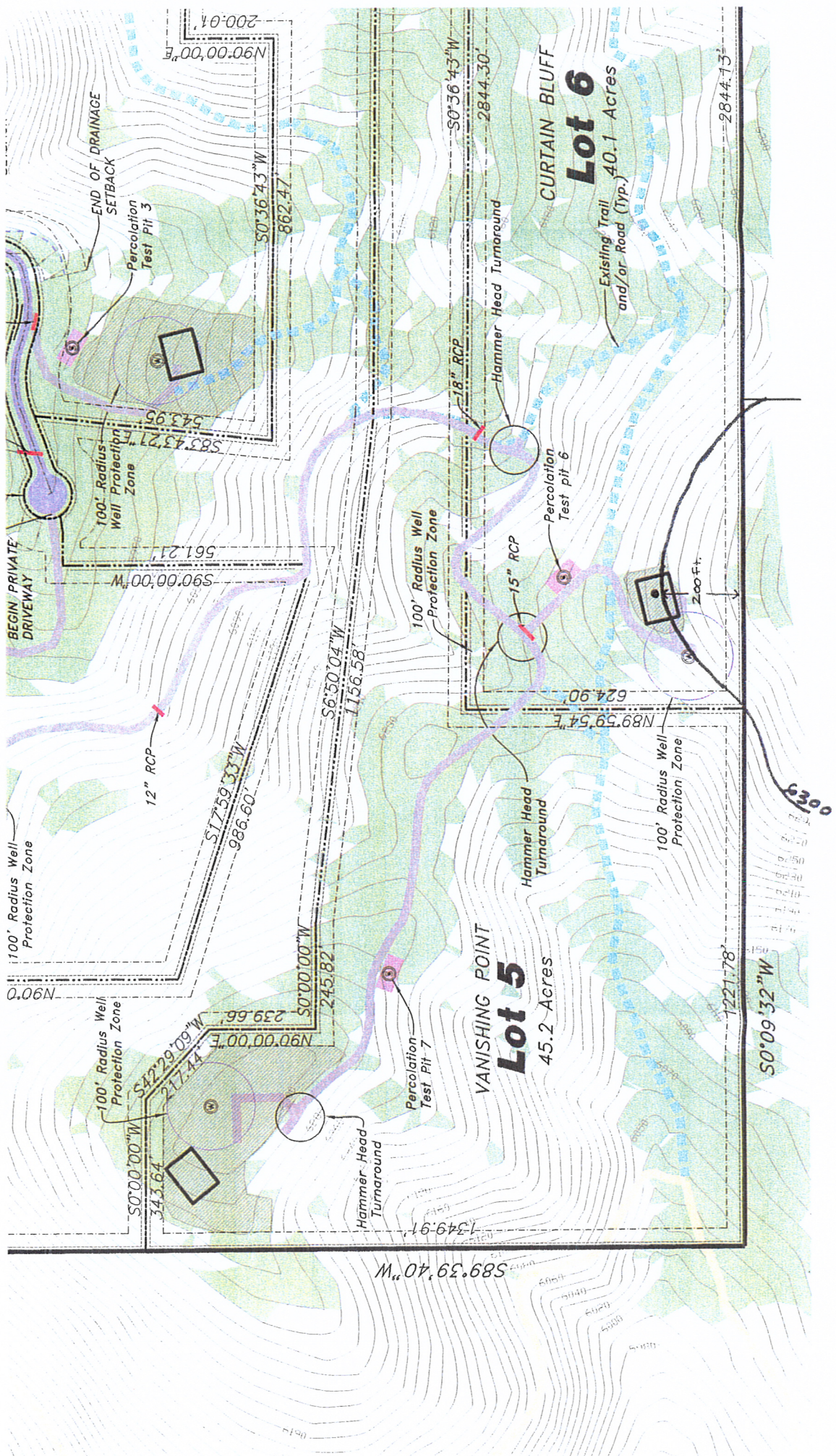
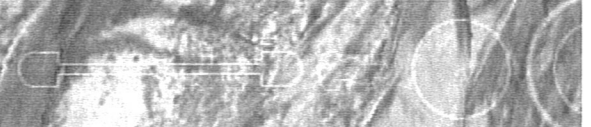


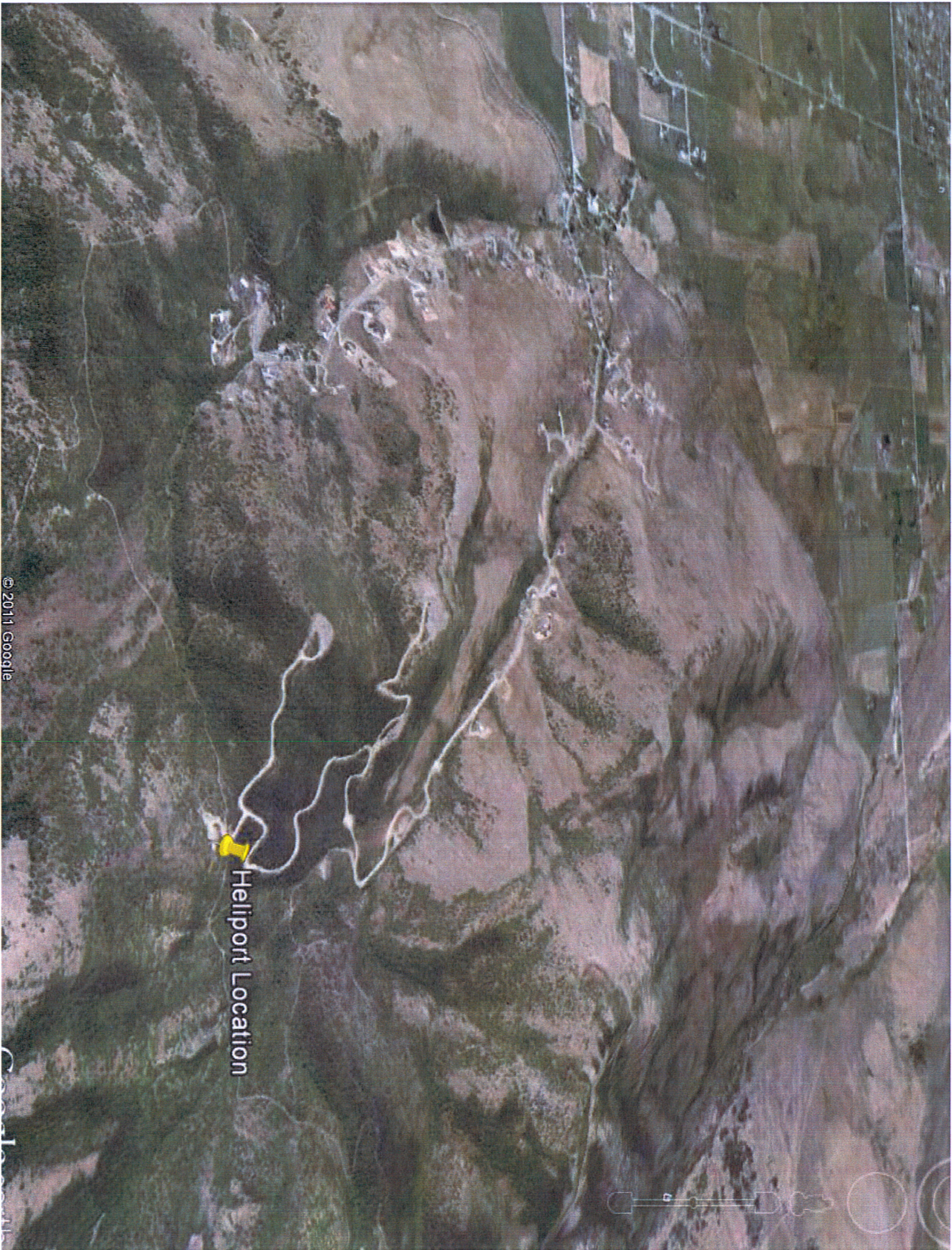
Exhibit C



Heliport Location

© 2011 Google





Heliport Location

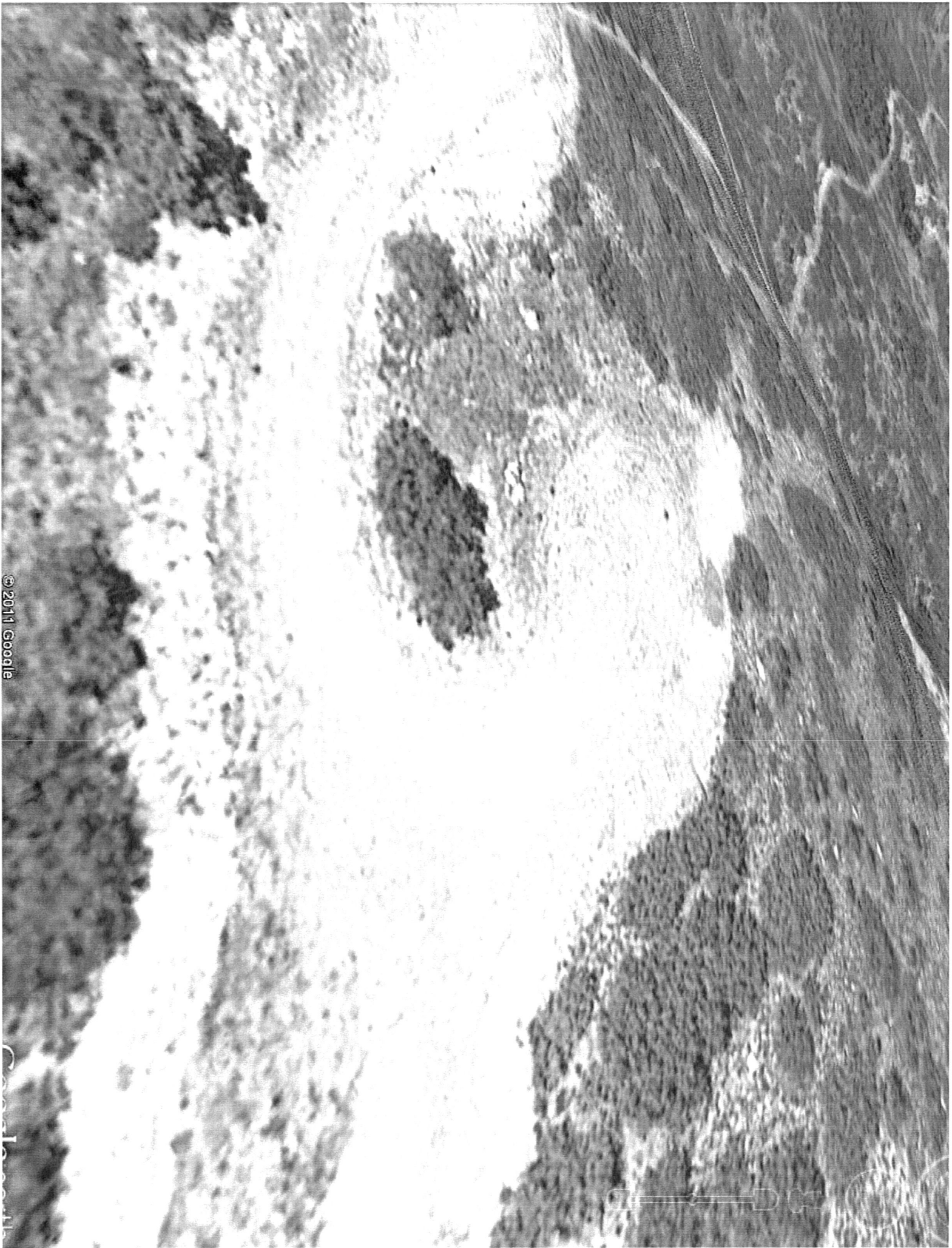


Exhibit D

DIAMOND PEAKS

HELI-SKI ADVENTURES



HELIBASE - HELIPORT
OPERATIONS STANDARDS

CLASSIC HELICOPTERS LIMITED, L.C.
HELIBASE – HELIPORT OPERATIONS STANDARDS

1. Introduction:

The proper selection and construction of landing areas is essential to both the safety and efficiency of helicopter operations. Landing areas that are poorly located or constructed may contribute to or be the cause of an accident. At a minimum, inadequate areas heighten risk, increase pilot workload, and result in inefficient operations.

The purpose of this document is to establish the requirements and specifications for heli-bases, heli-ports and heli-spots that are intended to be used frequently.

2. Planning:

The selection of an area or areas on which to land the helicopter(s) is an important factor in the planning activity. When possible the pilot(s) should have input. The following general requirements should always be considered:

- The types of activity and volume of traffic will affect selection.
- The site should lend itself to economic and environmentally sensitive development to the size which will accommodate the type of helicopters and volume of traffic expected.
- Site planning and construction shall be in accordance with local, state and federal regulations.

3. Site Ownership and Approval:

Assure that the land under consideration, whether a meadow, field, airport, or airstrip, is owned by an individual or entity that supports the operation being conducted.

- Private Ownership: If the land is owned by an individual or corporation, contact must be established prior to landing in order to request permission.
- Public Ownership: If the land is owned by a federal, state, or local land management agency, permission must be granted by that agency, prior to use of that property for helicopter operations.
- Use of Private Airports and Airstrips: The use of such facilities requires the permission of the owner(s), Airport Manager or responsible agency, such as the Federal Aviation Administration.

4. Landings at Unimproved Sites:

The Pilot in Command is responsible for making the decision to utilize unimproved landing sites. Prior to landing for the first time at an unimproved site, the pilot shall make a high-level reconnaissance of the area to determine suitability of the area, the location of any aerial hazards in the approach or departure corridors, the location of

emergency landing areas and escape routes, wind conditions, ground slope and stability, rotor clearances, ground hazards and size of landing zone.

5. Specifications for Landing Zones:

- Fuselage Clearance: Ensure that the Touch Down Zone (TDZ) is free of brush or other obstructions and large enough to accommodate both skids. There must be adequate clearance under the fuselage to clear antennas, cargo hook, or externally supported accessories.
- TDZs must be as level as possible and firm enough to support the type of helicopter being used. For most helicopters a 5 – 8 degree lateral slope is the maximum allowable slope limit.
- The Landing Zone (LZ) must be able to safely accommodate the aircraft being used. The typical formula used for determining the size of the LZ is to take the overall length of the aircraft and multiply it by 2.

6. Approach and Departure Path:

Ideally, site selection should provide for approaches and departures in several directions. If the site is not located on a ridge top, an approach-departure path aligned with the prevailing wind would be preferred. If possible, avoid one-way Landing Zones, although these landing sites are not inherently unsafe, provided correct pilot techniques are utilized.

- Wind Direction: Always attempt to locate landing areas so that take-offs and landings may be made into the prevailing winds.
- Almost Vertical (Max. Performance) Take-Offs and Approaches: Maximum performance take offs are not inherently unsafe, but should be avoided if possible, especially on an extended-use basis. Most small helicopters must be at approximately 400 feet above ground level at zero forward airspeed to execute a safe autorotation in the event of engine failure.
- Minimum Width: An adequate minimum width for an approach-departure path is the diameter of the Landing Zone. Safety is increased if the path can be wider.
- Approach: The approach should be free of obstructions which would prevent a normal approach profile. However, due to terrain features and other obstacles in the approach path, if the only option is a steep approach, the pilot shall adjust his/her payload and fuel loading accordingly to be able to descend with adequate power so that a go-around could be accomplished.
- Departure: There should be enough level running space to permit normal acceleration from hover to translational lift and initial climb. If environmental considerations restrict this from being accomplished, a maximum performance take off will be required. The pilot shall adjust his/her payload and fuel loading accordingly, so that there is adequate power reserve when leaving ground effect.

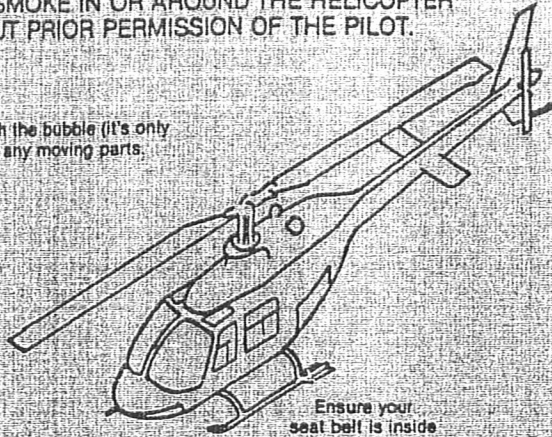
7. Public Safety:

It is of utmost importance to ensure that bystanders or others who happen to come upon the landing site be kept from harm and danger, as a result of helicopter operations. The pilot in command will ensure that all available precautions are taken and that the area will be secured with cones, caution tape, vehicles that block access, etc... It is understood that not all these tools may be available at all sites, but it is the intent to utilize all available resources.

BE ALERT AND LIVE AROUND THE HELICOPTER

DON'T SMOKE IN OR AROUND THE HELICOPTER WITHOUT PRIOR PERMISSION OF THE PILOT.

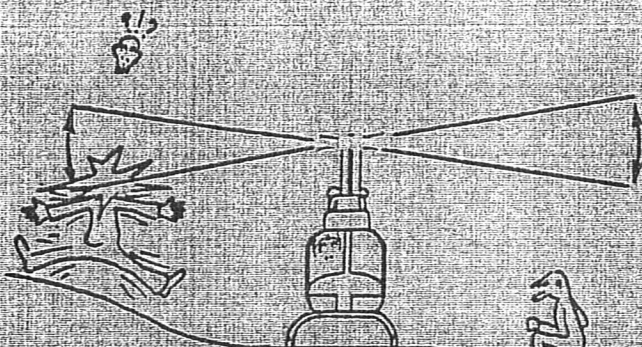
Don't touch the bubble (it's only plastic), or any moving parts.



Ensure your seat belt is inside before closing the door.

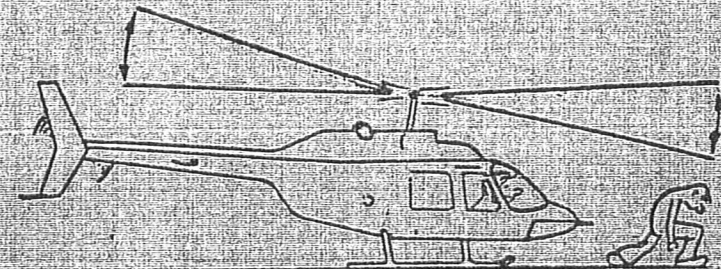
PROTECT YOURSELF

1. FASTEN SEATBELT on entering helicopter and leave it done up until the pilot signals to get out.
2. ASK THE PILOT about emergency exits and escape procedures.
3. DRESS for the operating environment.
4. KEEP WELL CLEAR of landing areas when the helicopter is landing or taking off, especially with external loads.
5. SHIELD YOUR EYES near a helicopter when it is landing or taking off.



NEVER APPROACH OR LEAVE UPHILL (Rotor blades are expensive)

ALWAYS Approach from the downhill side.



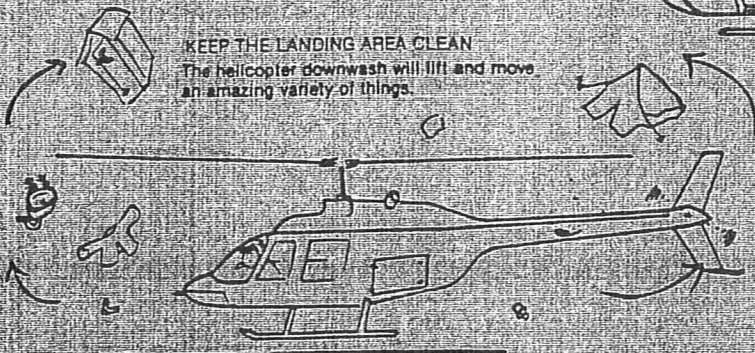
Approach and leave the helicopter in a crouched manner.

When directing the helicopter, stand with your back to the wind, arms outstretched in the direction of the pad.



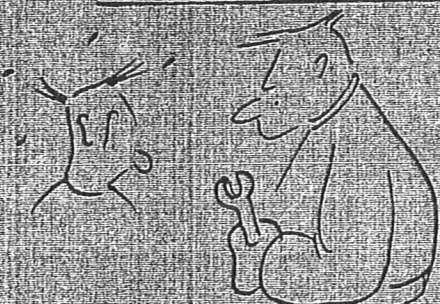
HE CAN'T SEE YOU HERE EITHER

ALWAYS AVOID THIS BLIND AREA: THE PILOT CAN'T SEE YOU.

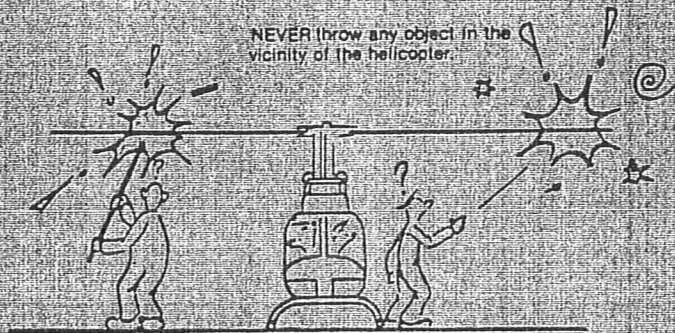


KEEP THE LANDING AREA CLEAN The helicopter downwash will lift and move an amazing variety of things.

DON'T EVEN GET CLOSE TO THE TAIL ROTOR (It bites hard)



DON'T SLAM THE DOORS but close them gently and don't let them swing in the wind.



NEVER throw any object in the vicinity of the helicopter.

Carry tools and other long objects horizontally below waist level, not upright or over the shoulder.

Hold on to your hat. Don't make campfires near the pad. — she makes great winds.

JKR

Exhibit E

HOT/RAPID REFUELING PROCEDURES AND PRECAUTIONS

The goal of refueling operations and procedures is to deliver the proper amount of clean, bright and dry fuel in a safe and efficient manner. Refueling for field locations is the responsibility of the assigned mechanic, pilot, or other authorized personnel to each aircraft.

1. Use hot/rapid refueling only when necessary for field operations.
2. Conduct only with trained personnel and support personnel. A briefing will be conducted between the pilot and the support personnel involved, reviewing these procedures and individual responsibilities prior to conducting hot/rapid refueling operations.
3. Pilot to remain at flight controls throughout the procedure, engine at idle.
4. No other passenger or crew members may be on board the aircraft, unless it is a critical EMS patient, in which case a medical crew member must be standing by to rapidly extract the patient if necessary.
5. Fire extinguishers must be readily available. (Not the installed aircraft fire extinguisher). It is the fuel truck driver's responsibility to insure that a fire extinguisher of an approved type and capacity is available and serviceable, prior to commencing hot/rapid refueling operations.
6. Aircraft radios will not be used for transmitting during refueling.
7. UDOT approved refueling units/trucks will be positioned to ensure adequate rotor blade clearance. No truck will be allowed to drive under the rotor disc while blades are in motion. The units/trucks will be located off of a public road whenever possible.
8. Smoking or open flames is prohibited within 50' of the area during ALL refueling operations.
9. Hot/rapid refueling shall not be conducted with active electrical storms within the area.
10. Persons not directly involved with the refueling will be required to remain at a safe distance from the operation.
11. If an aircraft is equipped with a strobe light on the belly, the light will be turned off during refueling operations.
12. Aircraft and refueling units/trucks will be properly bonded.

13. Extreme caution should be taken by the service personnel to prevent spillage of fuel from the nozzle, until it has been properly positioned inside the open filler port or range extender port. Rotor wash could possibly disperse fuel droplets and vapors to an area susceptible to ignition sources.
14. All aircraft doors and windows will remain closed except to signal the servicing personnel that the proper quantity of fuel has been received. This signal will be a "thumbs up" given by the pilot to the servicing personnel. In the event that a critical EMS patient is aboard during this procedure, the medical attendant may be standing by the patient at the left side of the aircraft, (opposite side of refueling operations on the Bell 206/407 series aircraft), with the passenger and litter doors open to facilitate rapid extrication if necessary.
15. When the refueling is complete, the aircraft fuel filter cap will be secured, the refueling unit/truck secured and moved to a safe distance. Other crew members and passengers may be loaded and the flight continued.

Wilkinson, Sean

From: Lewis.C.Olson@faa.gov
Sent: Tuesday, March 16, 2010 1:26 PM
To: Wilkinson, Sean; mnickl@classicaviation.net
Cc: William.J.Hughes@faa.gov
Subject: Heli-ski operations

As we discussed today via phone, it is my opinion, as an FAA Aviation Safety Inspector in the SLC Flight Standards District Office, the seasonal heli-ski operations conducted in your area are not subject to FAR 157. The primary reason is, nothing is being constructed or deactivated. It has been described to me that the staging area is to and from an existing parking lot and the operator has the permission of the owner to use that land for the purpose of transporting heli-ski personnel to and from that area on a seasonal basis.

I hope this resolves any issues you were concerned about.

Regards,
Lewis C. Olson
Aviation Safety Inspector
Salt Lake City - Flight Standards District Office 1020 North Flyer Way Salt Lake City, UT
84116
PH: (801) 257-5053
FAX: (801) 257-5066

We Value Your Feedback! Flight Standards Service Feedback Form

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Electronic Code of Federal Regulations

e-CFR
TM

e-CFR Data is current as of January 11, 2012

Title 14: Aeronautics and Space

PART 157—NOTICE OF CONSTRUCTION, ALTERATION, ACTIVATION, AND DEACTIVATION OF AIRPORTS

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§ 157.1 Applicability.

This part applies to persons proposing to construct, alter, activate, or deactivate a civil or joint-use (civil/military) airport or to alter the status or use of such an airport. Requirements for persons to notify the Administrator concerning certain airport activities are prescribed in this part. This part does not apply to projects involving:

(a) An airport subject to conditions of a Federal agreement that requires an approved current airport layout plan to be on file with the Federal Aviation Administration; or

(b) An airport at which flight operations will be conducted under visual flight rules (VFR) and which is used or intended to be used for a period of less than 30 consecutive days with no more than 10 operations per day.

(c) The intermittent use of a site that is not an established airport, which is used or intended to be used for less than one year and at which flight operations will be conducted only under VFR. For the purposes of this part, *intermittent use of a site* means:

(1) The site is used or is intended to be used for no more than 3 days in any one week; and

(2) No more than 10 operations will be conducted in any one day at that site.

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For questions concerning e-CFR programming and delivery issues, email webteam@gpo.gov.

[Section 508 / Accessibility](#)

Exhibit G

[Edit](#) [Delete](#) [Add a File](#) [Email](#)

Engineering

Project: [Heliport Landing Zone - Timothy Charwood](#)
User: [Michael Tuttle](#)
Department: [Weber County Engineering Division](#)
Created: 2012-01-17 09:22:08
Modified: 2012-01-17 09:27:48
Approved: Yes

Notes

I have had a chance to review the plan(s) and have the following comment(s):

1. The applicant may want to consult with the DWR to minimize impact on the wildlife. Their land is used for Winter Habitat, and they may not like the additional impact on the wildlife.
2. Any structures built will need to meet the requirements of the Weber County Building Official.
3. A Storm Water Construction Activity Permit is required for any construction that:
 1. disturbs more than 5000 square feet of land surface area, or
 2. consist of the excavation and/or fill of more than 200cubic yards of material, or
 3. requires a building permit for which excavation or fill is a part of the construction, and less than five acres shall apply for a county permit.

I have tried to address all items of concern from the Engineering Department. However, this review does not forego other items of concern that may come to this department's attention during additional reviews or during construction of improvements. If you have any comments or questions concerning this review, feel free to contact me.

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