

ORDINANCE NO. 24-03

AN ORDINANCE UPDATING SECTION 16.21.40 ENTITLED HELIPADS FOR PRIVATE USE.

RECITALS

WHEREAS, Wasatch County received an application to consider amending Chapter 16.05.02 of the Wasatch County Code to list private helipads as an accessory use in the P-160 zone; and

WHEREAS, after public hearings and input regarding the proposed amendment and discussion by the Planning Commission and County Council regarding the above amendment it was decided that further study should be done regarding the appropriateness of helipads in the County; and

WHEREAS, after discussion with the planning commission it was determined that consideration should be made to not allow helipads in any areas of the county; and

WHEREAS, the County Legislative Body has determined that the proposed request is in compliance with the General Plan; and

WHEREAS, Utah Code 17-27a-502 requires Wasatch County to give notice of public hearing as provided in Utah Code 17-27a-205(1)(a), and to hold a public hearing; and

WHEREAS, Wasatch County gave notice of all public meetings and public hearings related to this ordinance as required, and the planning commission held a public hearing as required; and

WHEREAS, the County Legislative Body, having considered all of the evidence provided to be in the best interest of the health, general welfare, and safety of the inhabitants of Wasatch County;

NOW THEREFORE, the County Legislative Body of Wasatch County ordains that the Wasatch County Zoning Map and Land Use and Development Code be amended as follows:

SECTION I: **Enactment.** The following amendments, additions, and deletions to Title 16, the Land Use and Development Code, are hereby enacted:

16.21.40: HELIPADS FOR PRIVATE USE

Helipads are not allowed in any zone, unless specifically allowed as follows: Helipads for hospitals (Land Use Classification 6513), the Wasatch County Fire District (Land Use Classification 6723), Wasatch County Sheriff (Land Use Classification 6721) or the County may be permitted if the applicant is in compliance with all requirements of chapter 16.23, "Conditional Use; General Procedures", of this title.

~~A. Purpose: The purpose of this section is to provide a place to locate helicopter landing areas where they will not interfere with the health and safety of Wasatch County residents and visitors. A private use helipad shall meet the following minimum standards:~~

~~B. Compliance With Applicable Guidelines: The applicant must conform with all applicable county, state, and federal requirements.~~

~~C. Takeoff And Landing Area Requirements:~~

- ~~1. Private use helipads shall, as a minimum, have a takeoff and landing area two (2) times the overall length of the largest helicopter allowed to use the facility.~~
- ~~2. Landing area shall be no closer than two hundred fifty feet (250') of any dwelling, unless prior arrangements have been made with property owner.~~
- ~~3. Dust and blowing debris shall not be a health or safety hazard to nearby residents and/or their property.~~
- ~~4. The surface of the area shall be grassed, paved or treated as may be required to minimize dust or blowing debris.~~
- ~~5. The owner of a private use helipad shall erect a safety barrier around the peripheral area surrounding the takeoff and landing area. The safety barrier shall be a fence, wall or hedge no less than three feet (3') in height and fully enclosed with a self-locking gate.~~
- ~~6. The effect of takeoffs, landings and hoverings shall not disturb the property, structure or growth of an abutter, nor shall it cause an abutter to suspend or interrupt any outside activities that they perform on their property. The county council shall determine whether a takeoff, landing or hovering is an unreasonable disturbance.~~
- ~~7. The takeoff and landing area shall not be located in an area that is detrimental to public health, safety and welfare.~~

~~D. Operational Restrictions:~~

- ~~1. Operation of the aircraft shall be limited to time periods between one hour before sunrise and one hour after sunset.~~
- ~~2. There shall be a maximum duration time of ten (10) minutes. Duration time shall be the amount of time from initial engine startup, takeoff and flight to a point of zero noise discernable from the site.~~
- ~~3. The maximum decibel rating at adjoining property lines shall not exceed one hundred five (105) dB. However, the planning commission may impose additional noise and sound restrictions as a condition to mitigate any reasonably anticipated detrimental effects.~~
- ~~4. A private noncommercial helipad for the personal use of the occupant of a single family residence may be considered by the planning commission through a conditional use permit process. Provisions for reviewing a helipad in a residential area shall include the following:
 - ~~1. Compliance with all requirements of chapter 16.23, "Conditional Use; General Procedures", of this title.~~
 - ~~2. No more than one helicopter shall be stationed, located, parked or operated at, to or from the location at any given time.~~
 - ~~3. No helicopter using the facility shall have more than seven (7) seats, nor be designed to carry more than seven (7) persons, not including the pilot.~~
 - ~~4. No helicopter using the facility shall have more than one main rotor system.~~
 - ~~5. No fueling or maintenance facilities shall be located on the property.~~
 - ~~6. The facility shall be located on a parcel of land at least ten (10) acres in size.~~
 - ~~7. Nothing in this section applies to the emergency use of a helicopter relating to the evacuation of a human being with a serious medical condition, which condition requires immediate evacuation to a hospital, to military use, or use by other public entities.~~~~

HISTORY

Adopted by Ord. 08-15 on 11/12/2008

Amended by Ord. 09-16 on 2/25/2010

Amended by Ord. 10-14 on 1/7/2011

SECTION II: **Repealer.** If any provisions of the County Code heretofore adopted are wholly inconsistent with this ordinance, they are hereby repealed.

SECTION III: **Amendment of Conflicting Ordinances.** To the extent that any ordinances, resolutions, or policies of Wasatch County partially conflict with this ordinance, they are hereby amended to comply with the provisions hereof.

SECTION IV: **Effective Date.** This Ordinance shall become effective immediately upon execution by the Chair of the County Council and the completion of public notice requirements imposed by state statute.

SECTION V: **Severability.** If any section, subsection, sentence, clause, or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION VI: **Public Notice.** The Wasatch County Clerk, and ex officio Clerk of the Wasatch County Council, is hereby ordered, in accordance with the requirements of Section 17-53-208, Utah Code Annotated, 1953, as amended, to do as follows:

- a. Enter at length this ordinance in the ordinance book;
- b. Deposit a copy of this ordinance in the office of the County Clerk;
- c. Publish a short summary of this ordinance, together with a statement that a complete copy of the ordinance is available at the County Clerk's office and with the name of the members voting for and against the ordinance, for at least one publication in a newspaper published in and having general circulation in the county; or post a complete copy of this ordinance in nine (9) public places within the County.

APPROVED and PASSED this 17 day of April, 2024.

Attest:

WASATCH COUNTY COUNCIL:


 Joey Granger
 Wasatch County Clerk / Auditor




 Spencer Park, Chair
 Wasatch County Council

	VOTE
Spencer Park, Chairman	<u>Y</u>
Karl McMillan, Vice-Chair	<u>Y</u>
Luke Searle	<u> </u>
Steve Farrell	<u>Y</u>
Erik Rowland	<u>Y</u>
Kendall Crittenden	<u> </u>
Mark Nelson	<u>Y</u>

ADOPTION OF ORDINANCE AFFIDAVIT

STATE OF UTAH)
): ss.
COUNTY OF WASATCH)

I, the undersigned, the duly qualified and acting County Clerk of Wasatch County, Utah, and ex officio Clerk of the Wasatch County Council do hereby further certify, according to the records of said Council in my official possession, and upon my own knowledge and belief, that I have fulfilled the requirements of Section 17-53-208, Utah Code Annotated, 1953, as amended, by:

- [x] (a) Causing this ordinance to be entered at length in the ordinance book;
[x] (b) Causing three (3) copies of this ordinance to be deposited in the office of the County Clerk;
[x] (c) Causing a short summary of this ordinance, together with a statement that a complete copy of the ordinance is available at the County Clerk's office and with the name of the members voting for and against the ordinance to be published for at least one publication in The Wasatch Wave, a newspaper of general circulation within the geographical jurisdiction of Wasatch County; or posting a complete copy of this ordinance in nine (9) public places within the County.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of the County Council of Wasatch County, Utah, this 17 day of April, 2024.

Joey Granger
Wasatch County Clerk / Auditor

SUBSCRIBED AND SWORN to me, a Notary Public, this 17 day of April, 2024.

Wendy McKnight
Notary Public

Residing in: Wasatch
My commission expires: 09-10-2026

