



Legislation Text

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AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE, WITHIN THE CODE OF ORDINANCES FOR THE CITY OF JONESBORO, ARKANSAS, ADDING SECTION 117-228, HELIPAD/HELIPORT USES; AND, DECLARING AN EMERGENCY FOR THE PURPOSE OF PRESERVING THE PUBLIC PEACE, HEALTH AND SAFETY WITH RESIDENTIAL AREAS AND CREATING MINIMUM STANDARDS AND GUIDELINES IN THE CODE FOR SUCH USES

WHEREAS, It has been determined that the City of Jonesboro Code Ordinances lacked minimum guidelines for regulating private use heliport/helipad uses within the city limits: The Metropolitan Area Planning Commission reviewed and approved the proposed guidelines on July 9, 2013, and hereby recommend approval to the City Council in the interest of public health, public safety, and general welfare for the locating of such facilities.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS THAT: Code Chapter 117:228 be amended as follows:

Section 117:228, Helipad/Heliport Uses:

Section I. Purpose

It is determined the creation or establishment of a heliport/helipad in certain areas may have the potential of being a public nuisance and may injure the community. Thus, it is in the interest of public health, public safety, and general welfare that the creation or establishment of heliports/helipads of any sort be regulated with minimal standards established by the City of Jonesboro. Such minimal standards will be examined on a case-by-case process through the Conditional Use Permit process pursuant to Chapter 117, as set out in the City of Jonesboro's Code of Ordinances.

Section II. Definitions

- (1) A heliport is permanent facility where helicopters take off and land. The FAA defines a heliport as any formalized helicopter landing area. Additionally, any helicopter landing area offering fueling, passenger building, hangar and support services is considered a heliport. The FAA compares this with a bus stop/bus terminal relationship in respect to services.
- (2) A helipad describes the actual landing surface of the heliport. The FAA and other international regulators have adopted the term of Touchdown and Lift-off Area (TLOF) as the official term to describe all such areas. (See FAA, Advisory Circular, AC No: 150/5390-2C, or any updates).
- (3) An emergency landing zone is a designated site in which public safety agencies select to evacuate trauma or disaster victims.
- (4) A helistop refers to a minimally developed facility for boarding and discharging passengers or cargo.

Section III. Allowable Use Districts

(a) Personal use heliports shall be permitted as an accessory use in the Commercial C-1, C-2, C-3, I-1, I-2 Zoning Districts only when licensed upon approval by the Planning/Zoning Officer subject to full compliance with FAA requirements of construction, operation, and licensing (per Advisory Circular, AC No: 150/5390-2C and any updates). If the heliport/helipad is located within a distance of 1,000 ft. of a residential structure, a

conditional use application shall be required. Helicopters must not be operated below 500' AGL (above ground or highest building, tree, or feature) before it approaches the property of which the landing site or helipad/helistop is located.

(b) Heliport/Helipads that are located or proposed in Districts zoned as Residential or Agricultural shall be permitted by Conditional Use Application and Approval by the MAPC, if an only if the property is 5 or more acres in size. Pad location shall be located at a minimum distance of 1,000 ft. of any existing residential structure.

(c) Permits for establishing and maintaining sites shall be issued to the owner or lessee of a site by the Planning/Zoning Officer. All heliports/helipads must meet any and all Fire Code Requirements of the local Fire District.

(d) The permit shall be deemed automatically revoked if:

(1) Found in violation of any and all FAA requirements, and owner revokes the license or refuses to re-license the site after one of its periodic inspections; or (2) Thirty (30) days after the Planning/ Zoning Officer has notified the permit holder in writing that the site is no longer in compliance with the requirements set forth herein for the initial granting of the permit, provided the alleged defect has not been cured within the said thirty (30) day period.

(e) In all instances, all new helipad/heliport installations shall require a permit review process through the Departments of Planning, Engineering, and Inspections.

Section IV. Exemptions:

Hospital/Emergency response facilities located at or near a hospital shall be exempt. Special event landings - temporary landing facilities shall also be exempt to administrative permit approval.

Section V. Notifications

Courtesy notification area shall be required within a distance of 1,000 feet measured from all subject property lines. As required for Conditional Use Permits, the established notification boundary of 200 feet of prospect site via certified letter shall be adhered to.

Section VI. Conditional Use Approval

A conditional use permit for a heliport or helipad shall be approved by the Metropolitan Area Planning Commission in accordance with (Sec 117-199) upon meeting all satisfactory requirements for said structures. The commission may also provide other conditions and restrictions which the City determines at the time of granting the specific use permit to protect and provide for the health, safety, and general welfare of the community.

Conditional use permit approval shall be valid for three years. Renewal application is required. (See below)

Section VI. Reapplication

An application for subsequent conditional use permits on the same site shall be subject to the same procedures and standards as a first-use permit.

SECTION VII: This ordinance, being necessary for the preservation of the public peace, health and safety, is hereby declared to be an emergency and this ordinance shall take effect and be in full force from and after its passage and approval. The purpose for this emergency is set on the reasoning that in certain areas heliports/helistops uses may have the potential of being a public nuisance and may injure the community.

PASSED AND ADOPTED this 20th day of August, 2013.