



# Helicopter Recommendations To Modify City Code 25-2 Zoning and 13-1-Aviation Services

City Council Work Session June 18, 2013

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# Major Changes Ordinance

- Heli-Facilities Categories
  - Created Three (3) Heli-Facility Categories
- Application Requirements & Public Notice and Appeals
- Insurance Requirements



# Definitions 13-1-171

## Created 3 Heli-facility Categories

- CATEGORY I: I means a helistop approved for a cumulative total of 10 or fewer helicopter takeoffs and landings per day and 18 total operations during the period of the heli-facility permit
- CATEGORY II: means a helistop approved for a single specific event of not more than three consecutive days during the period of the heli-facility permit, with a cumulative total of helicopter takeoffs and landings not to exceed eight operations per hour per day. In addition, no more than three approved helicopters may use an approved category II helistop without special consent of the director
  - OPERATIONAL HOURS- means the hours of the day that Category II operations can occur, 7:30 A.M (*Local*) to 8:30 P.M. (*Local*).
- CATEGORY III: means a permanent heliport facility.



# Public Notifications

## Category I:

Give notice to the public by providing notice to the Austin Neighborhood Council and neighborhood associations with 500 feet in the vicinity to communicate such notice to their members and residents. Post application online for public inspection.

13-1-180 (D)

## Category II:

The Director shall coordinate with Planning and Development Review Department to notify all neighborhood associations within 500 feet of the proposed helistop to communicate such notice to their members and residents. If no associations exist then notification must be given to all property owners within 500 feet of the proposed helistop by mail. Post online: application, comments, decision, appeals and appeal decision for public inspection.

13-1-181 (E)

## Category III:

Notice and public comment period for a category III shall follow the conditional use permit process under title 25 of the code. 13-1-182 (C)



# Appeals

## 13-1-173

- An applicant shall have standing to appeal the director's determination of an application, or to respond to an appeal of the director's determination, of an application
- Any resident, tenant, owner, user, or operator of a noise sensitive area or environmental sensitive area has standing to appeal the director's determination of a category II or category III application if the appellant alleges the proposed operations would:
  - (a) expose the noise sensitive area to incompatible noise; or
  - (b) pose a material risk to life, health, or property at the noise sensitive area; or
  - (c) pose a material risk at the environmental sensitive area
- City Manager shall decide appeals relating to category II applications
- City Council shall decide appeals relating to category III applications



# Permit or Authorization Term and Renewal 13-1-184

- A Category III permit is valid for five (5) years from the date of issuance
- Authorization to operate Category I or Category II is valid for the earlier of:
  - (1) the duration of the event or construction project;  
or
  - (2) 180 days from the date of issuance
- Category I and Category II authorizations are non-renewable



# Insurance Required 13-1-185

- The owner or operator of a heli-facility must maintain aircraft liability including premises liability and general liability policy with a combined single limit of liability for bodily injury and property damage of not less than \$5,000,000 for each occurrence



## Restriction on Number of Category II Within A Certain Distance and Period of Time 13-1-191

- The director shall not approve applications, including renewal applications, for the operation of more than two category II heli-facilities that are:
  - (1) within 1,000 feet of noise sensitive area;
  - (2) within 0.5 miles of each other; and
  - (3) within a term of 180 days.



# Changes 25-2-861

City Code Section 25-2-861 (*Facilities for Helicopters and Other Nonfixed Wing Aircraft*) is amended to read as follows:

- (A) The following are conditional uses in all commercial, industrial, and special purpose base districts:
- (1) a heli-facility [~~, helicopter landing site,~~] or heliport, as defined in Chapter [13-1](#), [Article 4](#) (*Heliports and Helicopter Operations*); and
  - (2) except as provided in Subsection (B), a landing field for hot air balloons or nonfixed-wing aircraft.

