



STAFF REPORT

MEETING DATE: September 14, 2023

ITEM TITLE, PRESENTER: Consideration of a Conditional Use Permit for the La Sal Junction Airport Helipad. Sarah Day, Foundation Properties, LLC

RECOMMENDATION: Make a motion recommending approval to the Board of San Juan County Commission for the Conditional Use Permit with the following conditions:
(State each Condition as part of the motion)

Make a motion denying the Conditional Use Permit due to the following reasons: (Statement of Findings for Substantial Evidence)

SUMMARY

In June 2023, the County received a Conditional Use Permit Application for Parcel 29S23E0436000 for improvements and uses to the existing La Sal Junction Airport. The property is within 1,000 feet of Highway 46, which places the property within the Controlled District-Community Commercial (CD-c).

In July, the Planning Commission reviewed this request for a Conditional-Use Permit. However, very little was known regarding the intentions of this use. Speculation and the lack of information made it appear that this was a Tour Operation that would be located on this property.

In discussions with Foundation Properties, we have since learned that the intended use on this property is to assist Federal or Government Contracted firefighting efforts. They do not intend to place as many helicopters at this location as shown on the concept plans. The helicopters are shown to demonstrate where helicopters would land , LLC.

They do not have a lease and do not intend to currently use the runway. Operations at this site will only take place during the day. Employees are the only ones that would stay in employee housing. Some uses may include training. Most operations would see helicopters taking off in the morning or when called to a fire and returning in the evenings or once they were ordered to stand down. Where fires are not fought at night, no nighttime flights will be taking place.

Ordinance Sections:

Controlled Districts are to provide, in appropriate locations, a district where agriculture, industrial, commercial and residential uses may exist in harmony, based on planned development for mutual benefit and flexible location of uses. Permitted uses include Agriculture, Residential, Commercial, Highway Commercial, and Industrial (Industrial subject to approval). In addition to the uses regulated in RR-22 districts, the following uses may be permitted by variance within each sub-zone:

Grocery Store
Drug Store
Automobile Service Station
Bakery
Dry Cleaning and Laundry Pickup
Beauty Shop
Barber Shop
Child Care
Ice Cream Store
Variety Store
Medical and Dental Offices
Professional Office
Public Utilities, public and quasi-public
Stores, shops and offices supplying commodities or performing services such as department stores, specialty shops, banks, business offices, and other financial institutions and personal service enterprises.
Restaurants, beer taverns, pool hall lounges, theaters, similar enterprises provided that all uses be conducted within buildings.
Business and technical schools, and schools and studios of photography, art, music and dance.
Bowling alley, dance hall, roller skating rink.
Carpenter shops, electrical, plumbing, heating and air conditioning shops, printing and publishing or lithographic shops, mortuaries, and furniture upholstering shops, provided all uses shall be within and enclosed building.
New car dealers.
Garages for minor repairs of automobiles.
Garages for storage of automobiles, commercial parking lots.
Hotels and Motels.

Any other similar retail business or service establishments which the Planning and Zoning Commission finds to be consistent with the purpose of this chapter and which will not impair the present or future use of adjacent properties

12-3 Conditional Uses

All other uses than those listed.

There is a Special Provisions that all applications for conditional uses or request for variances in the CD district must first have appropriate sub-zone designations which this property does have as the zoning map indicates.

By definition, a Conditional Use is: A land use that, because of its unique characteristics or potential impact on the county, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

Possible discussion and questions may include:

- What is the landing and take-off flight path for the aircraft?
- The parking and loading lot is adjacent to the landing pad, how is that hazard going to be mitigated to avoid helicopter/vehicle conflicts?

- The employee entry turns directly onto Highway 191, well past the turn lanes for the La Sal Junction, is there a concern for vehicle impacts at that entry where employees will drive such a short distance at a slower speed in order to make the turn into where they work or return home to everyday? There is no indication of a trail system internally to the project.

Possible Conditions may include:

- *No more than three (3) helicopters can be located on the property at a time.*
- *Training of approach and takeoffs need to be kept at a minimum during daylight hours.*
- *Activation and utilization of the runway will require FAA approval and Planning Commission Review*
- *Lighting must meet dark sky initiatives where possible unless helipad safety standards prevent it.*
- *Must show approval of a right-of-way from UDOT allowing for the road to the employee housing*
- *No nighttime flights can take place other than for transporting helicopters to the sight for staging*
- *Employee Housing shall not be used as over-night or short-term rentals*
- *No tour operations can take place on this property*
- *The flight path for helicopters approach and takeoff can only be from the Northeast of the property which shall be established in an Aviation Easement approved by the Planning Commission and is subject to FAA standards.*
- *Flights from the operations on this property shall not take place over residential communities within a five-mile radius and is prohibited to protect the public health, safety, and welfare of residents in this area.*
- *To the extent reasonably possible, all helicopters must adhere to the Helicopter Association International guidelines related to noise abatement as published in the "Fly Neighborly Guide", as amended from time to time, and the helicopter manufacturer's noise abatement guidelines.*
- *A noise or sound reducing wall shall be installed on the east side of the helipad to help reduce noise while helicopters are warming up for takeoff and landings.*
- *Must comply with any state or federal fire restrictions*
- *Must comply with all building permit requirements*
- *Must comply with San Juan County Health Department requirements and Utah State water system requirements.*
- *Must comply with San Juan County business license requirements*

HISTORY/PAST ACTION

On July 13, 2023, this item was considered by the Planning Commission. Due to the lack of information, this item was tabled.