

## **2007 DOCKET- HELIPAD ZONING CODE AMENDMENT**

**ISSUE:** Should helipads be allowed in the R-8 zone (Residential- eight units per net acre) along Lake Washington?

**RECOMMENDATION:** Staff recommends allowing Helipads as accessory to residential uses on properties abutting Lake Washington with an Administrative Conditional Use Permit.

**BACKGROUND:** In summer 2007, the City was contacted by a person complaining about a neighbor landing a helicopter in the residential neighborhood. Code compliance officers investigated the claim and began working with the helicopter owner on this issue. The helicopter owner applied for a Temporary Use Permit, to allow him to operate a helipad on his property. In the course of processing this permit, the Development Services division gathered comments from more than 50 interested parties. Although some were opposed to the operation of a helipad in this area, the vast majority were in favor of allowing this use.

The City of Renton zoning code regulates helipads used for commercial purposes, as well as helipads which are accessory to a primary use. Accessory uses are activities that are subordinate or incidental to the main use of the property. Usually the uses are related to the main use, for example: outdoor materials storage for a manufacturing plant, a small workshop or extra garage behind someone's home, a home daycare business, or a drive through feature at a fast food restaurant or bank. Renton currently allows helipads as an accessory use with a conditional use permit issued by the Hearing Examiner in the light, medium and heavy industrial zones (IL, IM, IH), the Commercial Arterial (CA) zone, the Commercial Office (CO) zone, the Commercial Office Residential (COR) zone, and the Urban Center North 1 (UC-N1) zone. Helipads are currently prohibited in all residential zones.

There are two types of conditional use permits issued by the City of Renton. Administrative conditional use permits are reviewed by staff and forwarded to the Zoning Administrator for final decision making. Hearing Examiner conditional use permits are reviewed by staff and presented at a public hearing in which the Hearing Examiner makes the final decision on approval or denial of the permit. Both processes require public notification and comment and both processes are subject to review under the decision criteria in RMC 4-9-030. These criteria instruct the reviewing official to consider the following factors in deciding whether to approve or deny a conditional use permit and include consideration of: compatibility with the Comprehensive Plan, community need, effect on adjacent properties, compatibility with the neighborhood, effects on traffic, and the production of noise and glare.

The Federal Aviation Administration (FAA) regulates the design, siting, and use of helipads. Those who wish to establish a helipad, even for private use, must submit a proposal to the FAA for review and approval. As part of the approval process, the FAA conducts an aeronautical study to review safety issues and to ensure the helipad meets applicable design criteria. FAA rules do not allow aircraft to approach landing spaces over residential neighborhoods. As a result, only lake front properties would be considered for possible helipad use. Furthermore, the FAA regulates the size of helipads based on the size of aircraft that will land there. Even with

the smallest size of helicopter, only a few properties are large enough to accommodate an FAA approved facility.

Two other communities in the area allow private helipads on residential lands. Hunts Point welcomes private helipads as a lifestyle choice and for the services they may provide in case of emergency. Redmond allows properties with frontage on Lake Sammamish to have a helipad for the use of a single aircraft. Other communities in the area do not allow helipads in residential areas unless they are established and used for emergency purposes only.

Under RMC 4-3-090 L(1)b, Specific Use Regulations of Renton's Shoreline Master Program, residences along the lake front are allowed to use seaplanes. Seaplanes are limited to one per residence, and for private use only. Thus, the ability to use aircraft along the waterfront is well established. Additionally, many of the neighbors writing to the City in support of the specific proposal for the establishment of a helipad last summer expressed the importance of maintaining aviation uses for lake front properties. Aviation uses provide a number of potential benefits for lake front property owners including: recreation, increased property values, entertainment, transportation, and lifestyle enhancement. Allowing helipad use on residential properties abutting Lake Washington is a natural extension of the provisions that allow sea plane usage.

The proposed zoning code change would allow helipads as an accessory use in the R-8 zone with an administrative conditional use permit. Helipad use would be restricted by a note on the zoning use table that read:

*Limited to one aircraft per site. Helipads allowed only abutting Lake Washington. Helipads must be in conformance with applicable Federal Aviation Administration (FAA) guidelines for siting and design.*

In addition, the permit would be subject to the standard conditional use review criteria in RMC 4-9-030, as described above. Neighbors would be given the opportunity to comment on each specific helipad proposal through this process. The Administrator also has the ability to condition approval of the conditional use permit based upon such comments. Complying with FAA and City of Renton provisions should ensure that helipad uses are safe and compatible with surrounding land uses.

**COMPREHENSIVE PLAN COMPLIANCE:** This proposed zoning code amendment does not conflict with any of the goals, objectives, and policies in the Comprehensive Plan. The purpose of the Single Family Residential land use designation is to create quality neighborhoods at urban densities. Throughout the City, different neighborhoods may have different factors that contribute to a quality environment. For properties on Lake Washington, the ability to operate aircraft for personal, recreational, and transportation purposes has always been an important factor in the lifestyle choices and quality of the neighborhood.

**CONCLUSION:** Aircraft, in the form of seaplanes, are already allowed as accessory uses for properties abutting Lake Washington. This code change would allow property owners to operate either a seaplane or a helicopter from their property. Proposed helipads would have to meet all FAA guidelines as well as the criteria for a conditional use permit under RMC 4-9-030 in order to be approved. These measures should ensure that any helipads would be located in places that are safe and compatible with surrounding land uses.