

Items 3 and 4

## **GENERAL INFORMATION**

Applicant: City of Bloomington

Location: Bloomington land within Airport Safety Zones as included in the 2004 MSP Zoning Ordinance

Request: Case 10000B-04--An ordinance establishing Airport Runway Overlay Districts  
Case 10002C-04--Rezoning of properties to Airport Runway (AR-17) Overlay District and Airport Runway (AR-22) Overlay District

## **PROPOSAL**

### Case 10000B-04

The proposed ordinance establishes two Airport Runway Overlay Districts (AR-17 and AR-22) that regulate land uses and building heights within the Airport Safety Zones as contained in the 2004 MSP Zoning Ordinance. Included in the proposed ordinance are supplemental definitions, prohibited uses based on location in a particular Airport Safety Zone, height regulations and provisions for 2004 MSP Zoning Ordinance use variances.

### Case 10002C-04

This item is the rezoning ordinance that delineates specific areas as either the Airport Runway (AR-17) Overlay District or Airport Runway (AR-22) Overlay District. The district boundaries includes those portions of the City that extend from MSP Runway 17-35 and Runway 4-22 that are shown as Airport Safety Zones A or B as contained in the 2004 MSP Zoning Ordinance.

## **ANALYSIS**

Airport zoning for the Minneapolis-St. Paul International Airport (MSP) has been in effect since the February 18, 1984 under the 1984 MSP Zoning Ordinance. The 1984 MSP Zoning Ordinance was adopted by the MSP Joint Airport Zoning Board. State statute allows for airport zoning to regulate land uses and building heights in areas around airports.

The Joint Airport Zoning Board was created and established by joint action of the Metropolitan Airports Commission (MAC), the County of Hennepin, and the cities of Eagan, Mendota, Mendota Heights, Richfield, Bloomington, Minneapolis and St. Paul. The Joint Airport Zoning Board initiated an update of the 1984 MSP Zoning Ordinance in September, 2003 because future operation of the new MSP north-south runway, Runway 17-35 and to account for changes to existing Runway 4-22.

The revised zoning ordinance, referred to as the 2004 MSP Zoning Ordinance, has been adopted by the Joint Airport Zoning Board subject to final review and approval of the Minnesota Department of Transportation. It is anticipated that Minnesota Department of Transportation final review and approval will be concluded in April, 2004. Key elements of the 2004 MSP Zoning Ordinance include the establishment of Airport Safety Zones and Airspace Zones that will regulate land uses and create height regulations for development within portions of the City of Bloomington.

In Case 10000B-04, the City is establishing Airport Runway Overlay Districts and related height regulations to provide consistency and reference points to the proposed 2004 MSP Zoning Ordinance. It is purpose of the overlay districts to mirror the 2004 MSP Zoning Ordinance regulations. There are two overlay districts—AR-17 and AR-22.

These overlay districts correspond to the extension of safety zones from the existing MSP Runway 4-22 in the area south and west of the I-494 and Th-77 interchange in east Bloomington and from the new north-south MSP Runway 17-35 in an area of Airport South generally between 24<sup>th</sup> Avenue and the Health Partners campus from I-494 southward. The purpose of the overlay districts is to protect the public health, safety, order, convenience, prosperity and general welfare and to the promote the most appropriate use of land by preventing the creation or establishment of Airport Hazards subject to the 2004 MSP Zoning Ordinance and Minnesota Statutes.

The AR-17 Overlay District land use regulations prohibit all structural uses within Safety Zone A, except for necessary avigational purposes, as provided for in the 2004 MSP Zoning Ordinance. Within Safety Zone B as provided for in the 2004 MSP Zoning Ordinance, uses such as amphitheaters, campgrounds, churches, fuel storage farms, hospitals, nursing homes, stadiums, theaters, trailer courts, residential uses and ponds above the 800 foot elevation (mean sea level) are prohibited. Height regulations within the AR-17 Overlay District are based on the 2004 MSP Zoning Ordinance regulations for Airspace Zones where Airspace Zones correspond to height contours measured in elevations at mean sea level (msl) from a runway reference point. For example, if the base elevation or grade of a property is at 805 msl and the Airspace Zone contour is 920 msl, the allowable building height would be 115 feet.

The AR-22 Overlay District the land use regulations regulates structures within Safety Zone B as provided for in the 2004 MSP Zoning Ordinance. Safety Zone A does not extend into the AR-22 Overlay District. Within Safety Zone B of the AR-22 Overlay District uses such as amphitheaters, campgrounds, churches, fuel storage farms, hospitals, nursing homes, stadiums, theaters, trailer courts, and ponds above the 800 foot elevation (mean sea level) are prohibited. Residential uses are not prohibited as the 2004 MSP Zoning Ordinance recognizes the area as an established residential neighborhood in a built-up urban area. As in the AR-17 Overlay District, height regulations are based on the 2004 MSP Zoning Ordinance regulations for Airspace Zones whereby Airspace Zones correspond to height contours measured in elevations at mean sea level (msl) from a runway reference point.

Included in the proposed Ordinance are supplemental definitions that are primarily taken from the 2004 MSP Zoning Ordinance. Also, the proposed Ordinance modifies Section 19.47 Height to include a provision on height limitations that regulates heights within Airspace Zones as provided for in the 2004 MSP Zoning Ordinance that are not with the safety zones extending from runway but exist in adjacent or perimeter areas.

Case10002C-04 is the rezoning ordinance that delineates specific areas as either the Airport Runway (AR-17) Overlay District or Airport Runway (AR-22) Overlay District. The district boundaries includes those portions of the City that extend from MSP Runway 17-35 and Runway 4-22 that are shown as Airport Safety Zones A or B as contained in the 2004 MSP Zoning Ordinance.

## **RECOMMENDATION**

In Case 10000B-04, Staff recommends the adoption of proposed ordinance establishing two Airport Runway Overlay Districts (AR-17 and AR-22) that regulate land uses and building heights within the Airport Safety Zones as contained in the 2004 MSP Zoning Ordinance. Included in the proposed ordinance are supplemental definitions, prohibited uses based on location in a particular Airport Safety Zone, and height regulations.

Case10002C-04, Staff recommends the adoption of the rezoning ordinance that delineates specific areas as either the Airport Runway (AR-17) Overlay District or Airport Runway (AR-22) Overlay District.

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