

ORDINANCE NO. 2018- 18

AN ORDINANCE TO ESTABLISH STANDARDS RELATED TO NOISE ATTENUATION IN STRUCTURES, THEREBY AMENDING CHAPTERS 19 AND 21 OF THE CITY CODE

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 19 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~stricken through~~ and adding those words that are underlined, to read as follows:

CHAPTER 19

ARTICLE III: ZONING DISTRICT MAP, ZONING DISTRICTS AND DISTRICT USES

§19.29 HIGH INTENSITY MIXED USE WITH RESIDENTIAL (HX-R) DISTRICT

(m) ~~[Noise insulation. Until citywide aircraft related noise insulation standards are adopted, required noise insulation levels within the HX-R Zoning District will be established through conditions attached to individual development approvals and site development agreements.]~~ Reserved.

Section 2. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~stricken through~~ and adding those words that are underlined, to read as follows:

CHAPTER 21

ARTICLE III: DEVELOPMENT STANDARDS

Division A: General Standards

§ 21.301.12 ~~[RESERVED]~~ NOISE ATTENUATION.

(a) Purpose and intent. The City Council finds that exposure to excessive noise is injurious to the public health, safety and welfare, interferes with the quiet enjoyment of life and property, and interferes with the tranquility and privacy of the home.

(b) Definitions.

A-WEIGHTED SOUND LEVEL. As defined in §10.29 (b).

ANNUAL CONTOUR MAP. The map of noise contours developed annually by the Metropolitan Airports Commission and published in the Minneapolis St. Paul International Airport Annual Noise Contour Report.

DAY-NIGHT AVERAGE SOUND LEVEL, DNL. The average sound level, in decibels, for a 24 hour period, obtained after the addition of 10 decibels (dB) to sound levels for the period between 10 p.m. and 7:00 a.m.

FUTURE CONTOUR MAP. The noise forecast for the most distant year included in the most recent comprehensive plan or environmental document adopted for Minneapolis-St. Paul International Airport by the Metropolitan Airport Commission.

NEW CONSTRUCTION. All newly constructed enclosed structures including additions, alterations, and reconstruction of existing structures.

SOUND PRESSURE LEVEL (SPL). As defined in §10.29 (b).

SOUND LEVEL (NOISE LEVEL). As defined in §10.29 (b).

(c) State regulation. New Construction or changes in use must comply with Minnesota Rules 7030.0010-0080, as the Rules may be amended from time to time.

(d) Airplane noise attenuation.

(1) Applicability. All new construction or change in use located at or above the 60 dB DNL Contour must meet the standards of this section. The area at or above the 60 dB DNL Contour is determined by combining all areas within the 60 dB DNL noise exposure area on the Annual Contour Map with all areas forecast to have noise levels at or above 60 dB DNL on the Future Contour Map at the time an application is made to the City.

(A) Interior noise performance standard. New residential, place of assembly, hospital, hotel, or educational construction or uses must demonstrate building construction will yield an average interior sound level of 45 dBA or less with windows closed for living or sleeping areas or parts of schools that are used for educational instruction.

(B) Compliance. Projects located at or above the 60 dB DNL Contour must include installation of central air conditioning and mechanical ventilation throughout the habitable areas of the structure and must demonstrate compliance with the interior noise performance standard by either performing an acoustical analysis by a certified sound specialist to demonstrate the proposed building will meet the performance standard or apply the materials standards set forward in the following table.

<u>Use</u>	<u>Location (Higher of Annual Contour Map or Future Contour Map)</u>	<u>Desired Noise Level Reduction</u>	<u>Roof-Ceiling*</u>	<u>Walls*</u>	<u>Exterior Windows*</u>	<u>Exterior Doors*</u>
<u>Residential, Places of Assembly, Hospital, Educational, Hotel</u>	<u>60-64 dB DNL</u>	<u>20 dBA</u>	<u>40 STC</u>	<u>40 STC</u>	<u>30 STC</u>	<u>20 STC</u>
	<u>65-69 dB DNL</u>	<u>25 dBA</u>	<u>45 STC</u>	<u>45 STC</u>	<u>35 STC</u>	<u>25 STC</u>
	<u>70 dB DNL and Above</u>	<u>30 dBA</u>	<u>50 STC</u>	<u>50 STC</u>	<u>40 STC</u>	<u>30 STC</u>

* The STC laboratory test of construction materials and assemblies must be conducted according to requirements of the American Society of Testing and Materials (ASTM E90 or ASTM E413)

Passed and adopted this 9th day of July, 2018.

/s/ Gene Winstead
Mayor

ATTEST:

APPROVED:

/s/ Denise M. Christenson
Secretary to the Council

/s/ Melissa J. Manderschied
City Attorney