

ORDINANCE NO. 2019-52

AN ORDINANCE UPDATING THE METHODOLOGY FOR DETERMINING FORECAST AIRCRAFT NOISE LEVELS IN THE HX-R ZONING DISTRICT, THEREBY AMENDING CHAPTER 19 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.

(f) *Residential uses required.*

(1) *Minimum density.* Development within the HX-R Zoning District must include at least 30 residential dwelling units per acre of gross site area, with the following exceptions.

- (A) Residential uses are prohibited in areas forecast to have average future aircraft noise levels at or above 70 dB DNL.
- (B) For the purposes of calculating the required number of residential dwelling units for a site within the HX-R Zoning District, the land area, as calculated by city staff, of the site forecast to be exposed to average future aircraft noise levels at or above 70 dB DNL will be subtracted from the overall site area.
- (C) On sites in which over two-thirds of the site area is forecast to be exposed to average future mitigated aircraft noise levels at or above 70 dB DNL, residential uses in the area with less than 70 dB DNL are allowed but not required.
- (D) Forecast aircraft noise levels will be determined based on the most recent MSP Part 150 aircraft noise contour map approved by the Federal Aviation Administration that incorporates the aircraft noise impacts of Runway 17-35.] highest noise level shown on either the most recent annual noise contour map published in the Minneapolis St. Paul International Airport Annual Noise Contour report or the noise level forecast for the most distant year included in the most recent comprehensive plan or environmental documents adopted by the Minneapolis-St. Paul International Airport by the Metropolitan Airports Commission.

Passed and adopted this 16th day of December, 2019.

/s/ Gene Winstead

Mayor

ATTEST:

APPROVED:

/s/ Denise M. Christenson

Secretary to the Council

/s/ Melissa J. Manderschied

City Attorney