



Council Communication

Office of the City Manager

Date July 27, 2009

Agenda Item No. 61
Roll Call No. 09-
Communication No. 09-519
Submitted by: Larry Hulse,
Community Development Director

AGENDA HEADING:

Public hearing on a request the from Aviation Director for an ordinance repealing and adopting new Des Moines International Airport Height and Hazard Zoning regulations codified in Article X of Chapter 22 of the City Code.

SYNOPSIS:

The proposed ordinance (“Exhibit A”) would repeal and adopt new Des Moines International Airport Height and Hazard Zoning Regulations codified in Article X of Chapter 22 of the City Code to protect the air space necessary for the safety of aircraft using the Des Moines International Airport, and to reflect the runway extensions that have already occurred and the planned future parallel runway. The restricted air space extends outward from the runway thresholds as much as 50,000 feet in some directions.

FISCAL IMPACT: NONE

Amount: N/A

Funding Source: N/A

ADDITIONAL INFORMATION:

As a recipient of federal airport improvement funds, the City is obligated to take appropriate action to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. For several years the City has had zoning ordinances in place for the protection of air traffic, the Airport and surrounding properties. The restrictions on land use and structure height imposed by Airport zoning are tied to runway location and length. These restrictions attempt to minimize the conflict between land uses and the aircraft operating at and in the vicinity of the Airport. As the distance from the Airport increases, the restrictions on the height of permitted structures are reduced.

The current Airport Zoning Ordinance protecting the Des Moines International Airport has not been revised in several years and needs to be updated to take into account recent and proposed construction. Since the last amendment, the “old” Runway 13R-31L was removed and Runway 5-23 was extended. The Airport’s Master Plan calls for the construction of a replacement Runway 13R-31L in phases and an additional extension of Runway 5-23. The amended ordinance includes protection for the replacement of Runway 13R-31L to its full planned length as well as protection for the full planned length of Runway 5-23. This amendment also provides protection for aircraft approaches to the Ankeny airport that extend into the Des Moines City limits.

This revision will repeal Sections 22-336 through 22-349 of the City Code and replace them with an updated article in Chapter 22 of the Municipal Code governing the Airport.

The proposed changes also include a minor change to the Zoning Ordinance. Sec. 134-64 subsection (7) is added to give the Board of Adjustment the power to review appeals to administrative decisions and for Exceptions requested from the Airport Zoning provisions in Chapter 22. The criteria by which the Board of Adjustment will review these appeals are outlined in Sec. 22-1410 and are somewhat analogous to the criteria used to review standard Exception appeals under the Zoning Ordinance. There are separate criteria applied when Exceptions are either met with Federal Aviation Administration approval or not.

PREVIOUS COUNCIL ACTION(S):

Date: July 13, 2009

Roll Call Number: 09-1219

Action: Set date of public hearing on request from Aviation Director for an ordinance repealing and adopting new Des Moines International Airport Height and Hazard Zoning regulations codified in Article X of Chapter 22 of the City Code, (7-27-09). Moved by Kiernan to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Date: June 18, 2009.

Roll Call Number: 10-2009-5.01.

Action: The Plan and Zoning Commission recommended approval the proposed ordinance by a vote of 8-0.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Second and third readings of the ordinance as necessary.

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