



DEVELOPMENT SERVICES

RULE INTERPRETATION DETERMINATION

Determination #: 2023-005

Title: *Martindale Heliport Hazard Overlay District*

Drafted by: *Land Development Division, Policy Administration Section*

Rule in Question: *Chapter 35, Division 4: Overlay Districts*

Department Action: *This RID is for clarification purposes and includes suggested UDC amendments.*

Michael Hannon, PE, CBO
Development Services Director

Date

10/10/23

Effective Date of Determination: *October 10, 2023*

Please note RIDs often result in direct or related UDC amendments to codify the clarification addressed within the RID. RIDs can also be superseded by subsequent RIDs or UDC amendments. The Development Services Department will remove RIDs from the website when they are no longer valid.

Staff Analysis: On March 3, 2023 City Council authorized a Council Consideration Request (CCR) directing Development Services Department to initiate and work with the Martindale Military staff and the District 2 Council Office to create the boundaries and regulations for a new zoning overlay district around Martindale Army Heliport for the protection of a flyover zone.

Development Services Department partnered with Martindale staff, held community meetings, and developed a proposal for the protection of this critical base. Over the course of several months, Development Services' Large Area Rezoning (LAR) team processed the request, which was ultimately approved by City Council on August 03, 2023, being Ordinance number 2023-08-03-0517.

Staff Position and Interpretation: With the passing of Ordinance 2023-08-03-0517, it is staff's position that the new overlay, as well as the adopted regulations that accompany it, should be added to the Unified Development Code (UDC) via this RID until the 2027 Unified Development Code amendment cycle allows staff to formally add the provisions.

Future UDC Amendments:

Sec. 35-303(b). – Establishment of Districts

(b) Overlay Districts. The city hereby establishes the following overlay districts which shall be governed by all of the uniform use and area requirements of this chapter. Within these overlay districts, additional requirements are imposed on certain properties within one (1) or more underlying general or conditional zoning districts. The overlay districts established by this chapter, including the symbol for each type of district is as follows:

Overlay District

(Listed in Alphabetical Order)

"AHOD"	Airport Hazard Overlay District
"EP"	Facility Parking/Traffic Control District
"ERZD"	Edwards Recharge
"H"	Historic District
"HE"	Historic Exceptional
"HS"	Historic Significant
"MAOZ"	Military Airport Overlay Zone
"MAOZ-1"	Military Airport Overlay 1
"MAOZ-2"	Military Airport Overlay 2
" <u>MHHOD</u> "	<u>Martindale Heliport Hazard Overlay District</u>
"MLOD"	Military Lighting Overlay Districts
"MPOD"	Mission Protection Overlay

	District
"MSAO"	Military Sound Attenuation Overlay Districts
"NCD"	Neighborhood Conservation Districts
"IH"	National Highway System High Priority Corridor District
"RIO"	River Improvement Overlay Districts
"UCD"	Utility Conversion Districts
"VP"	Viewshed Protection Districts

Sec. 35-339.07. - "MHHOD" Martindale Heliport Hazard Overlay District.

STATEMENT OF PURPOSE

The Martindale Heliport Hazard Overlay District is intended to protect a flyover path for the safe operation of aircraft at Martindale Army Heliport. The overlay districts establishes height limitations based on proximity to the runway at the military installation.

(a)Initiation Procedures and Zoning Classification.

(1)The Martindale Heliport Hazard Overlay District is established as an overlay to the regular base zoning districts established by this chapter as well as any additional overlays that have been previously applied.

(2)The zoning designation for the Martindale Heliport Hazard Overlay District shall consist of a base zone symbol and the overlay district symbol "MHHOD".

(b)Boundaries.

(1)Boundaries established for MHHOD.

The overlay boundary forms a polygon that covers the area and associated properties within the Martindale Army Heliport's Accident Potential Zone (APZ), generally located 400 feet below the northern property line of the Martindale Heliport property, starting at the center of the current north end of the runway and extending 600 feet to the east and west, then north to IH-10. IH-10 will act as the northernmost boundary.

(c)height Limitations.

(1) Building height is restricted to 15 feet within 100 feet of the northern edge of the Martindale Army Heliport property line, 50 feet within 300 feet, 75 feet within 500 feet, 100 feet within 700 feet, 125 feet within 900 feet, and a maximum of 150 feet within the remainder of the boundary.

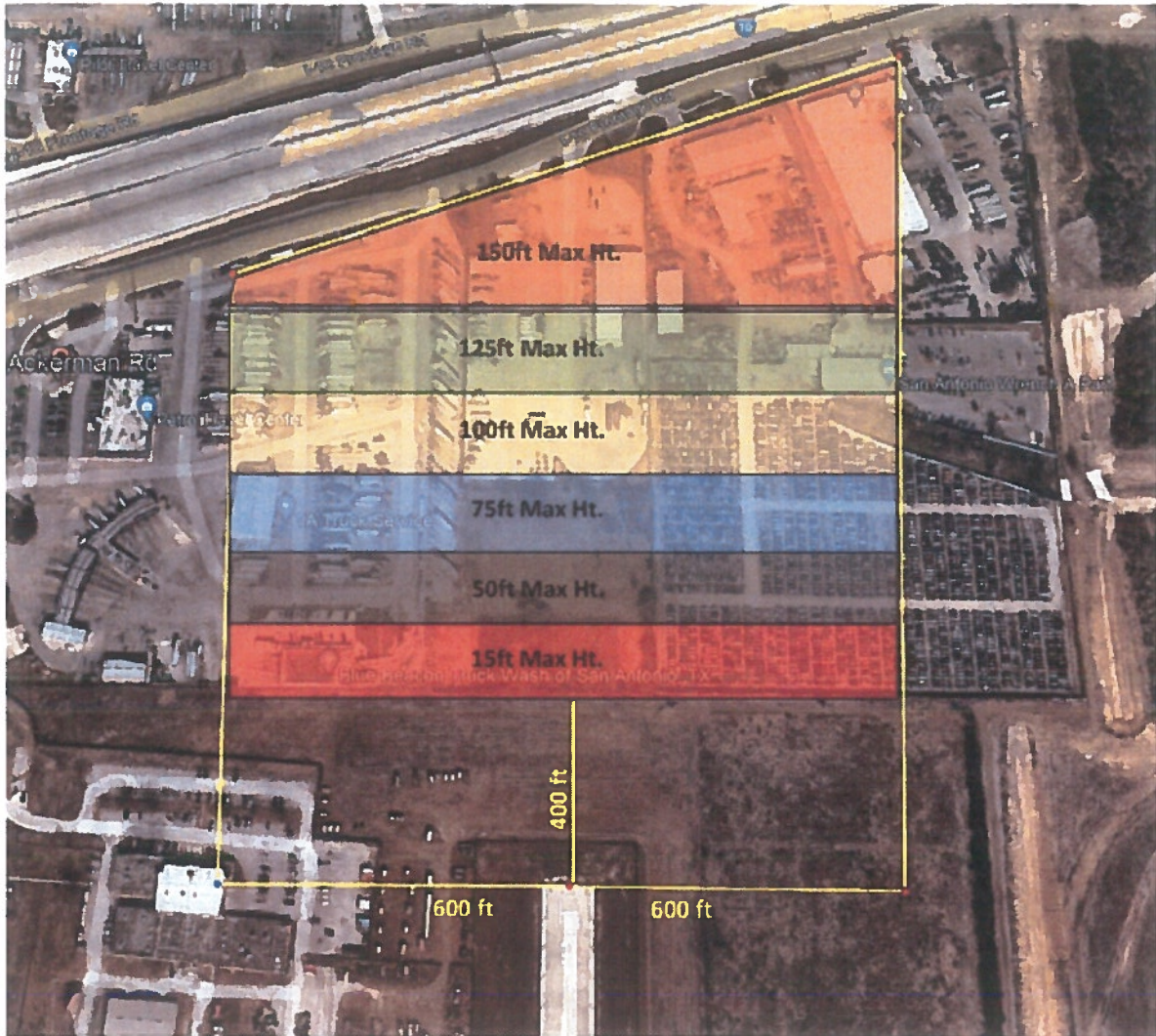


Figure 339.07-1 Illustrating Height Limitations

(e)Public Facilities and Utilities. Notwithstanding article 1, the city (including its departments and agencies) and all utilities as identified in subsection 35-507(a) shall comply with the siting and design requirements of structures and utility facilities which are located within the Martindale Heliport Hazzard Overlay District.