

BARABOO-DELLS AIRPORT OVERLAY ZONING ORDINANCE FREQUENTLY ASKED QUESTIONS

What is an Airport Overlay Zoning Ordinance?

A particular set of controls designed to increase the safety and reduce the potential for noise impacts associated with aircraft flying around an airport. The purpose of the ordinance is to regulate the use of property within the designated vicinity of the Baraboo-Dells Airport in order to protect the approaches, airspace, and physical areas of the airport and to ensure the compatibility of surrounding land uses and development to the greatest extent possible.



Who is initiating this project?

The City of Baraboo recently accepted a transfer of management responsibilities for the Baraboo-Dells Airport on behalf of the other airport owners (Town of Delton, Village of Lake Delton, and City of Wisconsin Dells). The City's Administrative Committee has replaced the Joint Airport Commission and will now provide management oversight of the airport. Prior to transferring management, the Joint Airport Commission entered into a contract to pursue the creation of an airport overlay zoning ordinance.

Is there a State or Federal requirement forcing the creation of this ordinance? What are the benefits?

Both the FAA (Federal Aviation Administration) and the Wisconsin Bureau of Aeronautics (BOA) strongly encourage public airports to enact overlay zoning ordinances to:

- Protect the airport from incompatible land uses that could interfere with the safe operation of the airport,
- Protect public safety by reducing the potential for fatalities, property damage, or noise complaints within the vicinity of the airport.
- Protect the public investment made by local taxpayers in their airport and the economic benefits it provides.

What are the boundaries of this project, what property will be affected?

The boundaries of the overlay zoning ordinance will encompass the same area as the existing height limitations ordinance, roughly three miles around the airport. This includes property in the City of Baraboo, Village of West Baraboo, Village of Lake Delton, Town of Baraboo, Town of Delton, Town of Fairfield, and the Town of Greenfield. (See the attached Baraboo-Dells Height Limitations Map)

What is the existing height limitations ordinance?

The FAA (Federal Aviation Administration) requires public airports to adopt and impose limitations for the height of buildings within the vicinity of an airport. The purpose of the ordinance is to reduce the potential for aviation crashes and property damage near an airport. The Wisconsin Bureau of Aeronautics (BOA) created the original height limitations map for the Baraboo-Dells Airport. The attached Baraboo-Dells Height Limitations Map displays the maximum permitted elevation of buildings within the three-mile jurisdiction of the airport. Additional information can be found under Chapter 26 of the City of Baraboo Zoning Code.

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What is the maximum elevation I am allowed to build to on my property?

The maximum elevation of buildings & vegetation depends on two factors: (1) the existing base elevation of a property and (2) its vicinity to the airport. In general, the further a property is from the airport the higher buildings may be. The maximum height of buildings for properties off the ends of each runway is at least 30'.

The distance increases the further a site is from the airport and the ends of each runway.

Will this project involve modifying the existing height limitations ordinance or map?

The existing height limitations ordinance and map will be reviewed as part of this project; however, since the map was created based on BOA regulations/standards, changes are not anticipated. The final overlay-zoning ordinance will be a supplement to the existing height limitations ordinance (Chapter 26 of the City of Baraboo Zoning Ordinance).

Will this ordinance replace the existing zoning classification of property?

No. This project will not change the existing or underlying zoning of property regardless of which community the property is in. However, it will apply an additional floating, or overlay, zoning district to properties within three miles of the airport.

What happens if there is a conflict between the existing zoning ordinances and the airport overlay zoning ordinance?

The requirements of the most restrictive ordinance shall prevail. Typically the existing (underlying) zoning ordinance will regulate permitted uses for a property while the overlay zoning ordinance will regulate uses which are prohibited on a property.

What type of new zoning districts will be created?

There is no prescribed mandate regarding the number or name of zoning districts. The following four districts represent the professional standard used by communities. These may be modified to fit the individual needs of the Baraboo-Dells Airport.

- Zone 1: Airport District (generally includes all land owned by the airport)
- Zone 2: Runway Approach & Departure District (includes land adjacent to and extending from airport runways)
- Zone 3: Noise Control/Overflight District (generally includes lands within 2 miles of the airport)
- Zone 4: Height Limitation District (generally includes all other land within the planning area)

How are the district boundaries created?

There is no prescribed mandate regarding the minimum or maximum area, or distance, of each zoning district. There are professional standards to help guide the process but the final location and extent of each district will be determined through the planning process.

Who will administer the final ordinance?

The City of Baraboo will maintain and administer the airport overlay zoning ordinance. Building permits will continue to be issued by the municipality a property is within. An additional zoning permit maybe

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issued by the City of Baraboo as part of the review process, prior to the issuance of a local building permit.

How does this project relate to comprehensive (smart growth) planning?

Under the Comprehensive Planning legislation (ss 66.1001) beginning on January 1, 2010 if a community engages in any of the actions listed below, those actions shall be consistent with its comprehensive plan:

- Official mapping established or amended under s. 62.23 (6)
- Local subdivision regulations under s. 236.45 or 236.46
- County zoning ordinances enacted or amended under s. 62.23 (7)
- Town, village, or city zoning ordinances enacted or amended under s. 60.61, 60.62, 60.23 (7)
- Zoning of shorelands or wetlands in shorelands under s. 59.692, 61.351 or 62.231

State Statute 66.1001 does not list s. 114.136 (which provides for the creation of airport overlay zoning ordinances) within the list of actions required to be consistent with a comprehensive plan. State Statute 62.23 (6) requires municipalities which establish an official map to show the location of any part of an airport located within the area subject to zoning by the city and any part of an airport affected area located within the area subject to zoning by the city. The comprehensive planning legislation does require communities to identify any airport master plans within their jurisdiction as part of the transportation element. This project does not change the underlying zoning of any property within the planning area; therefore, the airport overlay zoning ordinance does not need to be consistent with the comprehensive plans of the other communities within the planning area. However, in order to improve intergovernmental cooperation and better regional land management, the comprehensive plans from each community within the planning area will be reviewed prior to the development of the zoning ordinance to minimize potential inconsistencies. A final report will identify any inconsistencies that could not be avoided and will provide recommendations regarding changes that should be pursued in either the City of Baraboo's Comprehensive Plan or the plans of adjacent communities.

Does this project include plans to construct or extend any runways?

No. However, potential airport expansions will be reviewed and considered during the development of the ordinance.

Are there any plans to construct or extend any runways at the airport?

By law, the airport is required to maintain an Airport Layout Plan (ALP). An ALP is a 20-year planning document that guides the growth and development of an airport and is used by decision makers when evaluating projects close to the airport so they can ensure compatible land uses for the ultimate airport development. The Baraboo-Dells ALP was last updated in 1990. Potential projects include:

- Primary Runway – extend from 4800' to 5350' and widen from 75' to 100'
- Turf Runway – extend from 2715' to 3000', narrow from 100' to 75', and pave
- Expand associated aprons and taxiways

When will these projects take place?

Both runway projects are listed within the BOA's five-year Airport Improvement Program (AIP) for construction in 2011. Inclusion in the AIP does not guarantee the Baraboo-Dells Airport will receive funding for the project or that local matching dollars will be available. The AIP lists, at best, an estimate as to when these projects could take place. Additional environmental studies and approvals would have to occur before construction could take place.

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Will either runway extension necessitate vacating North Reedsburg, Fox Hill, or Pit Roads?

No, this is not anticipated.

Will this project study the economic impacts creating this airport overlay zoning ordinance will have on individual properties in the planning area?

No. This type of analysis would be difficult since the economic value of a property depends on market conditions at the time of development and the ultimate use of a property. In addition, it is more likely that the underlying or existing zoning and the associated comprehensive plan for the community in which a property is located, will have a larger affect on the use and future value of a property.

Myth: Without the Overlay Zoning Ordinance landowners and developers would be free to develop as they see fit.

Fact: Other land use regulations such as height limitations, Town or County zoning, extraterritorial plat review, shoreland zoning, annexation powers, floodplain & wetland regulations, etc. existed prior to the initiation of this project and will continue with or without an airport overlay zoning ordinance.

Can the zoning ordinance ever be changed?

Chapter 26 of the City of Baraboo Zoning Ordinance provides procedures for appealing zoning decisions and granting variances. Petitions for direct changes to the ordinance would have to be reviewed by the City of Baraboo Administrative Committee and approved by all four owners of the airport.

Who adopts the final ordinance?

The City of Baraboo Administrative Committee will develop the draft overlay zoning ordinance and map. The final ordinance must be adopted by all owners of the airport (City of Baraboo, Town of Delton, Village of Lake Delton, and City of Wisconsin Dells).

What is the timeline for completion of this project?

It is anticipated that this project could be completed by December 31, 2008.

How are other communities being kept informed and involved in this planning project?

The City Clerk has compiled a list of plan commissioners and elected officials from all of the communities that have land located within the planning area. Members of the mailing list will be given direct notice of any Administrative Committee meetings involving the development of the airport overlay-zoning ordinance. In addition, the clerks from each affected community have been asked to post meeting agendas at their administrative buildings. All meetings will be posted following City procedures. Prior to the adoption of the ordinance the Administrative Committee will hold a public hearing regarding the ordinance. All Administrative Committee meetings are open to the public.

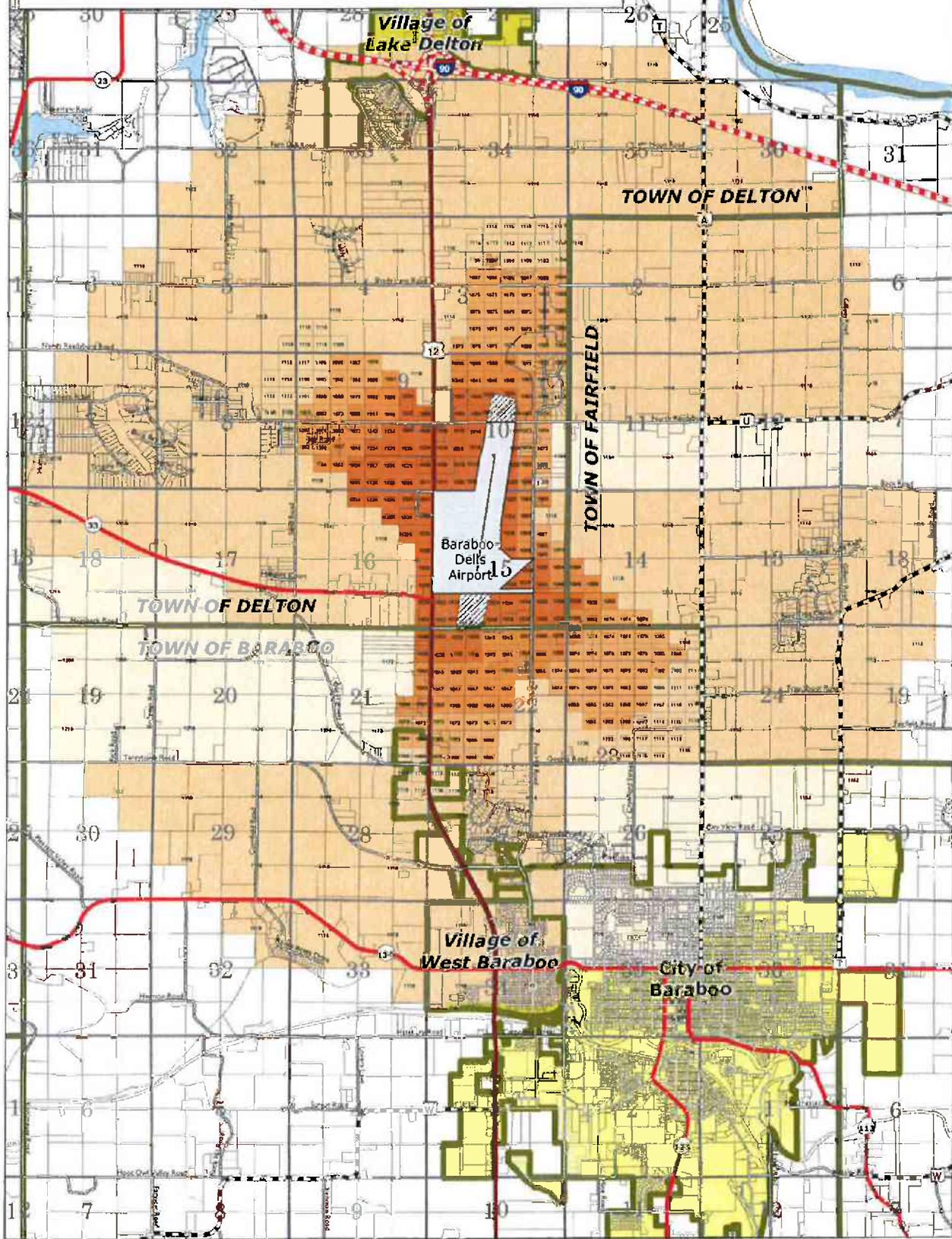
How can I learn more about the project?

Contact: Cheryl Giese, City Clerk-Finance Director
135 4th St.
Baraboo, WI 53913 phone: 608-355-2700



Additional material may be available for viewing at the City of Baraboo Library.

Baraboo-Dells Airport Height Limitation District



Legend

Height Limitation	1066 - 1098 ft
	1146 - 1218 ft
	1040 - 1065 ft
	1099 - 1145 ft
	1011 - 1039 ft

-  Airport Easement
-  Airport Boundary
-  Parcels

Note: This map was created using the height limitation boundaries represented on the original Baraboo-Dells Airport Height Limitation Map dated 02-13-98 on file in the Sauk County Planning and Zoning Office. The original map was produced by the Wisconsin Bureau of Aeronautics.



