

Proposed Statute Changes to Airport Zoning Public Outreach – Austin, June 2, 2015 Summary

These meetings notes are a summary of the above meeting. Any corrections should be sent to Rylan Juran, Rylan.Juran@state.mn.us.

Attendance: See the attached attendance sheet.

Agenda

- Introductions
- Airport Zoning History
- Purpose of Airport Zoning
- Current Airport Zoning
 - Airspace
 - Land Use
- Issues/Solutions
- Next Steps
- How to Provide Further Comments
- Questions

MnDOT delivered a presentation on the agency's proposed changes to airport zoning statutes. The presentation included the history and purpose of airport zoning, current MN airport zoning requirements, and the work of the airport zoning advisory committee.

The airport zoning advisory committee identified issues with current airport zoning and provided input to guide a statutory change proposal. This proposal seeks to provide for better integration with local zoning and planning efforts and provide more flexibility into airport zoning efforts.

MnDOT asked for input on custom-zoning criteria and modifications to Established Residential Neighborhood provisions, and feedback on the proposal in general.

A discussion session followed the presentation and is summarized below:

Comment: There are statutes in zoning that allow communities to extend their zoning authority into neighboring jurisdictions. Counties don't have similar provisions under Chapter 394.

Question: The airspace and land use zones are different and the boundaries don't line up – they should match.

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Response: Land use zoning generally underlies the airspace approach surface and, therefore, generally does match. There are instances where zoning for planned runways and extensions can cause some differences.

Question: Should the county be using the Chapter 394 variance process for non-conforming uses or are there no options for variances?

Response: Most ordinances contain a variance process and the process in the ordinance should be followed.

Question: Are there specific requirements for the variances?

Response: Yes, some variance requirements are identified in Chapter 360 and those requirements are reflected in the ordinance as well as who is responsible to enforce the ordinance.

Question: Do you propose to change the one mile and two mile zoning boundary limitations?

Response: These limitations often appear in ordinance text but not on ordinance maps which causes confusion. We would like to remove these limitations in future versions of proposed changes to allow for unconstrained rulemaking.

Comment: A lawsuit was filed against city regarding zoning for a proposed runway and the city lost.

Response: We believe that better integration between local comprehensive planning and zoning and airport planning and zoning may alleviate some legal issues.

Question: We would like to see airport zoning for private airports, are there resources to accomplish this?

Response: A heliport is an example of private airport zoning and we are working to encourage zoning at heliports. We will also provide technical assistance to a community working to provide airport zoning at a private airport facility.

Comment: Generally zoning determinations must be made within 60 days. Does this apply to MnDOT making a determination of a proposed airport zoning ordinance?

Response: Current statute has no time limit for MnDOT review. We are proposing a 120-day review for MnDOT review and approval. In most instances we anticipate this process being much shorter. However, custom ordinances will require an extensive amount of analysis and will require a longer review period.

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Question: There have been a number of solar electric projects being proposed in part due to solar power farm incentives – how do these facilities impact airport safety?

Response: The Federal Aviation Administration (FAA) has a solar analysis tool that can be used to determine potential impacts to airport operations. Please call Rylan Juran to determine compatibility of any proposed solar facility near an airport.

Attendees:

<u>Name</u>	<u>Organization</u>
Angela Knish	Mower County
Jon Hammel	Nicollet County
John Harford	Rochester-Olmsted Planning Dept.
Brian Pogodzinski	Houston County
Trent McCorkell	Rice County
Melissa DeVetter	Dodge County
Mark Schoenfelder	MnDOT District 6
Ryan Gaug	MnDOT Office of Aeronautics
Rylan Juran	MnDOT Office of Aeronautics
Cassandra Isackson	MnDOT Office of Aeronautics
Julie Carr	MnDOT Office of Aeronautics