

Proposed Statute Changes to Airport Zoning Public Outreach – Mankato, May 15, 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:

Question: Does a minor change to the ordinance still require the commissioner's approval?

Response: Yes. It is hard to define what a "minor" change is, therefore, the community should work with the Office of Aeronautics to review and approve any changes that are made.

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Question: Are MnDOT's proposed statutory change applying to smaller rural airports; not just airports like MSP?

Response: Under the proposal, the custom approach to airport zoning is available to any community that has a need for it. There are a number of factors to weigh when choosing this option including increased complexity and cost.

Question: Are you considering having a cap on the length of zoning?

Response: This is something that will be considered during rulemaking.

Question: What will be the size and shape of Zones A & B?

Response: We don't know at this time what the sizes and shapes or even the names of the zones will be. If you have thoughts on that we will gladly collect that information from you and consider it in our planning discussions. We currently use the FAA airspace shapes in Minnesota. The ultimate size and shape of any zone will be determined in rulemaking.

Question: The functionality of the Joint Airport Zoning Board (JAZB) isn't real for most small airports; essentially a non-functional board. How do we communicate back and forth between cities and counties so that information is included in a constant level?

Response: The ongoing role of the JAZB can differ from community to community. Some JAZBs come together to enact an ordinance and then disband. Others have an ongoing role hearing variances and other duties. There clearly needs to be a higher level of communication amongst all jurisdictions involved.

Question: Is there something other than a JAZB that could be used?

Response: Yes. It is possible for each affected community to agree to zone individually. We recommend using a JAZB to ensure consistency and participation of all communities involved.

Question: Will reference to obstruction removal penalties in the current statute be struck or changed?

Response: We don't currently propose any changes to that language.

Question: Sometimes it is the county that issues permits for neighboring jurisdictions, but the neighboring community doesn't understand the need to reference airport zoning. Can it be a requirement that the county administers airport zoning in all affected jurisdictions?

Response: We would consider any statute language you can provide.

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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.

Attendees:

<u>Name</u>	<u>Organization</u>
Jerold Knaak	Rosendale Township
Terry Braaten	Rosendale Township
Keith Brekken	Watonwan County
Joe McCabe	City of St. James
Tom Werner	Duluth Airport and MCOA
Dan Fogal	Mankato Township
John Olson	City of Hutchinson
Mark Konz	City of Mankato
Jeff Johnson	City of Mankato
Marc Telecky	McLeod County
Dave Haler	Watonwan County
Kevin Carlson	Bolton & Menk
Ryan Gaug	MnDOT Office of Aeronautics
Rylan Juran	MnDOT Office of Aeronautics
Kathy Vesely	MnDOT Office of Aeronautics
Dan McDowell	MnDOT Office of Aeronautics
Ryan Patnaude	MnDOT Office of Aeronautics