

Proposed Statute Changes to Airport Zoning Public Outreach – St. Paul, June 10, 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: Will MnDOT inform us about language updates to the statutes and when they are posted?

Response: We will explore options to update everyone who has attended via email.

Question: Are all 135 airports communities required to do a comprehensive plan (comp plan)?

Response: No. Many communities do not conduct comprehensive planning. The proposed legislative changes do not require comp planning or an update to a current

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comp plan. Communities that do create comp plans will be required to consider airport zoning.

Comment: In the twin cities metro area comprehensive plans are guided under both Chapter 394 and Chapter 473. Land planning act for airports is under Chapter 473.

Comment: The Metropolitan Airports Commission calls an airport master plan an airport long term comprehensive plan.

Question: How is integration between airport zoning and local planning accomplished if a community does not conduct comprehensive planning?

Response: It is addressed through the inclusion of airport zoning on official zoning control documents.

Question: Is there concern about who enforces the airport zoning in neighboring jurisdictions?

Response: Yes, we have heard that concern from many communities during these outreach meetings. There is a need for better communication and understanding of roles.

Question: What is the legal standing of airport zoning that was enacted in the 1970's?

Response: In general, it should still be legal and enforceable.

Question: What is the typical composition of a Joint Airport Zoning Board (JAZB)?

Response: Typically a JAZB consists of two members per participating jurisdiction (non-elected officials), so it varies based on the number of impacted governmental units.

Question: The JAZB convened and adopted an ordinance. Is there a requirement that the JAZB reconvene to make changes to the existing ordinance or can changes be made by the city?

Response: The process in Chapter 360 must be followed.

Question: Does the Commissioner have approval authority over a custom design?

Response: Yes. Similar to the current process, MnDOT will issue a Commissioner's Order for approved ordinances. Approval will be based on a review of criteria for each standard. The criteria for basic zoning will be in rules and the criteria for custom zoning will likely be in statute.

Question: How do we address non-aviation uses in hangars?

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Response: This is best addressed through other means. Zoning provides control beyond the fence line.

Question: Will custom zoning allow for a restaurant (300 people) in Zone B?

Response: Custom zoning will provide a comprehensive analysis of all the factors that affect land use surrounding an airport. These factors must be weighed in totality to determine the appropriateness of any given use.

Question: Does Zone B have to do with operations of a company; for example a gravel company?

Response: Yes. Airport zoning provides controls for the use of land. The restrictions for zone B include density restrictions and general restrictions contained in rules.

Question: This is the tenth of ten outreach meetings, where there any themes?

Response: There was substantial discussion around the composition of JAZBs, comprehensive planning and ordinance enforcement.

Question: Will the custom airport zoning approach and the associated study be eligible for funding?

Response: That is to be determined.

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Attendees:

<u>Name</u>	<u>Organization</u>
Ron Roetzel	Bolten & Menk
John Renwick	Lake Elmo Airport
Patrick Boylan	Metro Council
VJ Anderson	Citizen
Ann Pung-Terwedo	Washington County
Dave Schultz	West Lakeland Township
Dan Olson	City of Crystal
Erik Rudeen	MnDOT
Kaci Nowicki	SEH
David Tomporowski	MnDOT Freight Office
Joe Harris	MAC
Jacque Gamet	S EH
Bridget Rief	MAC
Tom Riedezel	White Bear Township
Nick Johnson	City of Lake Elmo
Michael Larson	Met Council
David Wanberg	City of Faribault
Neil Ralston	MAC
Rick Ashbach	Forest Lake Airport
Russ Owen	Met Council
Tom Faella	LAPC
Ryan Gaug	MnDOT Office of Aeronautics
Rylan Juran	MnDOT Office of Aeronautics
Tara Kalar	MnDOT Office of Chief Counsel
Dan McDowell	MnDOT Office of Aeronautics
Julie Carr	MnDOT Office of Aeronautics