

Flying Cloud Airport

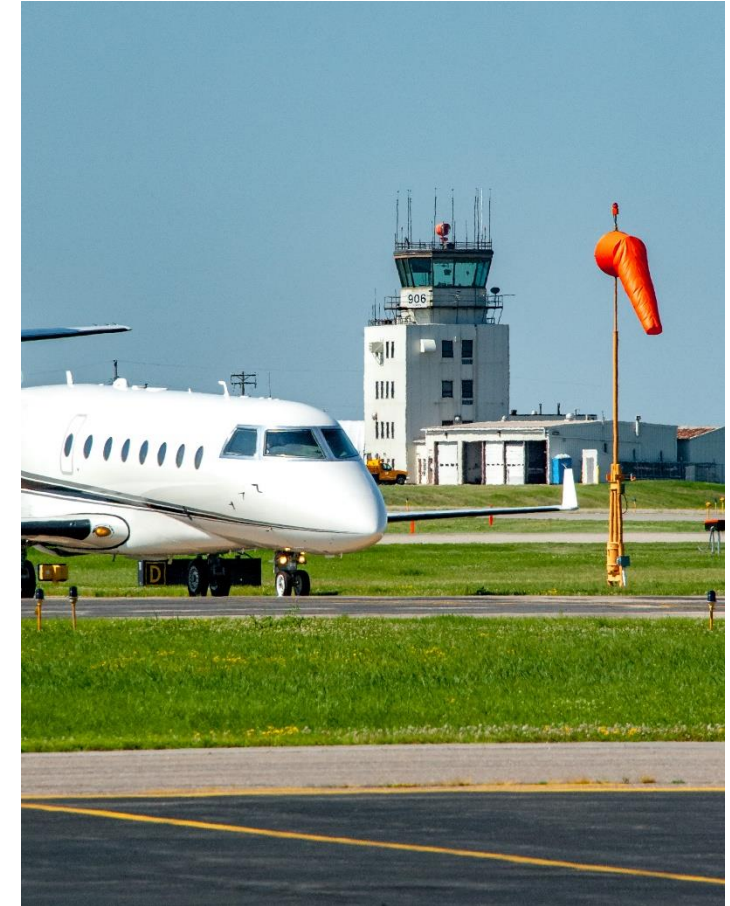
Joint Airport Zoning Board



07 January 2019
JAZB Meeting #6

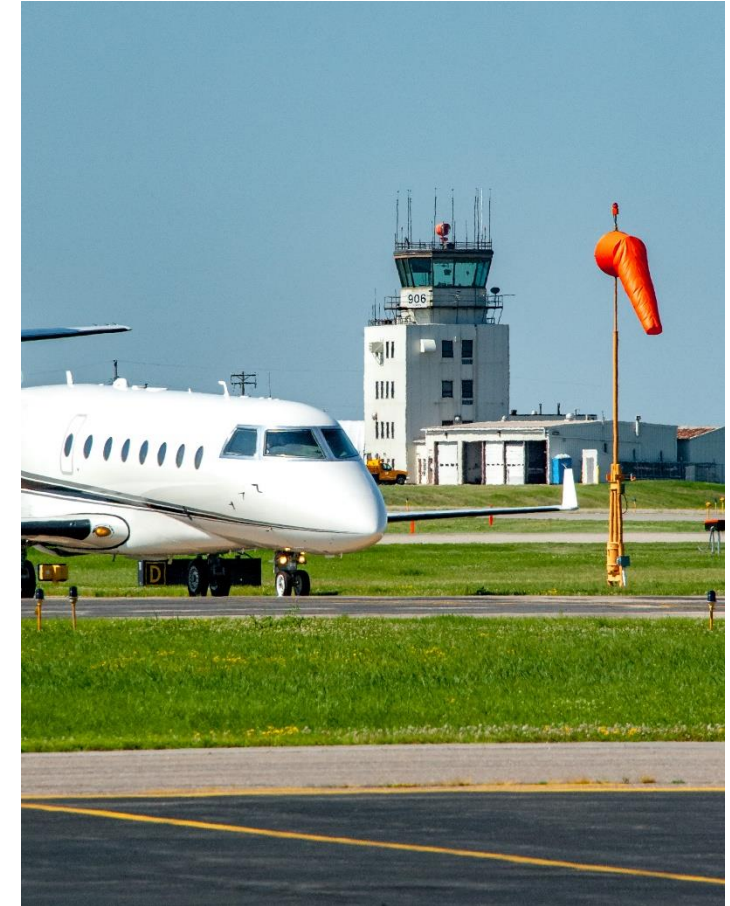
Meeting Agenda

- Chair Opening/Remarks
- Approval of Minutes from September 13, 2018 JAZB Meeting
- Review and Discussion of MnDOT Response to 2nd Submittal Materials
- Next meeting date



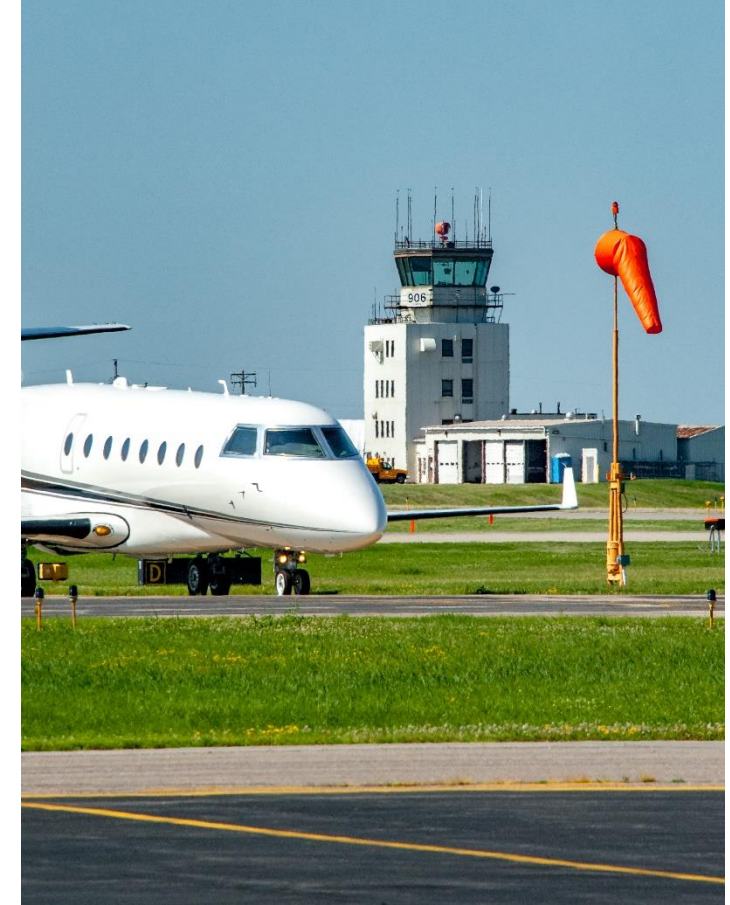
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- **Chair Opening/Remarks**
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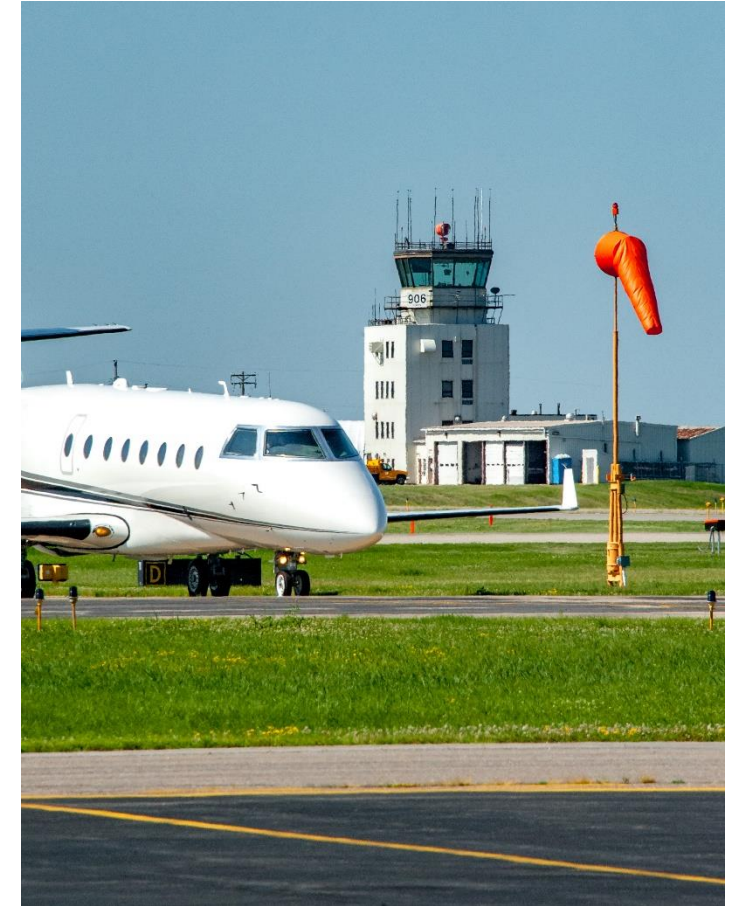
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- Chair Opening/Remarks
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Meeting Agenda

- Chair Opening/Remarks
- Approval of Minutes from September 13, 2018 JAZB Meeting
- **Review and Discussion of MnDOT Response to 2nd Submittal Materials**
- Next meeting date



MnDOT Response to 2nd Submittal

STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION

IN THE MATTER OF: **Docket No. 190**
The approval of zoning regulations for **Order No. 622**
the Flying Cloud Airport **FINDINGS, CONCLUSIONS AND**
INTERIM ORDER

INTRODUCTION

Pursuant to Minnesota Statutes section 360.061 et seq., this matter is before the Commissioner of Transportation ("Commissioner") on the application of the Flying Cloud Joint Airport Zoning Board ("JAZB") for approval of its Flying Cloud Airport Zoning Ordinance.

Based on a review of the entire file and of all submissions, the Commissioner hereby finds, concludes, and orders as follows:

FINDINGS OF FACT

1. The JAZB is a duly organized legal body operating pursuant to Minn. Stat. § 360.063. It represents the Metropolitan Airports Commission and the communities with interest in zoning the Flying Cloud Airport.
2. Pursuant to Minn. Stat. § 360.065, the JAZB submitted the proposed Flying Cloud Airport Zoning Ordinance dated September 13, 2018, to the Commissioner.
3. The JAZB provided information showing that it held a public hearing for the proposed Flying Cloud Airport Zoning Ordinance on February 27, 2018, at which parties in interest and citizens had an opportunity to be heard. Notice of this hearing was provided as required by Minn. Stat. § 360.065, subd. 1.
4. Notice of the hearing was sent by mail to each political subdivision in which property affected by the regulations is located.
5. Notice of the hearing was sent by mail at least 15 days before the hearing to persons owning land proposed to be included in Safety Zone A or B as provided in the rules of the Department of Transportation and to persons or municipalities that had previously requested such notice.
6. A copy of the notice and a list of the owners and addresses to which the notice was sent was attested to by the responsible person and made a part of the records of the proceedings.

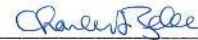
accordance with the standards outweigh the benefits of a strict application of the standards for Parcels X and Y. It is most expedient for the JAZB to amend the proposal to meet state standards on these parcels.

Based upon the foregoing Findings and Conclusions, the evidence contained in the record, and the applicable law, the Commissioner of the Department of Transportation issues the following:

INTERIM ORDER

The proposed Flying Cloud Airport Zoning Ordinance is hereby approved subject to further JAZB action as indicated in Conclusion Number 6 above. Once this action is taken, this order will be finalized. This interim order is valid for 90 days.

**BY ORDER OF THE COMMISSIONER
OF TRANSPORTATION**

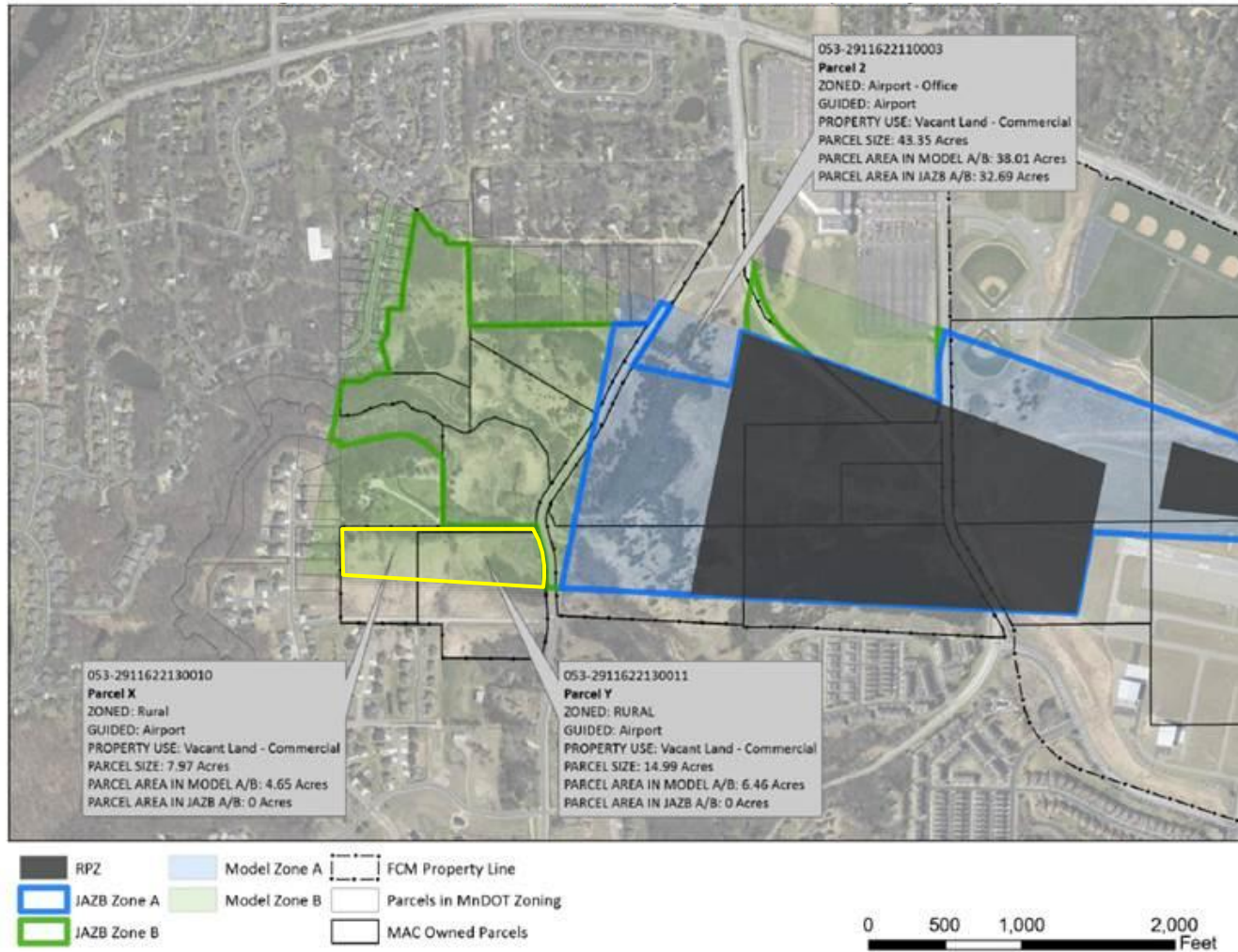


Charles A. Zelle
Commissioner
Minnesota Department of Transportation

DATE: 1-3-19

- 2nd Submittal of Draft FCM Zoning Ordinance made to MnDOT on September 21, 2018
- Interim Commissioner's Order (ICO) received from MnDOT on January 3, 2019
- Essentially a "conditional approval" requiring one additional change

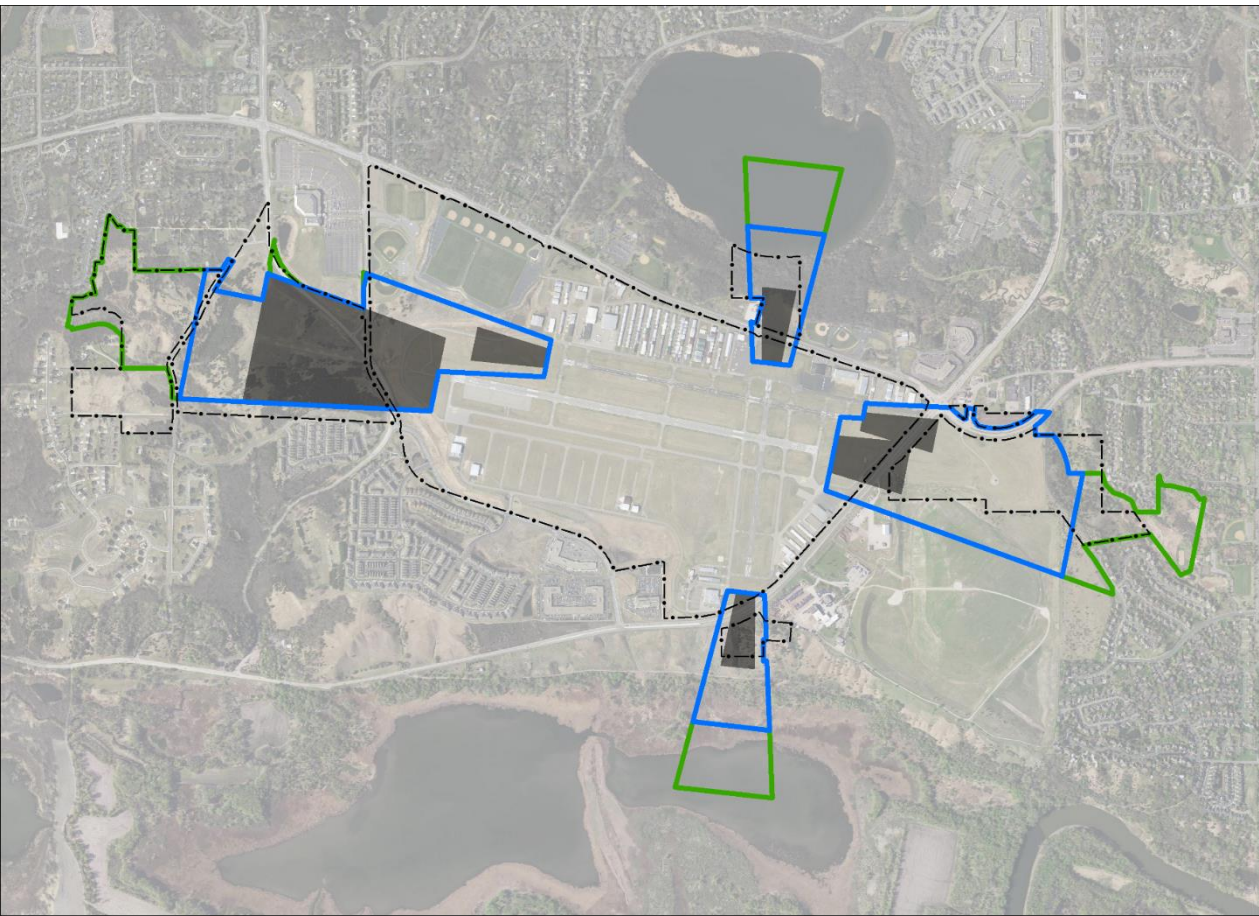
Proposed JAZB Response to ICO



- “The JAZB failed to demonstrate that the social and economic costs of restricting land use in accordance with the standards outweigh the benefits of a strict application of the standards for Parcels X and Y. It is most expedient for the JAZB to amend the proposal to meet state standards on these parcels.”
- Parcels X and Y are the MAC-owned “undefined land use” parcels discussed in previous JAZB meetings
 - Outlined in yellow on the exhibit

Proposed JAZB Response to ICO

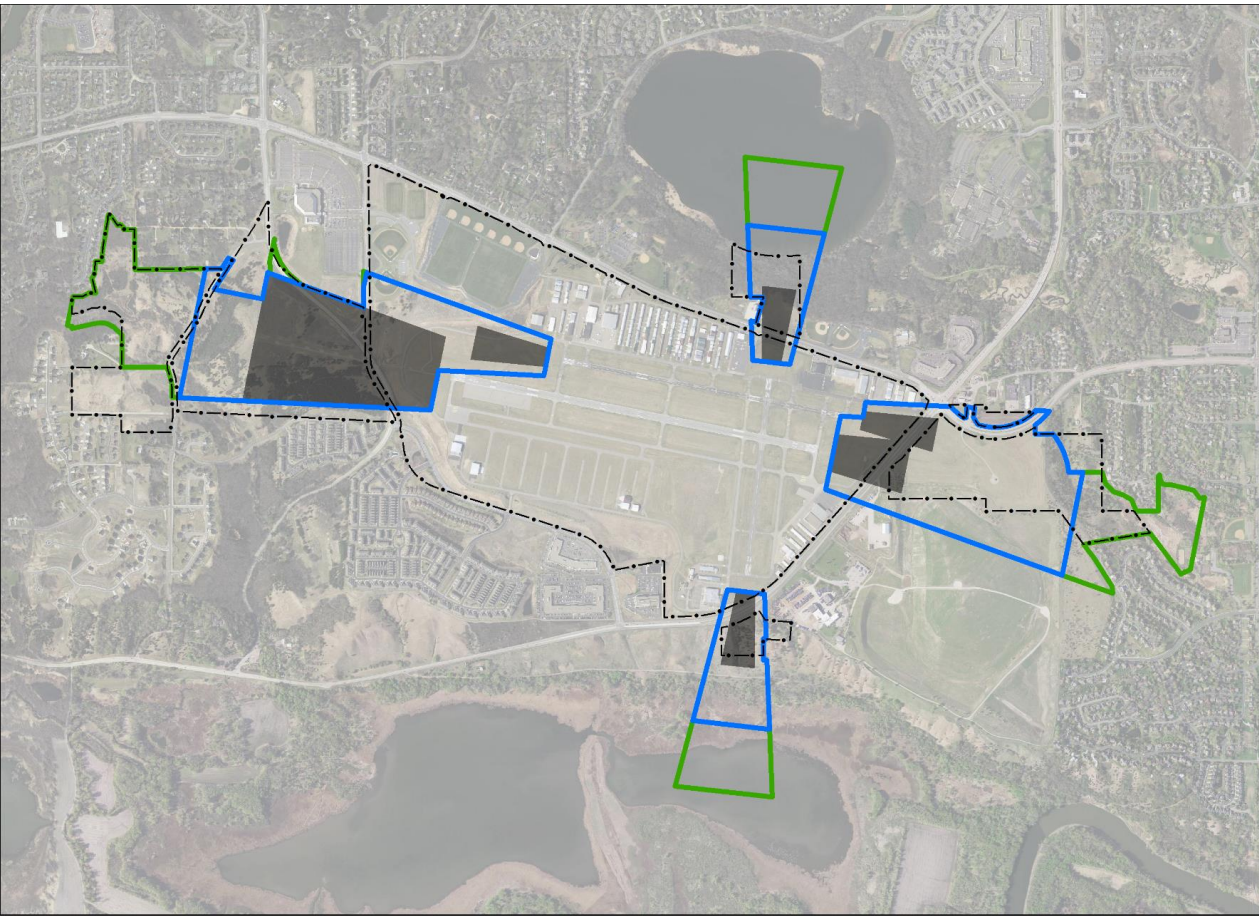
Second Submittal JAZB Safety Zones A and B



FCM Property Line Runway Protection Zones (RPZ) Zone A Zone B
0 750 1,500 3,000 Feet

Proposed JAZB Response to ICO

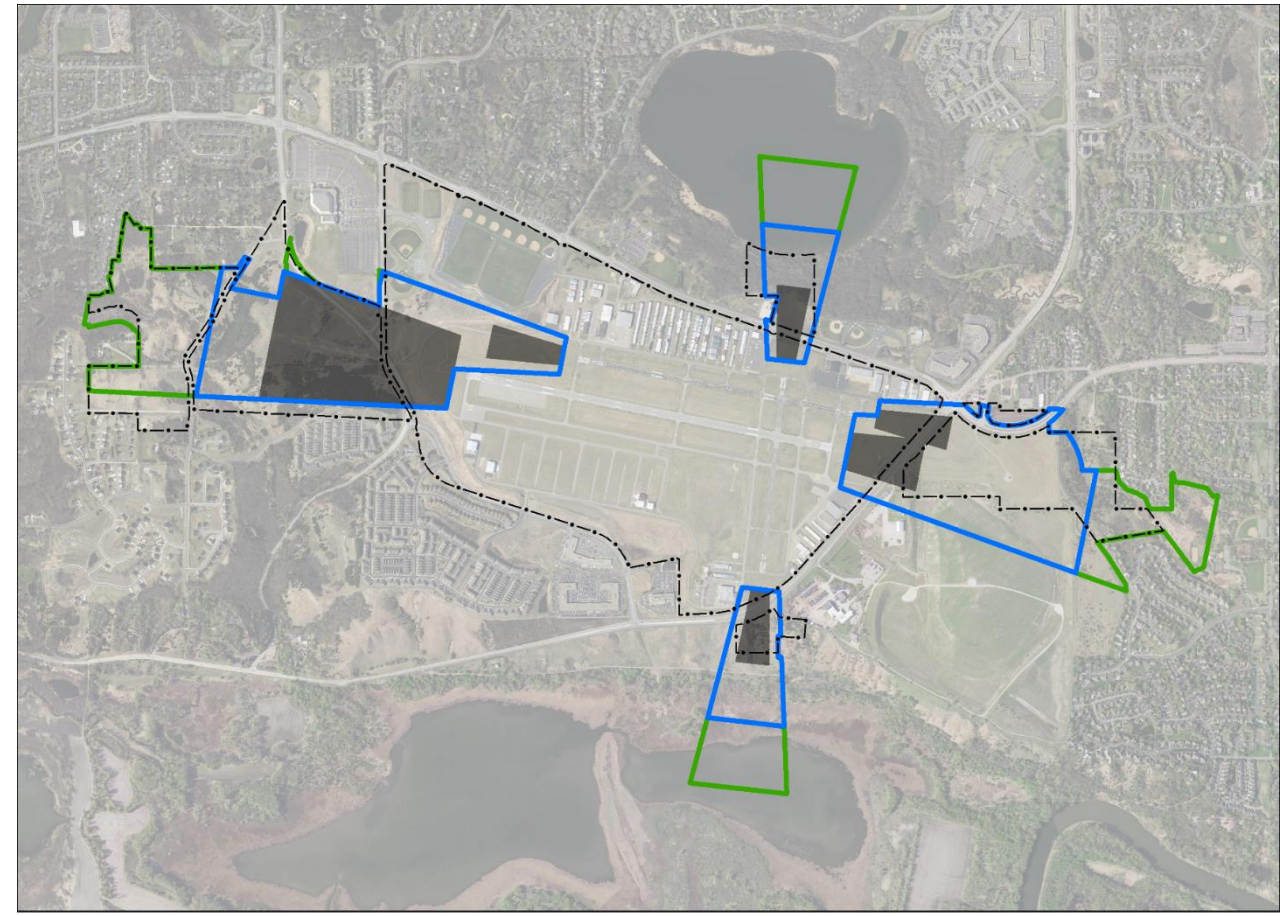
Second Submittal JAZB Safety Zones A and B



FCM Property Line Runway Protection Zones (RPZ) Zone A Zone B

0 750 1,500 3,000 Feet

Proposed Final JAZB Safety Zones A and B in Response to Interim Commissioner's Order

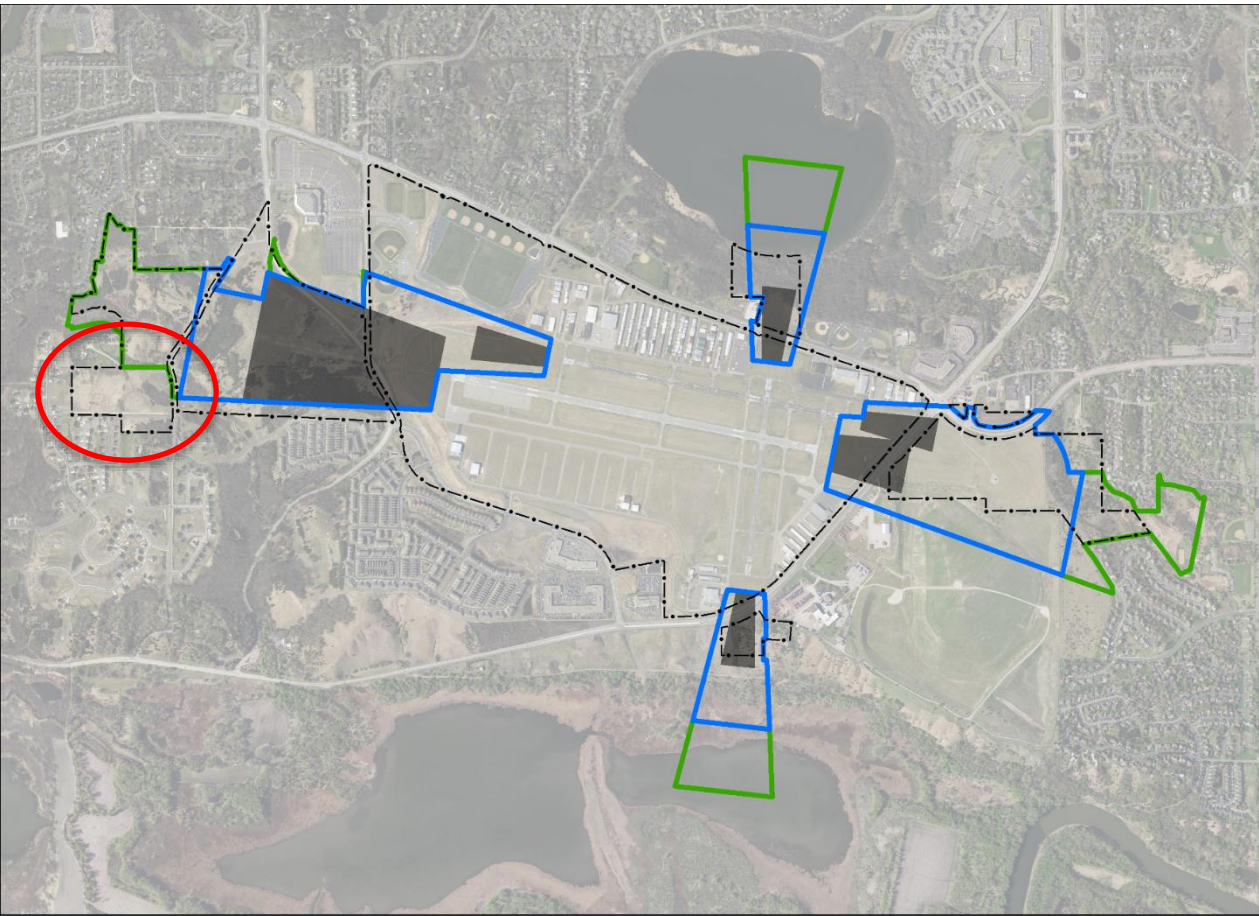


FCM Property Line Runway Protection Zones (RPZ) Zone A Zone B

0 750 1,500 3,000 Feet

Proposed JAZB Response to ICO

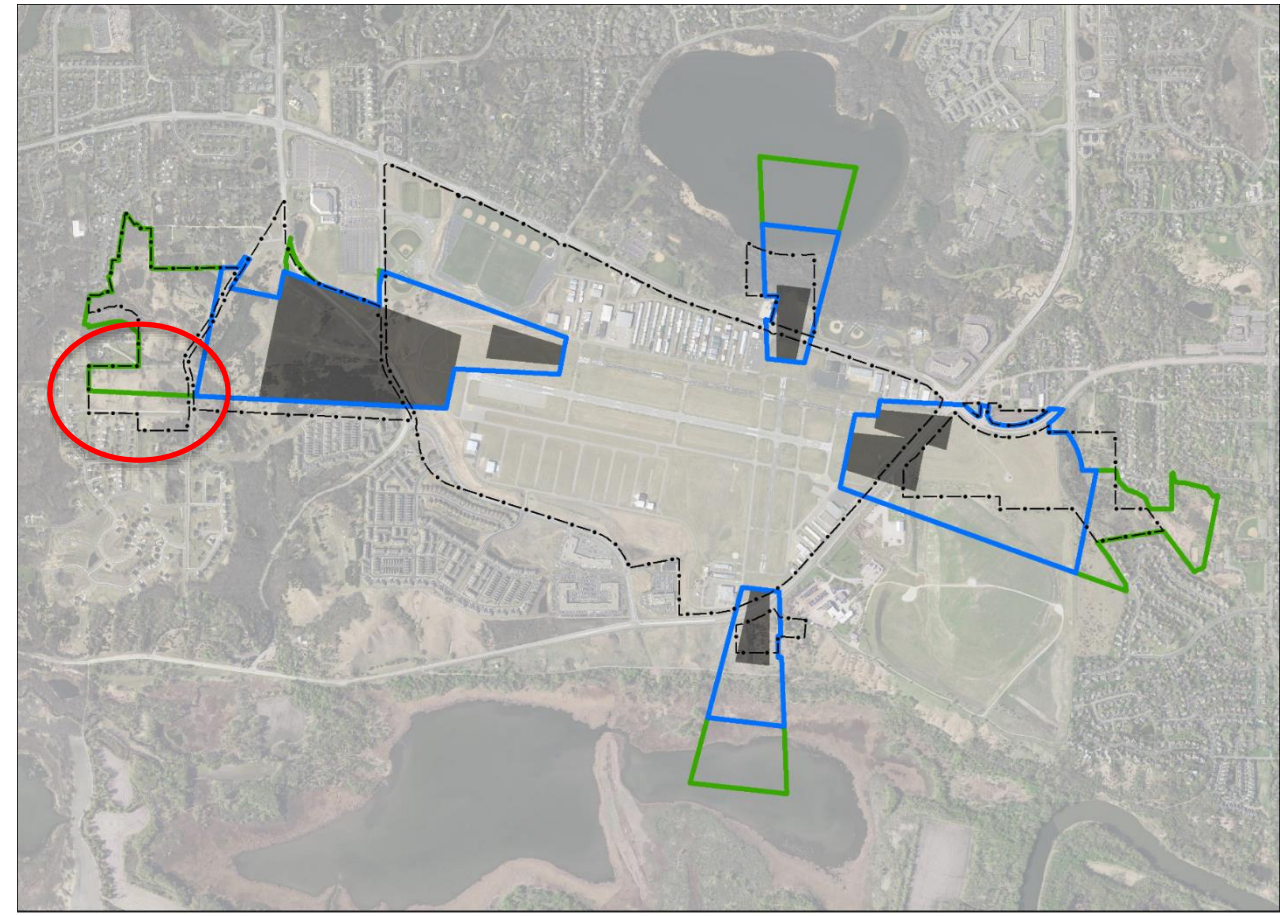
Second Submittal JAZB Safety Zones A and B



FCM Property Line Runway Protection Zones (RPZ) Zone A Zone B

0 750 1,500 3,000 Feet

Proposed Final JAZB Safety Zones A and B in Response to Interim Commissioner's Order



FCM Property Line Runway Protection Zones (RPZ) Zone A Zone B

0 750 1,500 3,000 Feet

Proposed JAZB Response to ICO

FINAL
01/07/2019

**Flying Cloud Airport
Zoning Ordinance**

Adopted _____, 2019

Adopted by the
Flying Cloud Airport Joint Airport Zoning Board

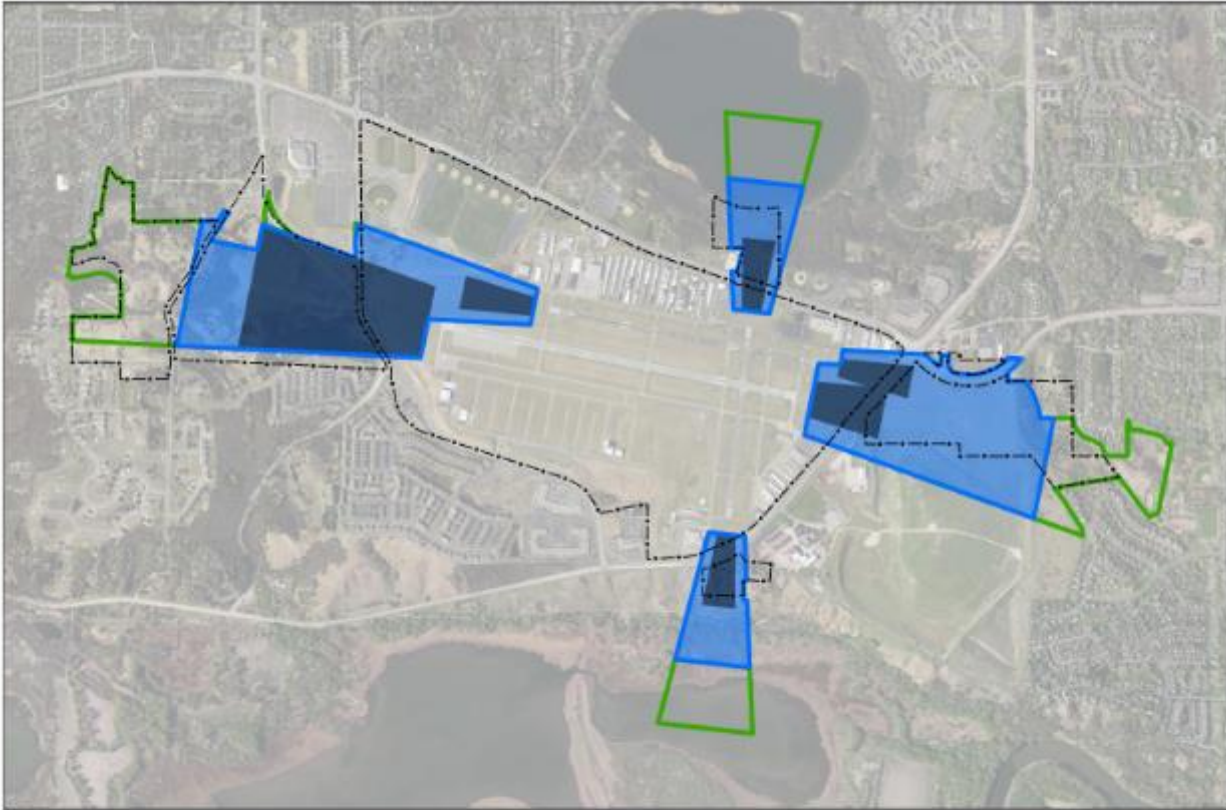
Contact Person:
Flying Cloud Joint Airport Zoning Board
c/o JAZB Secretary
Metropolitan Airports Commission
6040 28th Avenue South
Minneapolis, Minnesota 55450

Response Package Contents:

- Submittal Letter (dated January 7, 2019)
- Proposed Final FCM Airport Zoning Ordinance
 - No narrative changes other than approval block dates from “2018” to “2019”
 - Updated Exhibits
 - Exhibit B (Safety Zone A)
 - Exhibit C (Safety Zone B)
 - FCM Safety Zones Within Zoning Limits Sheets
 - Index Sheet
 - Plates C-2, C-3

Proposed JAZB Response to ICO

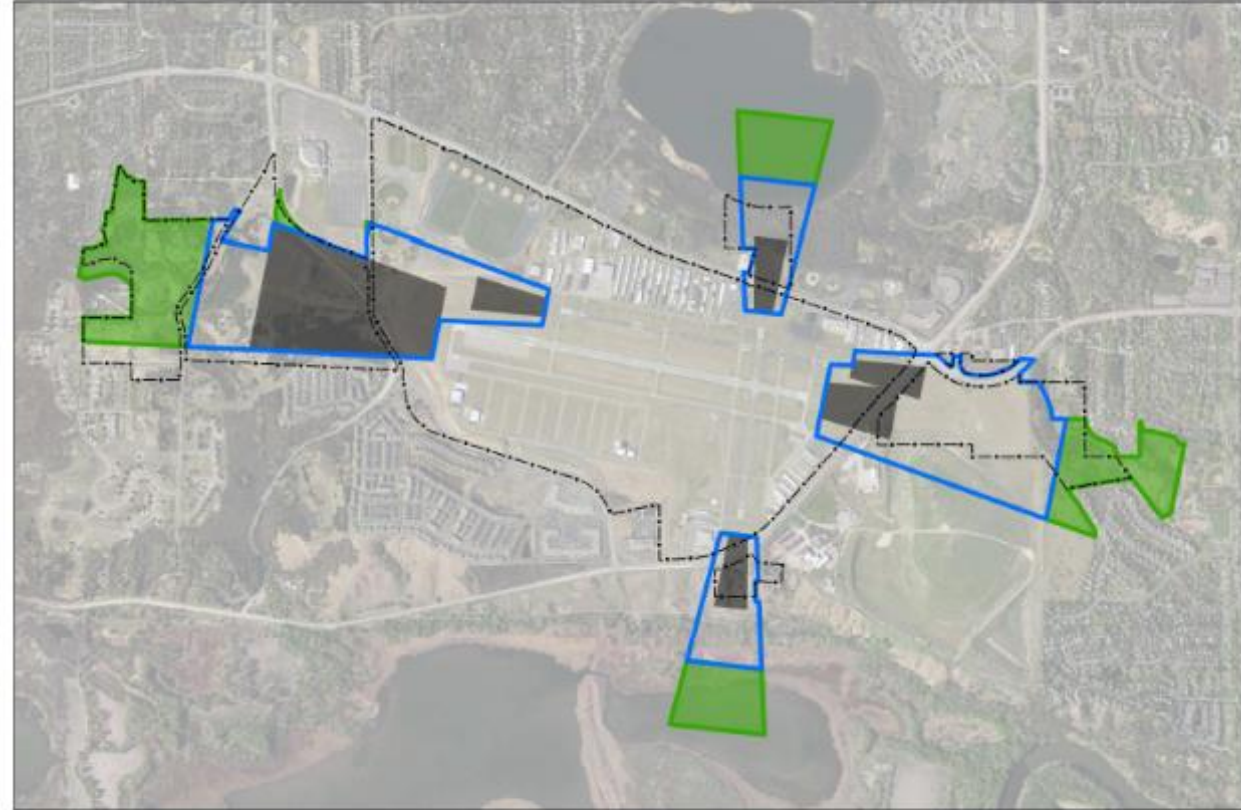
FCM Zoning Ordinance
Exhibit B - Safety Zone A



FCM Property Line Runway Protection Zones (RPZ) Zone A Zone B

0 750 1,500 3,000 Feet

FCM Zoning Ordinance
Exhibit C - Safety Zone B



FCM Property Line Runway Protection Zones (RPZ) Zone A Zone B

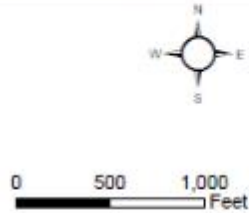
0 750 1,500 3,000 Feet

Proposed JAZB Response to ICO



FCM Safety Zones Within Zoning Limits

SZ - C2

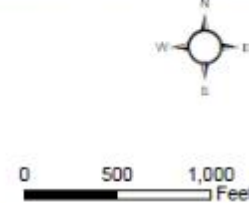


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FCM Safety Zones Within Zoning Limits

SZ - C3



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Proposed JAZB Response to ICO

FINAL
01/07/2019

Flying Cloud Airport
Zoning Ordinance

Adopted _____, 2019

Adopted by the
Flying Cloud Airport Joint Airport Zoning Board

Contact Person:
Flying Cloud Joint Airport Zoning Board
c/o JAZB Secretary
Metropolitan Airports Commission
6040 28th Avenue South
Minneapolis, Minnesota 55450

Action Items:

- Motion to Approve Proposed Final FCM Zoning Ordinance Materials for submission to MnDOT Commissioner of Transportation
- Motion to Authorize 2nd Public Hearing upon receipt of Final Commissioner's Order from MnDOT
- Target Public Comment Period mid-February to mid-March 2019 with Public Hearing in late February
 - Similar to 1st public hearing timeline last year

Sample Timeline for 2nd Public Hearing

Receipt of Commissioner's Final Order (Approval):

- Friday, January 25, 2019

Public Comment Period (30 days):

- Opens week of Monday, February 12
- Closes week of Monday, March 12
- Public Hearing: Week of February 26, 5-8pm, Eden Prairie City Hall

Public Newspaper Notices (5-15 days before hearing):

- Star Tribune (general circulation): two times
- Eden Prairie News: one time
- State Register: one time

Written Notices (15 days before hearing):

- Governing Boards of affected cities, Hennepin County, Scott County
- MAC GovDelivery distribution list
- Postcard to property owners
- MAC website (FCM JAZB page)

Locations to View Draft Documents (15 days before hearing):

- MAC General Office
- City Hall of each JAZB city member
- MAC website (FCM JAZB page, downloadable PDF)
- Library

All listed dates are +/- and subject to change based on JAZB availability

JAZB Meeting Plan

Meeting 1 (Kickoff):

- Board Member Introductions
- Selection of Chairperson
- Review of FCM JAZB Historical Timeline & Accomplishments
- Summary of 2010 Draft FCM Airport Zoning Ordinance
- Goals for Re-Convened FCM JAZB
- Overview of Meeting Plan and Establish Meeting Dates
- Organizational Logistics

Meeting 2:

- Presentation about efforts to update airport safety zoning laws
- Outline of proposed updates/refinements to 2010 Draft FCM Airport Zoning Ordinance
- Board member input on items to be updated/refined

Meeting 3:

- Presentation of Updated Draft FCM Airport Zoning Ordinance
- Approval of Updated Draft FCM Airport Zoning Ordinance for Public Hearing #1

Public Hearing #1

Meeting 4:

- Review of First Public Hearing comments and responses
- Approval to submit Updated Draft FCM Airport Zoning Ordinance to MnDOT Commissioner of Transportation

Meeting 5:

- Review MnDOT Commissioner of Transportation's comments
- Discuss changes in response to MnDOT comments
- Approval to submit response to MnDOT

**we
are
here**

Meeting 6:

- Review MnDOT [interim pending final] approval
- Approval of Second Public Hearing Proposed Final FCM Airport Zoning Ordinance

Public Hearing #2

Meeting 7:

- Review of Second Public Hearing comments and responses
- Final adoption by JAZB of FCM Airport Zoning Ordinance

Flying Cloud Airport

Joint Airport Zoning Board



Thank you for your participation!