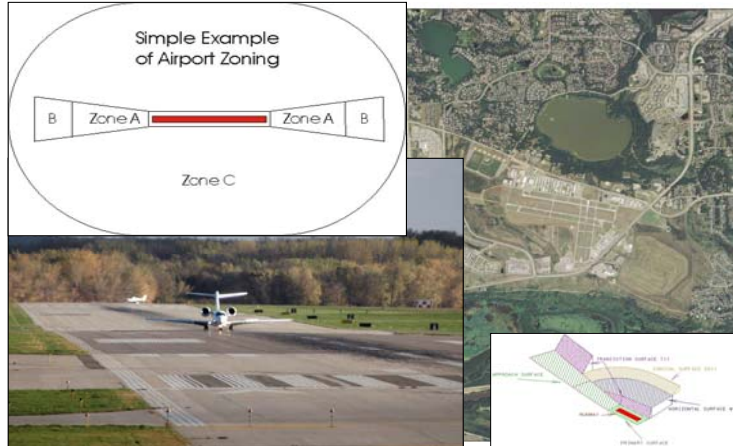


Flying Cloud Airport

Joint Airport Zoning Board



21 September 2017
JAZB Kickoff Meeting



Meeting Agenda

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



Meeting Agenda

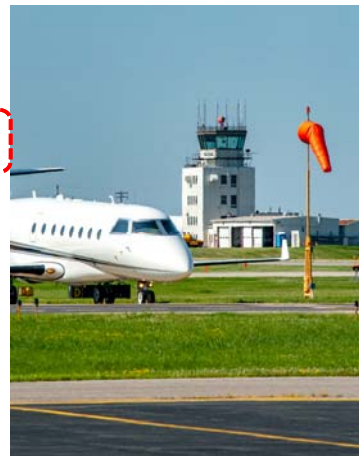
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Selection of Chairperson

- Method of JAZB Chair selection is set out in State Statute

A joint board shall have as members two representatives appointed by the municipality owning or controlling the airport and two from the county or municipality, or in case more than one county or municipality is involved two from each county or municipality, in which the airport hazard is located, and in addition a chair elected by a majority of the members so appointed. All members shall serve at the pleasure of their respective appointing authority.

- The Chair must be someone “in addition” to the Board, i.e., not one of the members or alternates appointed by the municipalities or the Metropolitan Airports Commission
- The Chair must be elected by a majority of the Board Members, i.e., not a quorum of the majority or other lesser number
- No other criteria are stated
- Nominations/Voting



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JAZB Historical Timeline and Accomplishments

- **July 2009:** First of 7 FCM JAZB meetings
- **August 2009 – April 2010:** JAZB develops draft Airport Zoning Ordinance
- **April 2010:** First Public Hearing for the draft Ordinance
- **December 2010:** JAZB approves submittal of draft Ordinance to MnDOT Commissioner
- **Early 2011:** MAC requests that MnDOT temporarily suspend Ordinance review due to legal uncertainties surrounding airport zoning related litigation pending at the time
- **2011 – 2016:** Court cases resolved; efforts to update Airport Safety Zoning Statutes underway
- **December 2016:** MAC requests that MnDOT re-initiate review of the draft Ordinance
- **June 2017:** MnDOT determines they are unable to review the draft Ordinance as submitted pending recalling the JAZB and holding a public hearing
- **September 2017:** First meeting of the re-convened FCM JAZB



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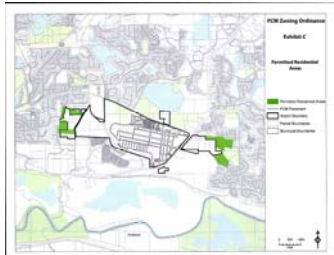
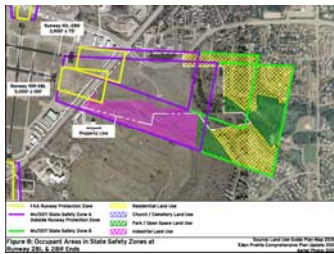
FCM 2010 Zoning Ordinance Highlights

Key JAZB Considerations for FCM Zoning:

- MnDOT Model Ordinance was starting point
- Unique characteristics in context of existing and planned land used around FCM
 - Challenging airport to zone with adjacent dense urban development
- Maintaining a “reasonable standard of safety” while considering social and financial costs to the communities
 - Focus on “Reasonableness” per Chapter 360.066 Subdivision 1, considering:
 - Character of flying operations
 - Location of the airport and the nature of terrain within the Airport Hazard Area
 - Existing land uses and character of the neighborhoods around the airport
 - Uses to which the property to be zoned are planned and adaptable
 - Social and economic costs of restricting land uses versus the benefits derived from a strict application of the standards of the commissioner
 - Conducted detailed Safety/Risk Study
 - Estimated economic impact to surrounding community of implementing State Model Zoning Ordinance



FCM 2010 Zoning Ordinance Highlights



Factors Considered by FCM JAZB:

- Safety/Risk study found accident probability less than 1 in 10m beyond the FAA RPZ in “planned occupant areas”
 - But greater than 1 in 10m in other Zone A/B areas
 - Recognizes that pilots retain some control in many GA accidents
- Economic impact analysis: ~\$600k annual property tax losses; \$150m lost commercial & \$12m lost residential development

FCM JAZB 1st Submittal Land Use Recommendations:

- Zone A = FAA RPZ*
- Zone B = Balance of SSZ A+B footprint
 - Removed site acre/structure limitations*
 - Identified Permitted Residential Areas to allow for improvement, expansion and development of new residential uses in existing and planned residential areas (treated as conforming uses)*
 - Added a provision that a minimum of 20% of the total Zone B acreage or 20 acres, whichever is greater, is contiguous open space as an added margin of safety*

* = deviation from MnDOT Model Zoning Ordinance



FCM 2010 Zoning Ordinance Overview

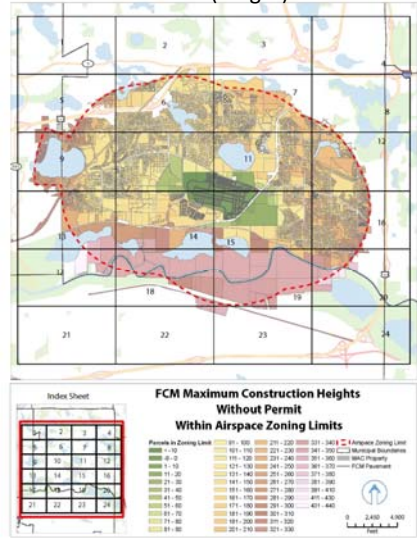
Safety Zones (Land Use)



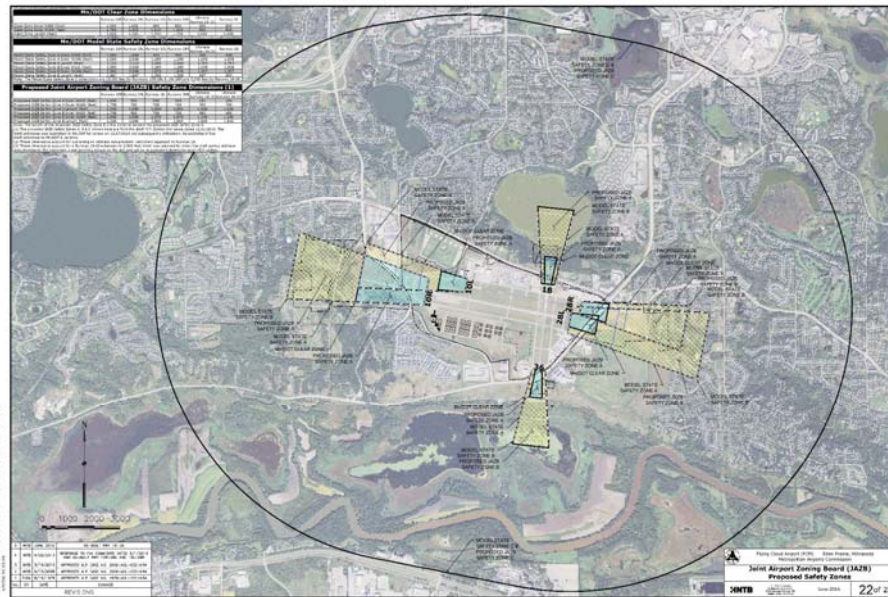
Airspace (Height)



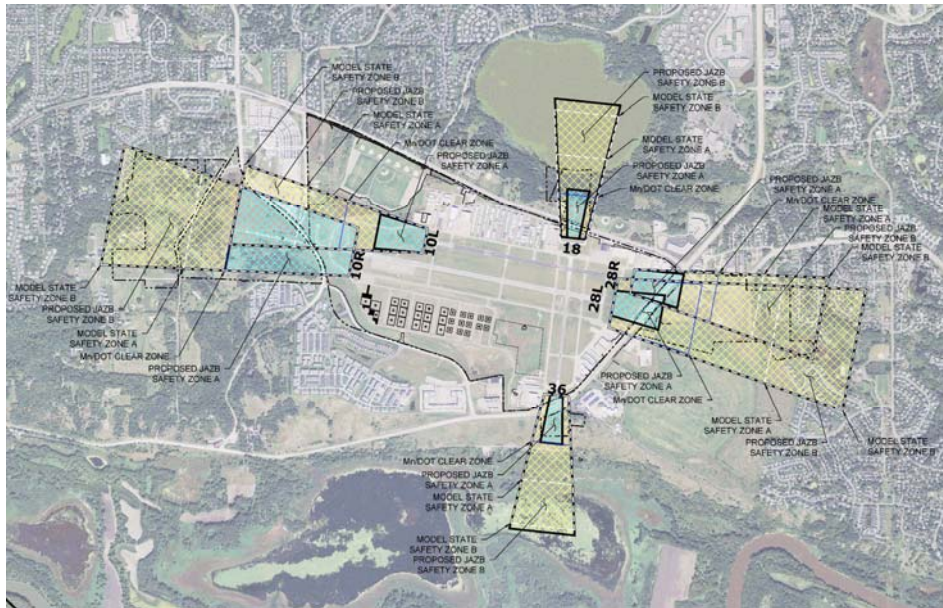
Maximum Construction Height Without Permit (Height)



FCM 2010 Zoning Ordinance Overview



FCM 2010 Zoning Ordinance Overview



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JAZB Goals

Why airport safety zoning remains important:

- State requirements/expectations and funding implications
- Pace of development in the vicinity of FCM
- Non-aeronautical use opportunities on property in safety zones
- Certainty for surrounding community



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JAZB Goals

- To develop an FCM zoning ordinance for review and approval by the Commissioner of Transportation for subsequent adoption by the Board and then by local communities.
- Update relevant sections of 2010 draft Zoning Ordinance to reflect current conditions
- Ensure appropriate level of stakeholder/community engagement



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Tentative Meeting Plan

Meeting 1 (Kickoff):

- Board Member Introductions
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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 (if any) in response to MnDOT comments
- Approval to submit response (if necessary) to MnDOT

Meeting 6:

- Review MnDOT final approval
- Approval of Second Public Hearing for Final Draft 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



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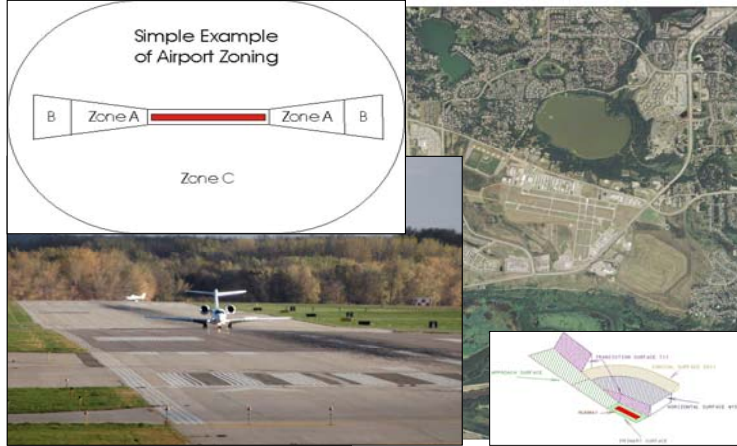
Organizational Logistics

- Meeting location – Eden Prairie City Center?
- Meeting Day/Time – Thursday afternoons?
- Meeting Organization
 - Robert's Rules of Order
 - Quorum = majority of members being in attendance to take action
- Communications
 - Agenda posted one week before meeting
 - Relevant materials posted to JAZB page on MAC website
- Other items
 - Bloomington not participating as the proposed zoning surfaces do not extend into the City



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Flying Cloud Airport Joint Airport Zoning Board



Thank you for your participation!

