

Flying Cloud Airport

Joint Airport Zoning Board



28 February 2019

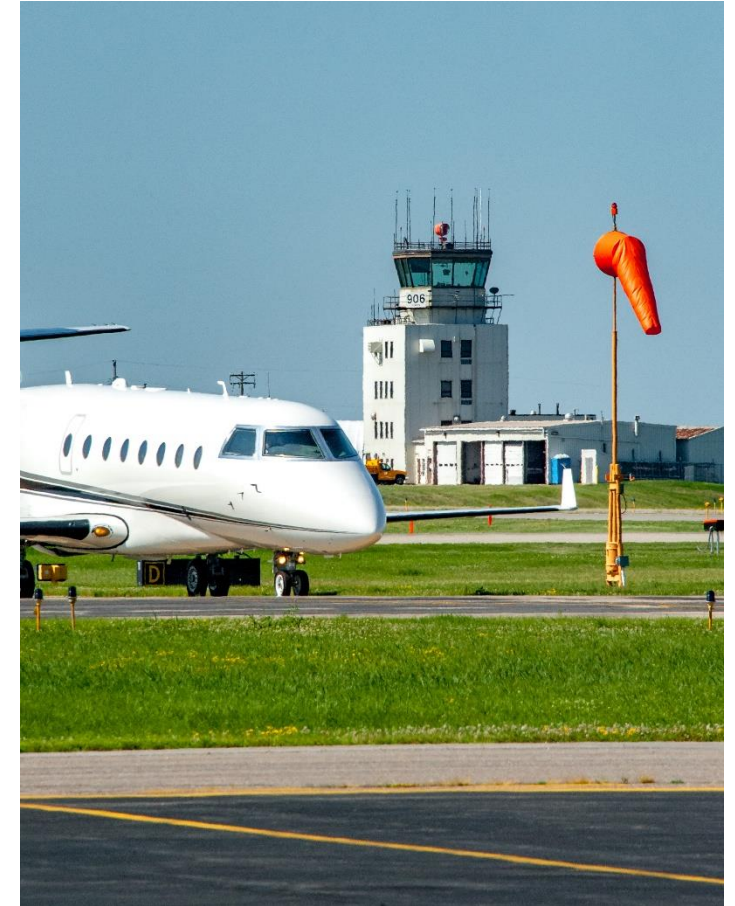
Public Hearing #2 – Proposed Final Airport Zoning Ordinance

Presentation Agenda

- Purpose & Goals
- Review of FCM Zoning Historical Timeline
- Summary of Proposed Final FCM Airport Zoning Ordinance
- Next Steps

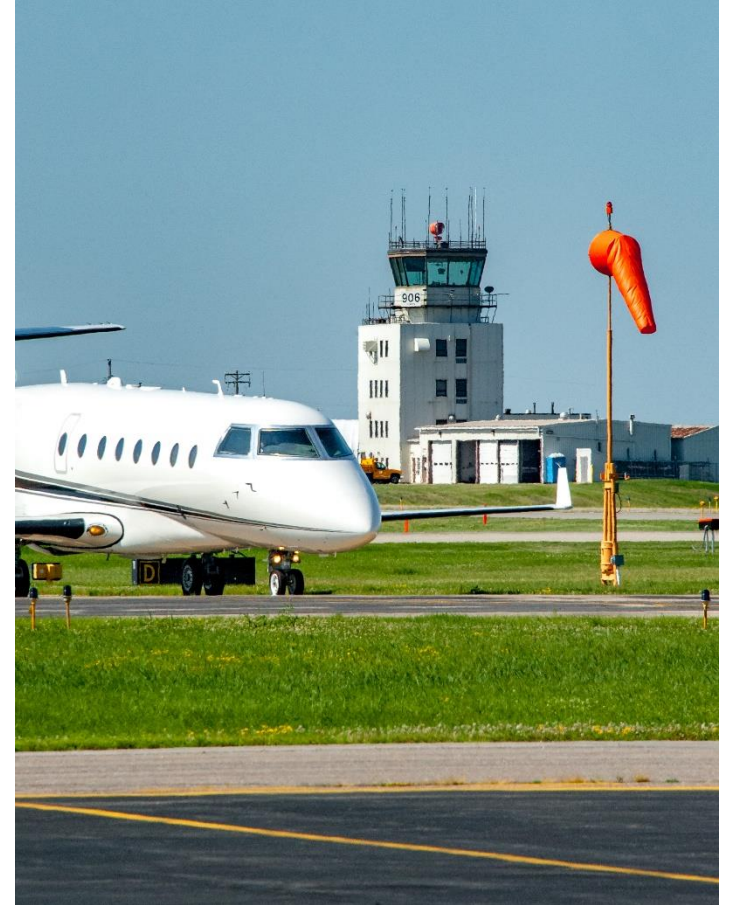
Terminology Key:

- Flying Cloud Airport = FCM
- Joint Airport Zoning Board = JAZB
- Minnesota Department of Transportation, Office of Aeronautics = MnDOT
- Federal Aviation Administration = FAA



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JAZB Purpose & Goals

Why is airport safety zoning important now?

- State requirements/expectations and funding implications
- Pace of development in the vicinity of Flying Cloud Airport is increasing
- Revenue-generating use opportunities on airport property
- Certainty for surrounding community



The Proposed Final Airport Zoning Ordinance is for the existing airfield configuration. It does not consider or propose any physical airfield changes to the existing condition.

JAZB Purpose & Goals

Through a collaborative process, the JAZB seeks to develop an airport zoning ordinance that achieves a **balance** between a reasonable level of **public safety** and compatible **community development**.



In determining what minimum airport zoning regulations to adopt, Minnesota State Statutes guide the JAZB to consider the **social and economic costs of restricting land uses** versus the **benefits derived from a strict application of the standards of the commissioner** (the State Model Zoning Ordinance).

JAZB Purpose & Goals

Goals for the FCM JAZB include:

- Develop an FCM zoning ordinance for review and approval by the Commissioner of Transportation for subsequent adoption by the Board and then implementation by local communities
- Update relevant sections of previous zoning proposals to reflect current conditions
- Ensure appropriate level of stakeholder/community engagement



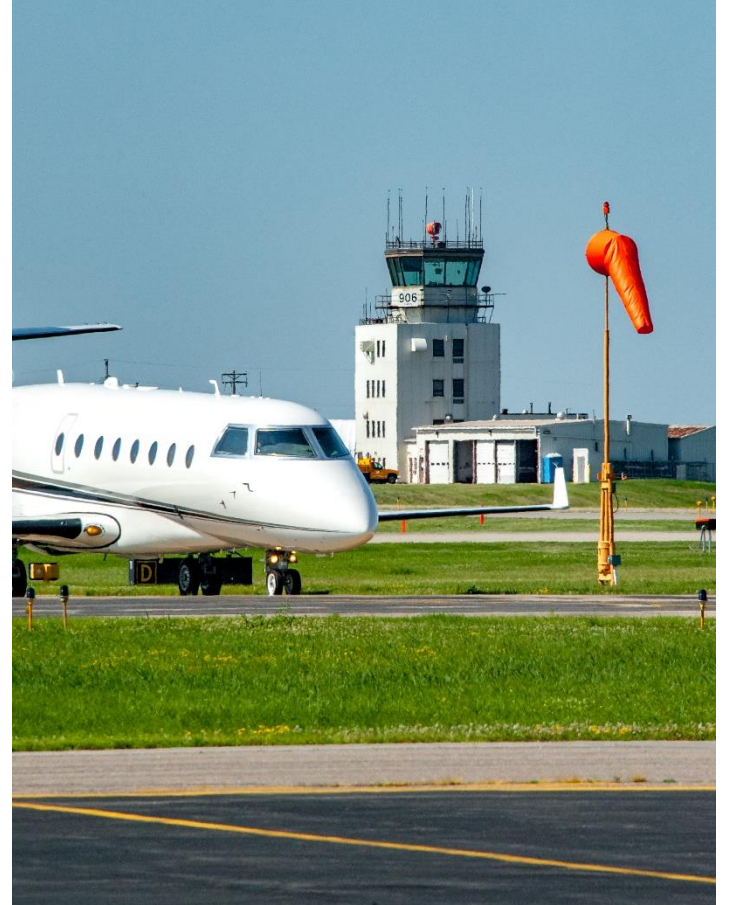
JAZB Participants

City of Eden Prairie
City of Shakopee

City of Chanhassen
Metropolitan Airports Commission

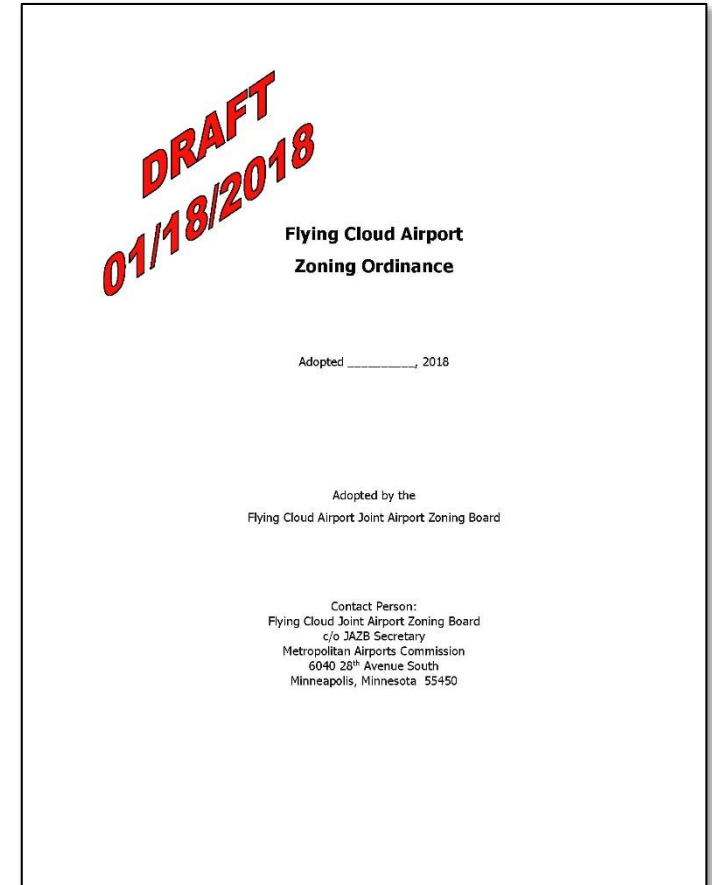
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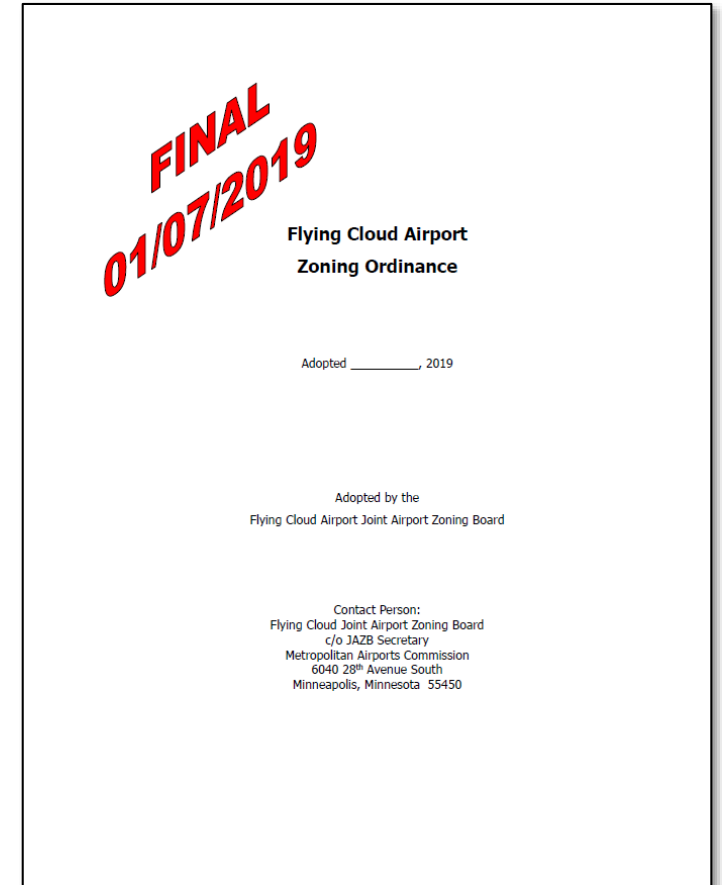
JAZB Timeline

- **2009-2011:** Original FCM JAZB developed Draft Airport Zoning Ordinance
 - JAZB work suspended early 2011 due to legal uncertainties surrounding airport zoning related litigation pending at the time
- **September 2017:** First meeting of the re-convened FCM JAZB
- **October 2017 – January 2018:** JAZB reviews/updates Draft Airport Zoning Ordinance
 - Included updates to supporting studies: Safety/Risk Study and Economic Impact Analysis
- **January 2018:** FCM JAZB formally approves updated Draft FCM Airport Zoning Ordinance for public review, comment, and hearing
- **February 2018:** Public Hearing for updated Draft Airport Zoning Ordinance
- **April 2018:** First Submittal of Draft Airport Zoning Ordinance to MnDOT



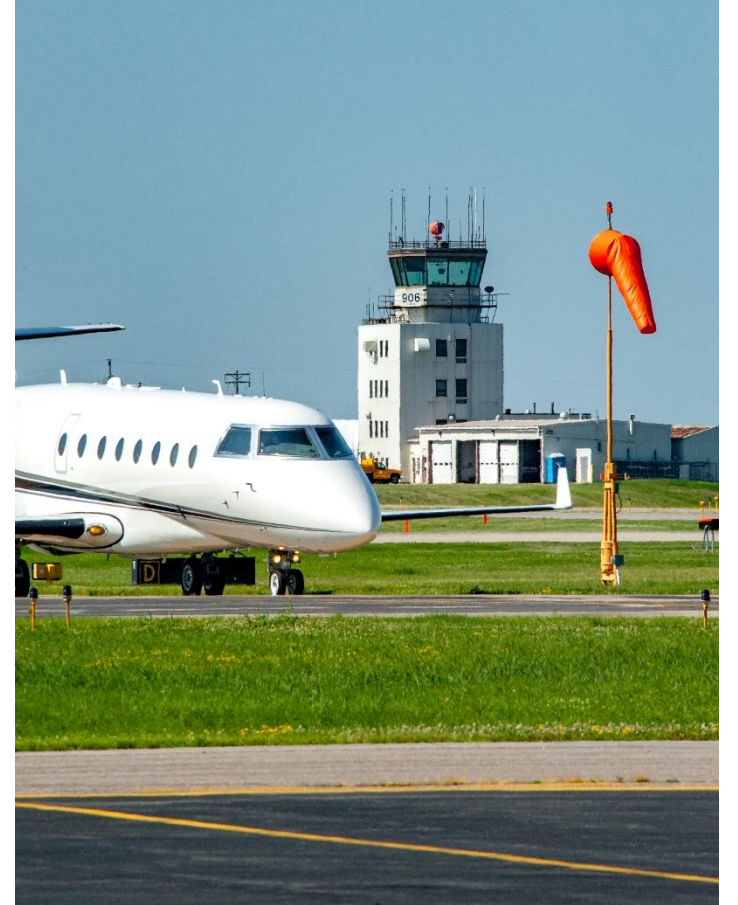
JAZB Timeline

- **June 2018:** MnDOT objected to the First Submittal of the Draft Airport Zoning Ordinance
 - Prepared supplemental Safety/Risk Study based on MnDOT review feedback
- **September 2018:** Second Submittal of the Draft Airport Zoning Ordinance to MnDOT
 - Prepared Social and Economic Cost Supplemental Factors and Rationale based on MnDOT review feedback
- **January 7, 2019:** FCM JAZB formally approves Proposed Final Airport Zoning Ordinance for public review, comment, and hearing; Proposed Final Airport Zoning Ordinance submitted to MnDOT
- **January 17, 2019:** MnDOT issued Commissioner's Order approving the Proposed Final Airport Zoning Ordinance
- **February 28, 2019:** Public Hearing for Proposed Final Airport Zoning Ordinance



Presentation Agenda

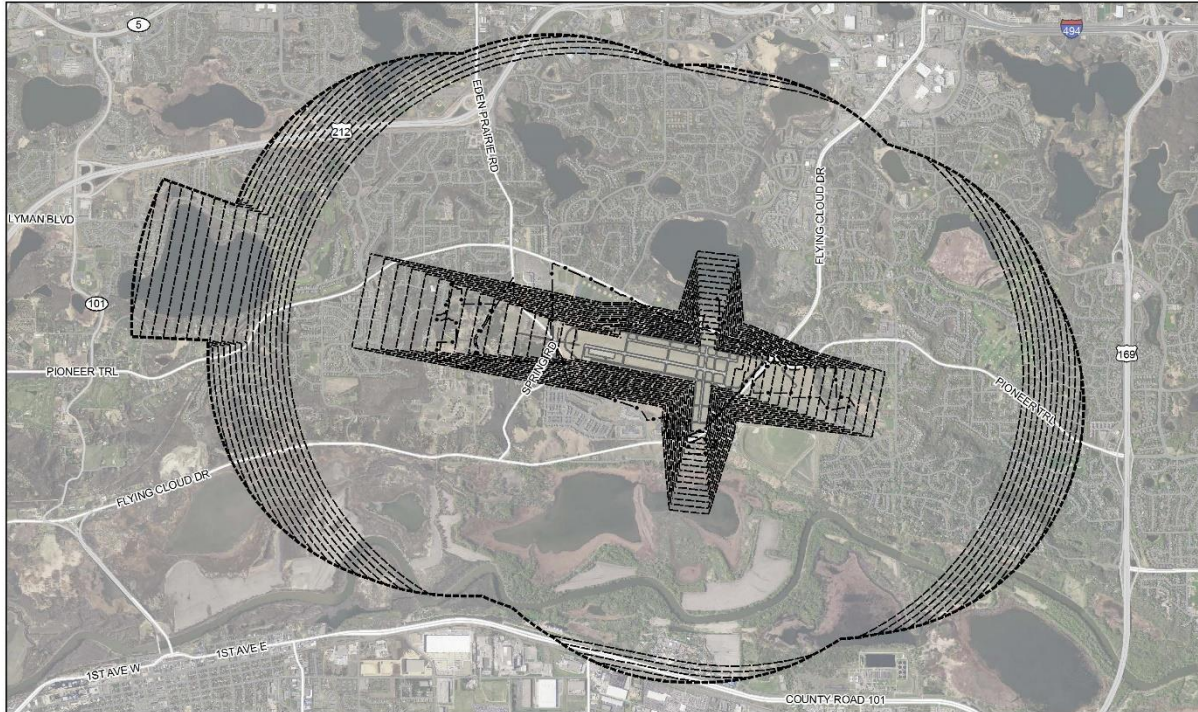
- Purpose & Goals
- Review of FCM Zoning Historical Timeline
- **Summary of the Proposed Final FCM Airport Zoning Ordinance**
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Airport Zoning Ordinance Overview

Two primary components

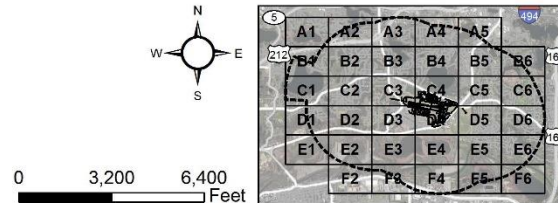
Height Limitations



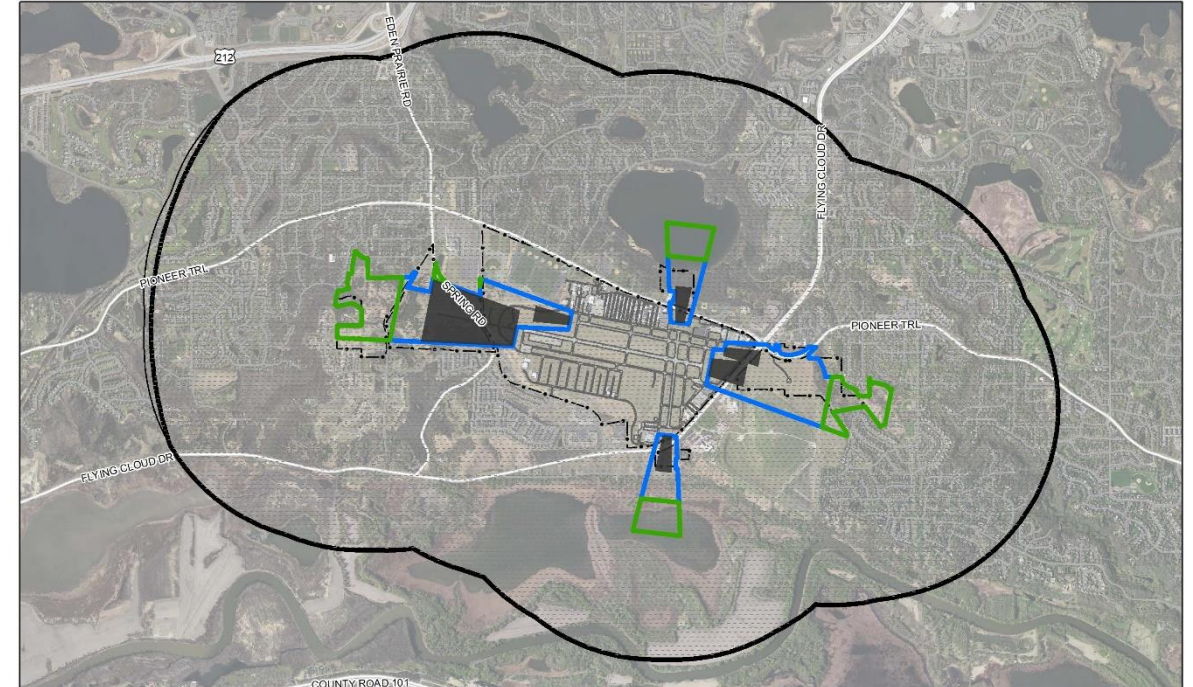
FCM Airspace Zones Within Zoning Limits

A - Index Sheet

- FCM Property Line
- Airspace Zoning Limit
- Part 77 Contours



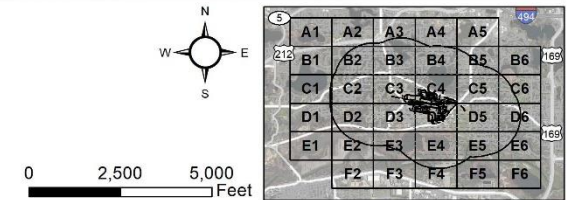
Land Use Limitations



FCM Safety Zones Within Zoning Limits

SZ - INDEX SHEET

- FCM Property Line
- Safety Zoning Limit
- RPZ
- JAZB Zone A
- JAZB Zone B
- JAZB Zone C

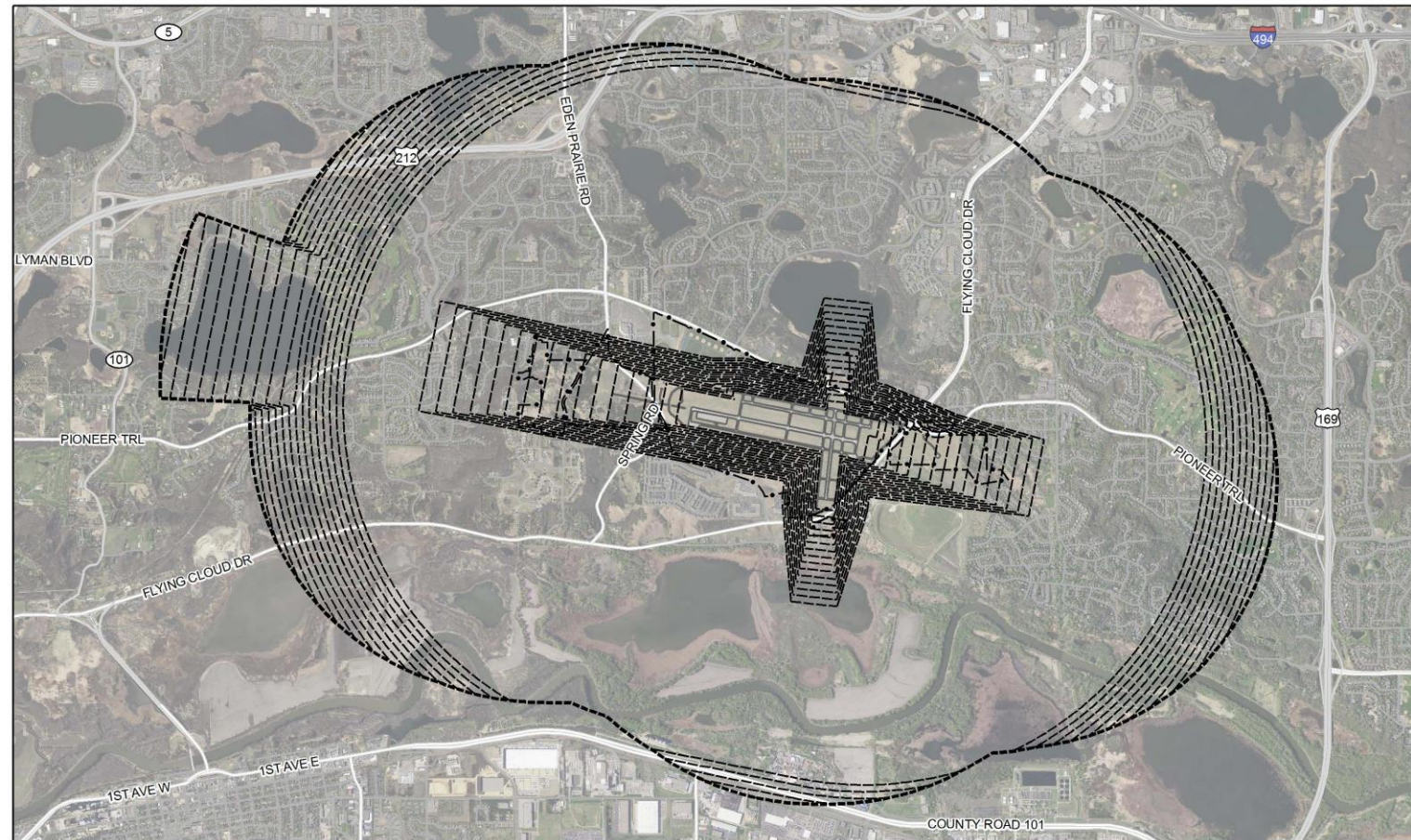


FCM Airspace Zones (Height)

Height limitations imposed by Zoning Ordinance

Based on FAA Airspace criteria

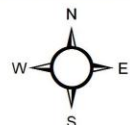
- Limits the height of structures and vegetation under FCM airspace surfaces.
- Penetrations to the Airspace Zones will require a variance issued by a Board of Adjustment
- *No changes to height limitations from Draft Airport Zoning Ordinance*



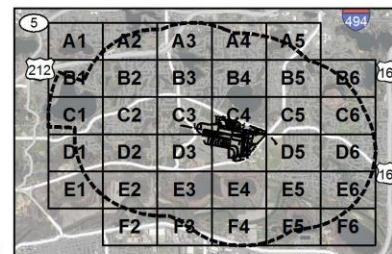
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0 3,200 6,400 Feet

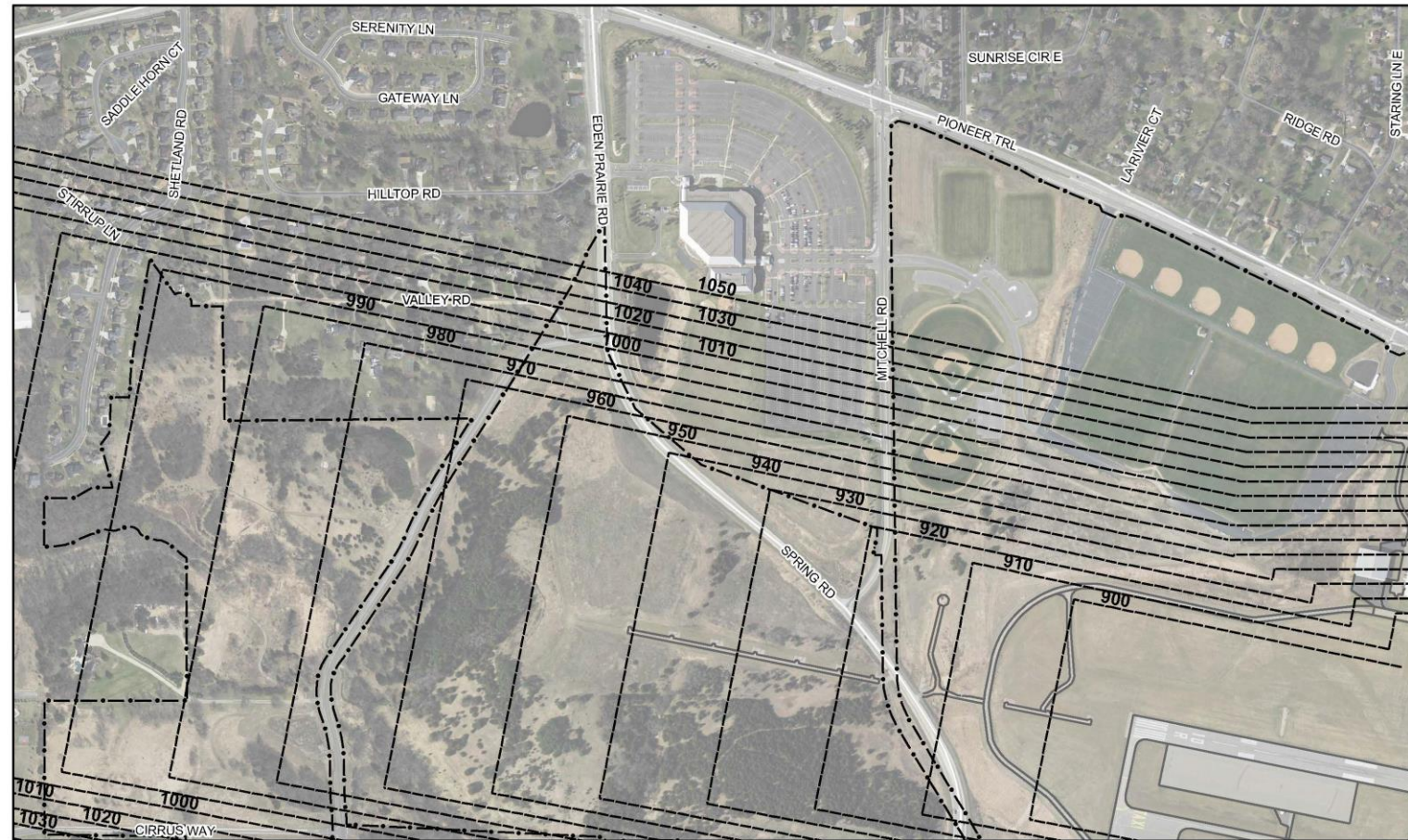


FCM Airspace Zones (Height)

Height limitations imposed by Zoning Ordinance

Based on FAA Airspace criteria

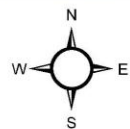
- Grid maps in the Proposed Final Ordinance show airspace surface heights in 10-foot intervals
- Heights are expressed as mean sea level, not above ground level
- More specificity provided on Maximum Construction Height Without Permit maps



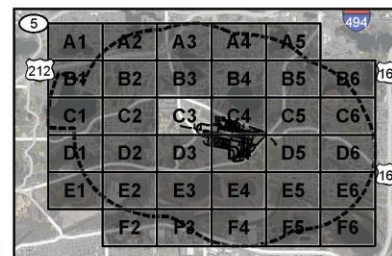
FCM Airspace Zones Within Zoning Limits

A - C3

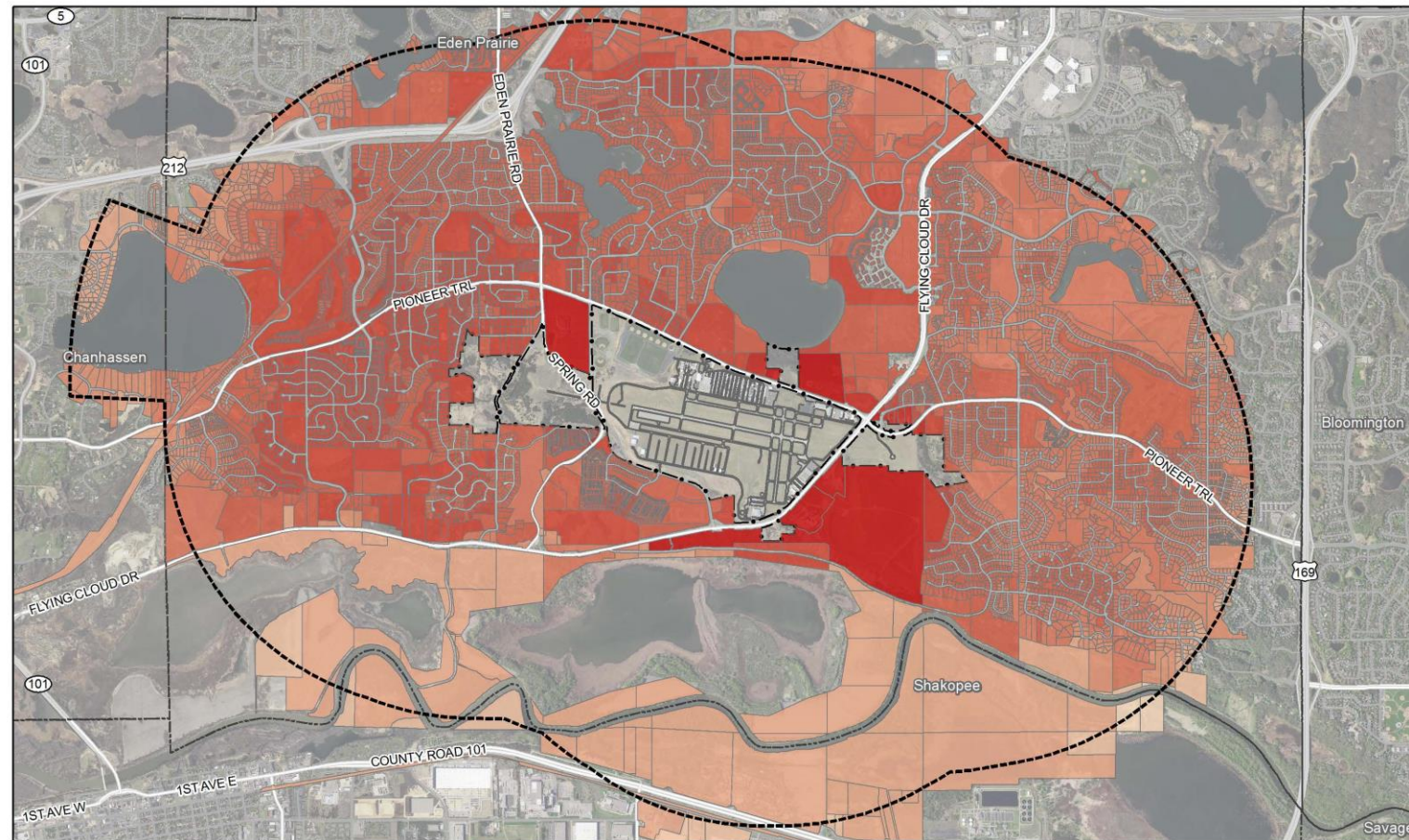
- FCM Property Line
- Airspace Zoning Limit
- Part 77 Contours



0 500 1,000 Feet

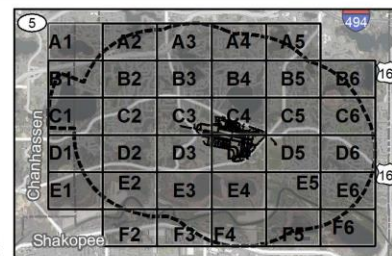
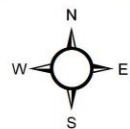
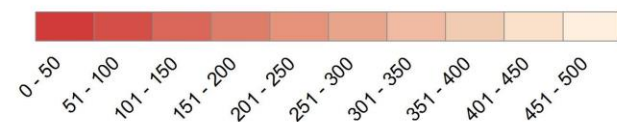


FCM Maximum Construction Height Without Permit (Height)



**FCM Safety Zones
Within Zoning Limits**

MCH - Index Sheet



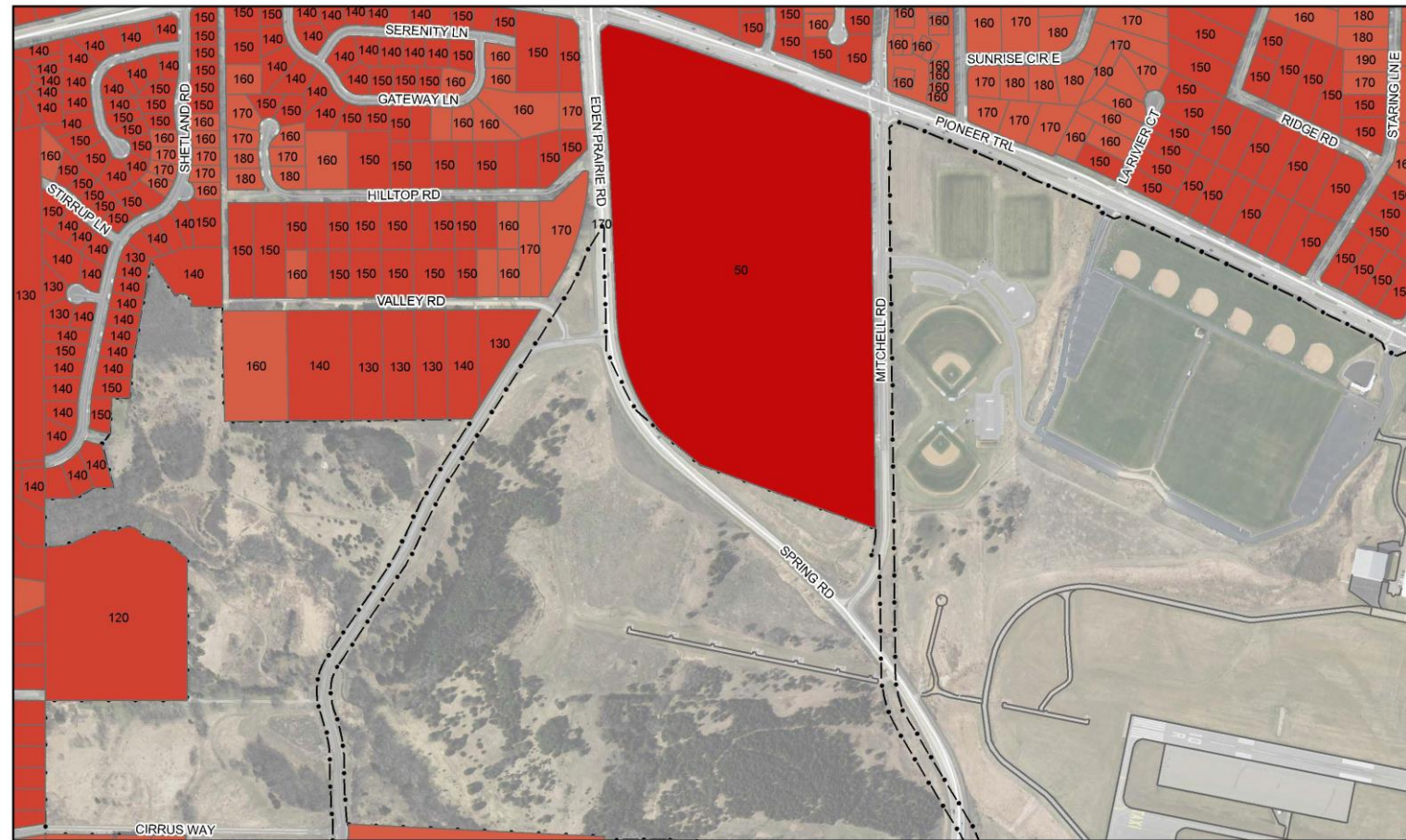
Establishes a height per parcel up to which an airport zoning permit is not needed

- Used updated 1-foot airspace contours and more precise ground elevation contours
- Provides a buffer to Airspace Zones
- Exceeding the Maximum Construction Height Without Permit will require an Airport Zoning Permit from the City Zoning Administrator
- *No changes to height limitations from Draft Airport Zoning Ordinance*

FCM Maximum Construction Height Without Permit (Height)

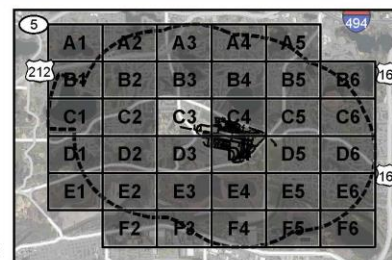
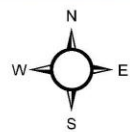
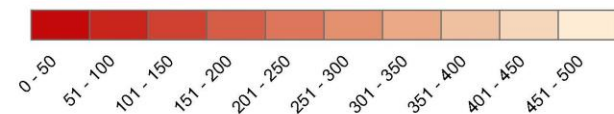
Establishes a height per parcel up to which an airport zoning permit is not needed

- Grid maps in the Proposed Final Ordinance show Maximum Construction Heights Without Permit for each parcel
- Heights are expressed above ground level
- In most cases, the airport zoning height limitations would be less restrictive than maximum heights allowed in the municipal zoning code.



FCM Maximum Construction Heights Without Permit Within Zoning Limits

MCH - C3



FCM Safety Zones (Land Use)

JAZB Safety Zones Overview

JAZB Safety Zone A

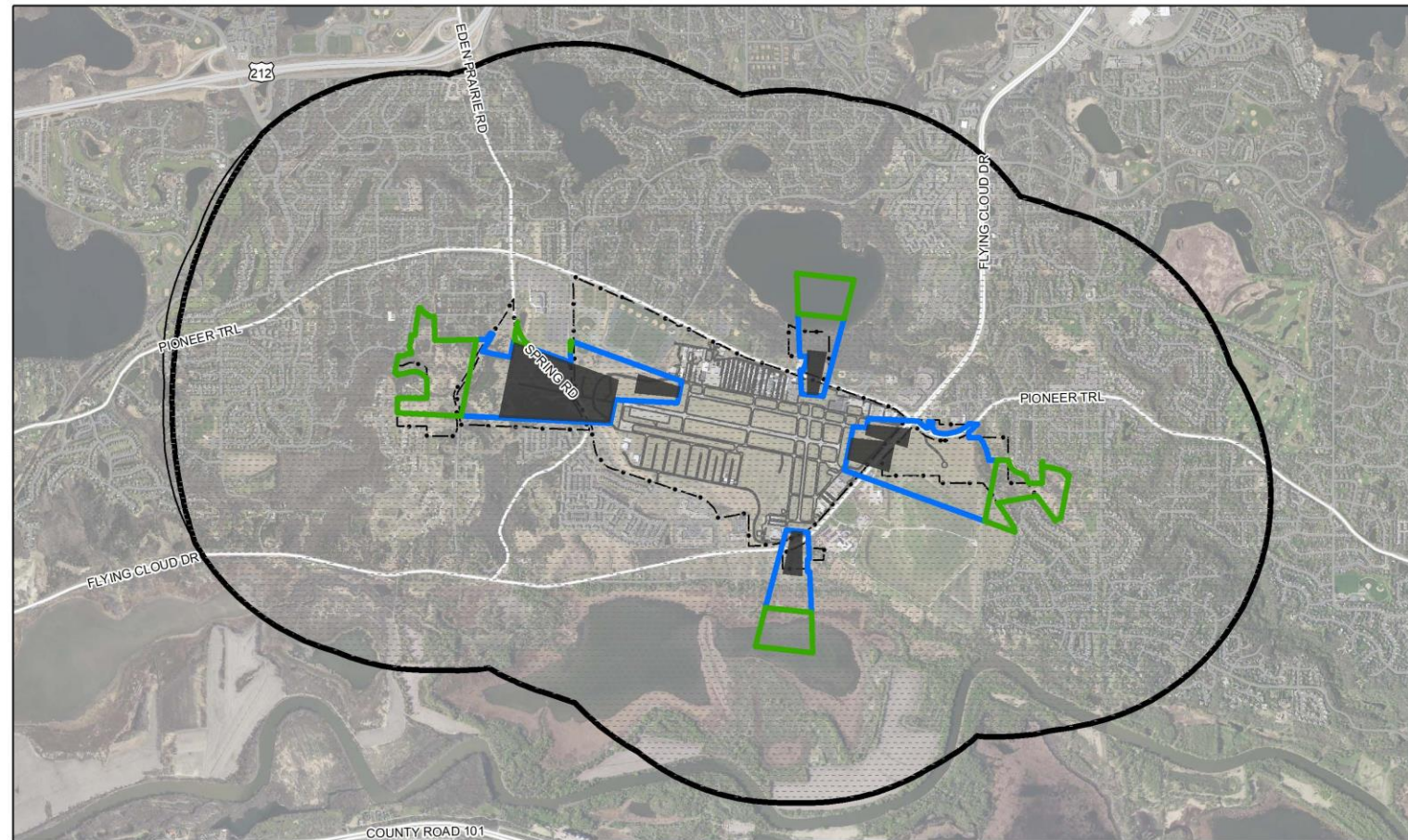
- Most restrictive safety zone
- Prohibits the development of structures or land uses that bring together assemblies of people

JAZB Safety Zone B

- Less restrictive zone
- Allows low-density land uses

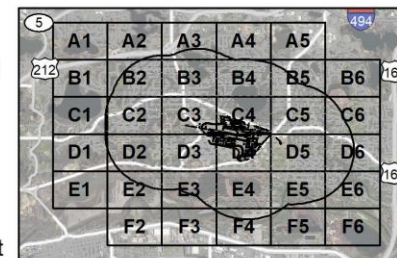
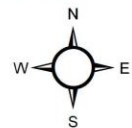
JAZB Safety Zone C

- Least restrictive zone
- General land use restrictions against flight interference

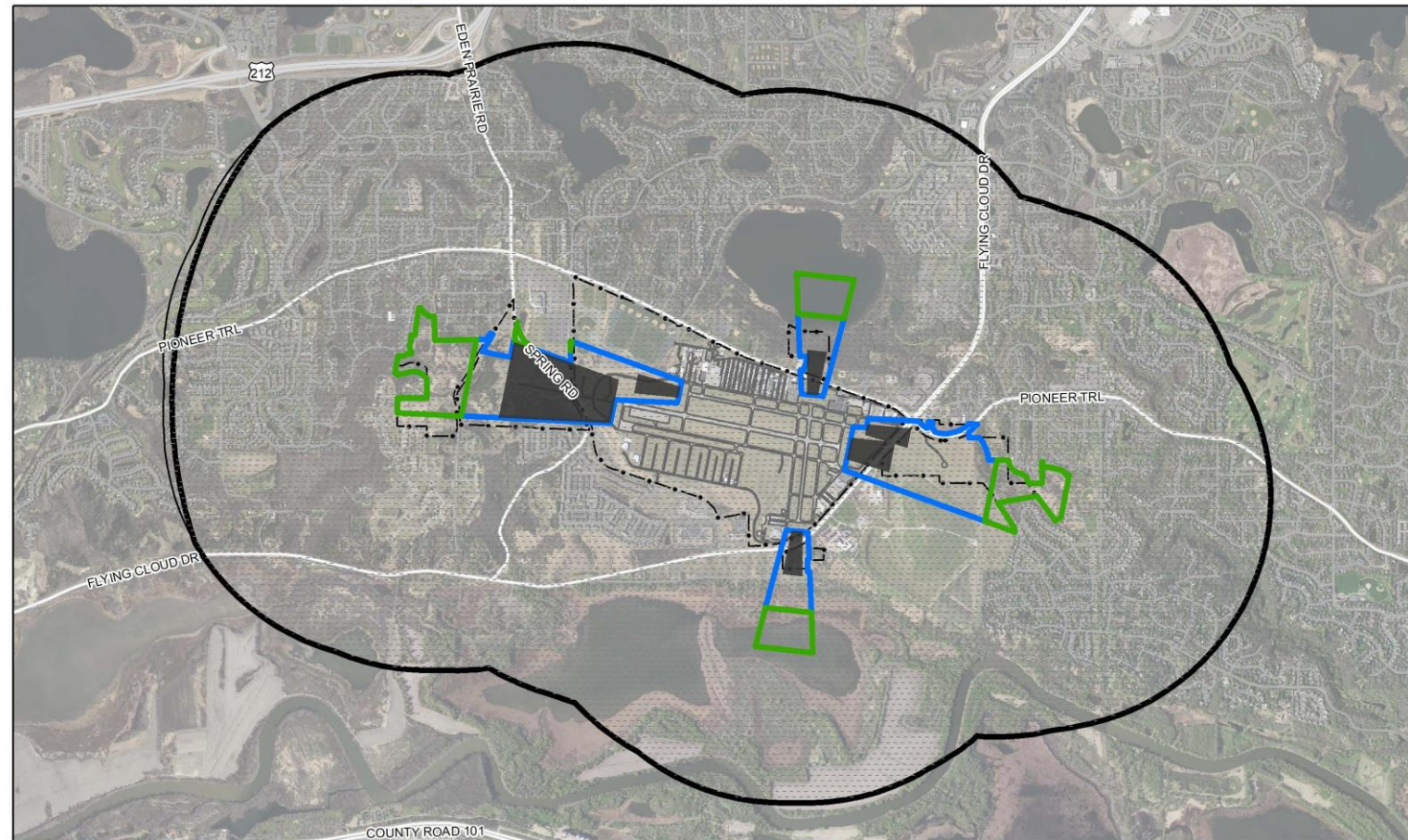


FCM Safety Zones Within Zoning Limits

SZ - INDEX SHEET




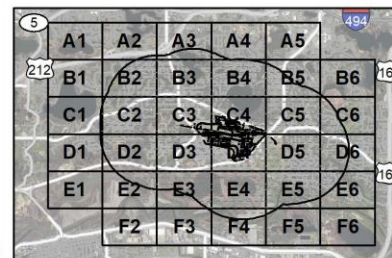
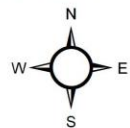
FCM Safety Zones (Land Use)



**FCM Safety Zones
Within Zoning Limits**

SZ - INDEX SHEET

-  FCM Property Line
-  JAZB Zone A
-  JAZB Zone B
-  RPZ
-  JAZB Zone C

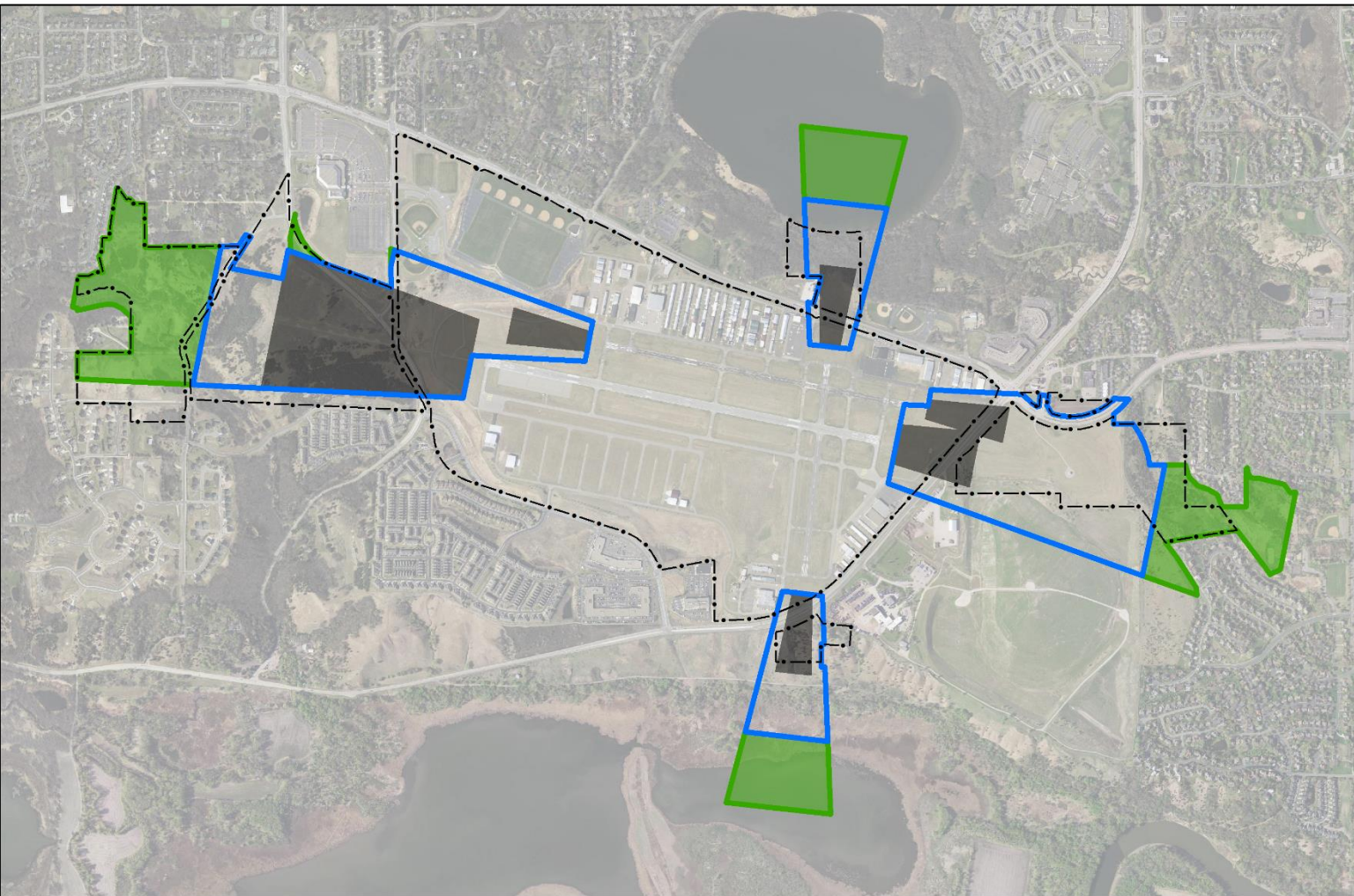


JAZB Safety Zone C

Black ellipsoid line

- General prohibitions against land uses that would:
 - Create or cause interference with the operations of radio or electronic facilities
 - Create or causes interference with radio or electronic communications between FCM and aircraft
 - Make it difficult for pilots to distinguish between Airport lights and other lights
 - Result in glare in the eyes of pilots using FCM
 - Impair visibility in the vicinity of FCM
 - Otherwise endanger the landing, taking off, or maneuvering of aircraft in the runway approach areas.
- These apply to Zones A & B as well
- Does not seek to prohibit the use of rooftop solar panels on homes or restrict the use of FCC-approved amateur radio stations.

FCM Safety Zones (Land Use)



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

0 750 1,500 3,000 Feet

JAZB Safety Zone B

Green shaded area

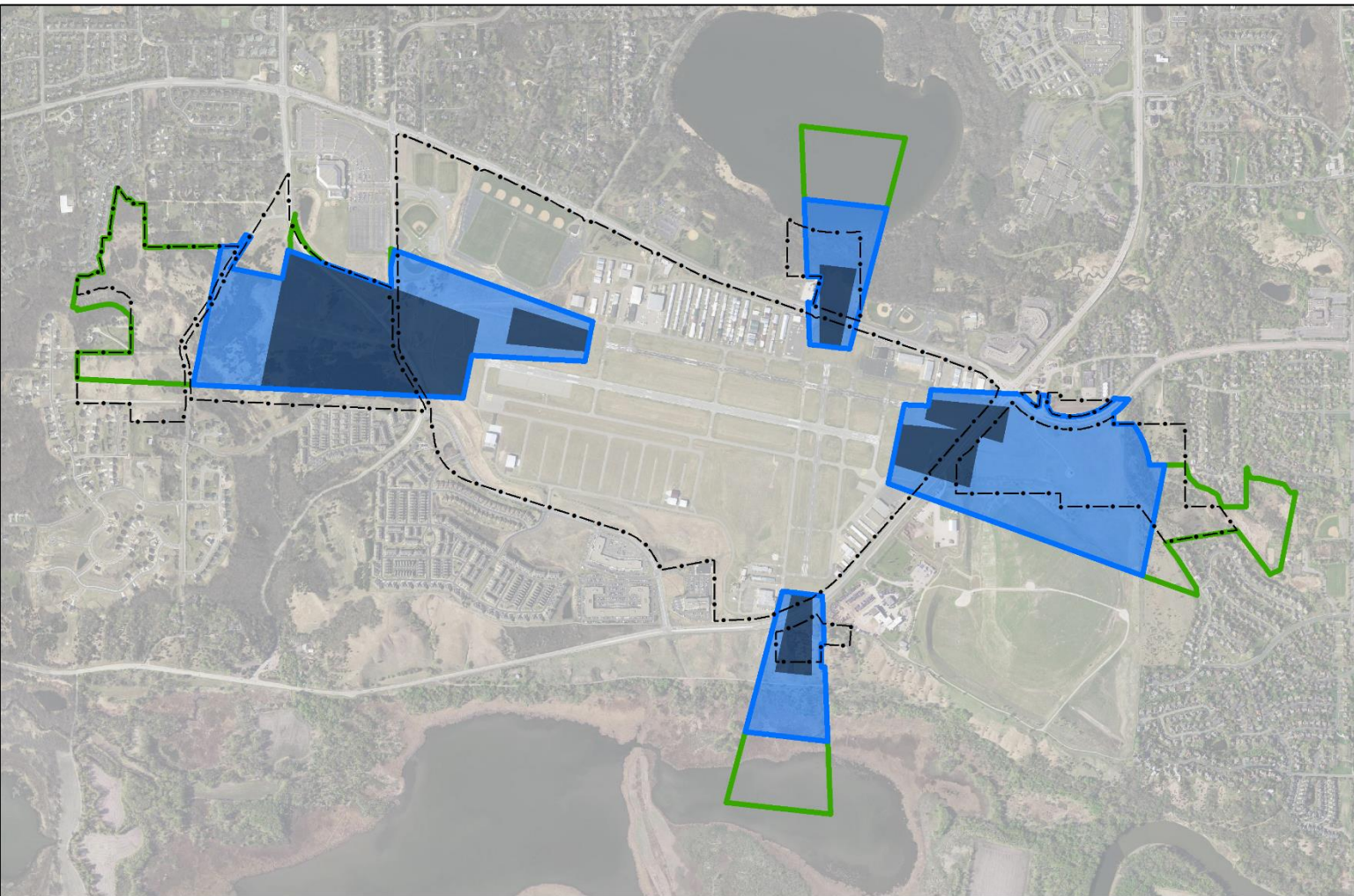
- More restrictive safety zone
- Land use controls now consistent with State Model Zone B to:
 - Allow low-density development
 - Prohibit the construction of places of public or semipublic assembly
 - Prohibit features which might attract waterfowl or other birds.
- Zone B extents modified to exclude:
 - All privately-owned residential and commercial zoned property
 - Four (4) airport-owned parcels for non-aeronautical development
- No longer includes contiguous open space requirements

FCM Safety Zones (Land Use)

JAZB Safety Zone A

Blue shaded area

- Most restrictive safety zone
- Prohibits the development of structures or land uses that bring together assemblies of people
- JAZB Safety Zone A extents have been expanded
 - Expanded areas include airport-owned property and guided open spaces
 - No privately-owned residential or commercial zoned property is included within the expanded JAZB Safety Zone A.

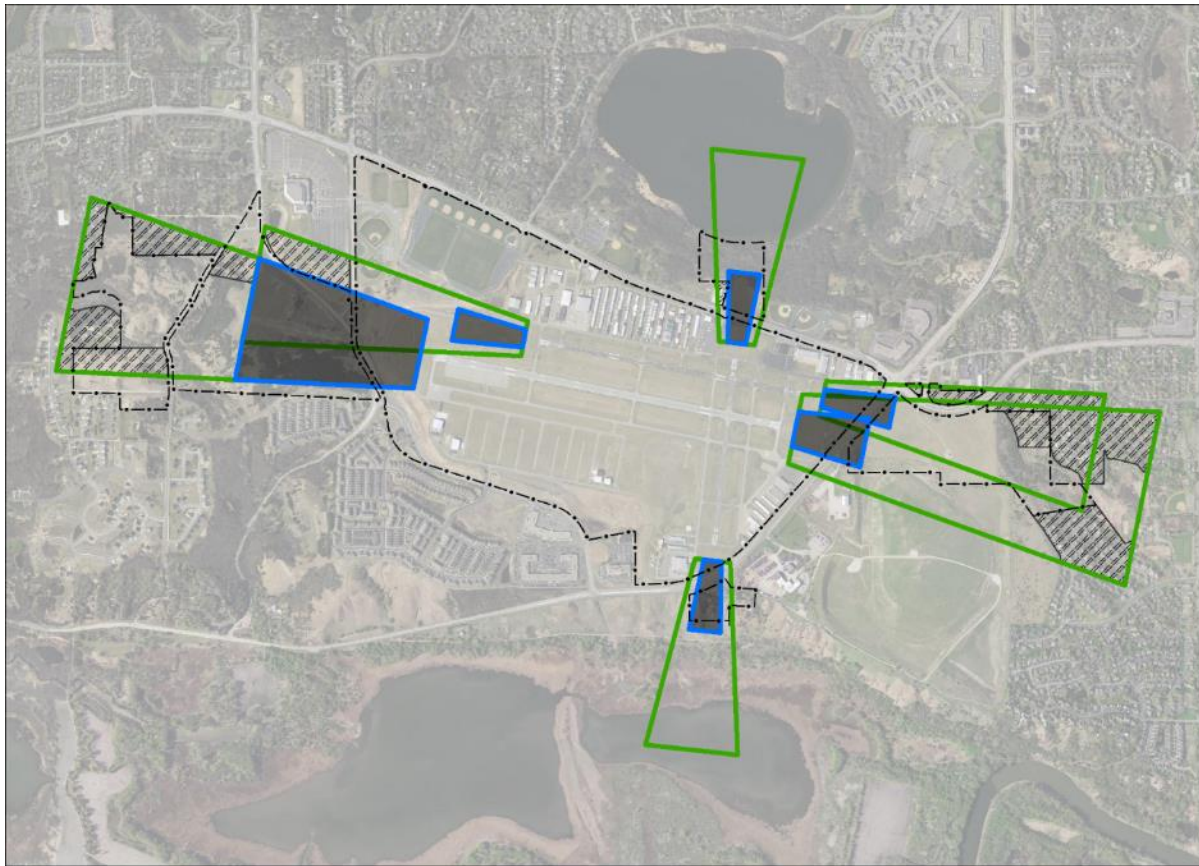


FCM Property Line Runway Protection Zones (RPZ) Zone A Zone B

0 750 1,500 3,000 Feet

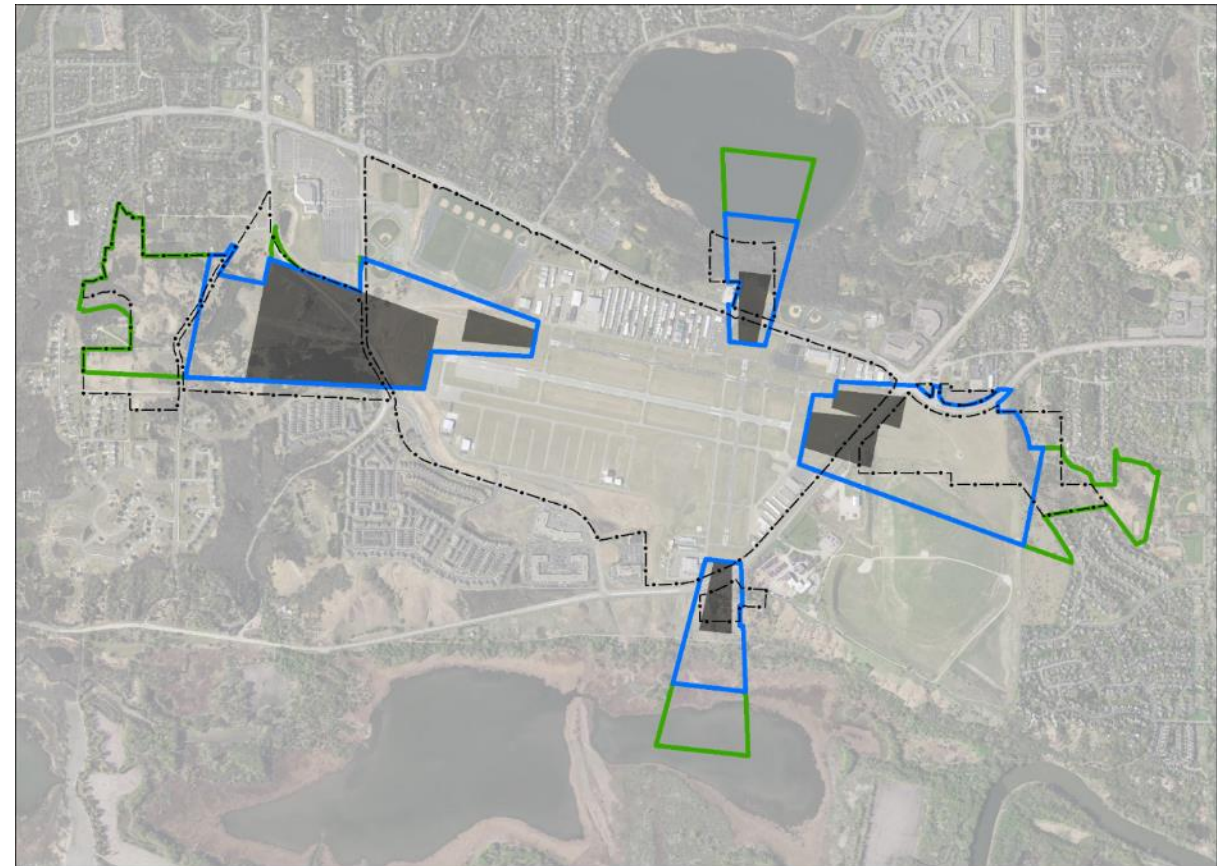
FCM Safety Zones (Land Use)

Draft JAZB Safety Zones A & B



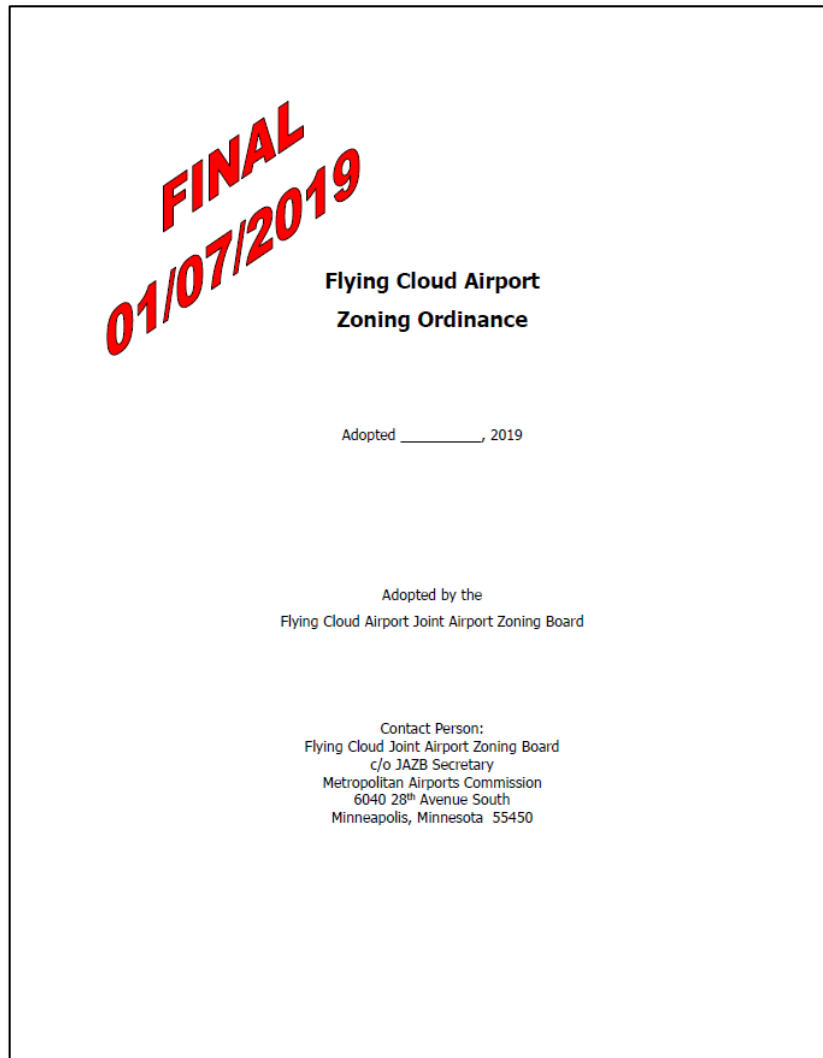
FCM Property Line Runway Protection Zones (RPZ) JAZB Zone A JAZB Zone B Occupant Area 0 750 1,500 3,000 Feet

Proposed Final JAZB Safety Zones A & B



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

FCM Proposed Final Zoning Ordinance Language

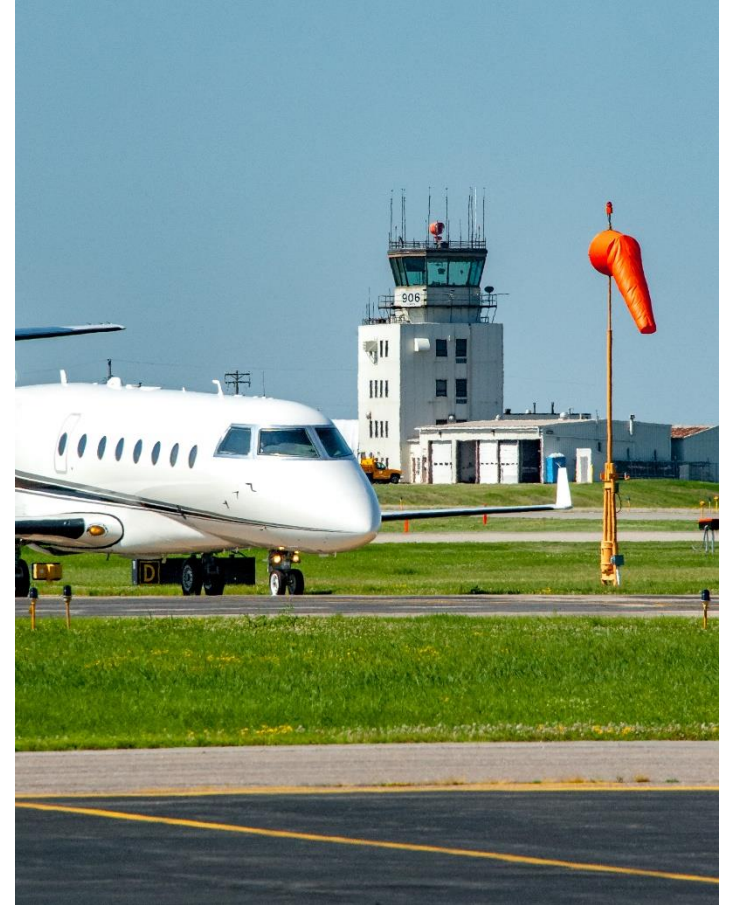


Minor updates and clarifications from draft language

- Revised JAZB Safety Zone A and B descriptions
- Revised JAZB Safety Zone A and B land use controls to be consistent with MnDOT standard
- Removed provision allowing the results of an FAA Obstruction Evaluation to stand in lieu of a variance for proposed structures that exceed zoning height limitations
- Added clarification that a hazard determination under an FAA Obstruction Evaluation is a general restriction application to all JAZB Safety Zones

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Next Steps / Timeline

Next Steps

- Public comment period ends on March 13, 2019
- JAZB receives comments submitted during public comment period
- JAZB schedules next meeting to:
 - Review public comments and proposed responses
 - Consider adoption of Final FCM Airport Zoning Ordinance
- Adoption and implementation of the Final FCM Airport Zoning Ordinance by participating municipalities



Comments can be sent to:

Secretary to the FCM Joint Airport Zoning Board
Metropolitan Airports Commission
6040 28th Avenue South
Minneapolis, MN 55450

-- or --

emailed to: fcm.zoning@mspmac.org

Flying Cloud Airport

Joint Airport Zoning Board



Thank you for your participation!