

STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION

IN THE MATTER OF:

Docket No. 192
Order No. 631

The approval of zoning regulations for
the Lake Elmo Airport

**FINDINGS, CONCLUSIONS AND
ORDER**

FINDINGS

1. The Joint Airport Zoning Board of the Lake Elmo Airport has drafted the "LAKE ELMO AIRPORT ZONING ORDINANCE" and supporting record including a detailed analysis that explains how the proposed custom airport zoning regulations addressed the factors listed in Minnesota Statutes, Section 360.0656, Subd. 1 to provide a reasonable level of safety.
2. The Joint Airport Zoning Board of the Lake Elmo Airport provided notice to the commissioner of their intention to establish and adopt a custom airport zoning ordinance under the regulations of Minnesota Statutes, Section 360.0656.
3. A public hearing on the proposed "LAKE ELMO AIRPORT ZONING ORDINANCE" was held on January 23, 2020 giving parties in interest and citizens an opportunity to be heard. Notice of this hearing was published three times during the period between 15 days and 5 days before the hearing in an official newspaper and in a second newspaper of wide circulation in the area affected by the proposed regulations. No notices were published in the legal section of either newspaper.
4. In accordance with the requirements of Minnesota Statutes, Section 360.0656, Subd. 1, notice of the hearing was sent by mail to each political subdivision in which property affected by the regulations is located.
5. Notice was sent by mail at least 15 days before the hearing to persons and landowners where the location or size of a building, or density of population, will be regulated, 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.
7. The proposed "LAKE ELMO AIRPORT ZONING ORDINANCE" was made available for public inspection during regular business hours at the city halls of Lake Elmo and Oak Park Heights from January 9, 2020 to the date of the hearing.

CONCLUSIONS

1. Adoption of the proposed “LAKE ELMO AIRPORT ZONING ORDINANCE” is necessary for both the operation of the Airport and the safety of both the public frequenting that airport and the occupants of land in its vicinity.
2. The proposed “LAKE ELMO AIRPORT ZONING ORDINANCE” and supporting record evaluate the criteria under 360.0656, Subd. 1 and provide a reasonable level of safety.
3. A bona fide effort to comply with the requirements of Minnesota Statutes, Section 360.065, Subd. 1, was made prior to the approval of the proposed “LAKE ELMO AIRPORT ZONING ORDINANCE”.

Based upon the foregoing Findings and Conclusions, the substantial evidence contained in the record, and the applicable law, the Director of the Office of Aeronautics of the Department of Transportation of the State of Minnesota, issues the following:

ORDER

The proposed “LAKE ELMO AIRPORT ZONING ORDINANCE” is hereby approved.

**BY ORDER OF THE DIRECTOR OF
THE OFFICE OF AERONAUTICS OF THE DEPARTMENT OF
TRANSPORTATION OF THE STATE OF MINNESOTA**

Cassandra Isackson
Director Office of Aeronautics
Minnesota Department of Transportation

DATE: _____