Lake Elmo Airport

Joint Airport Zoning Board (JAZB)
Meeting Agenda

• Chair Opening/Remarks
• Approval of Minutes from October 17, 2019 Meeting
• JAZB Formation Items
• Presentation of Draft Airport Zoning Ordinance Materials
• Public Comments
• Board Discussion on Draft Airport Zoning Ordinance Materials
• Establish Next Meeting Date
• Adjourn
JAZB Overview

Through a collaborative process, the JAZB seeks to develop an airport zoning ordinance that achieves a balance between providing for a reasonable level of safety while allowing for compatible community development.

JAZB Goals

- Develop an Airport Zoning Ordinance for review and approval by the MnDOT Commissioner of Transportation
- Develop an Airport Zoning Ordinance that achieves a balance between providing for a reasonable level of safety while allowing for compatible community development
- Ensure that the Airport Zoning Ordinance is developed in a manner that includes meaningful stakeholder engagement
Meeting Agenda

- Chair Opening/Remarks
- Approval of Minutes from October 17, 2019 Meeting
- JAZB Formation Items
- Presentation of Draft Airport Zoning Ordinance Materials
- Public Comments
- Board Discussion on Draft Airport Zoning Ordinance Materials
- Establish Next Meeting Date
- Adjourn
Meeting Agenda

• Chair Opening/Remarks
• Approval of Minutes from October 17, 2019 Meeting
• JAZB Formation Items
• Presentation of Draft Airport Zoning Ordinance Materials
• Public Comments
• Board Discussion on Draft Airport Zoning Ordinance Materials
• Establish Next Meeting Date
• Adjourn
JAZB Formation Items

• Ratification of JAZB Actions from June 25, August 29, and October 17, 2019 meetings
Meeting Agenda

- Chair Opening/Remarks
- Approval of Minutes from October 17, 2019 Meeting
- JAZB Formation Items
- Presentation of Draft Airport Zoning Ordinance Materials
- Public Comments
- Board Discussion on Draft Airport Zoning Ordinance Materials
- Establish Next Meeting Date
- Adjourn
Draft Airport Zoning Ordinance

DRAFT

1. TABLE OF CONTENTS

2. Section I. PURPOSE AND AUTHORITY ............................................. 1

3. Section II. TITLES AND SHORT TITLES ......................................... 2

4. Section III. DEFINITIONS AND RULES OF CONSTRUCTION ................. 2

5. A. Definitions .............................................................................. 2

6. B. Rules Of Construction .............................................................. 5

7. C. FAR 7400 Obstruction Evaluation .......................................... 9

8. Section V. LAND USE SAFETY ZONE ........................................... 9

9. A. Safety Zones ......................................................................... 9

10. B. Land Use Restrictions ............................................................ 9

11. C. Lake Elmo Airport Zoning Map ........................................... 10

12. Section VII. NONCONFORMING USES ........................................ 10

13. A. Lake Elmo Airport Zoning Ordinance .................................... 10

14. Section VIII. AIRPORT ZONING PERMITS ................................ 11

15. A. Permit Required .................................................................. 11

16. B. Exception To Permit Requirement ........................................ 11

17. C. Permit Application ............................................................... 12

18. D. Permit Standard ................................................................. 12

19. E. Abandoned Or Derelict Nonconforming Uses ....................... 12

20. Section IX. VARIANCES ............................................................ 13

21. A. Variance Application .......................................................... 13

22. B. Failure Of Board To Act ....................................................... 13

23. C. Variance Standard ............................................................... 14

24. Section X. HAZARDOUS AND LIGHTING .............................. 14

25. A. Nonconforming Uses .......................................................... 14

26. B. Permits And Variances ........................................................ 14

Lake Elmo Airport Zoning Ordinance

Adopted by the Lake Elmo Airport Board

Lake Elmo Airport Zoning Board

Contact Person: Lake Elmo Airport Zoning Board

C/o JAB Secretary

Metropolitan Airports Commission

6040 ZSP Avenue South

Minneapolis, Minnesota 55462

Lake Elmo Airport Zoning Ordinance

Page 1

Lake Elmo Airport Zoning Ordinance

Page 2
Draft Airport Zoning Ordinance

Two primary components

Height Limitations (Section IV)

Land Use Limitations (Section V)
Airspace Zone (Height)

Height limitations imposed by Zoning Ordinance

Based on FAA Airspace criteria

• Limits the height of structures and vegetation (trees) under airspace surfaces

• Penetrations to the Airspace Zones will require a variance issued by a Board of Adjustment

• Requires compliance with FAA Obstruction Evaluation process
Airspace Zone (Height)

Height limitations imposed by Zoning Ordinance

Based on FAA Airspace criteria

- Grid maps in the Draft 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
Airspace Zone (Height)

Maximum Construction Height Without Permit
Establishes a height per parcel up to which an Airport Zoning Permit is not needed for new construction

- Used updated 1-foot airspace contours and more precise ground elevation contours
- Provides a buffer to Airspace Zones
- Heights are expressed above ground level
- Exceeding the Maximum Construction Height Without Permit will require an Airport Zoning Permit from the City Zoning Administrator
Safety Zones (Land Use)

JAZB Safety Zone Overview

JAZB Safety Zone 1
- More restrictive safety zone
- Prohibits the development of buildings
- Prohibits land uses that attract assemblies of people

JAZB Safety Zone 2
- Less restrictive zone
- General land use restrictions against flight interference
Safety Zones (Land Use)

JAZB Safety Zone 2

Black ellipsoid line

- General prohibitions against land uses that:
  - Create or cause interference with the operations of radio or electronic facilities
  - Create or causes interference with radio or electronic communications between the airport and aircraft
  - Make it difficult for pilots to distinguish between Airport lights and other lights
  - Result in glare in the eyes of pilots using the airport
  - Impair visibility in the vicinity of the airport
  - Is deemed a hazard to air navigation by FAA or MnDOT
  - Otherwise endanger the landing, taking off, or maneuvering of aircraft in the runway approach areas.

- These apply to Safety Zone 1 as well
Safety Zones (Land Use)

JAZB Safety Zone 1

Blue shading

- More restrictive safety zone
  - Comprised of airport-owned property and off-airport property not guided for occupant use
- Prohibits the following:
  - Buildings
  - Exposed transmission lines and similar land use structural hazards
  - Uses that create, attract, or bring together an assembly of persons
- Allows:
  - Agricultural activities
  - Light outdoor recreation (non-spectator)
  - Vehicle parking
  - Approved aeronautical activities
Example Use of Zoning Maps

Proposed cell tower at Washington County Fairgrounds (929-foot ground elevation MSL, 130-foot AGL tower, total height 1,059 feet MSL)
Draft Airport Zoning Ordinance

• Zoning Maps (Section VI)
  • Exhibits and Plates collectively make up the Airport Zoning Map

• Nonconforming Uses (Section VII)
  • Allows both nonconforming structures and nonconforming uses that are in existence at the time the ordinance becomes effective
    • Example: Power pole on west side of Manning Avenue just south of railroad tracks

• Airport Zoning Permits (Section VIII)
  • Permits granted by municipal Zoning Administrator
  • Applicable within Airspace and Safety Zones
  • Only required for modifications to nonconforming structures, and for existing and new structures that exceed the Maximum Construction Height Without Permit elevation.
Draft Airport Zoning Ordinance

- Variances (Section IX)
  - Variances granted by a Board of Adjustment, appointed by MAC
  - Required for use of property in violation of any provision of the Ordinance

- Zoning Administrator (Section XI)
  - Designated as the official responsible for municipal zoning in each jurisdiction
  - Duty to administer and enforce the provisions of the Ordinance

- Other Sections
  - Hazard Marking and Lighting (Section X)
  - Board of Adjustment (Section XII)
  - Appeals and Judicial Review (Sections XIII and XIV)
  - Penalties and Other Remedies (Section XV)
  - Relation to Other Laws, Regulations, and Rules (Section XVI)
  - Severability (Section XVII)
Draft Airport Zoning Ordinance

Next Steps
• JAZB Approval of Draft Ordinance for Public Review/Hearing
• Initiate Public Comment Period
• Hold Public Hearing #1 during Comment Period

Public Hearing #1 Notification Elements
• Newspaper Notices (5-15 days before Public Hearing)
• Written Notices (10 days before Public Hearing)
  • Mail to Municipalities and Property Owners
  • MAC GovDelivery distribution list
  • JAZB Webpage
• Hard copy distribution of the Draft Ordinance for public inspection
Meeting Agenda

• Chair Opening/Remarks
• Approval of Minutes from October 17, 2019 Meeting
• JAZB Formation Items
• Presentation of Draft Airport Zoning Ordinance Materials
• Public Comments
• Board Discussion on Draft Airport Zoning Ordinance Materials
• Establish Next Meeting Date
• Adjourn
Meeting Agenda

- Chair Opening/Remarks
- Approval of Minutes from October 17, 2019 Meeting
- JAZB Formation Items
- Presentation of Draft Airport Zoning Ordinance Materials
- Public Comments
- Board Discussion on Draft Airport Zoning Ordinance Materials
- Establish Next Meeting Date
- Adjourn
Meeting Agenda

• Chair Opening/Remarks
• Approval of Minutes from October 17, 2019 Meeting
• JAZB Formation Items
• Presentation of Draft Airport Zoning Ordinance Materials
• Public Comments
• Board Discussion on Draft Airport Zoning Ordinance Materials
• Establish Next Meeting Date
• Adjourn
Meeting Outlook

Meeting 1 (June 25, 2019):
- Welcome and Agenda Overview
- Board Member Introductions
- JAZB Overview
- Selection of Chairperson

Meeting 2 (August 29, 2019):
- Presentation and Work Session – Custom vs. Commissioner’s Standards
- Board member input on zoning standard selection

Meeting 3:
- Presentation of Custom Zoning Factors and Methodology
- Presentation of Example Custom Zone for Discussion

Meeting 4:
- Presentation of Draft Airport Zoning Ordinance Materials
- Timeline for Approval of Draft Lake Elmo Airport Zoning Ordinance for Public Hearing #1

PUBLIC COMMENT PERIOD AND HEARING

CUSTOM STANDARD

Board Selection of Custom Standard Process
Meeting Outlook

JAZB Steps After Public Comment Period and Hearing #1

Review Public Hearing comments and responses (Hearing Officers’ Report)

JAZB Approval to submit Draft Airport Zoning Ordinance to MnDOT

Receive/Review MnDOT comments

MnDOT Approval/Revisions Not Needed

• Presentation of Final Airport Zoning Ordinance
• Adoption of Final Airport Zoning Ordinance
• Municipal/Township Incorporation and Administration

MnDOT Disapproval/Revisions Needed

• Presentation of Proposed Revisions
• Approval of Supplemental Public Hearing
• Supplemental Public Hearing
Meeting Agenda

- Chair Opening/Remarks
- Approval of Minutes from October 17, 2019 Meeting
- JAZB Formation Items
- Presentation of Draft Airport Zoning Ordinance Materials
- Public Comments
- Board Discussion on Draft Airport Zoning Ordinance Materials
- Establish Next Meeting Date
- Adjourn