



*Duluth Airport Authority
Airport Zoning Revision
Public Hearing*

July 21, 2021

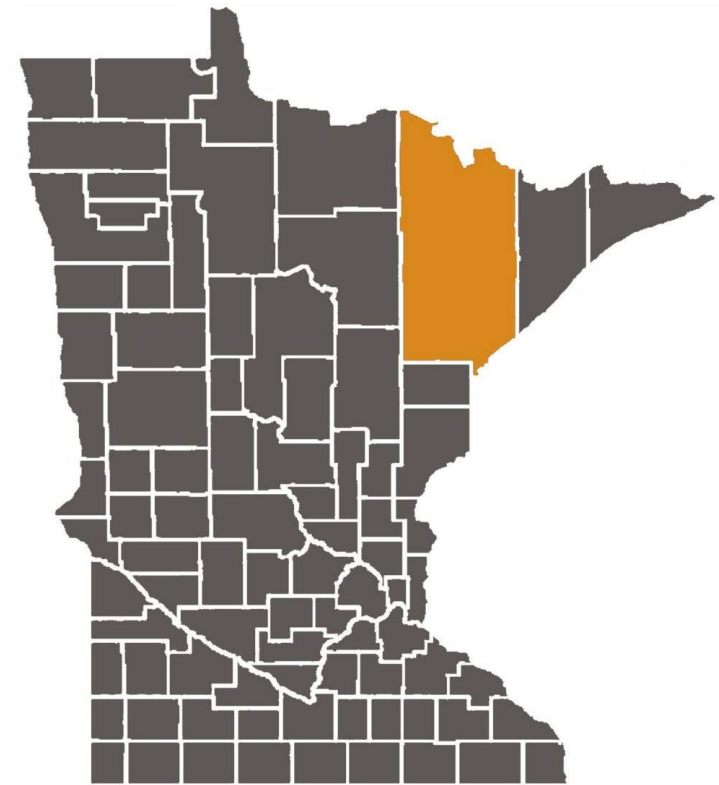
Why We're Here

- » State Law establishes Land Use Safety Zones
 - Limit development around Airport
 - Intended to protect public and air traffic
- » Joint Airport Zoning Board seeks revisions
 - Custom zones affect future development
 - Existing land uses remain
 - State must approve
- » Your comments matter
 - Provide input on proposed Zones



Joint Airport Zoning Board

- » Established by Minnesota law
- » Represents cities/counties/townships that control land use around the Airport
 - Canosia
 - Duluth
 - Hermantown
 - Rice Lake
 - St. Louis County
- » JAZB seeks to establish airport zoning ordinance that balances a reasonable level of public safety while facilitating compatible development



Today's Meeting

- » The Legal Requirement
- » The Proposed Zones
 - **Zone 2.5** ← **NEW**
- » The Proposed Ordinance
- » How You Can Comment
- » Next Steps



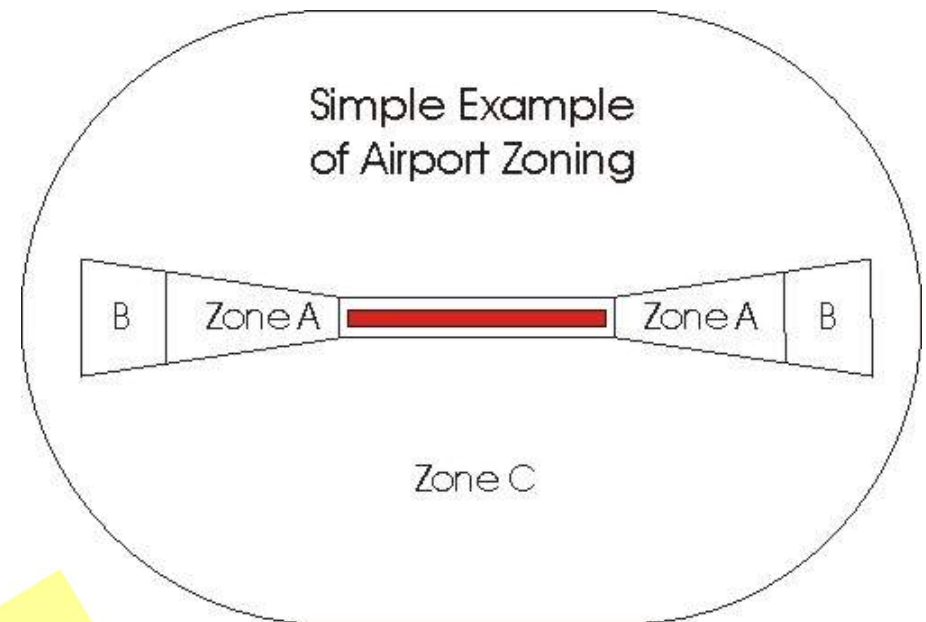
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Minnesota Land Use Safety Zones 8800.2400

- » Clear Zone: Minimum required airport control of critical runway approach and RPZ
- » Zone A: In approach zones of a runway, shall contain no buildings
- » Zone B: Extends outward from Zone A, distance equal to 1/3 runway length, shall not contain uses on a site less than 3 acres
- » Zone C: All land encompassed within perimeter of horizontal zone, subject to uses that do not interfere with airport electronic facilities



Custom Zones: Minnesota Statute 360.0656

360.0656 CUSTOM AIRPORT ZONING STANDARDS.

Subdivision 1. **Custom airport zoning standards; factors.** (a) Notwithstanding section 360.0655, a municipality, county, or joint airport zoning board must provide notice to the commissioner when the municipality, county, or joint airport zoning board intends to establish and adopt custom airport zoning regulations under this section.

(b) Airport zoning regulations submitted to the commissioner under this subdivision are not subject to the commissioner's zoning regulations under section 360.0655 or Minnesota Rules, part 8800.2400.

(c) When developing and adopting custom airport zoning regulations under this section, the municipality, county, or joint airport zoning board must include in the record a detailed analysis that explains how the proposed custom airport zoning regulations addressed the following factors to ensure a reasonable level of safety:

(1) the location of the airport, the surrounding land uses, and the character of neighborhoods in the vicinity of the airport, including:

- (i) the location of vulnerable populations, including schools, hospitals, and nursing homes, in the airport hazard area;
- (ii) the location of land uses that attract large assemblies of people in the airport hazard area;
- (iii) the availability of contiguous open spaces in the airport hazard area;
- (iv) the location of wildlife attractants in the airport hazard area;
- (v) airport ownership or control of the federal Runway Protection Zone and the department's Clear Zone;

(vi) land uses that create or cause interference with the operation of radio or electronic facilities used by the airport or aircraft;

(vii) land uses that make it difficult for pilots to distinguish between airport lights and other lights, result in glare in the eyes of pilots using the airport, or impair visibility in the vicinity of the airport;

(viii) land uses that otherwise inhibit a pilot's ability to land, take off, or maneuver the aircraft;

(ix) airspace protection to prevent the creation of air navigation hazards in the airport hazard area; and

(x) the social and economic costs of restricting land uses;

(2) the airport's type of operations and how the operations affect safety surrounding the airport;

(3) the accident rate at the airport compared to a statistically significant sample, including an analysis of accident distribution based on the rate with a higher accident incidence;

(4) the planned land uses within an airport hazard area, including any applicable platting, zoning, comprehensive plan, or transportation plan; and

(5) any other information relevant to safety or the airport.



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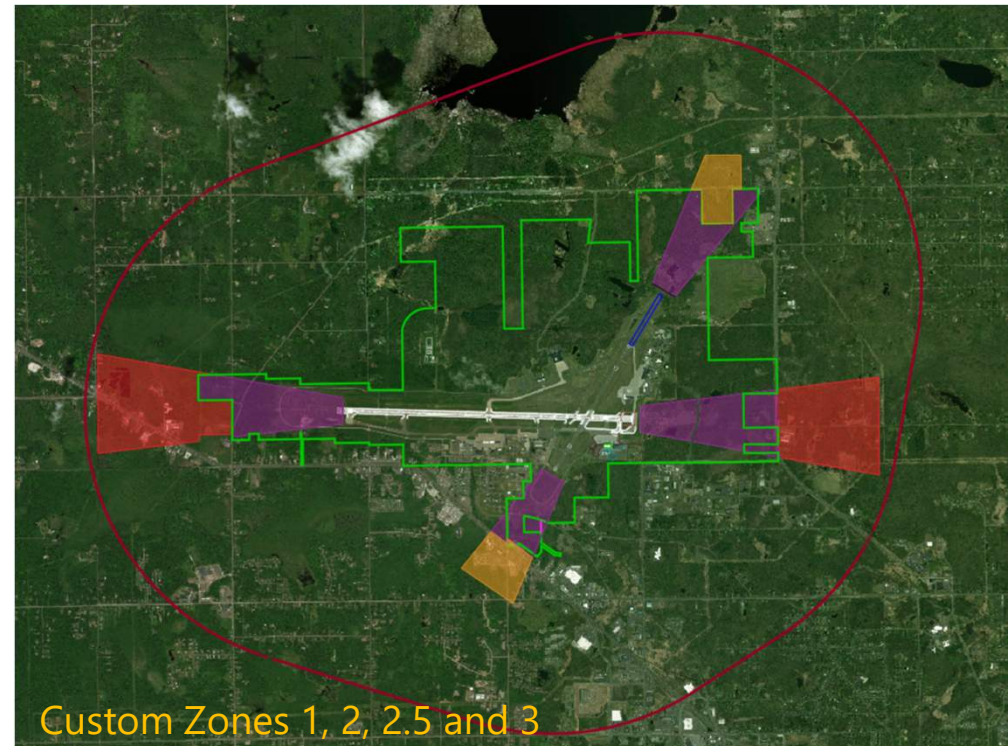


Custom Zoning Ordinance

- » Existing land uses are not affected
- » For future development:
 - Zone 1: In approach zones of a runway, shall not contain buildings
 - Zone 2: Extends outward from Zone 1, each use shall not be less than 2.5 acres and prohibits uses that attract/house crowds
 - Zone 3: Subject to uses that do not create or cause interference with airport operations
- » Height limits



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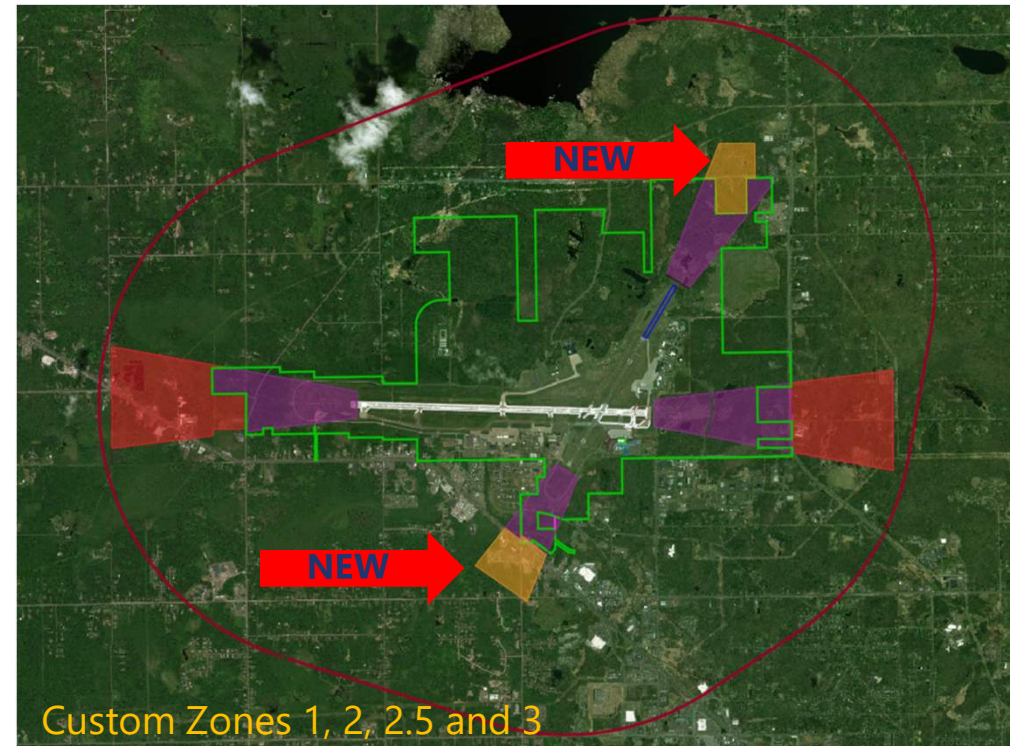


Custom Zoning Ordinance

» For future development:

– **Zone 2.5: Extends outward from Zone 1 on Runway 3-21 and prohibits**

- Schools
- Hospitals
- Childcare or daycare centers
- State licensed residential care facilities and housing with service establishments serving 6 or fewer persons
- State licensed adult daycare facility serving 12 or fewer persons
- State licensed group family daycare facility serving 12 or fewer children



Factors analyzed

- 1) Schools, hospitals, nursing homes
- 2) Land uses that attract large assemblies of people
- 3) At least one 2.5-acre contiguous open space
- 4) Wildlife attractants
- 5) Airport ownership of RPZ and Clear Zone area
- 6) Land uses that create or cause interference with radios/electronics
- 7) Land uses that create glare, limit visibility, or create pilot confusion by light pollution
- 8) Land uses that inhibit pilot ability to maneuver aircraft
- 9) Airspace is protected
- 10) Social and economic costs/impacts are minimized
- 11) Airport's operations and safety risk to public are unaffected
- 12) Accident rate and statistical analysis of distribution
- 13) No planned incompatible uses within airport hazard area



Results of Analysis

- » Safety
 - Aircraft
 - People on the ground
- » Limits on new development
- » Report downloadable at www.duluthairport.com, see Joint Airport Zoning Board tab



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Safety

- » Aircraft
 - Airport accident record: 2 in 20 years
 - Assessment of accident locations worldwide (ACRP Report 3)
 - Statistical probability: 1 in 800 years for off-airport accident at any given runway end
- » People on the ground
 - Retain all current land uses
 - Retain low density



RS&H



Limits on New Development

- » Zone 1 – No buildings in approach zones of a runway
 - Most Zone 1 areas contained within Airport property
- » Zone 2 – Extends outward from Zone 1
 - No use less than 2.5 acres
 - Prohibits uses that attract/house crowds
 - Prohibits places of public assembly
 - Prohibits schools and hospitals
- » Zone 3 – No uses that create interference or cause hazards to pilots/aircraft
 - Electronic facilities
 - Glare/lighting interference

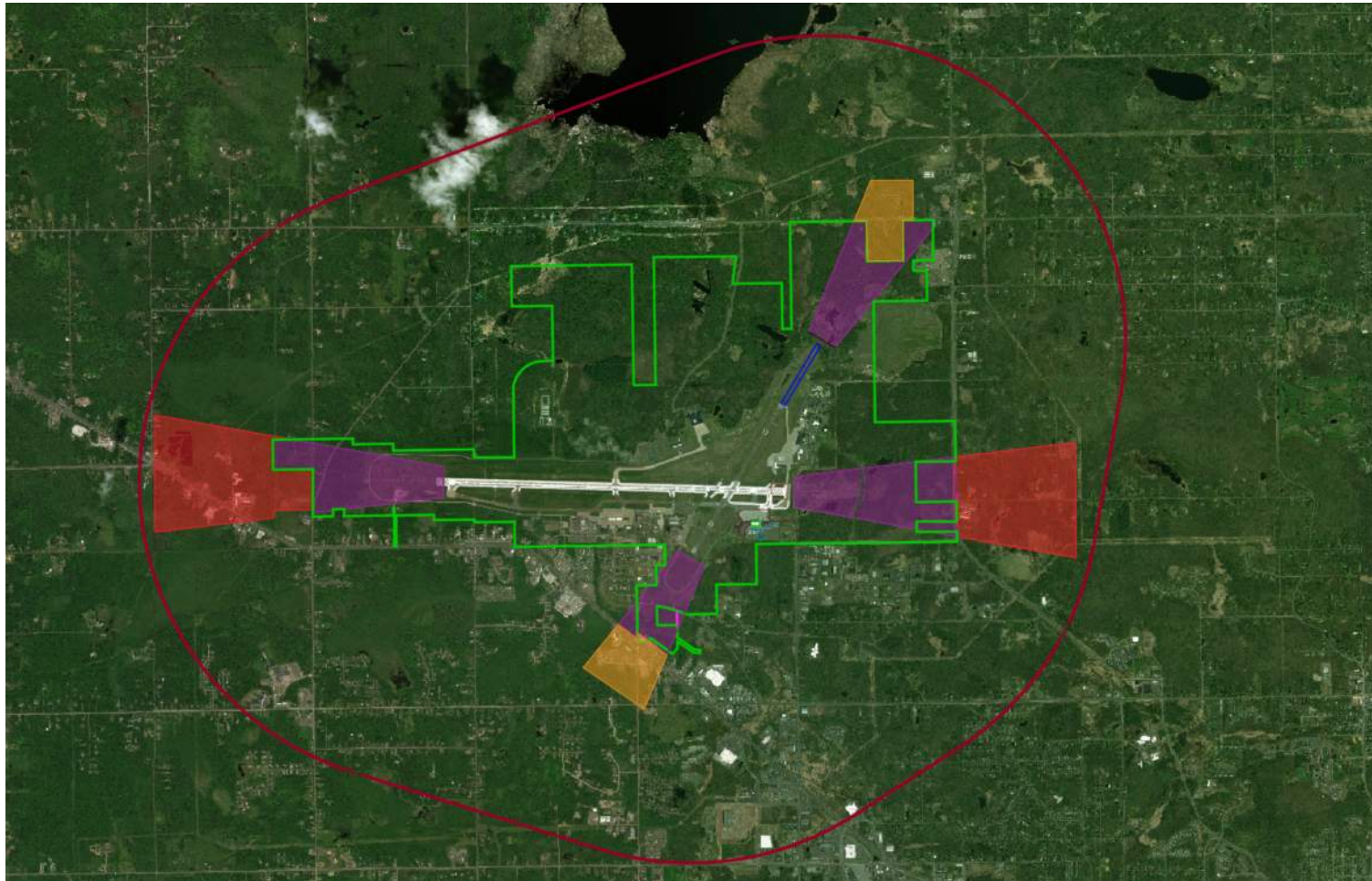


Limits on New Development

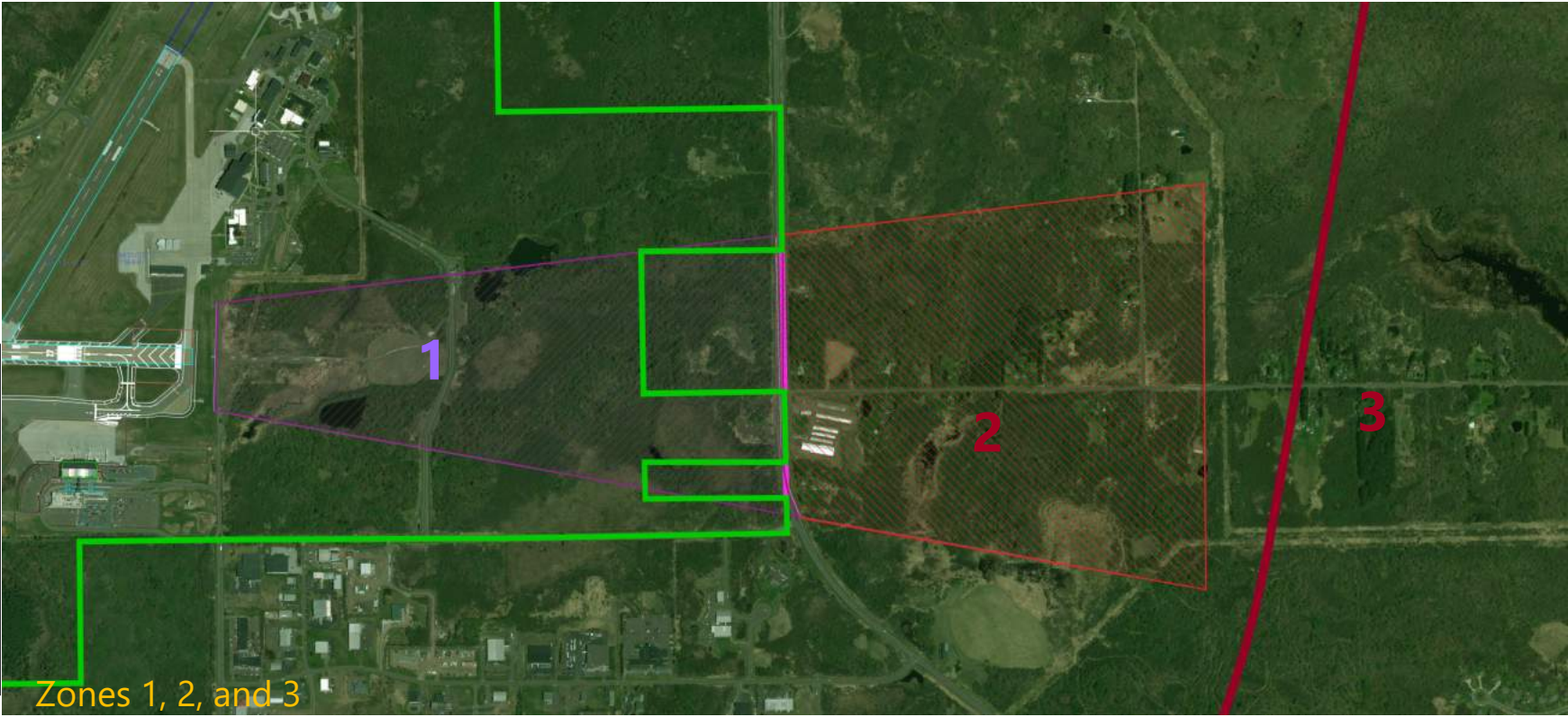
» **Zone 2.5 – Extends outward from Zone 1 on Runway 3-21 and prohibits**

- 
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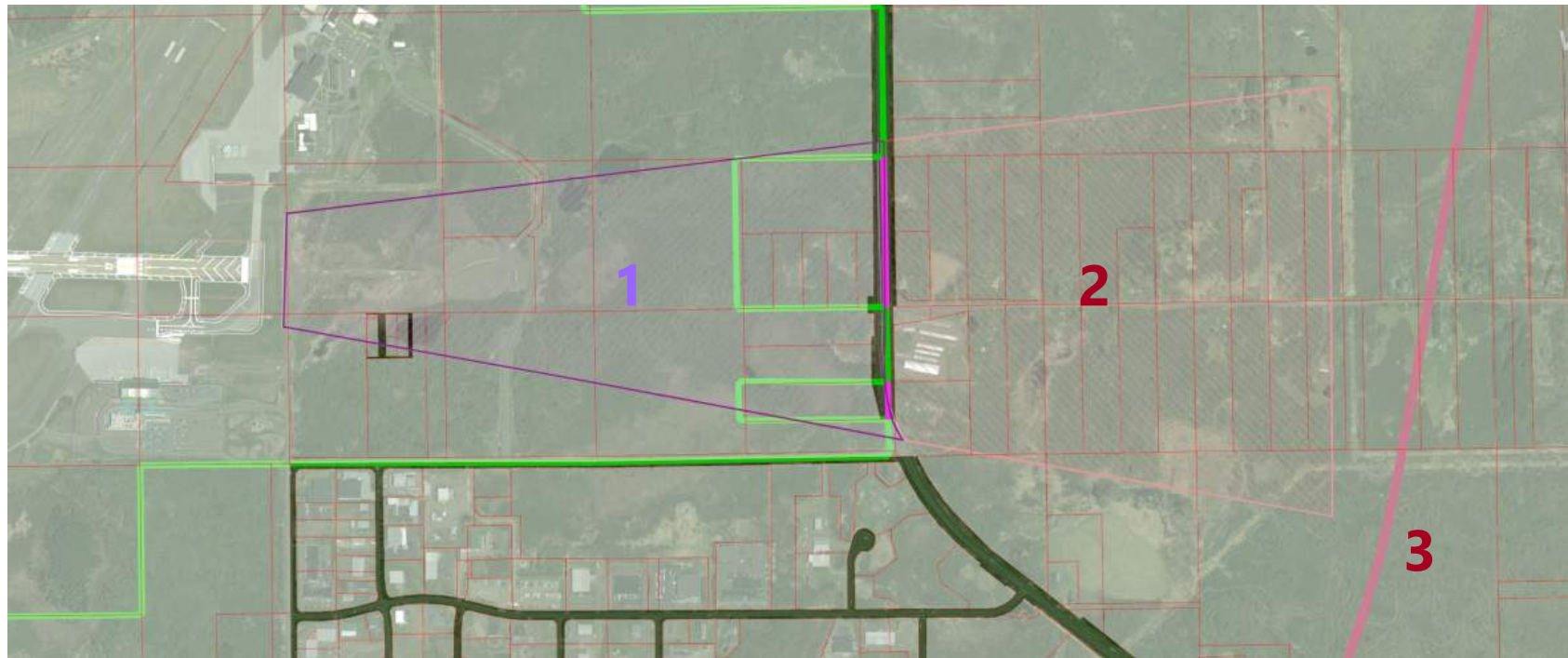
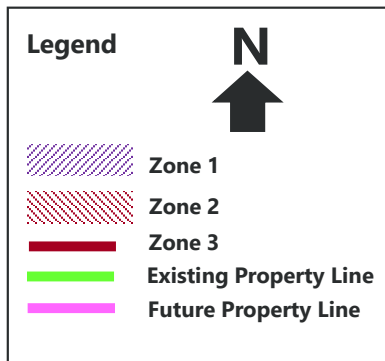
Custom Zone Boundary Area



Runway 27 Custom Zones



Custom Zones and Parcels Impacted



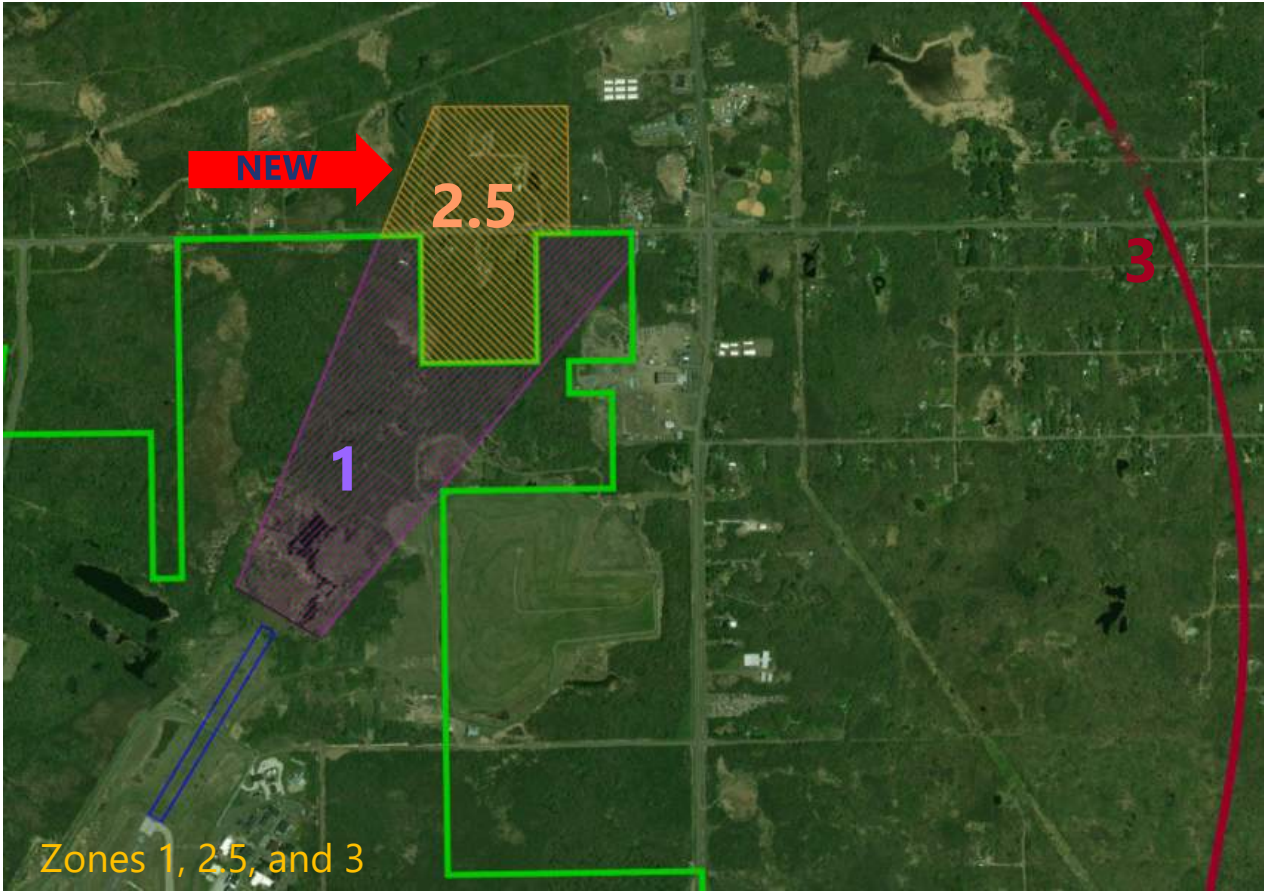
Runway 21 Custom Zones



Legend

N
↑

- Zone 1
- Zone 2.5
- Zone 3
- Existing Property Line
- Future Property Line



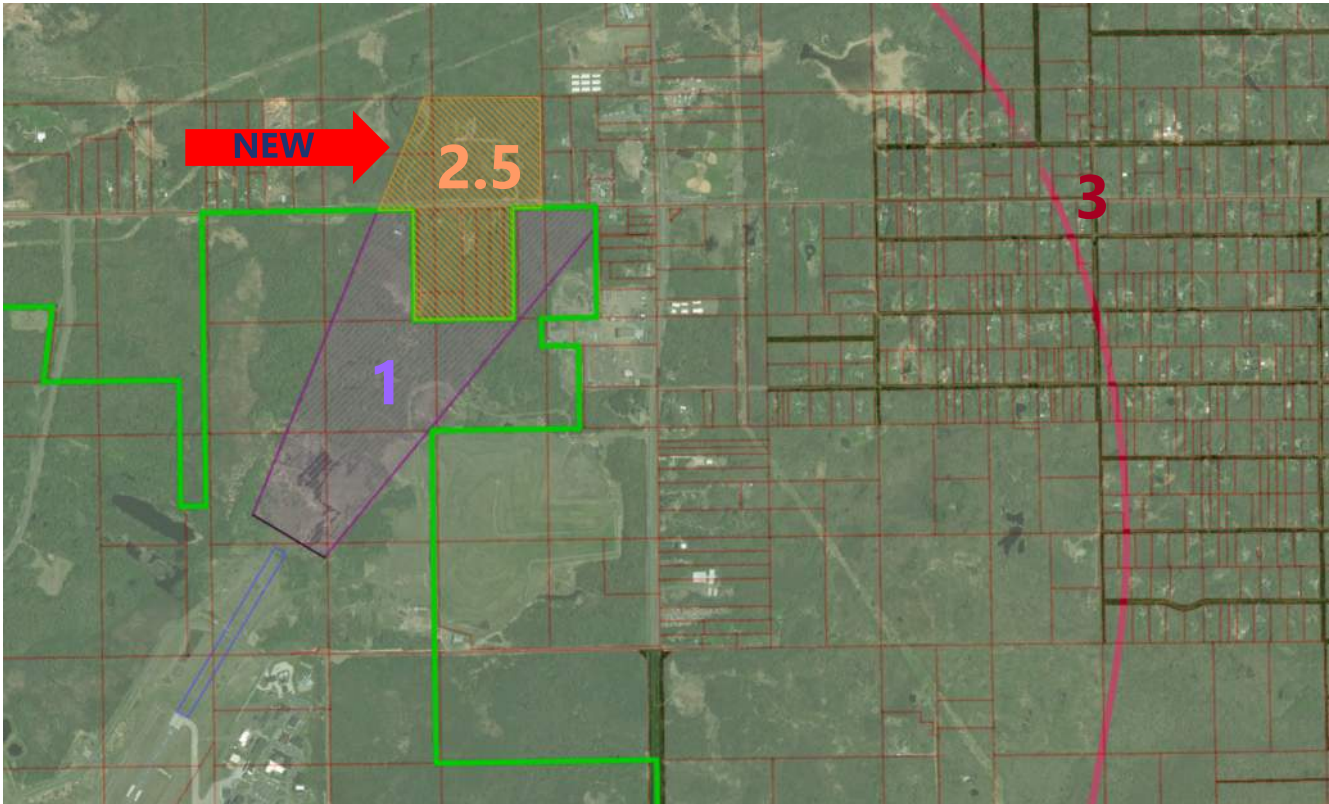
Custom Zones and Parcels Impacted



Legend

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- Zone 1
- Zone 2.5
- Zone 3
- Existing Property Line
- Future Property Line



Runway 9 Custom Zones

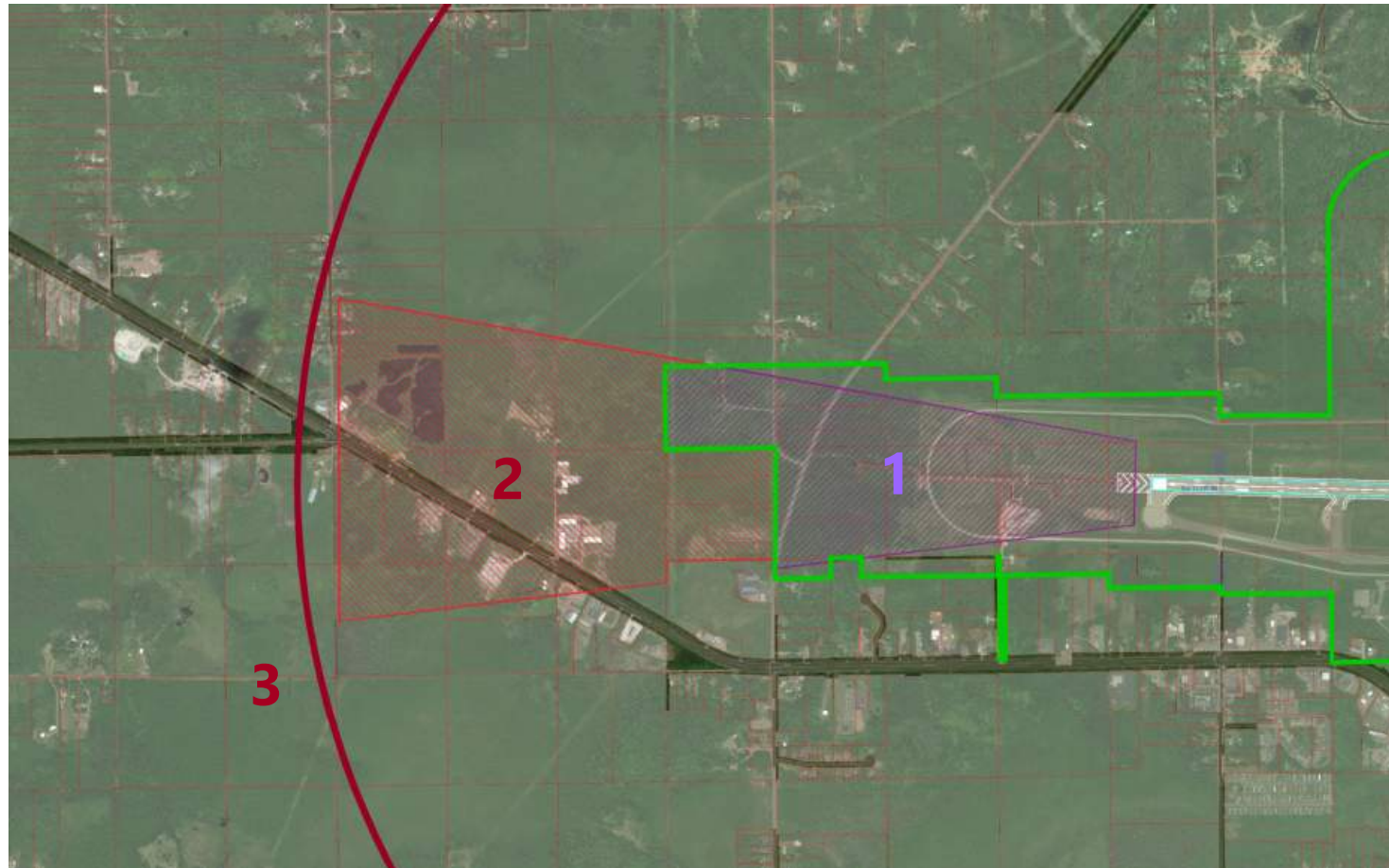
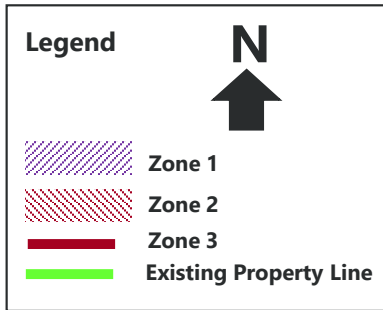
Legend

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↑

- Zone 1
- Zone 2
- Zone 3
- Existing Property Line



Custom Zones and Parcels Impacted



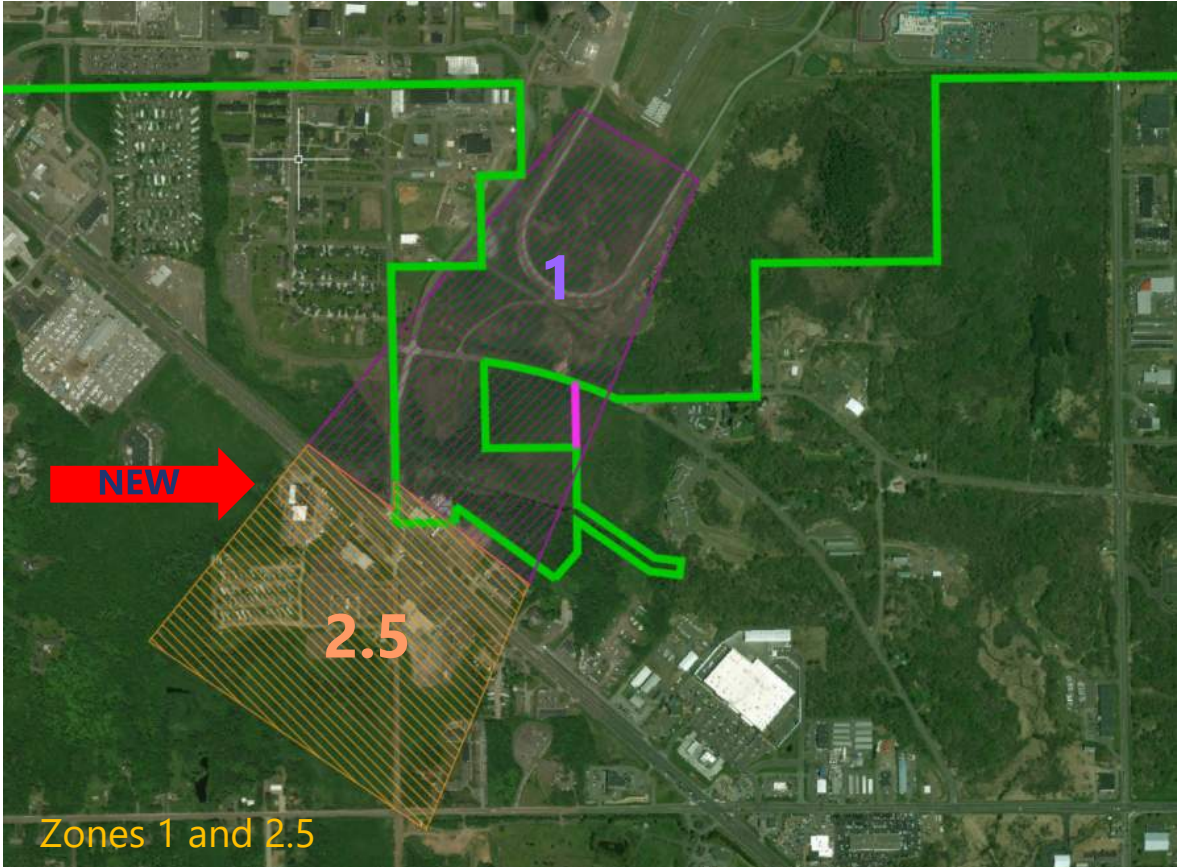
Runway 3 Custom Zone



Legend

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- Zone 1
- Zone 2.5
- Zone 3
- Existing Property Line
- Future Property Line



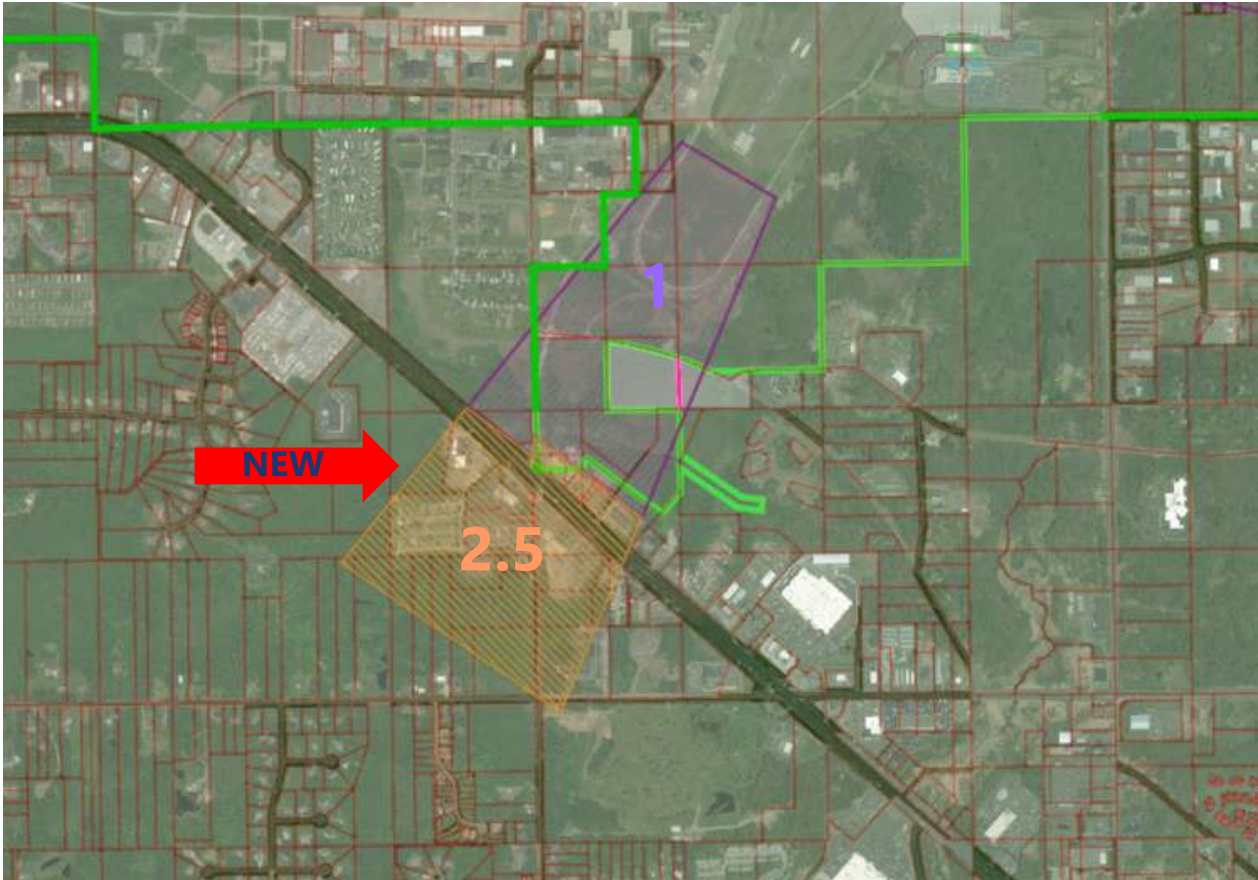
Custom Zones and Parcels Impacted



Legend

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- Zone 1
- Zone 2.5
- Existing Property Line
- Future Property Line



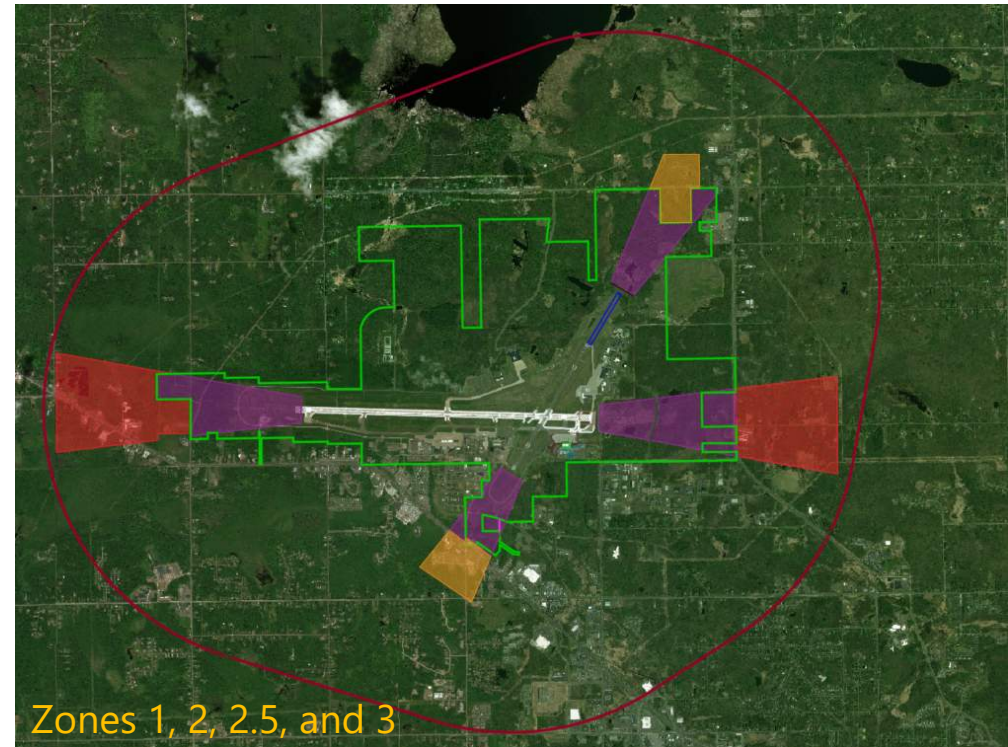
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The Proposed Ordinance

- » Drafted by JAZB Attorney
 - Input from all surrounding communities
- » Submitted to MN Dept of Transportation
- » Downloadable at www.duluthairport.com, see Joint Airport Zoning Board tab



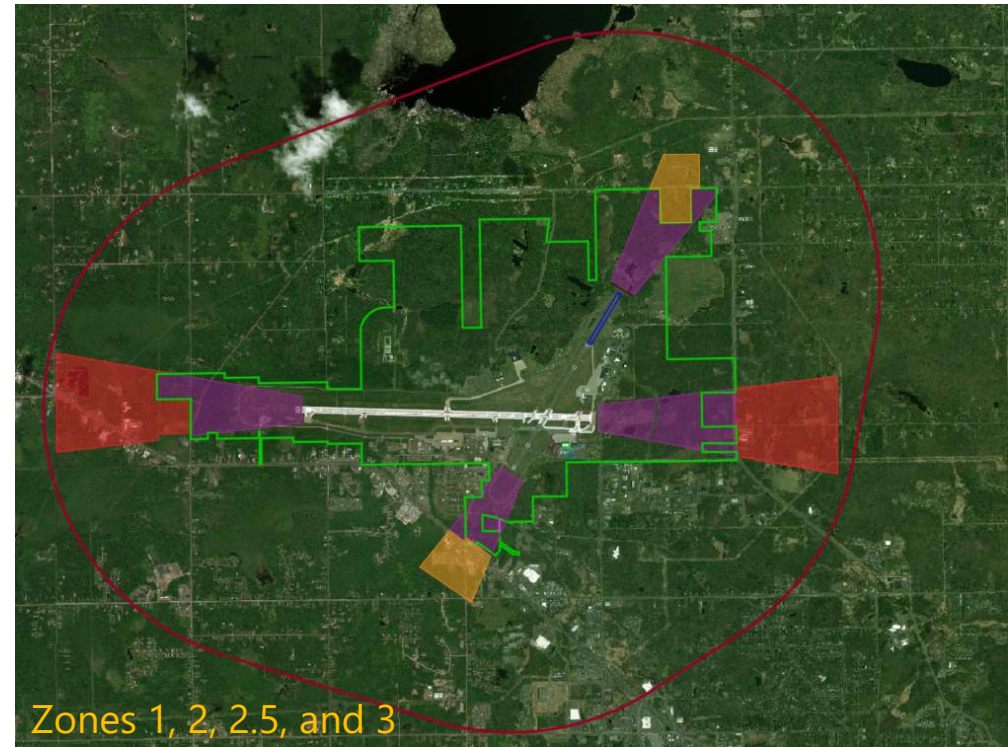
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Your Comments Are Welcome

- » Email
 - JAZB@duluthairport.com
- » Submit comments in writing tonight
- » Mail
 - Mark Papko
Duluth Airport Authority
4701 Grinden Drive
Duluth, MN 55811
- » Comments due by July 28



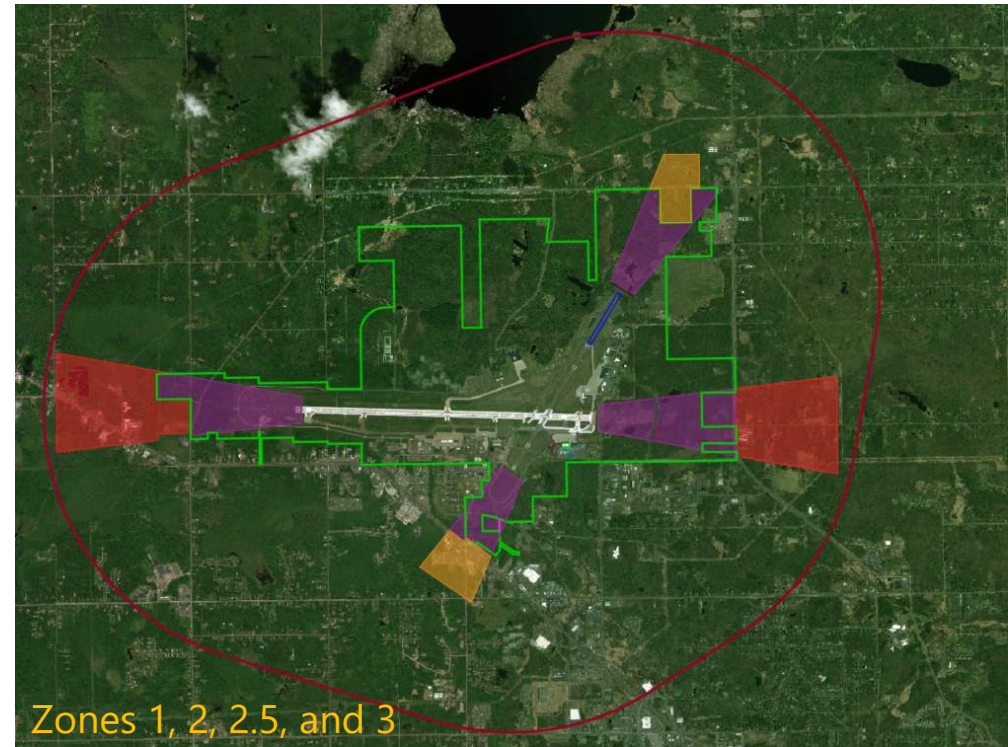
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Ordinance Review

- » DOT Commissioner Reviews
- » DOT comments addressed
- » Third Public Hearing may be held



Thank You

RS&H

