



Oregon

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EXHIBIT: _____
LAND CONSERVATION & DEVELOPMENT
COMMISSION
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SUBMITTED BY: Chris Cummings

DATE: August 9, 2007

TO: Land Conservation and Development Commission

FROM: Chris Cummings, Aviation Planning Analyst *CC*

Subject: Airport Planning

Oregon's airports serve a vital link in the state's transportation system providing emergency service, business, and recreation access. With encroachment and development pressures forcing the closure of two airports per week nationally, proactive land use protections are essential to the continued use and growth of Oregon's airports. To assist with their protection, in 1997 the Oregon Legislature passed ORS 836.600 (Local Government Airport Regulations). The Department of Land Conservation and Development, in cooperation with the Oregon Department of Aviation, created corresponding rules in OAR 660-013 (Airport Planning). The statute and rules set standards for local jurisdictions regarding appropriate base and overlay zoning for a predetermined list of Oregon's airports.

While the Airport Planning Rule was created 10 years ago, the extent to which it was applied locally is not known. Statute requires that local jurisdictions amend their comprehensive plan and land use regulations upon first periodic review after the creation of applicable rules. Since inception of these rules, many jurisdictions have been exempted from periodic review, thus removing any requirement for jurisdictions to adopt the Airport Planning Rule. ODA is currently conducting a study to determine which jurisdictions have applied the Airport Planning Rule. Early indications are that less than 33% of the 148 airports listed in ORS 836.600 have base and overlay zoning protection.

In light of the lack of protection for Oregon's airports and the requirement of periodic review for adoption of the Airport Planning Rule, the Department of Aviation is requesting that the DLCD incorporate airport planning issues into its two-year work plan. Although ODA requests that all requirements of ORS 836.600 be triggered by a method other than periodic review, the department also understands the constraints associated with unfunded mandates. Therefore, ODA is willing to cooperate with the DLCD to develop strategies and timelines that would most likely achieve ODA's goal of protecting Oregon's aviation infrastructure.

Airport Planning Rule

The Airport Planning Rule was established under ORS 836.600 and OAR 660-013 as a means of protecting the future use and growth of Oregon's airports. This was accomplished through the establishment of rules mandated upon local jurisdictions to provide for the protection of airport imaginary surfaces, aviation-related uses, airport growth, and incompatible land uses. The Rule established five separate airport categories with category specific protections:

1. Publicly-owned / Public use / 3+ aircraft
2. Privately-owned / Public use - meet specific criteria >trans links/safety/economic
3. Privately-owned / Private use - 3+ aircraft
4. Publicly-owned / Public use - less than 3 aircraft
5. Privately-owned / Public use - Did not meet criteria for >trans links/safety/economic

Airports not specifically listed in numbers 1 through 5 above are not offered any protections under Federal and State rules. These are:

Privately-owned / Private use - less than 3 aircraft -

Planning jurisdictions are required to comply with the Airport Planning Rule at the first periodic review after the rule's inception. ODA will be conducting a zoning inventory study as part of the 2007 FAA System Planning Grant. The purpose of the study will be to ascertain which jurisdictions have applied the Airport Planning Rule.

Reasons for non-compliance include:

- Cost of periodic review is high. Lack of funding discourages adoption.
- Legislation since creation of Rule has exempted many jurisdictions from periodic review requirements.

ODA has adopted a list of airports for each of the aforementioned categories. ODA shall review and update the list periodically, adding or removing airports as necessary. An airport may only be removed from the list upon request of the airport owner or upon closure of the airport for a period of more than three years.

1. Publicly-owned, public use airports registered, licensed or otherwise recognized by the Department of Transportation on or before December 1, 1994 with three or more based aircraft.

- OAR 660-13-0040: Requires local governments to adopt comprehensive plan and land use regulation requirements for each of public owned/public use airport with 3 or more based aircraft as of 12/01/94. Planning documents shall show:
 - Airport Boundary
 - Airport Layout Plan that includes existing & planned facilities
 - Maps delineating safety zones, compatibility zones, and noise impact boundaries.

- OAR 660-13-0070: Requires local government to adopt an Airport Safety Overlay Zone to prohibit penetration of the airports Imaginary Surfaces. (Exhibit 1)

- OAR 660-13-0080: Requires local government to adopt airport compatibility requirements for each public owned/public use airport with 3 + aircraft. This includes:
 - Prohibition of residential development and public assembly uses in RPZ
 - Limits certain uses within various levels of noise contours.
 - Regulates industrial smoke, dust, etc.
 - Regulates outdoor lighting
 - Regulates radio/television facilities & electrical transmission lines
 - Regulates water impoundments
 - Regulates new landfill establishment

- OAR 660-13-0100: Requires local government to adopt land use regulations for areas within the airport boundary of non-towered airports (as of June 5, 1995) that authorize the following uses.
 - Customary Aviation Related Activities, i.e., takeoffs, landings, aircraft hangars, FBOs, etc., and aviation activities incidental to normal airport operations.
 - Emergency Medical Flight Services
 - Law Enforcement and Firefighting Activities
 - Flight Instruction and related facilities

- Aircraft Service, Maintenance and Training, but not including facilities for manufacture of aircraft or related products for sale to the public.
- Aircraft Rental and Sales.
- Aeronautic Recreational Activities including fly-ins, glider flights, ballooning, etc.; with certain limitations and subject to approval of airport sponsor.
- Crop Dusting, Agricultural and Forestry Activities
- Air Passenger and Air Freight services and facilities at public use airports.
- Other uses within airport boundary as per OAR 660-13-0110. Local Government may authorize commercial, industrial, manufacturing and other uses in addition to those listed in 0100 within the airport boundary where such uses are consistent with applicable provisions of the acknowledged comprehensive plan, statewide planning goals and LCDC administrative rules and where the uses do not create a safety hazard or otherwise limit approved airport uses.

Albany Municipal	Grant County Regional	Mulino
Arlington Municipal	Grants Pass	Myrtle Creek
Ashland Municipal	Hermiston Municipal	Newport Municipal
Astoria Regional	Hillsboro	North Bend Municipal
Aurora State	Illinois Valley	Oakridge State
Baker City Municipal	Independence State	Ontario Municipal
Bandon State	Joseph State	Pacific City State
Bend Municipal	Ken Jernstedt	Pendleton
Brookings	Klamath Falls	Portland International
Burns Municipal	La Grande	Prineville
Chiloquin State	Lake Billy Chinook	Redmond
Christmas Valley	Lake County	Roseburg Regional
Columbia Gorge Regional	Lakeside	Salem McNary Field
Condon State	Lebanon State	Scappoose Industrial
Corvallis Municipal	Lexington	Seaside Municipal
Cottage Grove State	Madras City	Siletz Bay State
Creswell Hobby Field	Malin	Tillamook
Enterprise Municipal	McDermitt State	Troutdale
Eugene Mahlon Sweet	McMinnville Municipal	Vernonia Airfield
Florence Municipal	Medford – Rogue	Wasco State
Gold Beach Municipal	Miller Memorial	

2. Privately owned, public use airports that meet the following three criteria. These airports are afforded the same protections as those listed in number 1 above.

- Provide Links in Air Traffic in the State;
 - Provide Essential Safety and Emergency Services; or
 - Are of Economic Importance to the County.
- Requires local government to adopt an Airport Safety Overlay Zone to prohibit penetration of the airports Imaginary Surfaces. (Exhibit 1)

Chehalem Airpark	Lenhardt Airpark	Sunriver
County Squire Airpark	Sandy River	Valley View
Davis	Sportsman Airpark	
George Felt	Starks Twin Oaks	

3. Privately-owned, private use airports registered, licensed or otherwise recognized by the Department of Transportation on or before December 1, 1994 with three or more based aircraft.

- OAR 660-13-0070: Requires local governments to create safety overlay zones that protect an airports approach surfaces. (Exhibit 2)
- OAR 660-13-0155 Planning requirements for Small Airports
 - Recognize Airport Location in Planning Documents
 - Local governments shall not impose limitations on uses that existed during 1996 or that were approved by local government prior to 1/1/1997.
 - Allows new aviation related uses subject to criteria. (I.e. Is supported by adequate public services, no serious interference with existing surrounding uses.)

Aeroacres	Harchenko Industrial	Roppair
Apple Valley	Hatch	Roseburg-Lookingglass
Auberge Des Fleurs	Heli-trade Heliport	S H Aircraft Painting
Backachers Ranch	Hines	Skydive Oregon
Beagle Sky Ranch	Jasper Ridge	Snider Creek
Beaver Oaks	Karpen's	St. Vincent Hosp. Heli
Burrill	Kingston Airpark	Strauch Ranch
Chenoweth	Lafayette Airstrip	Sunnyville
Cline Falls Airpark	Lafferty Field	Sunset Airstrip
Croman Heliport	McKinnon Enterprise	Tallman
Crow-Mag	Meadowview Heliport	The Green Trees Ranch
Daniel's Field	Meyer's Riverside	Umpqua Sky Park
Davidson Field	Nielsen's	Walker
Dietz Airpark	North Plains Gliderport	Wayne's
Erickson Heliport	Ochs Private	Wenger's Flying W
Fairways	Olinger Strip	West Buttercreek
Finlay Field	Pine Valley	White Oak
Flying Tom	Pointers	Winn
Gilmour Agricultural	Propst	Workman Airpark
Glide Aero	Reforestation Service	
Grell's	Rogue-Air	

4. Publicly-Owned, Public Use Airports with less than 3 based a/c as of 12/31/94

- Requires local government to adopt an Airport Safety Overlay Zone to prohibit penetration of the airports Imaginary Surfaces. (Exhibit 1)

Alkali Lake State	Memaloose	Red's Horse Ranch
Beaver Marsh	Monument	Rome State
Boardman	Nehalem Bay State	Santiam Junction State
Burns Junction	Owyhee Reservoir State	Sliver Lake USFS Strip
Cape Blanco State	Paisley	Toketee State
Cascade Locks State	Pinehurst State	Toledo State
Crescent Lake State	Portland Heliport	Wakonda Beach State
Juntura	Powers State	
McKenzie Bridge	Prospect State	

5. Privately-Owned, Public Use Airports That Did Not Meet 3 Criteria of providing links in air traffic in the state, essential safety and emergency services or are of economic importance but were given protected status.

- Offers protections of OAR 660-13-0070 that requires local government to create a safety overlay zone for airport approach surfaces. (Exhibit 2)

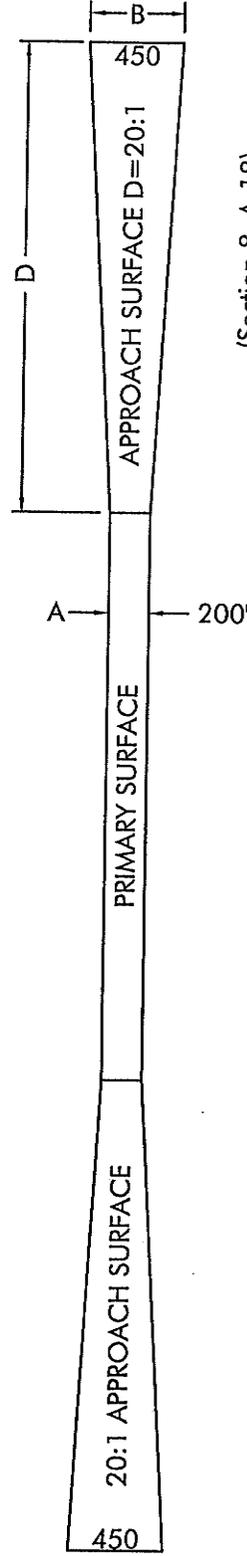
Happy Valley	Skyport
Sheridan	Sisters

OAR 660-13-0070 Exhibit #2

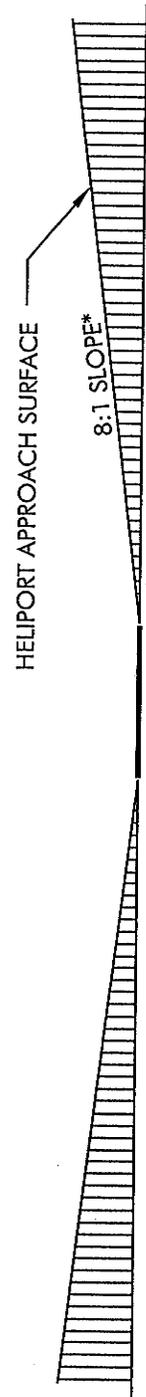
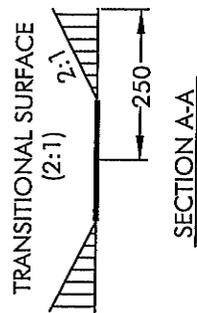
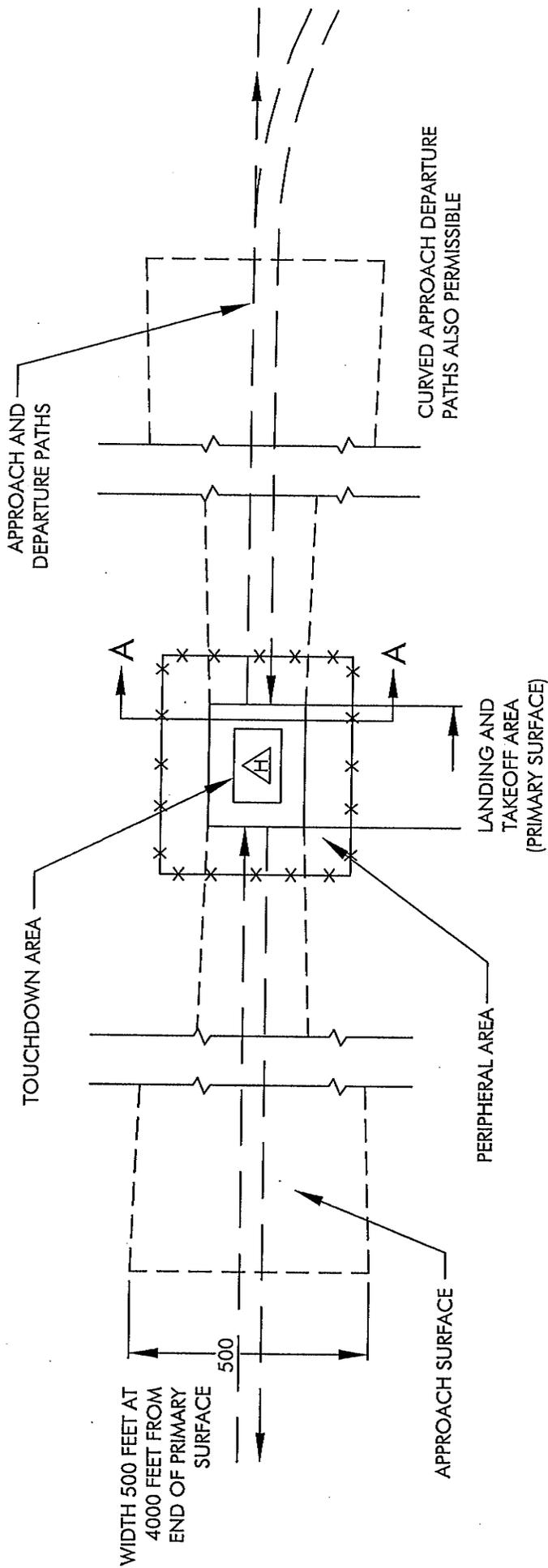
Private Use Airport Overlay Zone

Appendix "N"

DIM	ITEM	DIMENSIONAL STANDARDS IN FEET
A	WIDTH OF PRIMARY SURFACE AND APPROACH SURFACE WIDTH AT INNER END	200
B	APPROACH SURFACE WIDTH AT THE END	450
C	APPROACH SURFACE LENGTH	2500
D	APPROACH SLOPE	20:1



(Section 8, A-18)



PROFILE

*SLOPE 10:1 FOR MILITARY HELIPORTS