

**Airport Land Use Compatibility Study
Recommendations Implementation**

**Final Work Plan
(Revised 6/21/07)**

**Hillsboro Airport Issues Roundtable
Land Use Subcommittee**

Overview

The 2005 Hillsboro Airport Compatibility Study Update (CSU) recommends the implementation of a series of operational and land use measures to ensure and improve the compatibility of the airport with surrounding land uses. The land use recommendations are the focus of this subcommittee.

The land use recommendations were developed with input from a Technical Advisory Group made up of ten people representing local government agencies, citizens at large, airport users and local businesses. The TAG met one time on June 23, 2005 in an all day session. Experts in their fields - Oregon land use attorney Mark Greenfield and land use planner Frank Angelo - assisted this group in understanding airport state planning rules and regulations and the land use planning process in general.

The TAG recommended that four agencies: Hillsboro, Washington County, Metro and the Port of Portland work together to implement these land use recommendations. The recommendations are summarized in Exhibit 4A in the Compatibility Study. Three of these (1, 2, and 9) are procedural in nature and can be implemented as is. Recommendation #10 will be informed by the outcome of recommendation #8 which is discussed below. Recommendation #3 will not be done as part of this Land Use Subcommittee (LSC) effort. This coordination agreement will also be informed by this current work effort and its completion will be a follow on effort. However, the subcommittee may choose to highlight recommendations 1, 2, 3 9 and 10 in their Final Report to policymakers to insure that they will be considered for implementation.

The charge of the LSC is to carry forward the work of the TAG and to offer policymakers more detailed language for the five - primarily regulatory - CSU land use recommendations. These are recommendations 4, 5, 6, 7 and 8.

The LSC draft mission statement is:

Engage in a cooperative and comprehensive analysis of the regulatory land use recommendations in the 2005 Hillsboro Compatibility Study Update. Offer policy makers¹ specific language to be utilized in the implementation of these recommendations.

Recommendations 4-8 are summarized below:

4. Establish airport-related review guidelines for development with discretionary review processes such as plan amendments and zone changes. Determine a boundary within which the project review guidelines would apply.

The CSU envisions that completion of this recommendation would follow development of an airport overlay zone. The Port of Portland already reviews land use actions within 10,000' of the airport boundary. Oregon law requires local jurisdictions with land use planning authority to notify the airport sponsor of all land use actions within this area. Previous presentations to HAIR demonstrated that the cooperative efforts of the City of Hillsboro, Washington County and the Port of Portland have done a decent job of reviewing land use actions and applying airport compatibility standards per Oregon law and FAA guidelines. Formalizing this process it was is intended here. We will utilize existing code and the Oregon Airport Land Use Compatibility Guidebook to do this. Including these review guidelines within the overlay zone language may be the easiest way to implement this.

¹ Policymakers in this work plan refer to: the City of Hillsboro Planning Commission and City Council and the Washington County Planning Commission and County Commission.

5. Determine future compatible land use designations for areas of Washington County north of Evergreen Road that will apply upon annexation into the UGB (Urban Growth Boundary).

This recommendation refers to a recent action that brought a number of acres of Washington County land inside the UGB. The land is located north of Evergreen Rd., north east of the airport. This land is undergoing a separate master planning process with the City of Hillsboro as the lead. The land will eventually be annexed to the City. The PM will track this separate effort throughout the project and through City of Hillsboro staff to insure that the two efforts inform each other. It is anticipated that the area will be utilized for industrial development. Industrial uses are generally compatible with airport operations. It is not envisioned that the planning process for this area will be an impediment to our effort, the two appear compatible.

6. Establish Airport Overlay Zoning for Hillsboro Airport using the model overlay ordinance provided in the Airport Land Use Compatibility Guidebook published by the Oregon Department of Aviation as a guide.

This is the key land use recommendation. With the exception of #7 – the Airport Zone - the other three (4, 5, and 8) will be sorted out through the language that comes out of this recommendation. However, the Airport Zone will also need to be consistent with the overlay zone language. As was presented to HAIR, an overlay zone is a requirement of Oregon state law and the Oregon State Airport Planning Rule (OAR 660-013). The CSU recommends utilizing the model overlay templates provided in the Oregon Airport Land Use Compatibility Guidebook to construct this overlay.

7. Establish an Airport Use Zone for the Hillsboro Airport, which would regulate on-site airport and airport-related industrial, commercial, and other uses that may occur within and beyond the 2025 planning horizon.

Developing recommended language for this recommendation should be a straightforward exercise. There is a template for this provided in the APR that is consistent with State and Federal law. Other cities in Oregon have also adopted this language, generally as is. We will look at examples from other airports in Oregon to verify this approach. In this recommendation, it is probably best to stick to the Oregon template rather than look for examples from other states. These rules come directly from Oregon statute (ORS 836.616). The City of Hillsboro will be the only public agency adopting the Airport Zone as the airport boundaries are wholly within the City of Hillsboro.

8. Amend subdivision regulations to establish fair disclosure requirements, and aviation noise and over flight easements. Determine the boundary in which these regulations would apply.

If you look at Exhibit 1C in the CSU, it is apparent that very little buildable land – not zoned industrial and/or outside the UGB - remains within 10,000' of the Hillsboro Airport. As the CSU indicates, the practical impacts of these land use recommendations are on those areas to the north, northwest and northeast of the airport. These undeveloped and primarily industrial and agricultural parcels are still considered compatible land uses. The purpose of this effort is to be proactive and insure that they continue to remain compatible.

This does not mean that we are setting out to prohibit development in these areas, but rather to insure that what ever is developed in the future (or rezoned and/or changed in the comprehensive plan) will be compatible with accepted airport land use compatibility practices and State law.

**Work Plan -
Airport Land Use Compatibility Study Recommendations Implementation**

The goal of this effort is to develop specific recommendations that can be taken forward by the City of Hillsboro and Washington County for presentation to their policy making bodies. The charge of the LSC is to make recommendations, not set policy and/or implement regulations. Furthermore, the work of the LSC in this effort is part of an ongoing public process that began with the work of the TAG in developing the CSU and will continue after this effort is finished with the land use implementation processes in each jurisdiction.

This document will serve as the Airport Land Use Compatibility Study Recommendations Implementation Work Plan (from here on known as the Work Plan) for the current work of the LSC as recommended in the CSU. This effort will utilize the CSU and build on its analysis, findings and recommendations. It will also rely heavily on the guidelines and information in the Oregon Airport Land Use Compatibility Guidebook. As appropriate, it will also look to the guidelines from the California Airport Land Use Planning Handbook. The product of this effort will be a set of detailed recommendations based on the five land use recommendations highlighted above. The policymakers may then take these recommendations forward for consideration in their respective local land use planning processes.

Task 1: Review Workplan, Schedule and Relevant Background Documents

This will include, but is not limited to: the CSU Recommendations, the Work Plan, and relevant portions of the Oregon and California airport land Use compatibility guidebooks.

Objective: The objective of this task is to understand the subcommittee charge through reviewing the work of the TAG and their recommendations in the CSU. The LSC will review and agree upon the work plan, the project schedule, and communication/documentation protocols. While this effort is not under a strict deadline, a few HAIR members have expressed that this effort should not be a long one. At the HAIR mtg. in Feb 2007, Hillsboro City Council member Ed Dennis remarked that, "we can get this done quickly, it's a straightforward process. We should be on to the City Council in 8 months." Also, there are deadlines that the City and County have in their land use implementation processes for the current year that the LSC may consider in finalizing the project schedule.

Approach: The Project Manager will send out via e-mail (and upon request regular mail) the work plan, schedule and materials to review. The PM is available to answer questions from LSC members as they arise. It is anticipated that when LSC members have questions and comments, they will reply to the entire committee as much as possible so that a dialogue is maintained among the entire LSC. E-mail will allow the LSC to avoid waiting until each meeting to offer comments on these issues. For those that may not have access to e-mail, please call the PM with questions and comments and the PM can relay those on to the entire committee. The LSC will meet to discuss the reading materials, e-mail and phone comments and come to consensus on the work plan, schedule, and communication/documentation protocols.

Product: A final work plan, project schedule and communication plan.

The LSC will decide on how to communicate with the larger HAIR committee. Also, the LSC may want to establish a protocol for how the recommendations from this effort will be conveyed to the relevant jurisdictions (i.e. written report, oral presentations, etc.). It is assumed that through the process, the relevant policy makers will be kept informed of the LSC work as it progresses, most likely through the agency staff represented on the LSC.

Task 2: Airport Zone

Objective: The objective of this task is to recommend language to establish an Airport Use Zone for the Hillsboro Airport. This would regulate on-site airport and airport-related industrial, commercial, and other uses that may occur within and beyond the 2025 airport planning horizon.

Approach: Airport Use Zoning for Hillsboro Airport would be a separate zoning district that applies only within the airport boundary and defines the specific airport-dependent, airport-related and airport-compatible uses that could occur within the airport boundary. The Airport Use Zone would require conformance with the Airport Safety and Overlay Zone. A model Airport Use Zone that is consistent with federal and state law is provided in the Oregon Land Use Compatibility Handbook.

The Compatibility Handbook also states that, "...notwithstanding the provisions of OAR 660-013-0100, a local government may authorize commercial, industrial, manufacturing and other uses in addition to those listed in OAR 660-013-0100 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." The LSC may choose to supplement the OAR language in their recommendation to policymakers. Any additional uses that are recommended shall be consistent with the 2005 HIO Master Plan.

Product: The LSC will recommend to policymakers specific language to be included in an Airport Use Zone.

Task 3: Airport Safety and Compatibility Overlay

Objective: The objective of this task is to develop language for an Airport Safety and Compatibility Overlay for the Hillsboro Airport.

Approach: The LSC will utilize the model overlay ordinance provided in the Airport Land Use Compatibility Guidebook published by the Oregon Department of Aviation as a guide. Guidelines from the California Airport Land Use Planning Handbook will also be examined. A review of existing airport overlays from other airports in Oregon, Washington and California may also assist in completing this task.

As was presented to HAIR, the jurisdictions in Oregon that have adopted an airport overlay zone have tended to use the language from the Oregon model ordinance and have often adopted as is. Analysis done by the State of California utilizing historical aircraft accident data may be used by the LSC to refine and supplement the Oregon ordinance and its compatibility requirements.

Finally, the LSC will review existing City of Hillsboro and Washington County development code and comprehensive plan text. Existing code and comprehensive plan language already exists to assist and supplement this effort and may be brought into the overlay language. It is envisioned that CSU recommendations #4, 5, and 8 may be addressed within the overlay language itself, thus removing the need to address each of these recommendations as stand alone efforts. CSU recommendation #7 - Airport Zoning - needs to be consistent with the language in the overlay zone, but will likely be adopted as a separate element in the City and County code and comprehensive plan.

Again, this task will be the bulk of this effort. It is envisioned that this will be completed in one to three LSC meetings.

Product: The HAIR LSC will recommend to policymakers at the City of Hillsboro and Washington County language to be included in an Airport Safety and Compatibility Overlay.

Task 4: Airport-related Review Guidelines

Objective: The objective of this task is the establishment of airport-related review guidelines for development with discretionary review processes such as plan amendments and zone changes. Also, a boundary within which the project review guidelines would apply will be determined.

Approach: The CSU envisions that this recommendation would follow from the development of an airport overlay zone. As stated in the CSU, "...planning commissions, planning agencies, and local governing bodies are oftentimes required to use their own judgment when making decisions on community development issues such as rezoning applications, variances, conditional use permit applications, subdivision applications, and proposed public improvement projects. The exercise of this discretion, however, is constrained by the legal requirements of the applicable ordinances. Where opportunities exist for planning commissions, planning agencies, and governing bodies to use their own discretion in the development review process, it may be appropriate to adopt project review guidelines that ensure a fuller consideration of airport noise and safety compatibility issues in their evaluations."

The Port of Portland receives notices of proposed land use actions from local governments. These notices are reviewed to determine if the proposed action may be incompatible with airport operations. In some cases, Port staff will request conditions of approval to mitigate the compatibility issue, such as noise disclosure statements or aviation easements. It is up to the local jurisdiction with land use planning authority to decide how to act on these requests. However the Port, City and County typically work closely to insure airport compatibility through the land use planning process. The ability to comment on these is not limited to the Port of Portland. Review of land use actions are part of the local, public land use planning processes.

A checklist of airport land use compatibility criteria may be developed, with recommendations for incorporation into current review processes performed by city and county officials. This review process could also be incorporated into any future coordination agreement (CSU recommendation #3).

Product: The LSC will recommend to policymakers a checklist of airport land use compatibility criteria, with recommendations for incorporation into current review processes performed by City and County officials.

Task 5: Amend Land Use Regulations

Objective: The objective of this task is the amendment of subdivision regulations to establish fair disclosure requirements and aviation noise and over flight easements. The boundary in which these regulations would apply will also be determined.

Approach: As stated in the CSU, "noise disclosure regulations, while not actually land use regulations, are intended to ensure that prospective buyers of new or existing property are informed that the property is or will be exposed to potentially disruptive aircraft noise. The City of Hillsboro currently requires noise disclosure statements as part of all land use approvals for new or existing properties within the future projected 60 DNL contour contained in the "most current adopted Airport Master Plan." In addition, land use approvals within the future projected 55 DNL contour are to be conditioned to require disclosure of potential noise impacts from airport operations.

Consideration should be given by Washington County to developing a similar process to that of the City of Hillsboro for requiring noise disclosure statements for unincorporated Washington County developments that fall inside the airport's influence area.

The City of Hillsboro and Washington County would amend their respective land use regulations to support the relevant requirements of its Airport Safety and Compatibility Overlay Zone. This would apply to all new development. This will ensure that these issues are addressed even if no rezoning actions are required prior to land use approval.

Product: The LSC will recommend to policymakers language to be included in the appropriate process to revise their land use regulations.

Task 6: Final Report

Objective: Compile all LSC recommendations from Tasks 1-5 into a Final Report to be forwarded to policymakers for consideration.

Approach: The LSC PM will compile products from Tasks 1-5 in a Final Report and distribute this to LSC members for review. The Final Report findings will be presented to the larger HAIR. The recommendations will be considered final prior to this presentation. HAIR will be kept informed of the efforts of the LSC, but it is the charge of the LSC to develop and adopt the Final Report.

Product: The LSC will issue a set of detailed recommendations for policymakers to use in implementing the land use recommendations in the 2005 Hillsboro Airport Compatibility Study.

Project Schedule

Attached

Project Documentation and Communication Protocols

Here are some basic guidelines to guide communication for this effort. This is not intended to be a comprehensive strategy, but more of a general guide.

HAIR Land Use Subcommittee (LSC)

The LSC is a standing committee made up of five HAIR members. For the purposes of this effort, there are also two additional members (City of Hillsboro and Metro) and one additional participant (Washington County). The County representative will not participate directly in LSC meetings, but will offer comments on work products as the effort progresses.

Decision Making

Decision making in this effort will be made by consensus. Consensus is an agreement through discussion based on full participation where the decision is made by making a proposal, testing to see if everyone can support the proposal and if not, modifying it and repeating the process until "consensus" is reached. It may not be any person's first choice, but there is an agreement that all members can support the particular decision. The goal of forming a smaller subcommittee is to be able to be more nimble in doing analysis and decision making such that consensus can be achieved.

Project Manager

A Project Manager (PM) will serve the LSC for the duration of this effort. The PM is not a member of the LSC. The role of the PM is to develop the work plan and schedule, develop agendas for LSC meetings, produce meeting notes, keep the project on track and most importantly, serve as a single point of contact and coordinator of information. The PM will coordinate all dialogue among LSC members.

LSC Meetings

Meetings will be held at the Hillsboro Airport in the conference room of the Port of Portland Maintenance Building. The maintenance building is located at 1040 NE 25th Ave. Meetings are a chance for LSC members to learn, discuss and come to consensus on the various tasks under consideration. The PM will provide information to review before the meetings and this information will be discussed at each meeting. Meetings will be 1 1/2 to 2 hours in length over lunch - in most instances - and will occur approximately every 4-8 weeks. Each meeting will need to be run efficiently. Every effort will be made to start and end meetings on time. Each meeting will be advertised and is open to the public. Meeting minutes will be provided to the LSC in a timely manner after each meeting.

E-mail

As mentioned above, this project will utilize e-mail as much as possible to provide and share information among LSC members. It is expected that LSC members will share information

with each other via e-mail through out the project. Every effort should be made to communicate with the entire group.

Communicating with HAIR

HAIR will be periodically updated on the progress of this effort. It is envisioned that a member of the LSC will give an update to HAIR at their regular meetings. Updates can be brief or detailed. How often and in what detail HAIR is updated is up to the LSC to decide.

Communicating with Policymakers

The LSC has members from four local government agencies. It is envisioned that the agency members will report back to their respective agencies as needed on the progress of this effort. A Final Report will be issued and forwarded to policymakers for consideration.