

Sportsman Airpark Land Use Master Plan

Adopted June 5, 2006

Ordinance No. 2006-2647



City of Newberg
P.O Box 970
Newberg, Oregon 97132

(503) 537-1240

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Sportsman Airpark Land Use Master Plan

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Sportsman Airpark Land Use Master Plan

1. Purpose and Objectives

The Sportsman Airpark Land Use Master Plan (Master Plan) creates an overall land use plan for an approximately 117 acre area in and around Sportsman Airpark, which is adjacent to the City of Newberg and within its urban growth boundary. The area includes twelve properties that all could have some type of access to the airport runway such that aircraft could be based at each property. The Master Plan provides for new, separate Airport District designations for either Industrial or Residential uses. Generally, Airport Industrial uses are located directly around the runway and to the east of the runway. Airport Residential uses are designated at the northwest quadrant of the airport, and on the properties to the west of the airport.

The new Airport Districts will allow and encourage the development of commercial, industrial, and residential uses that thrive with the availability of an adjacent runway. However, it is important to reassure the community that the airport will remain the small community airport that it is. There are no plans to significantly extend the runway.¹ The permitted uses at the airport would not change the character of the airport, due to the limited length of the runway. The new Airport Districts are voluntary. To gain an Airport District, a property owner must be within the Airport District Boundary and request the new designation.

There are many small businesses that desire to set up shop at an airport, however most airports do not allow businesses to own their own property or buildings. Within the Sportsman Airpark Master Plan area businesses will be allowed to own their property and buildings, and it is believed that this asset will help to bring new businesses to Newberg. Since airport-related businesses provide services that relate to the high technology of aircraft systems, the jobs generated are typically clean, and pay well. Of equal importance to jobs, the new buildings and site development for these properties will result in an increased tax base for the community to support schools, fire and police services.

2. Public Planning Process

The Master Plan was developed over a 14 month period that included meetings with adjacent property owners, two public meetings, and discussions with the FAA and Oregon Department of Aviation. Copies of meeting minutes and other publicly distributed documents are provided in Appendix F to this report.

¹ In Appendix D it is noted that the FAA Seattle Airports District Office has recommended that the runway be extended several hundred feet as a safety measure for the aircraft that already exist at the airport, to bring the airport to the FAA's normal standards for small airports. However, this would not change the basic type of aircraft able to use the airport or the airport's general character.

3. Development Plans

Detailed development options for the adjoining properties have been considered, and the Master Plan proposes a pattern of use districts, and a system of roads, bridges, taxiways, and utilities that can be implemented to provide the infrastructure needed to carry out the Master Plan. Specific development layouts are provided on the following pages for:

- District Plan (Figure 1),
- Sub-District Plan (Figure 2),
- Road Plan (Figure 3),
- Bridge Plan (Figure 4),
- Taxiway Plan (Figure 5),
- Utilities Plan (Figure 6), and
- Developable Area Plan (Figure 7).

The District Plan and Sub-District Plan place industrial uses on the west side and residential uses on the east side of the airport. This reinforces the pre-existing use patterns already in place (see Yamhill County zoning map in Appendix C).

The Road Plan proposes new roads for vehicular access to all properties. The City of Newberg Development Code generally does not allow the creation of private streets, or gated residential areas. However, to allow for the necessary security of airport operations areas, private streets and gates are permitted in the Airport Districts, subject to Fire Marshal approval of the design so that emergency fire access is assured. Generally, the taxiways must be designed to also function as routes for emergency vehicles such as fire trucks.

The Bridge Plan provides a potential location for an aircraft taxiway bridge between the residential properties to the west and the airport to the east. Similarly, it provides a potential location for a smaller pedestrian/“golf cart” access bridge between the properties to promote aircraft ownership by adjacent properties.

The Taxiway Plan proposes locations for new taxiways. First, the location of future parallel taxiways beside the runway are shown, with a center-to-center separation from the runway of 150 feet to meet FAA Advisory Circular (AC) 150/5300-13, Airport Design. Developable land area for buildings begins not less than 44.5 feet from the centerline of the taxiway, in order to protect the taxiway object free area² needed for taxiing aircraft. Additional taxiways are shown leading from these parallel taxiways into the developable areas, their precise locations to be determined based on actual development plans for buildings in each area. These lateral taxiways will be privately owned as part of the development.

² Standards for the various required runway and taxiway safety areas, object free areas, object free zones, runway protection zones, and other specific airport design criteria are found in FAA Advisory Circular (AC) 150/5300-13, Airport Design, most recent edition.

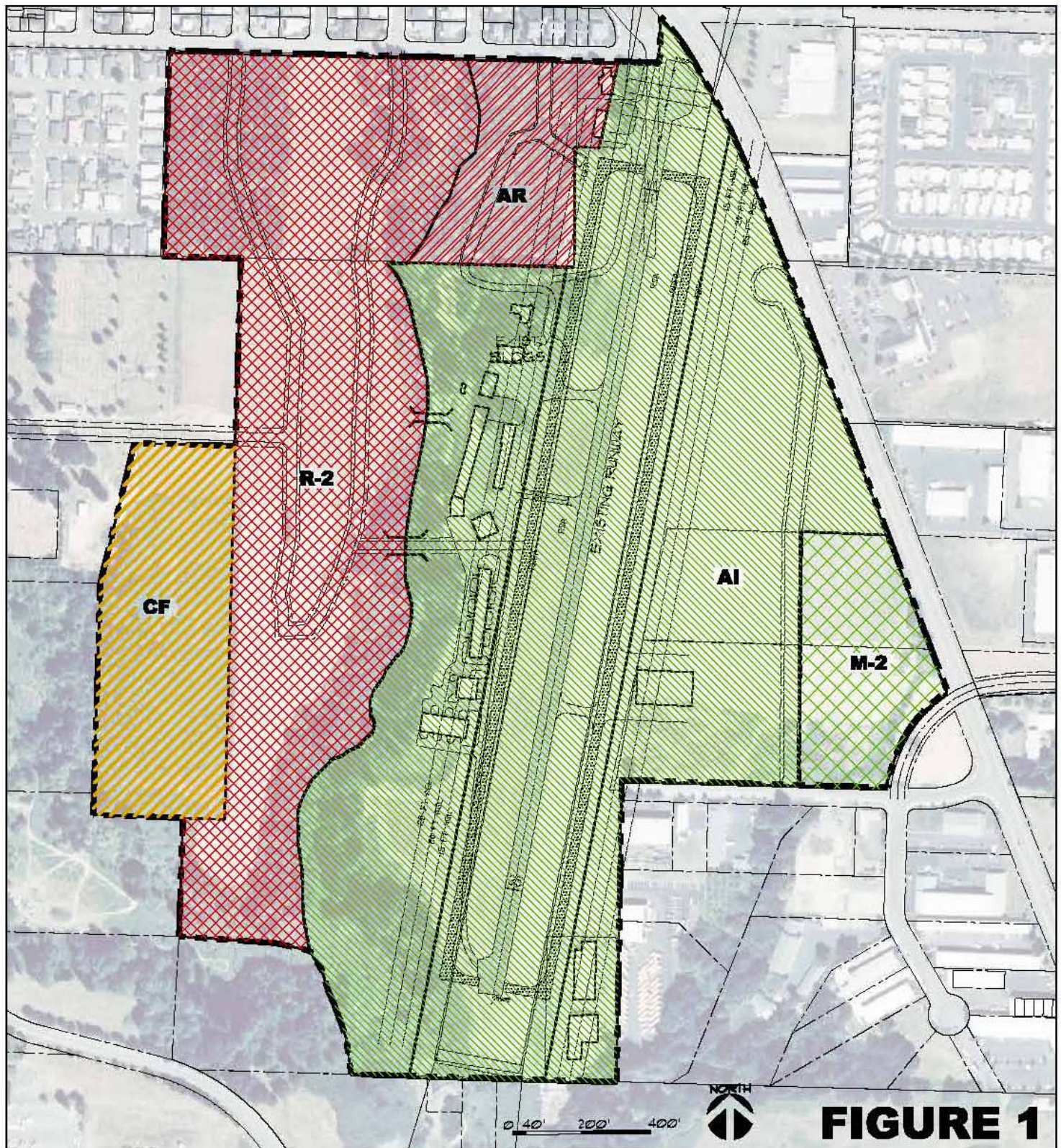


FIGURE 1
DISTRICT
PLAN

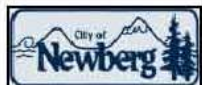
KEY:

--- PROPOSED
AIRPORT
DISTRICT
AREA

R-2 - MEDIUM DENSITY
RESIDENTIAL
AR - AIRPORT
RESIDENTIAL

CF - COMMUNITY
FACILITY

AI - AIRPORT
INDUSTRIAL
M-2 - LIGHT
INDUSTRIAL



DATE: 3/20/06
SCALE: 1" = 400'-0"

SPORTSMAN AIRPARK
CITY OF NEWBERG — OREGON

ARON FAEGRE & ASSOCIATES
520 S.W. YAMHILL, PORTLAND, OR 97204
503-222-2546

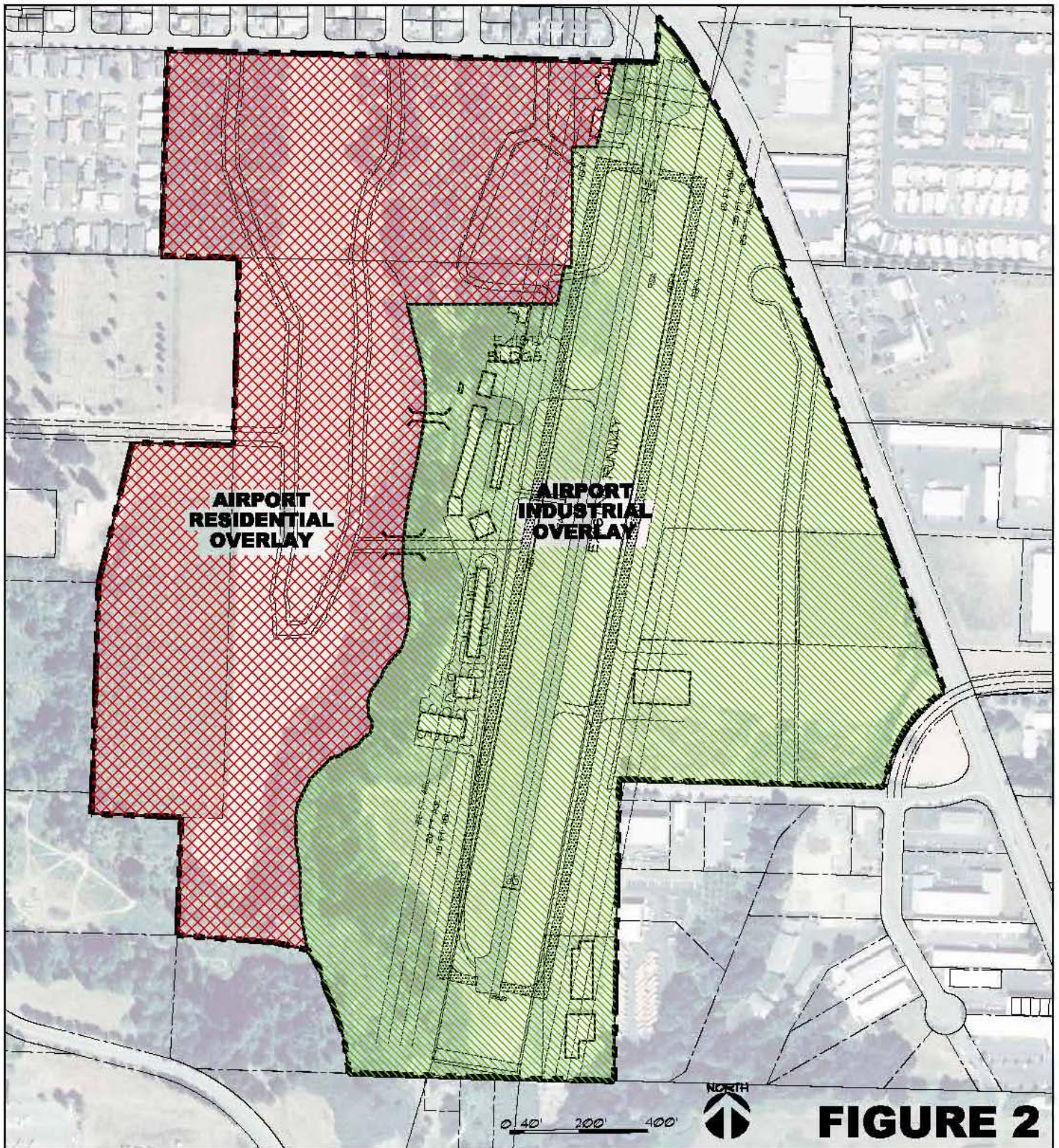



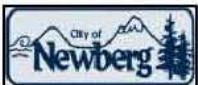


FIGURE 2

KEY:

-  AIO - AIRPORT INDUSTRIAL OVERLAY
 ARO - AIRPORT RESIDENTIAL OVERLAY
 PROPOSED AIRPORT DISTRICT AREA

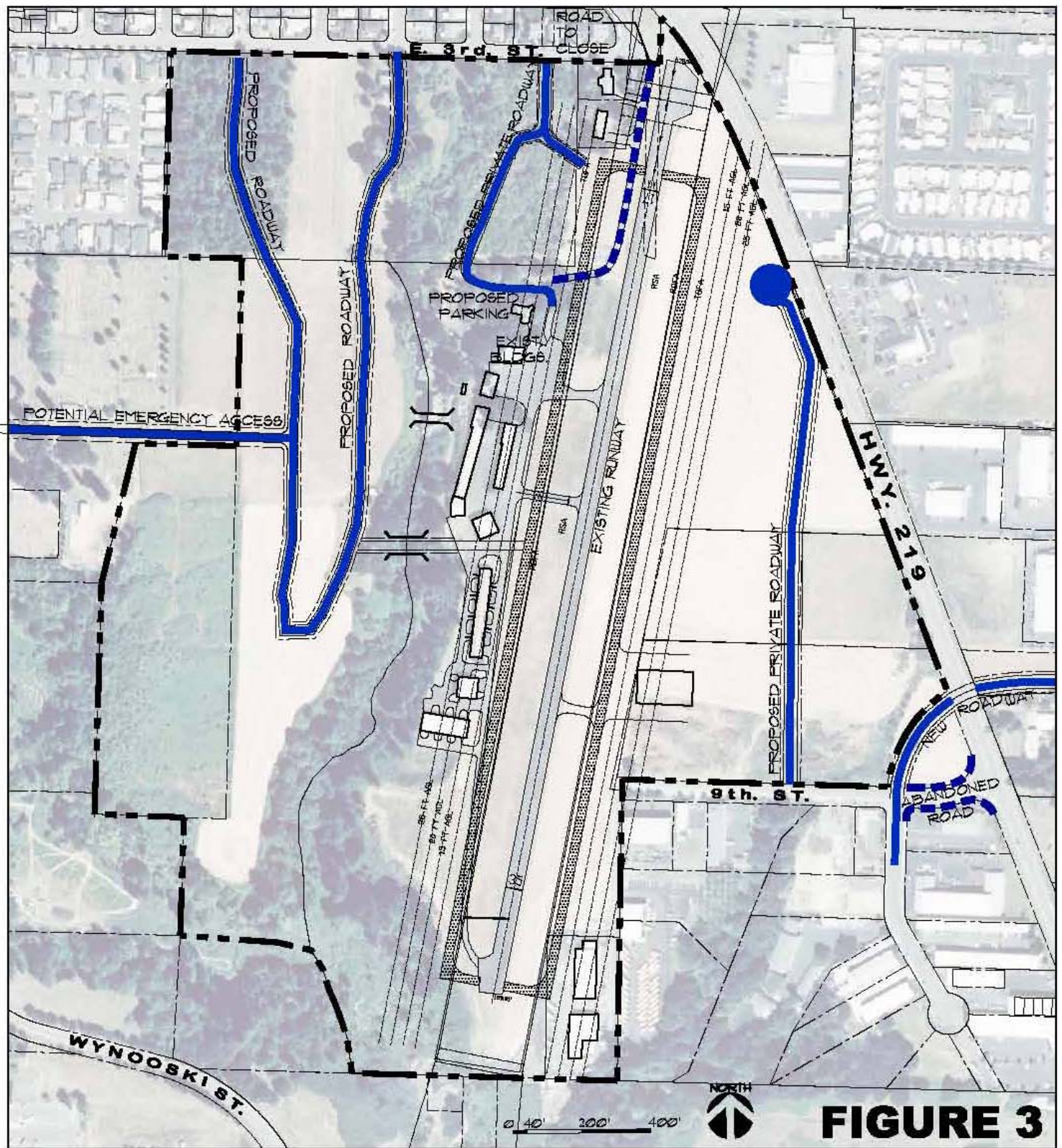
SUB-DISTRICT PLAN



DATE: 3/20/06
SCALE: 1" = 400'-0"

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520 S.W. YAMHILL, PORTLAND, OR 97204
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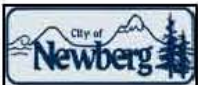


KEY:

- - - - - PROPOSED AIRPORT DISTRICT AREA
 - - - - - ABANDONED ROAD

————— PROPOSED ROAD
 - - - - - ABANDONED ROAD

ROAD PLAN



DATE: 3/20/06
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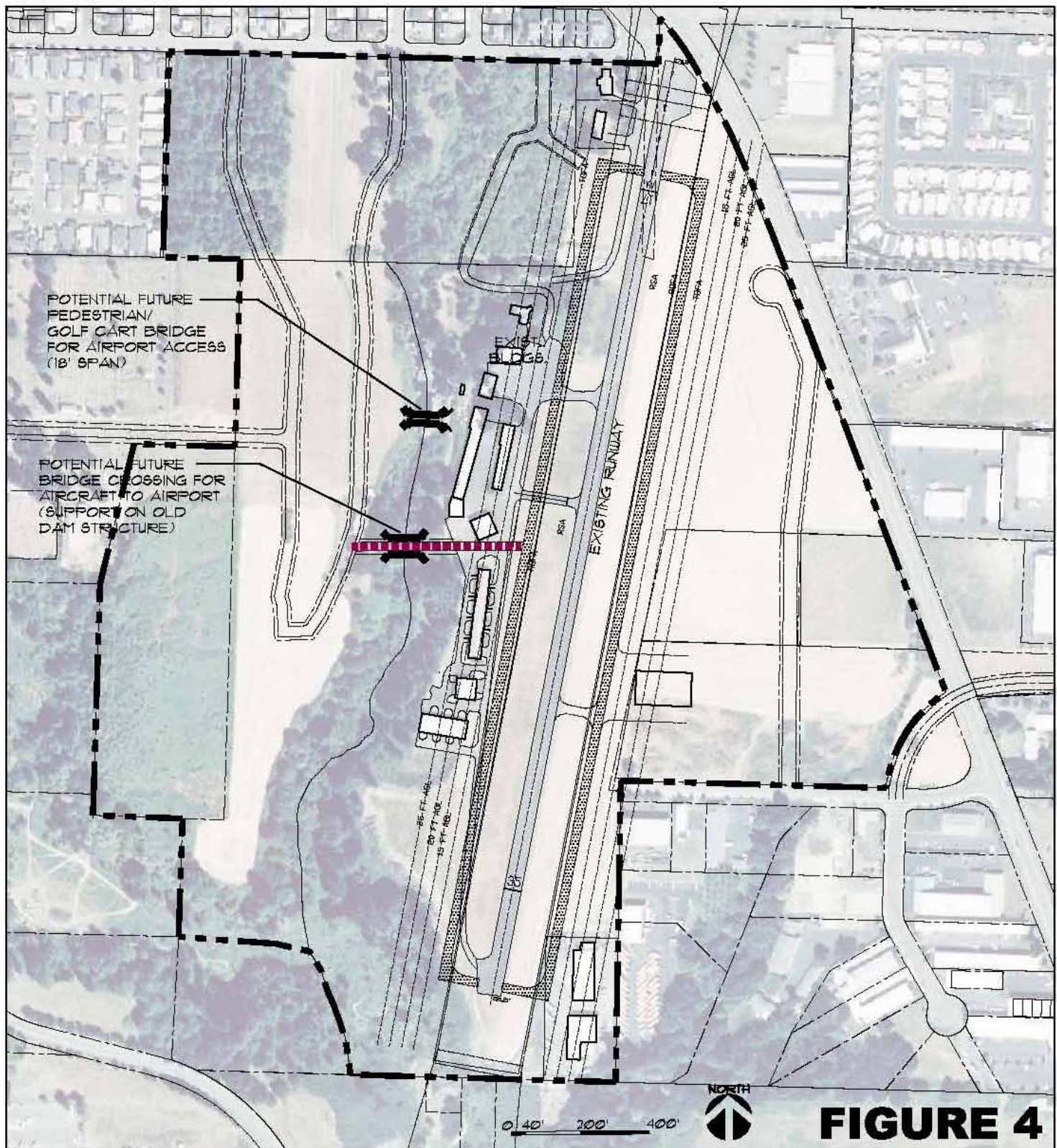


FIGURE 4

KEY:

--- PROPOSED AIRPORT DISTRICT AREA



PROPOSED BRIDGE



PROPOSED PRIVATE TAXIWAY

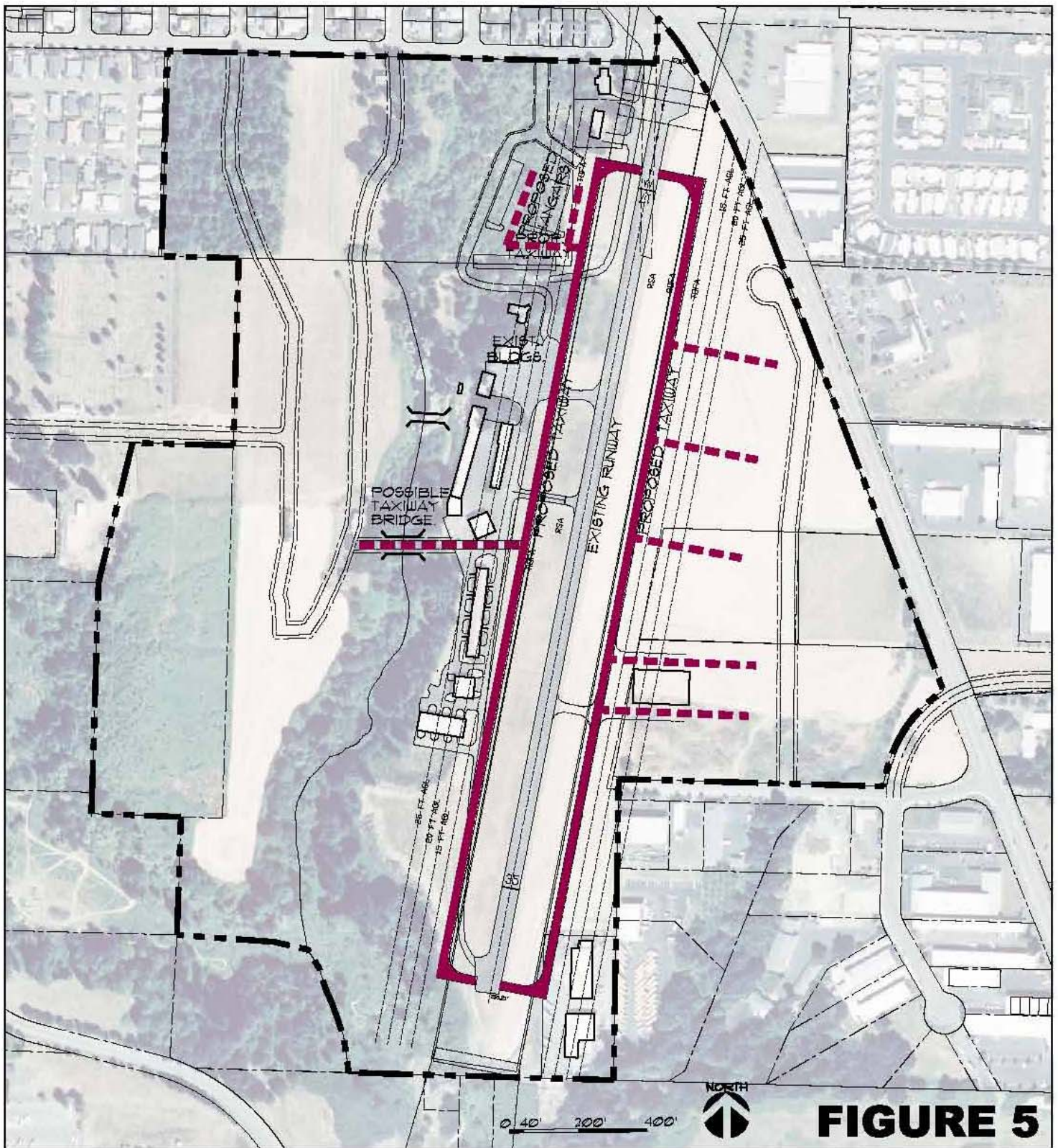
BRIDGE PLAN



DATE: 3/20/06
SCALE: 1" = 400'-0"

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CITY OF NEWBERG — OREGON

AIRON FAEGRÉ & ASSOCIATES
520 S.W. YAMHILL, PORTLAND, OR 97204
503-222-2546



KEY:

--- PROPOSED AIRPORT DISTRICT AREA

— PROPOSED PUBLIC TAXIWAYS

- - - PROPOSED PRIVATE TAXIWAYS

PROPOSED PUBLIC TAXIWAYS

PROPOSED PRIVATE TAXIWAYS

FIGURE 5 TAXIWAY PLAN



DATE: 3/20/06
SCALE: 1" = 400'-0"

SPORTSMAN AIRPARK
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520 S.W. YAMHILL, PORTLAND, OR 97204
503-222-2548

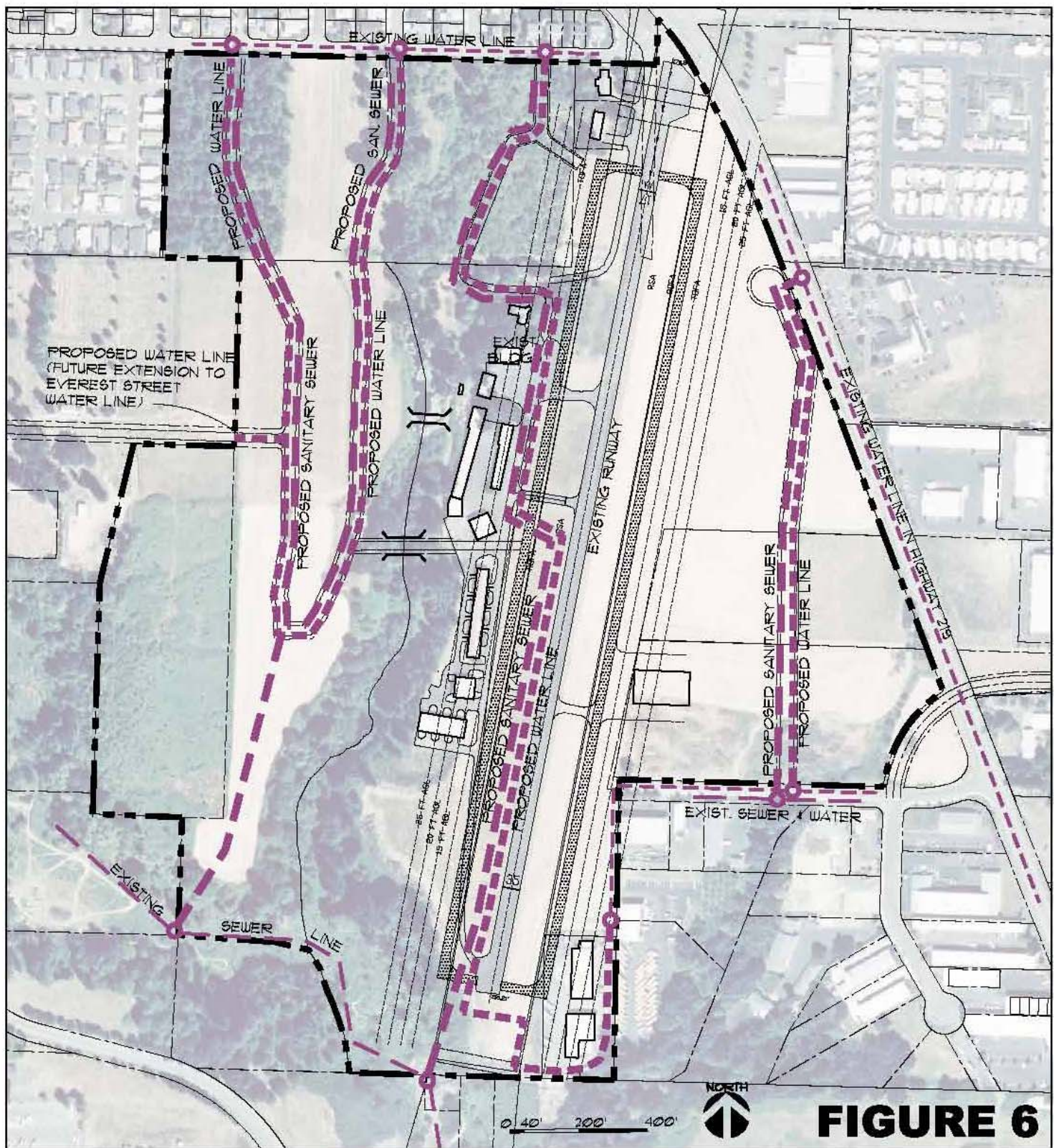


FIGURE 6

KEY:

--- PROPOSED AIRPORT DISTRICT AREA

--- WATER LINE (EXISTING)
 --- SANITARY SEWER (EXISTING)
 ○ TIE TO EXISTING

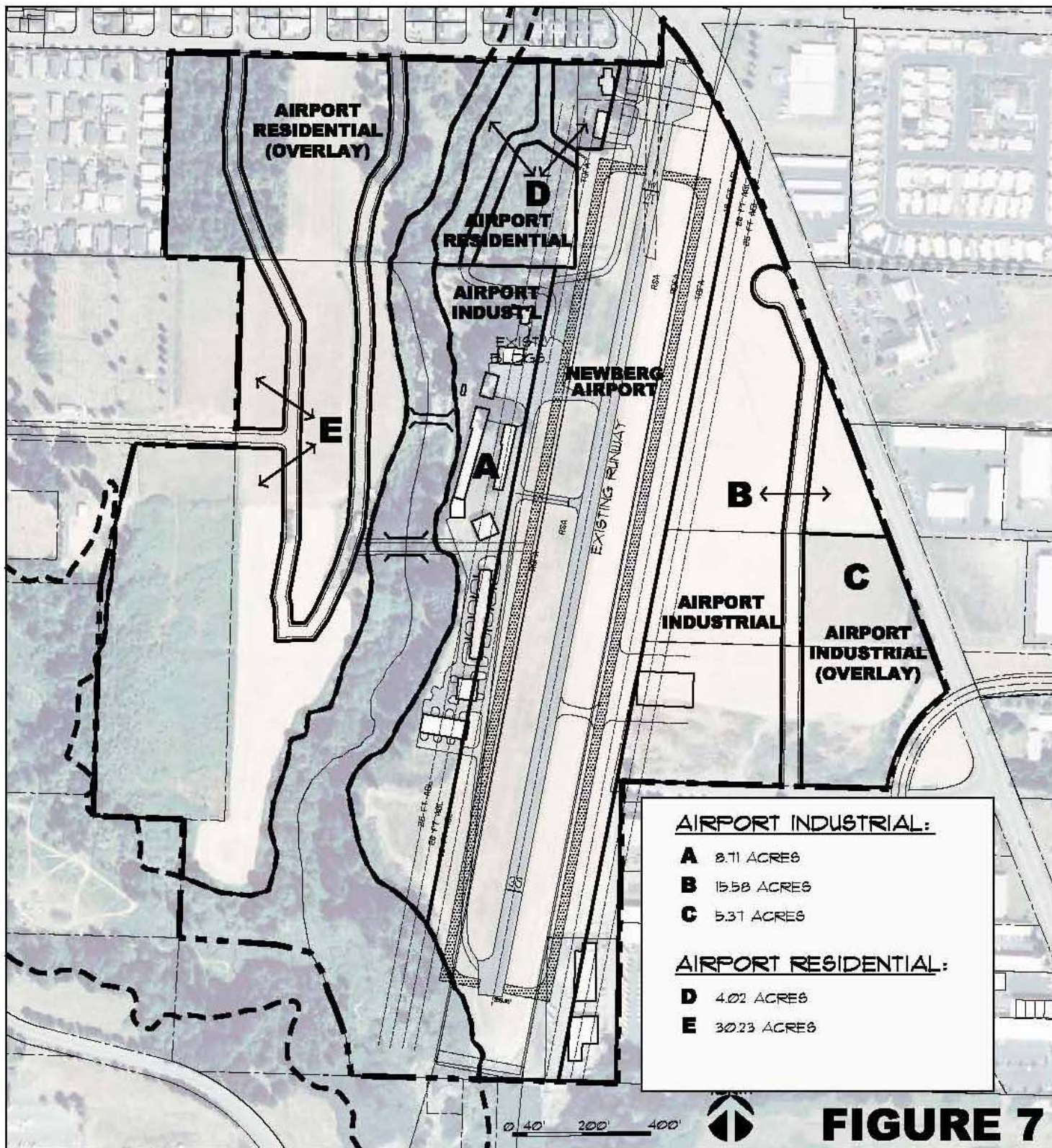
UTILITIES PLAN



DATE: 3/20/06
 SCALE: 1" = 400'-0"

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KEY: PROPOSED AIRPORT DISTRICT AREA
 STREAM CORRIDOR
 DEVELOPABLE AREA

**DEVELOPABLE
LAND AREA**



DATE: 3/20/06
 SCALE: 1" = 400'-0"

SPORTSMAN AIRPARK
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The Utilities Plan proposes gravity sewer lines running from north to south, to utilize the general 17 foot grade change that exists at the airport site from north to south. Water lines connect to existing lines on E 3rd Street, 9th Street, and Highway 219 to create a looped system. A water line will be extended from the looped water line in the residential area to the western boundary of the residential area for a future connection to an existing water line that dead-ends on Everest Street.

The Developable Area Plan shows the developable areas on the site. When an area is developed for aviation uses, there are two options for the layout of the circulation system.

- Roads (private or public) and taxiways are completely separated; or
- Private roads and taxiways use common pathways.

In a large development area, where there is a lot of aviation activity, it is generally advantageous to separate the roads and taxiways. Independence State Airport provides a good example of that circulation system³. Where the development area is small, the roads and taxiways may be designed as a common system. As specific areas are developed, their size and the expected aviation activity they will contain must be used to determine the actual layout of the circulation system and whether it can be common between aircraft and vehicles.

4. Infrastructure Funding

At present it is assumed that the infrastructure of roads, bridges, taxiways, and utilities will be developed at the direct expense of the respective property owners. It is noted that in Section 9 below the possibility of using tax increment financing for infrastructure is discussed as a possibility to stimulate development.

5. Airport District Development Codes

The Master Plan provides specific Development Code language for each Airport District, including:

- Airport Industrial,
- Airport Industrial Overlay,
- Airport Residential, and
- Airport Residential Overlay.

The specific language for each of these is provided in Appendices A and B. In creating the language for these Districts, the texts from twenty-two other airport zoning ordinances from around the State of Oregon were studied⁴.

The Airport Industrial District was generally developed using the City of Newberg M-2 Light Industrial District as a starting point, and then using the Columbia County Airport Industrial AI District and the Oregon Department of Aviation Model Public Use Airport Zone as major models for specific airport-related language.

³ See the pictures of Independence State Airport shown in Appendix F.

⁴ See "Sample Airport Zoning Ordinances from other Oregon Airports," Project Memorandum by Aron Faegre & Associates, May 16, 2005.

Similarly, the Airport Residential District was generally developed using the City of Newberg R-2 District as a starting point, and then using the City of Independence Residential Airpark Overlay and the Oregon Department of Aviation Model Public Use Airport Zone as major models for airport-related language.

For both Districts, suggestions received during public meetings and during meetings with adjacent land owners were incorporated into the final language as presented, so that the final development code represents language specifically tailored to the actual setting of Sportsman Airpark.

The “overlay” sub-districts provide support to the continued operation and vitality of Sportsman Airpark by addressing potential land use conflicts that could occur between the airport and adjacent development. They also address how properties in the area could be converted from their existing use designations to their prospective future Airport District, as the Airport District designations must be requested by the property owner.

The Airport Residential District includes a provision for density transfer. Due to the complexity and intermixing of roads, taxiways, and constructing hangars in an airport residential district, properties within the district may transfer allowed dwelling unit density to other property within the district and reduce minimum lot sizes such that the overall dwelling density complies with that of a conventionally developed R-2 zoned property.

In all airport districts there is a requirement for some form of airport-dependent or airport-related use. In the case of Airport Residential, there must either be an aircraft tie-down or hangar located on the house site, or a hangar must be provided as part of the permanent rights of the house site. For Airport Industrial, the business must need to be located at the airport. At a minimum the business must require use of an aircraft as an important tool or platform for their work.

6. Airport Ownership

The basic airport infrastructure – the runway, parallel taxiways, and required safety zones – are currently in private ownership. Access to the airport runway by adjacent properties will require an agreement with the airport owner. The agreement will address such issues as maintenance costs of the airport runway, safety issues for use of the runway, and noise abatement issues for maintaining compatibility with the larger community.

To promote long term stability it is recommended, and the private owner has offered, that the basic airport infrastructure should be put into some form of public ownership or protection. Two options for this are potentially available:

- Ownership by the City of Newberg through purchase by FAA grant, or
- Continued private ownership, but with purchased “development rights” by FAA grant to City of Newberg to guarantee its use as an airport forever.

At present, it is recommended (and the airport owner concurs) that the purchase of “development rights” should be pursued first. The FAA’s “development rights” program has not yet processed any projects, in large part because of the complexity of the rules. However, it is believed that with the

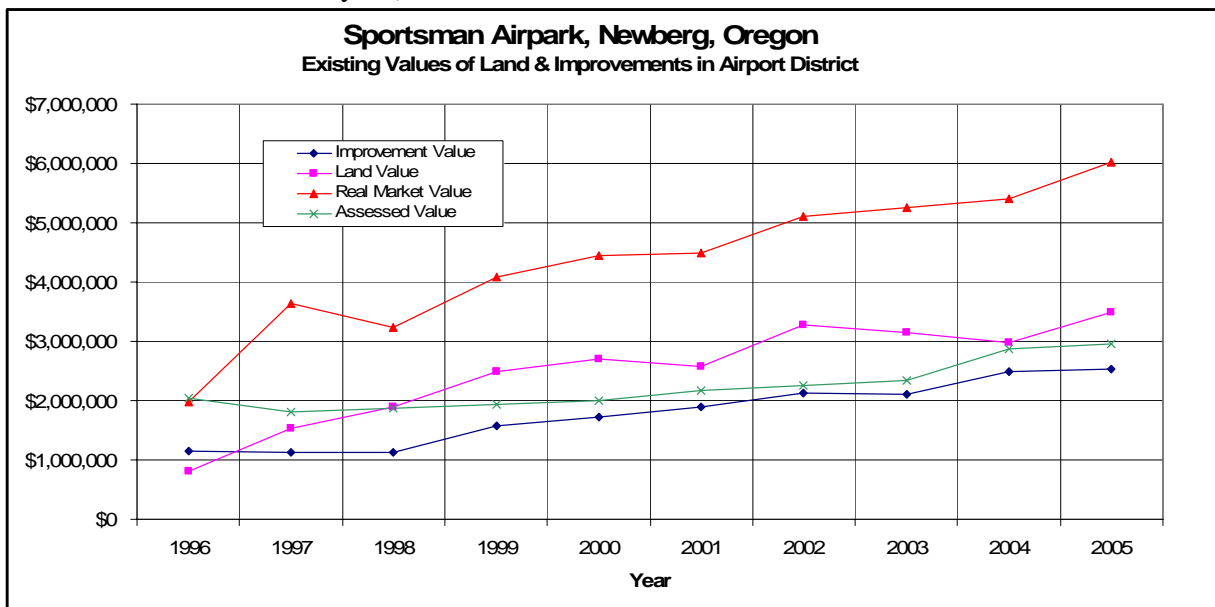
assistance of the Oregon Congressional delegation, the rules may be adjusted to get FAA airport funds⁵ designated for this project. The FAA staff has stated that they have no problem with this project going to the Oregon Congressional delegation to attempt to gain assistance on gain funding.

Once “development rights” are secured, it is recommended that the extension of the runway several hundred feet to the south be seriously examined. The City of Newberg owns land at the south end of the airport which might be used in part for this purpose, if its elevation could be raised. The future planned Newberg-Dundee Bypass Road is in this same general area, so that may create an opportunity for creation of a retaining wall which would help the airport meet its needs for raising ground elevation adjacent to the south end of the airport.

If the runway can be lengthened several hundred feet through this process, then the FAA’s need for a minimum runway length would be solved, and the airport’s basic infrastructure of runway, parallel taxiways, and safety areas could be purchased by the City of Newberg. The advantage of public ownership is that then FAA funds would be available on an on-going basis for airport improvements and maintenance, as currently occurs for other similar airports such as at McMinnville, Aurora, Hillsboro, Troutdale, and Mulino.

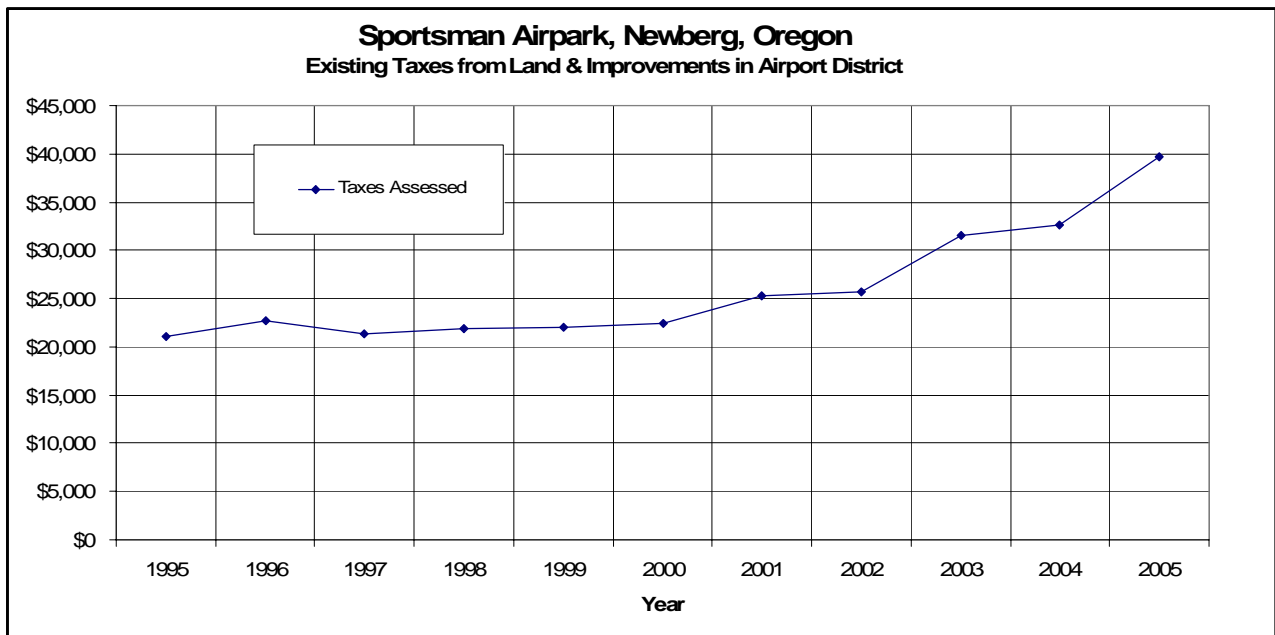
7. Tax and Job Values of Airport District Properties

The existing property and improvements value of the properties within the Airport District over the past 10 years are shown below. It indicates a steady approximate 10% per year increase that may simply relate to recent average increases in real estate values in Oregon during the same time period. The graph contains no single year jump in improvements value, because there has been no significant new construction during recent years (note a new hangar on Tax Lot 302 will add significant value to the District in the next tax year).



⁵ It should be noted that FAA airport funds are created through aviation fuel and ticket taxes and are specifically designated for airport projects. Potential FAA funds for purchase of development rights or land at Sportsman Airpark would not come from normal IRS tax funds or other government programs, and thus would not take away from any other federal funds for which the City of Newberg is eligible.

Taxes assessed on the properties within the Airport District over the past 10 years are shown in the following graph. The rapid increases between the year 2000 and present are believed to be primarily due to the removal of lands from farm deferral, which increased their taxable value. Whatever the reason, taxes contributed to the community during that five year period has doubled.

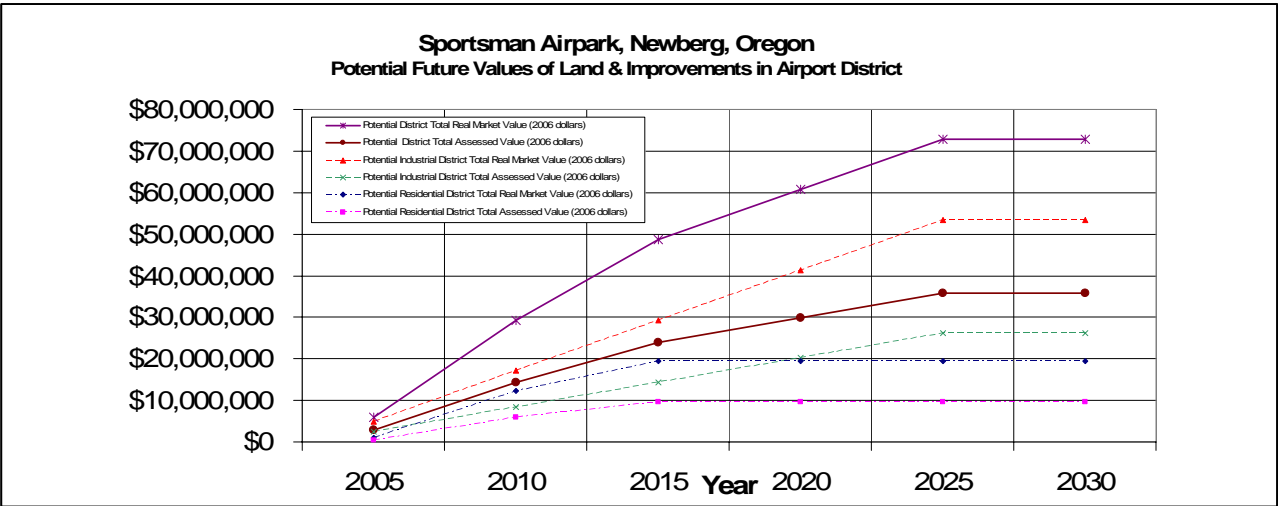


These values are based on existing development at the airport which is limited to some hangar development on the west side of the runway in Parcel 300, development of Parcel 1900, and one house on each of Parcels 1300, 1400, 1500 and 1600. Industrial uses currently only exist on parcels 300 and 1900. Existing employment in the Airport District is estimated at 16 FTE jobs in Parcel 300 and 12 FTE jobs in Parcel 1900. It is estimated that of the 29 acres of developable Airport Industrial land, approximately 17% is currently developed.

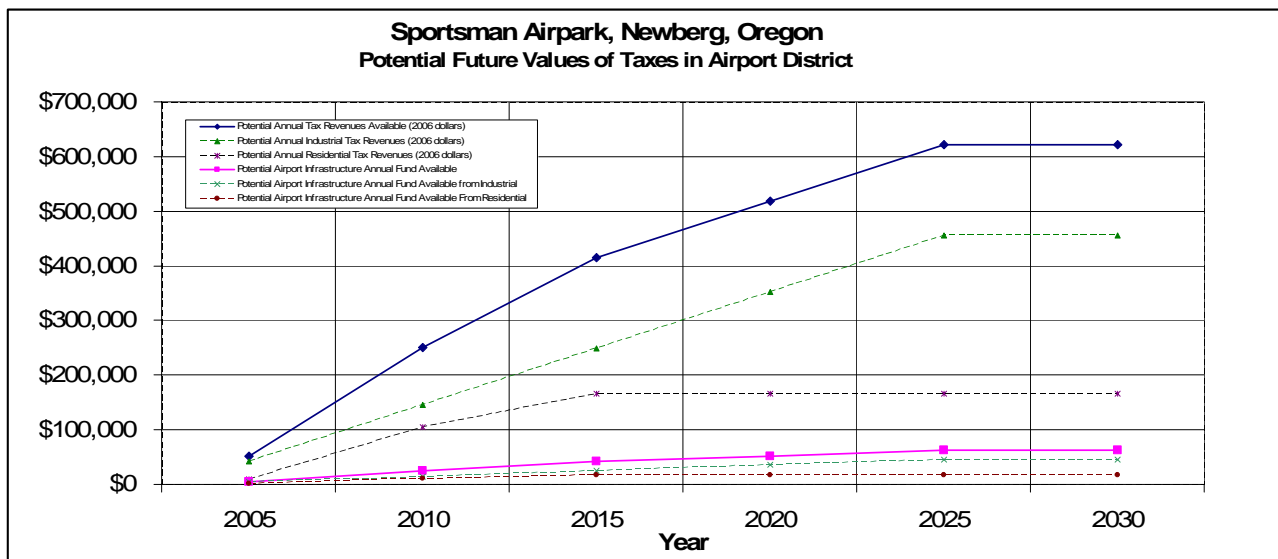
It is reasonable to assume that the Airport Industrial lands can be developed at approximately 50% lot coverage, and building costs are in the range of \$50 to \$100 per square foot. This would indicate an average improvement value of \$1.5 million per acre, at current dollar values. Once the entire industrial developable area is completed, this will represent a potential total improvement value for the developable industrial lands of perhaps more than \$50 million in current dollar value.

From a public tax base standard, industrial users also require machinery, equipment, and site development (including taxiways and private roads) which add to the tax base for the community. These added values would be dependent on the type of business that develop in the District and are not included in the graphs below.

The value of improvements in the Airport Residential District is assumed to be similar to what it would be for any R-2 Residential District. One could argue that the improvement and land values may be higher due to the special availability of the airport. However, the density of houses may be less due to the need to allow for room for hangars and/or taxiways. Usually, residential development is considered to be an incompatible neighbor to an airport. However Airport Residential is a supportive neighbor to an airport, since the residents are aircraft users and find aircraft noise not only acceptable, but entertaining to some extent. For sake of conservative projections it has been assumed that only 33% of the 35 residential developable acres will be created as Airport Residential. Given the current great demand for housing in the Newberg area, it has been assumed that the residential portions of the Airport District will be fully developed within 10 years, rather than the 20 year period assumed for the industrial portions of the Airport District. For those areas developed, a lot coverage of 33% is assumed and a construction value of \$125 (2006 dollars) per square foot is assumed. This would result in an improvements value of approximately \$200,000 (2006 dollars) for a 5000 square foot Airport Residential lot.



The following table shows the projected tax value of the Airport District development, based on the above assumptions, over the 20 year period of development. The table includes estimates of tax increment funds that could be set aside to assist with the Airport District development, should the City opt to establish a 10% set aside to promote development within the District. This concept is discussed in Section 9 below concerning Airport Infrastructure and Operations funding.



A study of Aurora Airport potential development opportunities⁶ determined that airport properties could be developed at densities ranging from a high of 52 persons per acre for an aircraft manufacturing facility such as Van's Aircraft, to a low of 5 persons per acre for small hangars that are used at least in part for business uses. Aurora Airport has a developable land area of approximately 85 acres, which is approximately 60% developed. The total current tax base of the airport is assessed at approximately \$34 million and as such the airport contributes approximately \$360,000 in taxes to the community each year. The airport is believed to currently contain approximately 750 jobs. This would represent an average of 15 jobs per developed acre on average.

Based on this kind of rough information, one could predict that at build-out of the Airport Industrial lands, the total improvement values will be in the range of \$50 million. Using an estimate of 15 persons per developable acre, this also represents a total of 440 jobs within the Airport Industrial District. Assuming a linear development of the properties over a 20 year period, this would represent a development of 110 jobs each 5 years, and an increase in improvement values by \$12 million (in 2006 dollars) each 5 years. Obviously the actual numbers will depend on whether the businesses attracted are more like a Van's Aircraft (in which case the numbers may be bigger) or small hangars only partially used for business (in which case the numbers may be smaller).

8. Airport Industrial Area Economic Incentives

To promote development in the Airport Industrial District, the City of Newberg could consider the development of an "enterprise zone", a "free trade zone", a federal or state recognized "employment zone", or other similar economic development incentive programs.

⁶ Aurora Airport: Potential for On-airport Development, by Aron Faegre, February 14, 2003.

9. Airport Infrastructure and Operations Funding Considerations

To promote the development of the Airport District, the City of Newberg can establish the Airport District as a tax increment financing district. In this way, a portion of taxes from new development in the Airport District can be used to install infrastructure such as water, sewer, roads, and taxiways that will in turn invigorate further development in the District. This funding can also create an on-going operations and maintenance fund for the airport. Should the City of Newberg take ownership of the basic runway and taxiways of the airport, this fund can also provide the 5 to 10% match required for federal airport improvement funds. The graph on page 14 shows that at a 10% set-aside the airport fund is predicted to start providing approximately \$5,000 per year at the start, but rise to \$25,000 per year after 5 years, rise to \$40,000 per year after 10 years, and rise to \$60,000 per year by 20 years.

It is estimated that should the City of Newberg take ownership of the basic runway and taxiways of the airport, City staff time of five hours per week on average would be required for administrative and management activities. The adjacent airport district properties would take on the labor of mowing, cleanup, changing of light bulbs, and other miscellaneous work. An annual budget of \$12,500 is proposed for direct maintenance cost items such as light bulbs, wind socks, and other materials, and an annual budge of \$12,500 is proposed as the 5% required match for FAA grants which might average \$250,000 per year.

APPENDIX A

AIRPORT INDUSTRIAL (AI) DISTRICT & AIRPORT INDUSTRIAL OVERLAY (AIO) SUB-DISTRICT

June 5, 2006

CITY OF NEWBERG DEVELOPMENT CODE LANGUAGE

[**“Bold”** text indicates added language, ~~“striketrough”~~ text indicates deleted language, and “normal” text indicates existing language to remain.]

Part 13.1 AIRPORT INDUSTRIAL (AI) DISTRICT

151.498 DESCRIPTION AND PURPOSE.

The purpose of the City of Newberg Airport Industrial (AI) District is to encourage and support the continued operation and vitality of Sportsman Airpark by allowing airport-related industrial uses, and as such to promote economic development for the City of Newberg and Yamhill County. The Airport Industrial (AI) District is intended to recognize those areas devoted to or most suitable for the immediate operational facilities necessary for commercial and noncommercial aviation. It is also intended to provide areas for those activities directly supporting or dependent upon aircraft or air transportation when such activities, in order to function, require or benefit from a location within or immediately adjacent to primary flight operations and passengers or cargo service facilities. It is further intended to provide appropriate locations for airport related light industrial uses that are compatible with and benefit from air transportation.

151.498.1 PERMITTED BUILDINGS AND USES

(A) In the Airport Industrial District, the following buildings and uses are permitted as hereinafter specifically provided.

(B) The buildings and uses are subject to the general provisions and exceptions set forth in this code:

(1) Customary and usual aviation-related activities, including but not limited to takeoffs and landings; aircraft hangars and tie-downs; construction and maintenance of airport facilities; fixed based operator facilities; and other activities incidental to the normal operation of an airport, including operation of fixed wing aircraft, helicopters, hot air balloons, and gyrocopters.

(2) Emergency medical flight services, including activities, aircraft, accessory structures, and other facilities necessary to support emergency transportation for medical purposes.

Emergency medical flight services do not include hospitals, medical offices, medical labs, medical equipment sales, and other similar uses.

(3) Law enforcement and firefighting activities, including aircraft and ground-based activities, facilities and accessory structures necessary to support federal, state or local law enforcement or land management agencies engaged in law enforcement or firefighting activities. Law enforcement and firefighting activities include transport of personnel, aerial observation, and transport of equipment, water, fire retardant and supplies.

(4) Search and rescue operations, including aircraft and ground based activities that promote the orderly and efficient conduct of search or rescue related activities.

(5) Flight instruction, including activities, facilities, and accessory structures located at airport sites that provide education and training directly related to aeronautical activities. Flight instruction includes ground training and aeronautic skills training, including schools for flight attendants, ticket agents or similar personnel.

(6) Aircraft service, maintenance and training, including activities, facilities and accessory structures provided to teach aircraft service and maintenance skills and to maintain, service, refuel or repair aircraft or aircraft components.

(7) Aircraft rental, including activities, facilities and accessory structures that support the provision of aircraft for rent or lease to the public.

(8) Aircraft sales and the sale of aeronautic equipment and supplies, including activities, facilities and accessory structures for the storage, display, demonstration and sales of aircraft and aeronautic equipment and supplies to the public.

(9) Aerial mapping and surveying.

(10) Air cargo warehousing and distribution facilities.

(11) Aircraft and aircraft component manufacturing or assembly.

(12) Aviation and space technology development and research.

(13) Aircraft or air transportation businesses.

(14) A business that owns an aircraft, keeps it at their industrial site, and relies on the aircraft as an important tool or platform for their work.

(15) A business activity that relies on regular use of a general aviation aircraft by the business or its clients.

(16) Auto rental agencies.

(17) Day care and recreational facilities exclusively for employers and employees of businesses located within this district.

- (18) Greenways, including but not limited to bicycle and pedestrian paths.**
- (19) Public and semi-public buildings, structures and uses that provide necessary services to an airport, such as fire stations, pump stations and water storage.**
- (20) Schools relating to airport operation.**
- (21) Snack shop for airport clientele with a total floor area no larger than 800 square feet.**
- (22) One residence of area not more than 40% the area of the hangar floor, up to a maximum of 1500 square feet, for an airport caretaker or security officer on each separate parcel.**
- (23) Manufacturing, assembling, testing, repairing, packaging and distribution of precision testing optics; precision testing equipment; and components, devices, equipment, instruments and systems of an electronic or electromagnetic nature, such as coils, tubes, semi-conductors and similar components; communications, navigation, transmission and reception equipment, control equipment and systems; data processing equipment and systems; electronic parts and components; metering instruments; telecommunications equipment; and scientific instruments; upon demonstration that the use is dependent upon or benefits from air transportation.**
 - (a) An industrial use is dependent upon air transportation if it requires a location at or adjacent to an airport to be economically viable. Economic viability is measured by determining whether the use or activity would suffer an economic disadvantage if not located at or adjacent to an airport. Considerations include the percentage of business done with air cargo; the industry's dependence on air transportation by staff, management, sales, personnel, vendors, or clientele; the industry's site size requirements; and the industry's interest in locating in a non-metropolitan area of the state.**
 - (b) Industrial uses shall be considered dependent upon air transportation where:**
 - (i) More than 10 percent of the products produced would be shipped through air cargo; or**
 - (ii) More than 30 percent of gross sales would be with customers located out of state; or**
 - (iii) The business owns an aircraft, keeps it at their industrial site, and relies on the aircraft as an important tool or platform for their work; or**
 - (iv) Sales or service of the product requires a rapid response that can best be achieved through air transport; or**
 - (v) The use would suffer an economic disadvantage if not located at or adjacent to an airport.**

(24) Private streets that function as taxiways are allowed within the AI District and may include gates for safety purposes with designs approved by the Fire Marshall, at the limit of the taxiways.

151.498.2 BUILDINGS AND USES PERMITTED CONDITIONALLY

In addition to the buildings and uses permitted conditionally, listed in 151.211, the Planning Commission may grant a conditional use permit for any of the following buildings and uses in accordance with a Type III procedure:

(A) Motels, hotels, and gift shops, upon demonstration that they are compatible with airport operations.

(B) Cafeterias and restaurants, upon demonstration that they are compatible with airport operations.

(C) Aeronautic recreational and sporting activities, including activities, facilities and accessory structures at airports that support recreational usage of aircraft and sporting activities that require the use of aircraft or other devices used and intended for use in flight. Aeronautic recreation and sporting activities authorized under this paragraph include, but are not limited to, fly-ins; glider flights; ultralight aircraft flights; displays of aircraft; and aeronautic flight skills contests.

Part 13.2 AIRPORT INDUSTRIAL OVERLAY (AIO) SUB-DISTRICT

151.498.3 PURPOSE

The Airport Industrial Overlay (AIO) Sub-District is intended to support the continued operation and vitality of Sportsman Airpark by addressing potential land use conflicts with adjacent development. It also addresses how properties in the area could be converted to Airport Industrial District.

151.498.4 NOTICES AND RESTRICTIONS REQUIRED FOR DEVELOPMENT WITHIN THE AIRPORT INDUSTRIAL OVERLAY (AIO) SUB-DISTRICT

(A) **Avigation Easement.** When a subdivision plan or partition is required for any property within the AIO Sub-District, the property owner shall dedicate an avigation easement to the City over and across that property. The easement shall hold the City, public and airfield, harmless from any damages caused by noise, fumes, dust, fuel, fuel particles, or other effects that may be caused by the operation of aircraft taking off, landing, or operating on or near the airfield, not including the physical impact of aircraft or parts thereof.

(B) **Notification of Buyers.** No person shall sell, nor offer for sale, any property within the AIO Sub-District unless the prospective buyer has been notified of the fact that the property is within the AIO Sub-District. When property ownership is transferred, the property deed shall be amended to note that the property is within the Airport Industrial Overlay Sub-district.

(C) **Agree to Noise Abatement.** No person shall sell, nor offer for sale, any property within the AIO Sub-District unless the prospective buyer agrees to follow Aircraft Owners and Pilots Association (AOPA) standard noise abatement procedures, or the most recent noise abatement procedures established at the airport.

(D) **CC&Rs:** The applicant for a subdivision or design review in the AIO Sub-District in the shall provide a copy of the CC&Rs in conformance to the requirements listed above.

151.498.5 CONVERSION OF PROPERTY TO THE AIRPORT INDUSTRIAL DISTRICT

Property within the Airport Industrial Overlay Sub-district may be converted to the Airport Industrial District at the request of the applicant concurrent with and through the approval of a subdivision with the Airport Industrial Overlay Sub-district. Property may also be converted to the Airport Industrial District through the zone change process 151.122

151.498.6 CONFORMANCE WITH THE AIRPORT OVERLAY (AO) SUB-DISTRICT

All uses, activities, facilities and structures allowed in the Airport Industrial District and Airport Residential District shall comply with the requirements of the Airport Overlay (AO) Sub-District. In the event of a conflict between the requirements of these Districts and those of the Airport Overlay (AO) Sub-District, the requirements of the overlay sub-district shall control.

151.536 BUILDING HEIGHT LIMITATION.

(B) Commercial and industrial:

(2) In the AI, C-2, C-3, M-1, M-2, and M-3 Districts there is no building height limitation, except when said districts abut upon a residential district, the maximum permitted building height shall not exceed the maximum building height permitted in the abutting residential district for a distance of 50 feet from the abutting boundary.

151.550 GENERAL YARD REGULATIONS

Add:

(F) In the Airport Industrial District clear areas, safety areas, object free areas, taxiways, parking aprons, and runways may be counted as required yards for a building, even if located upon an adjacent parcel.

151.551 FRONT YARD SETBACK

(C) *Industrial.* All lots or development sites in the M-1, M-2 or M-3 Districts shall have a front yard of 20 feet. **Lots or development sites in the AI District shall have a front yard of 10 feet.**

151.552 INTERIOR YARD SETBACK

(C) *Industrial*. All lots or development sites in the **AI**, M-1, M-2 and M-3 Districts shall have no interior yards where said lots or development sites abut property lines of commercially or industrially zoned property. When interior lot lines of said districts are common with property zoned residentially, interior yards of not less than ten feet shall be required opposite the residential districts.

151.565 LOT AREA; LOT AREAS PER DWELLING UNIT.

(A)(2) In the **AI**, R-2, R-3, RP, C-1, C-2, and C-3 Districts, each lot or development site shall have a minimum of 5,000 square feet or as may be established by a sub-district.

151.567 LOT DIMENSIONS AND FRONTAGE.

(D) Frontage.

(1) No lot or development site shall have less than the following lot frontage standards:

(a) Each lot or development site shall have either frontage on a public street for a distance of at least 25 feet or have access to a public street through an easement that is at least 25 feet wide. No new private streets, as defined in 151.003, shall be created to provide frontage or access.

(b) Each lot in an R-1, R-2, R-3, AR, **AI**, or RP Zone shall have a minimum width of 50 feet at the front building line.

151.580 REQUIRED MINIMUM STANDARDS (LANDSCAPING)

(B) *Required landscaped area*. The following landscape requirements are established for all developments except single family dwellings.

(1) A minimum of 15% of the lot area shall be landscaped; provided however, that computation of this minimum may include areas landscaped under subdivision (3) below. Development in the C-3 (Central Business District) Zoning District is exempt from the 15% landscape area requirement of this section. Additional landscaping requirements in the C-4 District are described in § 151.527.4(K) of this code. **In the Airport Industrial (AI) District only a 5% landscaping standard is required with the goal of “softening” the buildings and making the development “green” with plants where possible. The existence of the runway, taxiway, and approach open areas already provide generally for the 15% requirement. Developments in the Airport Industrial (AI) District with a public street frontage shall have said minimum landscaping between the front property line and the front of the building.**

151.612 **PARKING SPACES REQUIRED.**

[Add to Table under Industrial Types:]

Use: **Aircraft Storage Hangars up to 3,600 sq. ft. each enclosed hangar area**

Parking Space Required: **none (parking occurs in hangar)**

Use: **Aircraft Storage Hangars over 3,600 sq. ft. each enclosed hangar area**

Parking Space Required: **1 for every 700 sq. ft. of hanger area over 3,600 sq. ft.**

Use: **Aircraft Hangars intended for repair and maintenance operations**

Parking Space Required: **1 for each 5,000 sq. ft. of hangar, plus 1 for each 500 sq. ft. of shop area, plus 1 for each 400 sq. ft. of office area.**

151.617 **OFF-STREET LOADING.**

(A) Buildings to be built or substantially altered which receive and distribute materials and merchandise by trucks shall provide and maintain off-street loading berths in sufficient number and size to adequately handle the needs of the particular use.

(4) Where a facility includes an aircraft hangar, the off-street loading requirement is not required since loading may occur through the hangar doors.

APPENDIX B

AIRPORT RESIDENTIAL (AR) DISTRICT & AIRPORT RESIDENTIAL OVERLAY (ARO) SUB-DISTRICT

June 5, 2006

CITY OF NEWBERG DEVELOPMENT CODE LANGUAGE

[“**Bold**” text indicates added language, “~~striketrough~~” text indicates deleted language, and “normal” text indicates existing language to remain.]

Part 13.3 AIRPORT RESIDENTIAL (AR) DISTRICT

151.449.1 DESCRIPTION AND PURPOSE.

The purpose of the City of Newberg Airport Residential (AR) District is to encourage and support the continued operation and vitality of Sportsman Airpark and to take advantage of the transportation options it provides by allowing airport-related residential uses. Maximum overall density shall be 8.8 units per gross acre.

151.449.2 PERMITTED BUILDINGS AND USES

(A) In the Airport Residential (AR) District, the following buildings and uses are permitted: as hereinafter specifically provided.

(B) The buildings and uses are subject to the general provisions and exceptions set forth in this code:

- (1) Residential Airpark Development, meaning one residence per lot with addition of a tiedown or hangar for an airplane. At a minimum, a paved tiedown or hangar shall be provided on the property, or the property shall include permanent rights to a private hangar within a subdivision.**
- (2) Accessory uses and structures:**
- (3) Aircraft Hangar. No aircraft hangar shall be constructed on any parcel or lot without a residential dwelling, except if it is provided with permanent rights to a nearby airpark residence as per (a) above. An aircraft hangar cannot be used as a residence.**
- (4) Customary and usual aviation-related activities, including but not limited to takeoffs and landings; construction and maintenance of airport facilities; and other activities incidental to the normal operation of an airport.**
- (5) Greenways, including but not limited to bicycle and pedestrian paths.**
- (6) Public and semi-public buildings, structures and uses that provide necessary services to an airport, such as fire stations, pump stations and water storage.**

(7) **Transportation facilities and improvements**

(8) **Private streets that function as taxiways are allowed in the AR District and may include gates with designs approved by the Fire Marshal, at the limit of the taxiways.**

Part 13.4 AIRPORT RESIDENTIAL OVERLAY (ARO) SUB-DISTRICT

151.449.4 Purpose

The Airport Residential Overlay (ARO) Sub-District is intended to support the continued operation and vitality of Sportsman Airpark by addressing potential land use conflicts with adjacent residential development. It also addresses how properties in the area could be converted to Airport Residential District.

151.449.5 NOTICES AND RESTRICTIONS REQUIRED FOR DEVELOPMENT WITHIN THE AIRPORT RESIDENTIAL OVERLAY (ARO) SUB-DISTRICT

(A) Avigation Easement. When a subdivision plan or partition is required for any property within the ARO Sub-District, the property owner shall dedicate an avigation easement to the City over and across that property. The easement shall hold the City, public and airfield, harmless from any damages caused by noise, fumes, dust, fuel, fuel particles, or other effects that may be caused by the operation of aircraft taking off, landing, or operating on or near the airfield, not including the physical impact of aircraft or parts thereof.

(B) Notification of Buyers. No person shall sell, nor offer for sale, any property within the ARO Sub-District unless the prospective buyer has been notified of the fact that the property is within the ARO Sub-District. When property ownership is transferred, the property deed shall be amended to note that the property is within the Airport Residential Overlay Sub-district.

(C) Agree to Noise Abatement. No person shall sell, nor offer for sale, any property within the ARO Sub-District unless the prospective buyer agrees to follow Aircraft Owners and Pilots Association (AOPA) standard noise abatement procedures, or the most recent noise abatement procedures established at the airport.

(D) CC&Rs: The applicant for a subdivision or design review in the ARO Sub-District in the shall provide a copy of the CC&Rs in conformance to the requirements listed above.

151.449.6 Density Transfer Allowances within the ARO Sub-district

Due to the complexity and intermixing of roads, taxiways, and constructing hangars in an airport residential district, properties within the district may not be able to be developed to the density otherwise allowed. Thus, the applicant for a subdivision or partition within the ARO district may transfer allowed dwelling unit density to other property within the ARO Sub-district and reduce minimum lot sizes such that the overall dwelling density complies with that of a conventionally developed R-2 zoned property.

Lot coverage may be calculated using the entire site area of both the donor and recipient area, excluding public and private street and alley areas. The following dimensional requirements shall be applicable in the R-2 District in order to accommodate the density transfer provision of this Section: front yard setback – 10 feet; Garage front yard setback – 18 feet; interior yard setback – 3 feet; Non-alley rear yard setback – 5 feet; Alley rear yard setback – 3 feet. Maximum lot depth to lot width ratio is 3:1. The minimum lot width shall be 28 feet.

151.449.7 CONVERSION OF PROPERTY TO THE AIRPORT RESIDENTIAL (AR) DISTRICT

Property within the Airport Residential Overlay (ARO) Sub-district may be converted to the Airport Residential (AR) District at the request of the applicant concurrent with and through the approval of a subdivision with the Airport Residential Overlay (ARO) Sub-district. Property may also be converted to the Airport Residential (AR) District through the zone change process 151.122

151.536 BUILDING HEIGHT LIMITATION.

(A) Residential:

(1) In the R-1, R-2, **AR**, and RP Districts, no main building shall exceed two and one-half stories, or 30 feet in height, whichever is lesser. Accessory buildings in the R-1, R-2, R-3, AR, and RP Districts are limited to one story, or 16 feet in height, whichever is lesser, **except that aircraft hangars in the AR District may be the same as the main building.**

151.550 GENERAL YARD REGULATIONS

Add:

(G) In the Airport Residential (AR) District clear areas, safety areas, object free areas, taxiways, parking aprons, and runways may be counted as required yards for a building, if located upon an adjacent parcel.

151.551 FRONT YARD SETBACK

(A) *Residential (Figure X).*

(1) **AR**, R-1 and R-2 Districts shall have a front yard of not less than 15 feet. Said yard shall be landscaped and maintained.

151.552 INTERIOR YARD SETBACK

(A) *Residential.*

(1) All lots or development sites in the **AR**, R-1, R-2 and R-3 Districts shall have interior yards of not less than five feet, except that where a utility easement is recorded adjacent to a side lot line, there shall be a side yard no less than the width of the easement.

151.556 YARD EXCEPTIONS AND PERMITTED INTRUSIONS INTO REQUIRED YARD SETBACKS

(G) Hangars within the Airport Residential (AR) District may be constructed with no yard setbacks to property lines adjacent to other properties within the Airport Residential or Airport Industrial Districts.

151.565 LOT AREA; LOT AREAS PER DWELLING UNIT

(A) In the following districts, each lot or development site shall have an area as shown below except as otherwise permitted by this code.

(1) In the R-1 District, each lot or development site shall have a minimum area of 7,500 square feet or as may be established by a sub-district.

(2) In the **AR**, R-2, R-3, RP, C-1, C-2, and C-3 Districts, each lot or development site shall have a minimum of 5,000 square feet or as may be established by a sub-district.

(B)(2) In the R-2, **AR**, and R-P Districts, there shall be a minimum of 3,750 square feet of lot or development site per dwelling unit.

151.567 LOT DIMENSIONS AND FRONTAGE.

(D) Frontage.

(1) No lot or development site shall have less than the following lot frontage standards:

(a) Each lot or development site shall have either frontage on a public street for a distance of at least 25 feet or have access to a public street through an easement that is at least 25 feet wide. No new private streets, as defined in 151.003, shall be created to provide frontage or access.

(b) Each lot in an R-1, R-2, R-3, or RP Zone shall have a minimum width of 50 feet at the front building line.

(c) Each lot in an AR Zone shall have a minimum width of 45 feet at the front building line.

151.568 LOT COVERAGE AND PARKING COVERAGE REQUIREMENTS.

(A) For all buildings and uses the following shall mean the maximum permitted lot coverage, maximum coverage of public or private parking areas or garages, and/or combined maximum lot and parking combined coverage required in the various districts expressed in percentage of the area of the lot or development site in which district such coverage is permitted or required (Fig. IV).

(1) Maximum lot coverage.

(a) R-1: 30%.

(b) R-2 and RP: 40%.

(c) **AR and R-3:** 50%.

151.580 REQUIRED MINIMUM STANDARDS (LANDSCAPING)

(A) *Private and shared outdoor recreation areas in residential developments.*

(3) In the Airport Residential (AR) District a 5% landscaping standard is required with the goal of “softening” the buildings and making the development “green” with plants where possible. The existence of the runway, taxiway, and approach open areas already provide generally for the 15% requirement.

Appendix C: General Development Code Language Amendments

Section 151.003 DEFINITIONS

[“**Bold**” text indicates added language and “normal” text indicates existing language to remain.]

AVIGATION EASEMENT. A property right acquired from a land owner that grants the right-of-flight; the right to cause noise, etc., related to aircraft flight; the right to restrict or prohibit certain lights and electromagnetic signals; the right to unobstructed airspace over the property above a specified height.

CLEAR AREA. A land area required to be clear of obstructions per FAA regulations for airports and airspace.

HANGAR. A building for storage and maintenance of aircraft.

OBJECT FREE AREA. An area on the ground centered on a runway or taxiway centerline provided to enhance the safety of aircraft operations by having the area free of objects, except for objects that need to be located in the OFA for air navigation or aircraft ground maneuvering purposes.

PARKING APRON. A paved or grass area intended for parking aircraft.

RUNWAY. A defined rectangular surface on an airport prepared or suitable for the landing or takeoff of airplanes.

SAFETY AREA. A defined surface surrounding the runway prepared or suitable for reducing the risk of damage to airplanes in the event of an undershoot, overshoot, or excursion from the runway.

TAXIWAY. A defined path established for the taxiing of aircraft from one part of an airport to another.

151.538 PUBLIC ACCESS REQUIRED.

No building or structure shall be erected or altered except on a lot fronting or abutting on a public street or having access to a public street over a private street or easement of record approved in accordance with provisions contained in this code. New private streets may not be created to provide access **except as allowed under 151.449.2(B)(8) and 151.498.1(B)(24)**. Existing private streets may not be used for access for new dwelling units, except as allowed under 151.567. No building or structure shall be erected or altered without provisions for access roadways as required in the Uniform Fire Code, as adopted by the city.

151.567 LOT DIMENSIONS AND FRONTAGE.

(2) The above standards apply with the following exceptions:

(a) Legally created lots of record in existence prior to the effective date of this code.

(b) Lots or development sites which as a process of their creation, were approved with sub-standard widths in accordance with provisions of this code.

(c) Existing private streets may not be used for new dwelling units, except private streets that were created prior to March 1, 1999, including paving to fire access roads standards and installation of necessary utilities, **and private streets allowed in the Airport Residential and Airport Industrial Districts.**

151.581 LANDSCAPING AND AMENITIES IN PUBLIC RIGHTS-OF-WAY.

D. Exception. In the Airport Industrial (AI) District and Airport Residential (AR) District, no landscape or amenities except for grass are required for any area within 50 feet of aircraft operations areas including aircraft parking areas, taxiways, clear areas, safety areas, object free areas, and the runway.

151.611 PARKING AREA AND SERVICE DRIVE DESIGN.

Add:

(C) In the Airport Industrial (AI) District and Airport Residential (AR) District, taxiways may be used as part of the service drive design where an overall site plan is submitted that shows how the circulation of aircraft and vehicles are safely accommodated, where security fences are located, if required, and is approved by the Fire Marshal, Planning Director, and Public Works Director. The following submittal must be made:

(1) A drawing of the area to be developed, including the probable location, height, and description of structures to be constructed; the location and description of a security fence or gate to secure the aircraft operations areas of off-airport property from the other non-secured pedestrian/auto/truck areas of on-airport property; the proposed location of the proposed taxiway access in accordance with FAA specifications; (Refer to Federal Aviation Administration Advisory Circular No. 150/5300-13, regarding Airport Design, and AC/5370-10B regarding Construction Standards for specifications that should be used as a guideline); and the identification of the vehicular traffic pattern area clearly separated from aircraft traffic. Once specific buildings have been designed, FAA Form 7460-1, Notice of Proposed Construction or Alteration, must be submitted to the City of Newberg, the private airport owner, and the FAA for airspace review.

151.620.2 WHERE REQUIRED (ON-SITE WALKS)

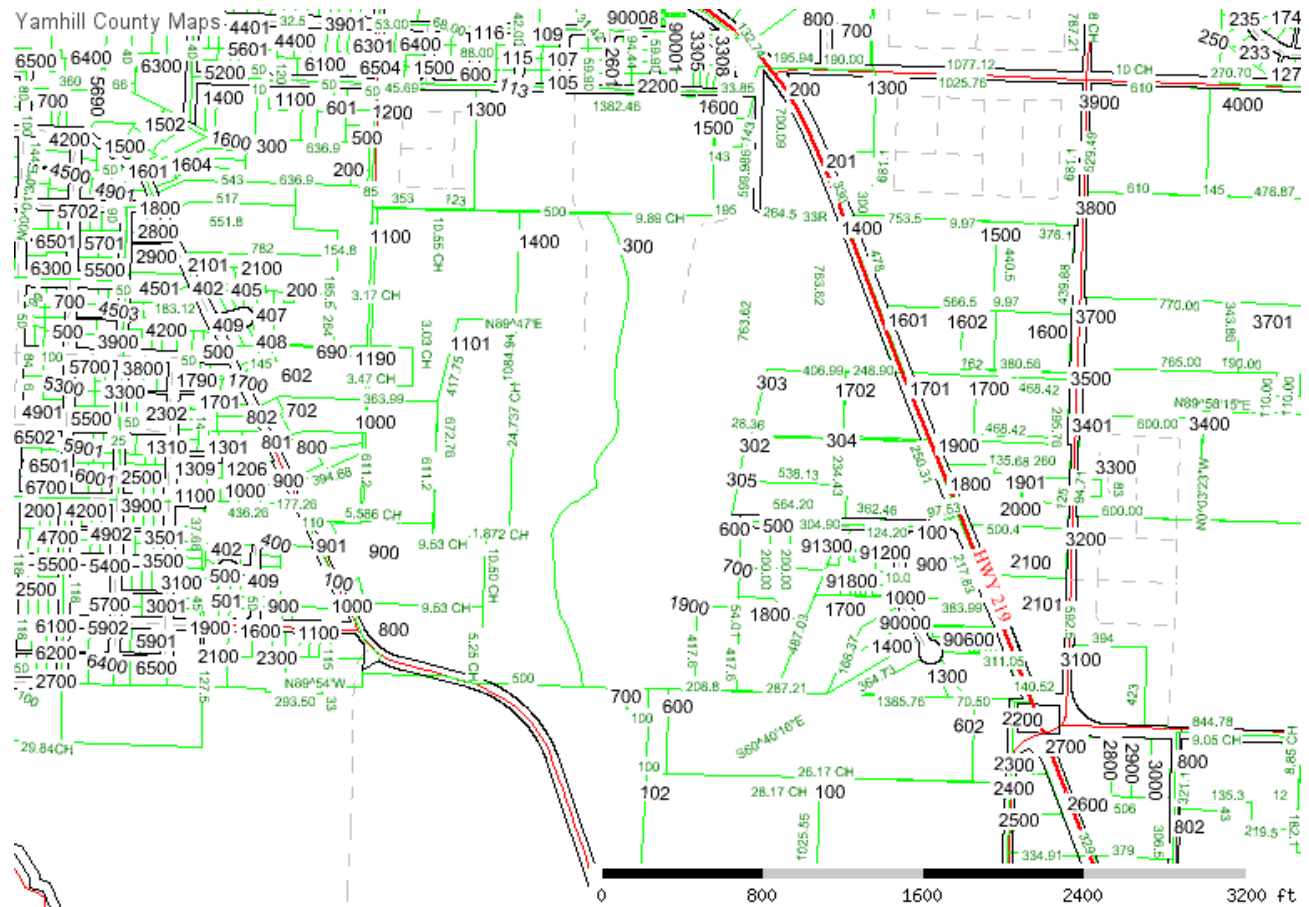
Private walkways shall be constructed as part of any development requiring Type II design review, including mobile home parks. In addition, they may be required as part of conditional use permits or planned unit developments. **In the Airport Industrial (AI) District and Airport Residential (AR) District, on-site walks are not required in aircraft operations areas, such as parking aprons, taxiways, and runways.**

Appendix D: Yamhill County Existing GIS Property Data

Attached is the following information:

- Tax Map
- Zoning Map
- Property Values
- Spreadsheets and Graphs concerning Future Values

Tax Lot Map



Zoning

