

---

## Chapter 9 – Compatible Land Use Planning in the Vicinity of the Airport

---



---

### Introduction

This chapter describes land use associated with the Eastern Oregon Regional Airport and its surroundings and describes federal and state statutes with guidance for land use planning and zoning. The intent of this chapter is to identify existing and future land use and zoning incompatibilities and identify lands currently owned by the city that could be sold thereby providing an additional source of revenue for on-going airport development.

### Government Roles in Airport Land Use

#### Federal

The Federal Aviation Administration (FAA) does not have authority to regulate off airport land use, including the construction of built items. Land use regulation is a local responsibility and FAA has a technical advisory role based on its interest in protecting the airspace associated with an airport as part of the national airspace system. The FAA does have a role in regulating on-airport land use through approval of the Airport Layout Plan (ALP) and airport sponsor compliance with the FAA Airport Improvement Program (AIP) grant assurances. These assurances include measures to maintain airport land use compatibility and protect the aeronautical function of an airport by restricting the location of non-aviation land uses.

Under 14 Code of Federal Regulations (CFR), Part 77, the FAA has the authority to review proposed construction through its Form 7460-1 Notice of Proposed Construction or Alteration process. The FAA review addresses compatibility both on and off airport based on the potential for creating a “hazard to air navigation” associated with obstructions/penetrations in defined airspace. FAA airspace reviews include FAR Part 77 surfaces; Terminal Instrument Procedures (TERPS) surfaces, visual runway traffic patterns, and visual navigation aid (e.g., VASI, PAPI, etc.) protected airspace. When a proposed structure penetrates navigable airspace, the FAA will issue a letter objecting to the proposed action (determination of presumed hazard to air navigation) for the consideration of local authorities. When proposed actions do not present a hazard to air navigation, a “no objection” finding is issued. It is important to note that this analysis is based on an obstruction evaluation and is not intended to address land use compatibility in terms of noise exposure or proximity to an airport or runway.

The FAA recommends that local jurisdictions include the following language in their development codes: “Nothing in this chapter shall diminish the responsibility of project proponents to submit a Notice of Proposed Construction or Alteration to the Federal Aviation Administration if required in accordance with FAR Part 77, Objects Affecting Navigable Airspace.”

FAR Part 150, Airport Noise Compatibility Planning provides guidance for land use compatibility around airports. The 1990 Airport Noise and Capacity Act (ANCA), defines the federal policy on the regulation of airport noise (operating curfews, aircraft restrictions, etc.), with the intent of standardizing noise controls throughout the national system.

### **State**

The State of Oregon has created statutes that provide standards and guidelines for local governments to use in order to create zoning ordinances to encourage compatible land uses around airports. The State of Oregon’s laws and statutes are provided by the Airport Planning Rule, which is located in Oregon Administrative Rules (OAR), contained in Chapter 660, Department of Land Conservation and Development; Division 12, Transportation Planning and Division 13, Airport Planning to address airport protection and function. Local governments shall follow State rules as described in OAR 660 for planning and managing public-use airports. Division 12 states that local governments shall participate and develop a Transportation System Plan with “measures to protect public use airports by controlling land uses within airport noise corridors and imaginary surfaces, and by limiting physical hazards to air navigation.”

Division 13, Airport Planning states, “the policy of the State of Oregon is to encourage and support the continued operation and vitality of Oregon’s airports.” It includes “rules that are intended to promote a convenient and economic system of airports in the State and for land use planning to reduce risks to aircraft operations and nearby land uses.” A summary of these requirements is provided below:

- 660-013-0030 Preparation and Coordination of Aviation Plans states “A city or county with planning authority for one or more airports, or areas within safety zones or compatibility zones described in this division, shall adopt comprehensive plan and land use regulations for airports consistent with the requirements of this division and ORS 836.600 through 836.630.”
- 660-013-0040 Aviation Facility Planning Requirements provides a list of planning requirements including a map showing the location of the airport boundary, a map or description of existing and planned facilities, a projection of future aeronautical needs, etc.
- 660-013-0070 Local Government Safety Zones for Imaginary Surfaces specifies that “local governments shall adopt an Airport Safety Overlay Zone to promote aviation safety by prohibiting structures, trees and other objects of natural growth from penetrating airport imaginary surfaces.”
- 660-13-0080 Local Government Land Use Compatibility Requirements for Public Use Airports provides a list of requirements including prohibiting new residential development and public assembly uses within the Runway Protection Zone (RPZ) and limits establishment of uses within the noise impact boundary.
- 660-013-0100 Airport Uses at Non-Towered Airports requires local governments to adopt land use regulations that authorize a range of defined airport uses within the airport boundary of non-towered airports.
- 660-013-0140 Safe Harbors defines “safe harbor” requirements that may be used by local governments including existing comprehensive plans, land use regulations, Airport Master Plans, and Airport Layout Plans.
- 660-013-155 Planning Requirements for Small Airports specifies that airports are to be subject to the planning and zoning requirements within ORS 836.

Division 13 implements Oregon Revised Statutes (ORS) 836.600 through 836.630, which promotes land use planning to reduce unnecessary risk to aircraft operations. Several key statutes important in land use planning are summarized below:

- 836.608 Airport operation as matter of state concern (local planning documents to recognize airport location, limitations on use, and expansion of facility) - requires local governments to recognize airport locations within planning documents. It also prohibits limitations on use and includes a process by which airports can add new land uses on their property.

- 836.610 Local government land use plans and regulations to accommodate airport zones and uses including funding and rules - requires local governments to amend their land use regulations and comprehensive plans in accordance to 836.616 and 836.619.
- 836.616 Rules for airport uses and activities - identifies types of permitted land uses and activities on airport property and requires local government to meet standards for safe land uses near airports.
- 836.623 Local compatibility and safety requirements more stringent than state requirements (criteria, water impoundments, report to federal agency, and application to certain activities) - allows local governments to adopt land use compatibility and safety requirements that are more stringent than the minimum required by Land Conservation and Development Commission rules. It provides rules which limit the size of water impoundments near airports in an effort to reduce wildlife attractants.

### **Local**

Establishing compatible land uses around airports is the responsibility of local governing agencies with planning and zoning authority. The FAA and airport management may provide recommendations on land use issues while discouraging incompatible land uses around airports. The City of Pendleton and Umatilla County have land use authority for the Eastern Oregon Regional Airport and its immediate surroundings. The Airport is located within the City of Pendleton approximately three mile northwest of downtown Pendleton and within the city's Urban Growth Boundary. Umatilla County and the City of Pendleton have established airport overlay zoning to ensure their land uses are compatible with the Airport for long-term growth.

### **Comprehensive Plan**

#### **City of Pendleton**

The City of Pendleton, as noted above, has jurisdiction over Airport land use and zoning. The City's comprehensive plan designation for the land underlying the Eastern Oregon Regional Airport is a combination of Airport Industrial, Light Industrial, and Industrial Reserve<sup>1</sup>. The City's plan acknowledges that improvements to the airport would increase its importance as a valuable economic resource to the City's transportation system. **Figure 9-1** is a map depicting the existing City of Pendleton and Umatilla County Land Use and Zoning in the immediate airport vicinity. **Figure 9-2** is an enlarged view of the airport landside depicting the city Land Use and Zoning in this area.

---

<sup>1</sup> City of Pendleton Comprehensive Plan, (19\_\_)

**Umatilla County**

The County’s Comprehensive Plan, Chapter 15 Transportation, provides county Findings and Policies for the county’s transportation system, including those that promote and protect aviation in the region<sup>2</sup>. Findings and Policies that apply specifically to the airport include the following:

FINDING	POLICY
<p><u>Finding 6</u> - An important airport industrial complex lies in the northeast corner of the City of Pendleton's Urban Growth Boundary where topography and location require a well-planned transportation system to insure its full and efficient development.</p>	<p>Policy 6 - Consider designating an arterial road from Barnhart Interchange on I-84 to the west side of this industrial park, to provide a level and more energy efficient route for business and manufacture-related traffic.</p>
<p><u>Finding 16</u> - Airports are experiencing increases in traffic and are undergoing improvements in accordance with their Airport Master Plans.</p>	<p><u>Policy 16</u> - Continue to cooperate in protecting the existing and planned elements of the airports from incompatible neighboring land uses through the use of airport hazard zoning and joint management agreements with each city.</p>
<p><u>Finding 27</u> - Measures are needed to protect airports by controlling land uses within airport noise corridors and imaginary surfaces, and by limiting physical hazards to air navigation.</p> <p>C - Publicly owned publicly used airports are already under protective overlay zoning specific to the airport.</p>	<p>Policy 27 - Umatilla County shall adopt and implement an airport zone, supporting Airport Safety Overlay Zones, or similar protective measures for airports (as defined in ORS 836.610) in Umatilla County.</p>

<sup>2</sup> Umatilla County Comprehensive Plan, Chapter 15 Transportation (19)

### LEGEND

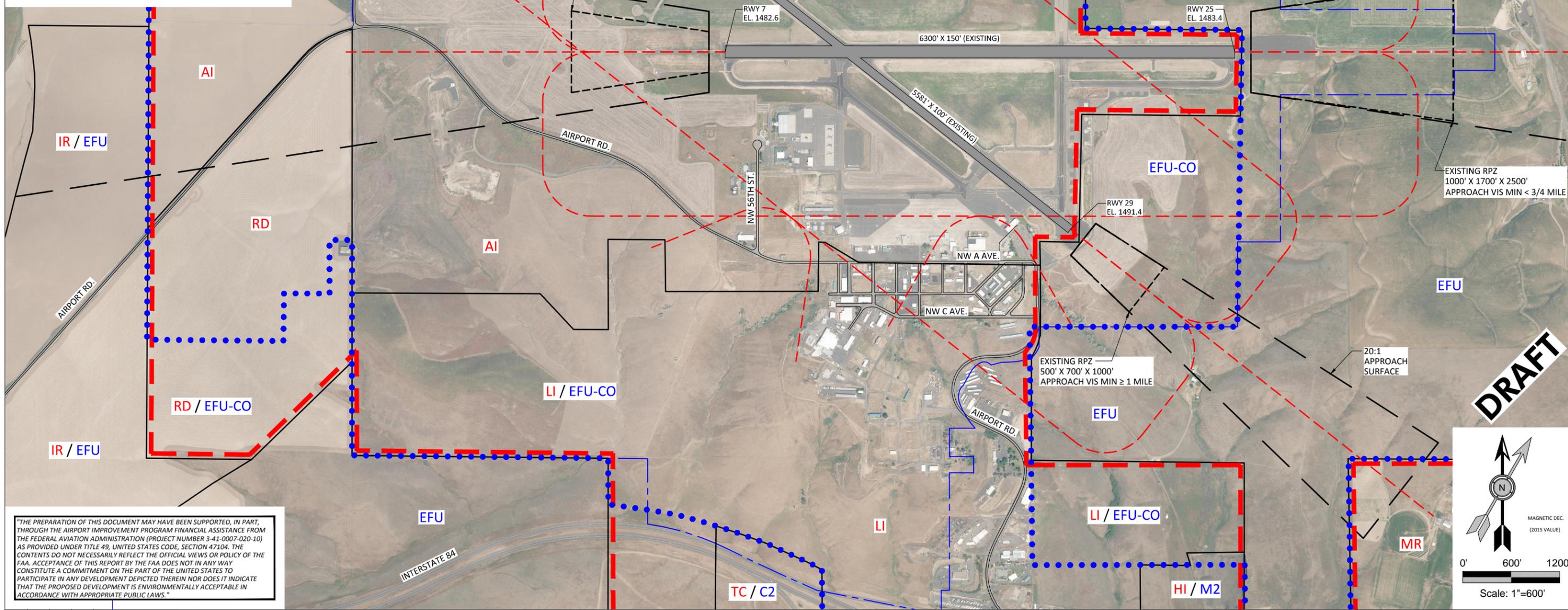
- ZONING BOUNDARY
- AIRPORT TRAFFIC PATTERN (TYP.)
- RUNWAY PROTECTION ZONE
- APPROACH SURFACE
- AIRPORT PROPERTY LINE (EXISTING)
- CITY LIMITS BOUNDARY
- URBAN GROWTH BOUNDARY

#### CITY OF PENDLETON COMPREHENSIVE LAND USE MAP

<b>IR</b> INDUSTRIAL RESERVE	<b>HI</b> HEAVY INDUSTRIAL
<b>AI</b> AIRPORT INDUSTRIAL	<b>BP</b> BUSINESS PARK
<b>RD</b> REGIONAL DISTRIBUTION	<b>TC</b> TOURIST COMMERCIAL
<b>LI</b> LIGHT INDUSTRIAL	<b>MR</b> MEDIUM DENSITY RESIDENTIAL

#### CITY OF PENDLETON ZONING MAP

<b>AA</b> AIRPORT ACTIVITIES	<b>C2</b> TOURIST COMMERCIAL
<b>EFU-CO</b> FARM USE	<b>EFU</b> EXCLUSIVE FARM USE
<b>M2</b> HEAVY INDUSTRIAL	



THE PREPARATION OF THIS DOCUMENT MAY HAVE BEEN SUPPORTED, IN PART, THROUGH THE AIRPORT IMPROVEMENT PROGRAM FINANCIAL ASSISTANCE FROM THE FEDERAL AVIATION ADMINISTRATION (PROJECT NUMBER 3-41-0007-020-10) AS PROVIDED UNDER TITLE 49, UNITED STATES CODE, SECTION 47104. THE CONTENTS DO NOT NECESSARILY REFLECT THE OFFICIAL VIEWS OR POLICY OF THE FAA. ACCEPTANCE OF THIS REPORT BY THE FAA DOES NOT IN ANY WAY CONSTITUTE A COMMITMENT ON THE PART OF THE UNITED STATES TO PARTICIPATE IN ANY DEVELOPMENT DEPICTED THEREIN NOR DOES IT INDICATE THAT THE PROPOSED DEVELOPMENT IS ENVIRONMENTALLY ACCEPTABLE IN ACCORDANCE WITH APPROPRIATE PUBLIC LAWS.

**DRAFT**

MAGNETIC DEC.  
(2015 VALUE)

0' 600' 1200'

Scale: 1"=600'

NO.	DATE	BY	APPR	REVISIONS

VERIFY SCALES  
BAR IS ONE INCH ON ORIGINAL DRAWING. 0" IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.

FEDERAL AVIATION ADMINISTRATION APPROVAL

APPROVAL DATE: \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE

CITY OF PENDLETON APPROVAL

APPROVAL DATE: \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE

**CENTURY WEST ENGINEERING**

BEND OFFICE  
1020 SW EMKAY DRIVE., #100  
BEND, OR 97702  
541.322.8962 OFFICE  
541.382.2423 FAX

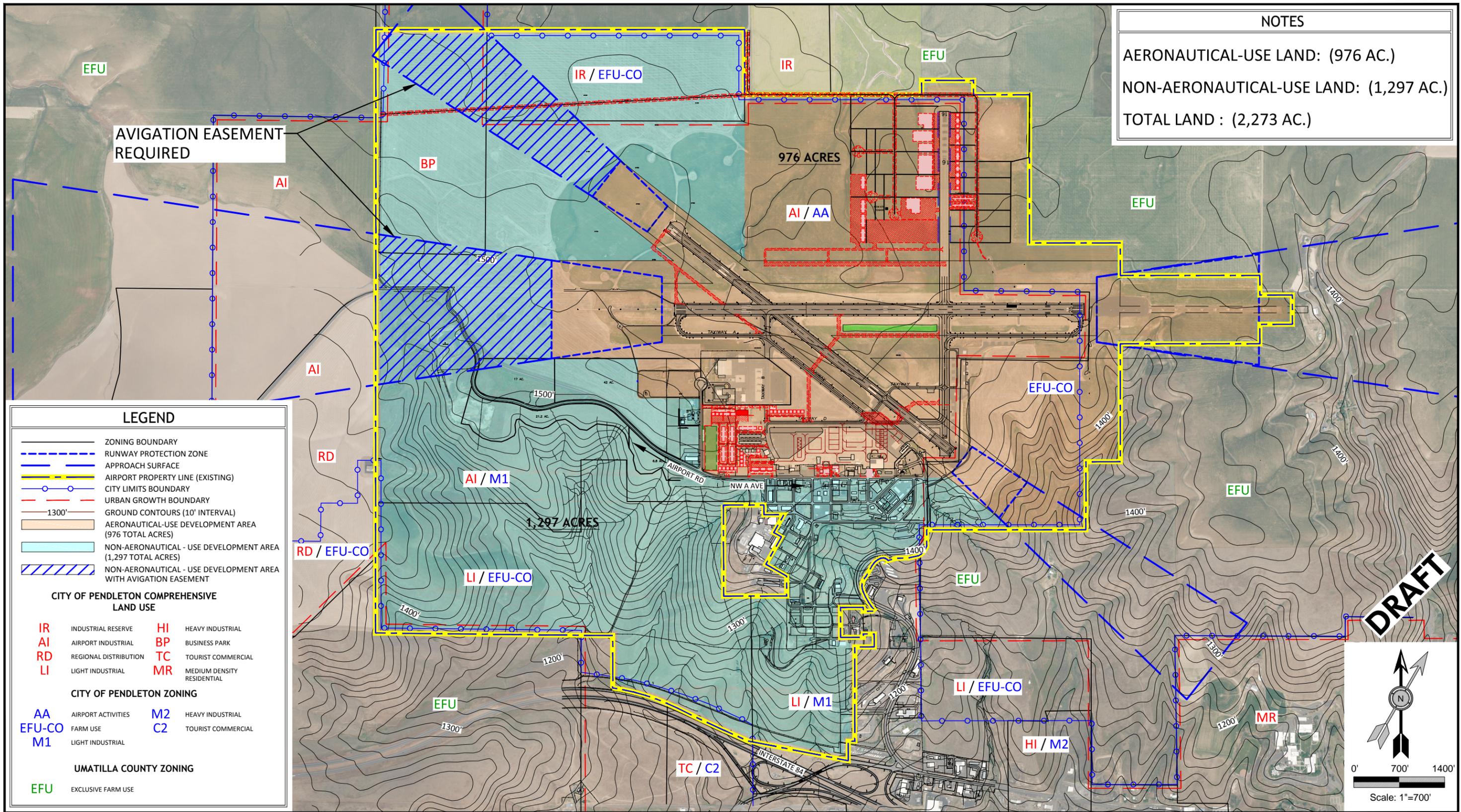
DESIGNED BY: DM	DRAWN BY: JLS	CHECKED BY: WMR	SCALE: AS SHOWN
DATE: SEPTEMBER 2015		PROJECT NO: 12467001.01	

**EASTERN OREGON REGIONAL AIRPORT**

**AIRPORT LAYOUT PLAN**

FIGURE NO.  
-

SHEET NO.  
X OF X



**NOTES**

AERONAUTICAL-USE LAND: (976 AC.)  
 NON-AERONAUTICAL-USE LAND: (1,297 AC.)  
 TOTAL LAND : (2,273 AC.)

AVIGATION EASEMENT  
 REQUIRED

**LEGEND**

- ZONING BOUNDARY
- RUNWAY PROTECTION ZONE
- APPROACH SURFACE
- AIRPORT PROPERTY LINE (EXISTING)
- CITY LIMITS BOUNDARY
- URBAN GROWTH BOUNDARY
- 1300' GROUND CONTOURS (10' INTERVAL)
- AERONAUTICAL-USE DEVELOPMENT AREA (976 TOTAL ACRES)
- NON-AERONAUTICAL - USE DEVELOPMENT AREA (1,297 TOTAL ACRES)
- NON-AERONAUTICAL - USE DEVELOPMENT AREA WITH AVIGATION EASEMENT

**CITY OF PENDLETON COMPREHENSIVE LAND USE**

- |                                 |                                      |
|---------------------------------|--------------------------------------|
| <b>IR</b> INDUSTRIAL RESERVE    | <b>HI</b> HEAVY INDUSTRIAL           |
| <b>AI</b> AIRPORT INDUSTRIAL    | <b>BP</b> BUSINESS PARK              |
| <b>RD</b> REGIONAL DISTRIBUTION | <b>TC</b> TOURIST COMMERCIAL         |
| <b>LI</b> LIGHT INDUSTRIAL      | <b>MR</b> MEDIUM DENSITY RESIDENTIAL |

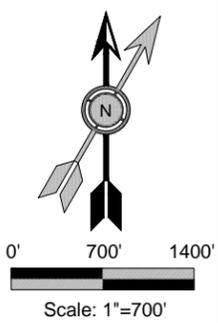
**CITY OF PENDLETON ZONING**

- |                              |                              |
|------------------------------|------------------------------|
| <b>AA</b> AIRPORT ACTIVITIES | <b>M2</b> HEAVY INDUSTRIAL   |
| <b>EFU-CO</b> FARM USE       | <b>C2</b> TOURIST COMMERCIAL |
| <b>M1</b> LIGHT INDUSTRIAL   |                              |

**UMATILLA COUNTY ZONING**

- |                               |
|-------------------------------|
| <b>EFU</b> EXCLUSIVE FARM USE |
|-------------------------------|

**DRAFT**



BEND OFFICE  
 1020 SW EMKAY DRIVE., #100  
 BEND, OR 97702  
 541.322.8962 OFFICE  
 541.382.2423 FAX

**EASTERN OREGON REGIONAL AIRPORT  
 LAND USE EVALUATION  
 MASTER PLAN UPDATE**

Figure No.  
**9-X**

## **Airport Zoning**

### **City of Pendleton**

The City of Pendleton has zoned the Eastern Oregon Regional Airport with three designations, “Airport Activities” (AA), Light Industrial (MI), and Exclusive Farm Use (EFU-CO). As defined in the County Zoning Ordinance<sup>3</sup>, the purpose of the Airport Activities Zone is “To protect the lands lying adjacent to the airport runway and terminal areas from incompatible development, while providing lands for airport-related and agricultural uses.”

Permitted uses include:

- A. Aviation Industries
- B. Aviation Operational Services
- C. Farming and Forestry Activities
- D. Freight Services
- E. Passenger Transportation Services
- F. Public Services

Conditional Uses “similar to those listed as outright that, in the opinion of the Planning Commission, will have no greater detrimental effects on adjoining uses” may be permitted.

The Light Industrial Zone (MI) is intended to “to reserve industrial sites near the airport for specific employment uses identified in the Pendleton Economic Opportunities Analysis (EOA)”. The Light Industrial Zone provides for a mix of Permitted and Conditional Uses. Permitted Uses include:

- A. Air Transportation Facilities;
- B. Automobile and vehicle dealers, repairs, services and service stations;
- C. Building Materials, retail;
- D. General Business Services;
- E. Communication Facilities;
- F. General building and trade contractors;
- G. General Light Industrial;
- H. General Repair Services;
- I. Governmental, public, or semi-public uses or structures;
- J. Transportation Facilities and Services;
- K. Wholesaling, durable and nondurable goods;
- L. Solid Waste Transfer Stations, if the solid waste transfer station:
  - 1. Is not within 1,000 feet of an existing residential structure or residential zone, or

<sup>3</sup> Ordinance No. 3845 Exhibit A, City of Pendleton Unified Development Code, – December 3, 2014, pg. 24.

2. *The location of the transfer station has been approved by a vote of the people.*
- M. *Within the Central Mixed Use Plan Designation, expansion of existing, lawfully established residential and commercial uses on the same or adjacent property.*

Conditional Uses, except as modified in specific subdistricts include:

- A. *Animal Clinic, Kennel, or Hospital;*
- B. *Commercial Amusement and Recreation;*
- C. *Eating and Drinking Establishments;*
- D. *Fuel and Ice Dealers;*
- E. *Hotels, motels, other lodging;*
- F. *Junk yard, wrecking yard;*
- G. *Industrial and agricultural chemicals, paint;*
- H. *Ordnance;*
- I. *Petroleum pipeline facilities;*
- J. *Sanitary landfills, solid waste disposal or treatment facilities;*
- K. *Transportation Equipment (Air, land, water and space vehicles, equipment and accessories);*
- L. *Utilities;*
- M. *Landscape and Horticultural Services;*
- N. *Social Services;*
- O. *Dwelling, Caretaker or Manager Only.*

The purposes of the Exclusive Farm Use Zone are:

- *To preserve and maintain agricultural lands for farm use, including range and grazing uses, consistent with existing and future needs for agricultural products, and open spaces;*
- *To conserve and protect scenic resources;*
- *To maintain and improve the quality of air, water, and land resources of the City;*
- *To establish criteria and standards for farm uses and related and supportive uses which are deemed appropriate, and*
- *To provide the automatic farm use valuation for farms which qualify under the provisions of Oregon law.*

Permitted uses include:

- A. *Production of crops and livestock, excepting feedlots and hog farms. For the purpose of this Section, farm use includes customary accessory uses such as but not limited to: corrals, pens, barns, sheds, maintenance buildings, farm owned or personal use grain bins or elevators and chemical storage)*
- B. *Agricultural services*
- C. *The production of alcohol fuels from agricultural products for private use on farm premises*
- D. *Sale of agricultural produce grown on the farm premises*
- E. *Utility facilities necessary for public service except commercial facilities for the purpose of generating power for use by sale*

The following uses and their accessory uses are permitted when authorized:

- A. *Operations conducted for the exploration, mining and processing of geothermal resources, aggregate and other mineral resources or other subsurface resources*
- B. *Farmstead divisions from original farm units when the following can be met:*
- C. *The person making the request has resided on and owned the property for at least the preceding ten (10) consecutive years;*
- D. *The remainder of the parcel shall not be partitioned for a similar purpose;*
- E. *The purpose of the homesite partition shall be for retirement thereon;*
- F. *The remainder of the property shall continue in farm use;*
- G. *The original parcel is a minimum of twenty (20) acres;*
- H. *The first right of refusal for repurchase of the farmstead parcel is given to the parent parcel;*
- I. *The farmstead parcel shall be a maximum of five (5) acres which includes the original farm dwelling and necessary accessory buildings to support the residential use only. The farmstead parcel shall be only as large as necessary to accommodate the residential use, and shall not include tillable land from the farmstead.*
- J. *Commercial utility facilities for the purpose of generating power for public use by sale*
- K. *Cattle feed lots, stockyards, hog farms*
- L. *Home occupations carried on by residents as an accessory use within their dwelling or other buildings customarily provided in conjunction with farm use (see Article 11 of this Ordinance for home occupation criteria)*
- M. *A dwelling (mobile home or single family dwelling) and other buildings customarily provided in conjunction with farm use, on lots that meet the size requirement of this Article, in accordance with Oregon Law. (This includes the principal farm dwelling for the owner or operator and farm employee dwellings, bunkhouses and their accessory uses [e.g. garages and storage sheds], but does not include barns, sheds, personal use grain elevators, silos, corrals, etc.).*
- N. *Other buildings and uses not listed in above that appear in Oregon Law as alternate uses permissible in an exclusive farm use zone.*

## **Airport Vicinity Zoning**

### **Umatilla County**

Umatilla County has zoning jurisdiction over the land immediately surrounding the Airport on the west, north, and east sides. The majority of these lands are zoned Exclusive Farm Use-County (EFU-CO). A portion to the west, generally along Airport Road and portions to the north on either side of Stage Gulch Road are designated Industrial Reserve Area Overlay.<sup>4</sup>

- Exclusive Farm Use (EFU-CO)-“The EFU-CO Exclusive Farm Zone is designed to maintain the agricultural economy of the county by reserving farmland for exclusive agricultural use.”

---

<sup>4</sup> Umatilla County Zoning and Land Development Ordinance, Chapter IV (1985).

- Light Industrial (MI)-“The M-1 Light Industrial Zone is designed to provide areas for industrial uses which do not create nuisance problems for nearby homes, business or farm areas. It is appropriate for areas near major transportation facilities which are generally suitable for industry but because of proximity to home, business or farm areas, nuisance industry is inappropriate”.

See Figure 9-1 and Figure 9-2 for the city and county zoning map.

## **Airport Overlay Zones**

### **City of Pendleton**

The City of Pendleton has not established an Airport Overlay Zone, but rather has implemented an Airport Hazard Subdistrict within the Airport Activities Zone. The Airport Hazard Subdistrict has been adopted as authorized by the authority granted by Oregon law. The general intent of the Airport Hazard Subdistrict is to recognize the potential hazards associated with airport activity both to people and property using and in the vicinity of the airport and to provide “*certain zones which include all of the land lying within the approach zones, transitional zones, horizontal zones, and conical zones as they apply to the Airport. Such zones are shown on the Approach and Clear Zone Plan adopted as part of the city’s Airport Master Plan*”. An area located in more than one (1) of the following zones is considered to be only in the zone with the more restrictive height limitation. The established zones and their definitions are:

- A. *Visual Runway Approach Zone. The inner edge of this approach zone coincides with the width of the primary surface and is 250 feet wide. The approach zone expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the primary surface, its centerline being the continuation of the centerline of the runway.;*
- B. *Runway Larger Than Utility with a Visibility Minimum Greater Than: Mile Nonprecision Instrument Approach Zone. The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.;*
- C. *Precision Instrument Runway Approach Zone. The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands uniformly outward to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.;*
- D. *Transitional Zones. These zones are hereby established as the area beneath the transitional surfaces. These surfaces extend outward and upward at 90 degree angles to the runway centerline and the runway centerline extended at a slope of seven (7) feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces.;*

- E. *Horizontal Zone.* The horizontal zone is hereby established by swinging arcs of 5,000 feet radii from the center of each end of the primary surface of each runway, and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones;
- F. *Conical Zone.* The conical zone is hereby established as the area that commences at the periphery of the horizontal zone and extends outward therefrom a horizontal distance of 4,000 feet. The conical zone does not include the visual approach zones and the transitional zones.

In addition, the City has established **Airport Zone Height Limitations**. The zone height limitations dictate that “No structure or vegetation shall be erected, altered, allowed to grow, or be maintained in any zone created by this Ordinance to a height in excess of the applicable height limitations herein established for such zone”.

The Airport Zone Height Limitations are as follows:

- A. *Visual Runway Approach Zone.* Slopes upward twenty (20') feet horizontally for each foot vertically beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
- B. *Runway Larger Than Utility with a Visibility Minimum Greater Than: Mile Nonprecision Instrument Approach Zone.* Slopes thirty-four (34') feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 20,000 feet along the extended runway centerline.
- C. *Precision Instrument Runway Approach Zone.* Slopes fifty (50') feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline; thence slopes upward forty (40') feet horizontally for each foot vertically to an additional horizontal distance of 40,000 feet along the extended runway centerline.
- D. *Transitional Zones.* Slopes upward and outward seven (7') feet horizontally for each foot vertically beginning at the sides of and at the same elevation as the primary surface and the approach zones, and extending to a height of 150 feet above the airport elevation. In addition to the foregoing, there are established height limits sloping upward seven (7') feet horizontally for each foot vertically beginning at the sides of and at the same elevation as the approach zones, and extending to where they intersect the conical surface.
- E. *Horizontal Zone.* One hundred and fifty (150') feet above the airport elevation.
- F. *Conical Zone.* Slopes upward and outward twenty (20') feet horizontally for each foot vertically beginning at the periphery of the horizontally zone and at one hundred fifty (150') feet above the airport elevation and extending to a height of 350 feet above the airport elevation.

Use restrictions within the above zones include “no use shall be made of land or water within any zone established by this Article in such a manner as to create electrical interference with navigational signals or radio communication between the Airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the Airport, impair visibility in the vicinity of the Airport or otherwise in any way create a hazard or endanger the landing, takeoff, or maneuvering of aircraft intending to use the Airport”.

## **Umatilla County**

The Umatilla County Development Code includes an airport overlay zone designated “Airport Hazard Overlay Zone” to provide special considerations for areas around the airport. Specifically, *“(A) This overlay zone is adopted pursuant to the authority conferred by Oregon law. It is hereby found that an airport hazard endangers the lives and property of users of the Pendleton Municipal Airport, and property or occupants of land in its vicinity, and also if the obstruction type in effect reduces the size of the area available for the landing, takeoff, and maneuvering of aircraft, thus tending to destroy or impair the utility of the Pendleton Municipal Airport and the public investment therein.*

*(B) Accordingly, it is declared that:*

- (1) The creation and establishment of an airport hazard is an injury to the region served by the Pendleton Municipal Airport;*
- (2) It is necessary, in the interest of the public health, public safety, and general welfare, that the creation or establishment of airport hazards be prevented; and*
- (3) The prevention of these hazards should be accomplished, to the extent legally possible, by the exercise of the police power, without compensation. It is further declared that both the prevention of the creation or establishment of airport hazards and the elimination, removal, alteration, mitigation, or marking and lighting of existing airport hazards are public purposes for which the city may raise and expend public funds and acquire land or interest in land”<sup>5</sup>.*

## **Airport Industrial Property Evaluation**

The airport encompasses 2,273 acres, which includes the airfield (runways, taxiways, and terminal facilities) and landside facilities including the aviation support facilities, general aviation area, and National Guard facilities. Additional land is reserved for the future UAS Business Park north of the airfield and additional and expanded support facilities south of the airfield. Beyond these existing and future core airport facilities the airport also encompasses the Airport Industrial Park located south of Airport Road.

The land associated with the core airport facilities must be preserved for on-going aviation operations both existing and future. Land beyond that required for existing and future aviation needs has been evaluated to determine the practicality of requesting a release from FAA for the sale of this excess land. A potential property release will provide an additional source of revenue for airport operating and maintenance expenses.

Figure 9-3 depicts the Aeronautical Use Development Area land required for on-going airport operations throughout the planning period. This figure also depicts the Non-Aeronautical Use Development Area

---

<sup>5</sup> Ibid.

lands that have been identified as “excess” to future airport activity, which totals approximately 1,297 acres.

Of the 1,297 acres within the total Non-Aeronautical Use Development Area, approximately 552 acres has existing topography most suited for potential development. The Non-Aeronautical Use Development Area with the highest potential value, which comprises existing airport property that could be sold, is located in the Airport Industrial Park south of Northwest Avenue A and west of Airport Road as it connects with U.S. Highway 30/NW Pendleton Highway.

This area is currently serviced by utilities including water, sewer, and electric, with a storm drainage system in place. The relatively flat topography of the lots within the Industrial Park is also most suited for development and/or redevelopment, which could reduce the potential upgrade/redevelopment costs for any purchasers. The lots in the Airport Industrial Park are relatively small, which limits their potential for developments that would require larger lot sizes.

Many of the existing structures in the Industrial Park area are dated and in need of upgrades or replacement. The age and condition of many of these structures limits their current lease income potential. The cost of needed upgrades would be a financial burden to the City as the landlord since upgrades to these facilities would not be eligible for FAA funding. A sale of these properties would result in the new owners assuming the cost of any upgrades.

The proximity of the industrial Park land to both the Airport and Interstate 84 further enhances its appeal to purchasers who may require access to passenger air services, inbound or outbound airfreight shipments or overland shipping.

Additional airport land that may be considered for sale includes the Non-Aeronautical Use Development Area located north and west of the airfield, west of the future UAS Business Park, south of Daniel and Snyder Roads, and north of the western extension of Airport Road. The majority of this area is not currently served by utilities but does have topography suitable for future development. A 42 acre parcel located north of and along Airport Road immediately west of the NOAA site does have electric service nearby and water service available along Airport Road. The land use designation for this area is Airport Industrial with a Light Industrial zoning classification, both of which are compatible with current airport operations.

The sale and development of this land could also serve to expedite development of the UAS Business Park as upgraded access along Stage Gulch and Daniel Roads would be required to service this area. The City and a potential developer would have the option of sharing the cost of providing utilities to this area. Portions of this land lies under the outer approaches to Runways 7 and 11 and would be subject to aviation easements.

The Non-Aeronautical Use Development Area located generally to the south of Airport Road, other than the existing Industrial Park, would have less development potential with the exception of a 16 acre parcel that straddles the north and south sides of Airport Road west of the NOAA site. This 16 acre parcel would be suitable for development given its relatively level topography and existing Airport Industrial land use and Light Industrial zoning classifications. Other than this 16 acre parcel, the area south of Airport Road has relatively extreme topography and limited or no utilities. The costs associated with the required site preparation and extension of utilities into this area would likely be significantly greater than at the alternative sites discussed.

Phase II of the Pendleton Urban Fringe Land Use Study identified the major shortcoming associated with the large tracts of existing vacant airport land<sup>6</sup>. These tracts of land, while zoned for industrial development would only be available for lease by potential tenants, which significantly reduces their viability for such development. The study noted that only fifteen percent of industries are willing to lease rather than own the land. The study goes on to note there is a lack of large buildable sites of more than 50 acres within the City for development.

Sale of all or a portion of the Non-Aeronautical Use Development Area would provide the Airport with an additional source of funds for aeronautical development. The Non-Aeronautical Development Area outside of the Airport Industrial Park most suitable for future development totals approximately 536 acres, which represents a significant contiguous block of land that could be made available for development within the City of Pendleton.

A portion of this large 536-acre block of Non-Aeronautical Use Development Area has been previously designated with an Industrial Reserve land use classification and Exclusive Farm Use – County zoning designation. Therefore, it would be necessary for the zoning designation to be changed from EFU-CO to a Light Industrial classification before any development of this parcel could be undertaken. The remainder of the acreage within this 536 acre block of land has an Airport Industrial land use designation and is currently zoned Light Industrial, both of which are consistent with existing airport operations.

---

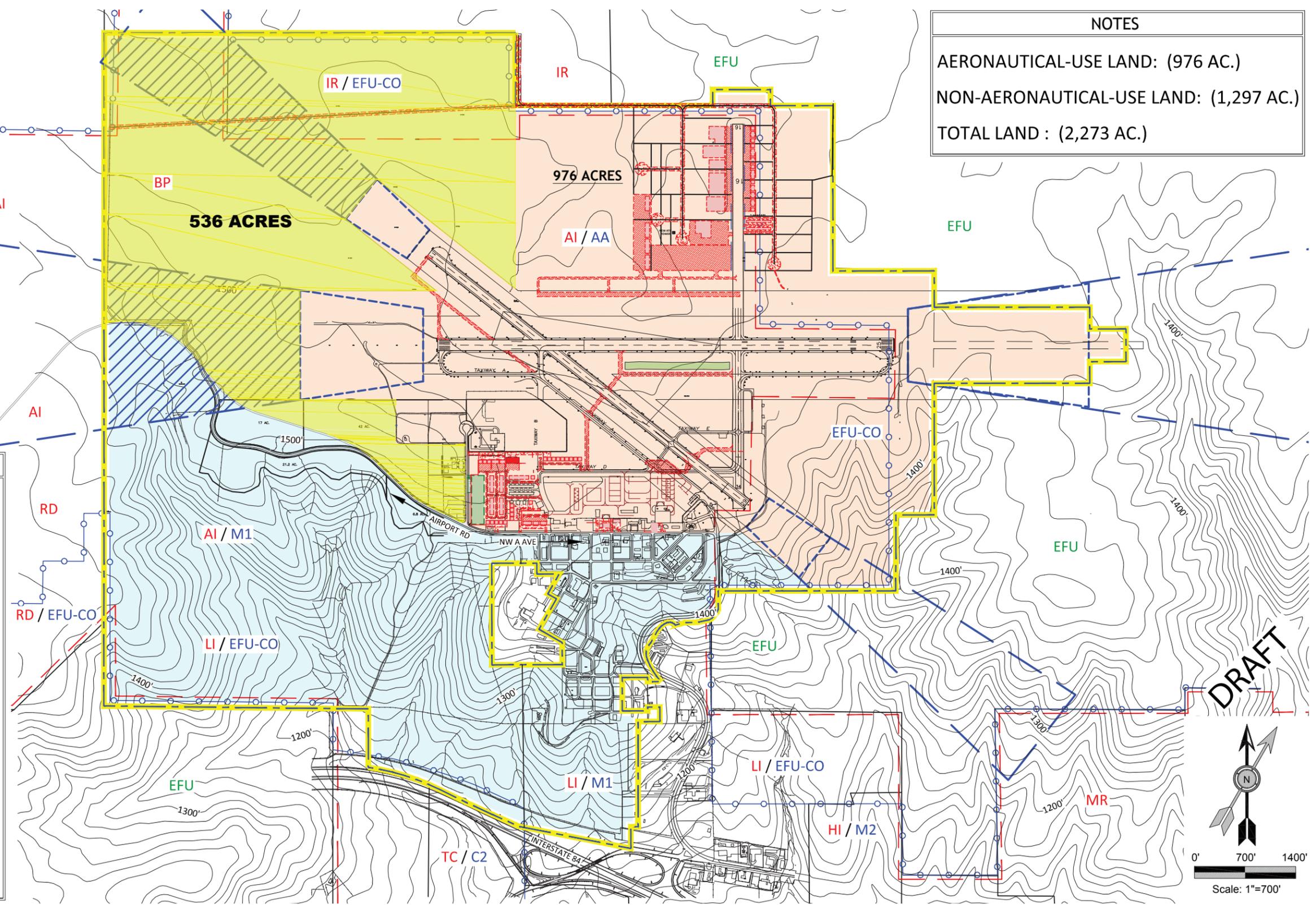
<sup>6</sup> Pendleton Urban Fringe Land Use Study, Phase II, July 1999

**NOTES**

AERONAUTICAL-USE LAND: (976 AC.)

NON-AERONAUTICAL-USE LAND: (1,297 AC.)

TOTAL LAND : (2,273 AC.)



**LEGEND**

- ZONING BOUNDARY
- - - RUNWAY PROTECTION ZONE
- - - APPROACH SURFACE
- AIRPORT PROPERTY LINE (EXISTING)
- CITY LIMITS BOUNDARY
- - - URBAN GROWTH BOUNDARY
- 1300' GROUND CONTOURS (10' INTERVAL)
- AERONAUTICAL-USE DEVELOPMENT AREA (976 TOTAL ACRES)
- NON-AERONAUTICAL - USE DEVELOPMENT AREA (1,297 TOTAL ACRES)
- NON-AERONAUTICAL - USE DEVELOPMENT AREA (552 TOTAL DEVELOPABLE ACRES)
- NON-AERONAUTICAL - USE DEVELOPMENT AREA WITH AVIGATION EASEMENT

**CITY OF PENDLETON COMPREHENSIVE LAND USE**

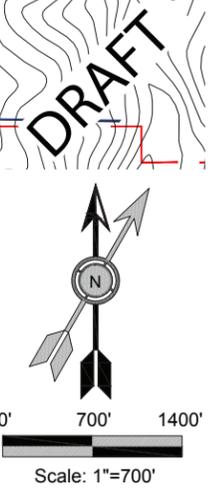
<b>IR</b> INDUSTRIAL RESERVE	<b>HI</b> HEAVY INDUSTRIAL
<b>AI</b> AIRPORT INDUSTRIAL	<b>BP</b> BUSINESS PARK
<b>RD</b> REGIONAL DISTRIBUTION	<b>TC</b> TOURIST COMMERCIAL
<b>LI</b> LIGHT INDUSTRIAL	<b>MR</b> MEDIUM DENSITY RESIDENTIAL

**CITY OF PENDLETON ZONING**

<b>AA</b> AIRPORT ACTIVITIES	<b>M2</b> HEAVY INDUSTRIAL
<b>EFU-CO</b> FARM USE	<b>C2</b> TOURIST COMMERCIAL
<b>M1</b> LIGHT INDUSTRIAL	

**UMATILLA COUNTY ZONING**

<b>EFU</b> EXCLUSIVE FARM USE
-------------------------------



**AERONAUTICAL USE DEVELOPMENT AREA**  
FIGURE 9.3

**EASTERN OREGON REGIONAL AIRPORT**  
AIRPORT MASTER PLAN



## **Land Use Summary**

The Eastern Oregon Regional Airport comprises a significant amount of land, more than 2,200 acres. An assessment of existing and future airport activity was accomplished to identify areas of Non-Aeronautical Use Development land that is not needed to support aviation activity. Significant portions of this land, more than 500 acres are well suited to industrial development but constrained by the fact potential developers prefer to own the land their developments are located on rather than lease that land. With the exception of the land currently designated as Industrial Reserve, which has an Exclusive Farm Use – County zoning classification, this Non-Aeronautical Use Development Area has land use and zoning classifications consistent with on-going airport operations that also make them attractive to potential developers. The substantial contiguous acreage of this land makes it highly attractive to potential developers, especially given the lack of similarly sized parcels within the City. The sale of all or a portion of this land could provide a significant source of revenue to the City for on-going airport maintenance and development.