

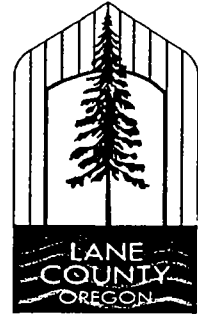
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STAFF MEMO

DATE: NOVEMBER 8, 2006 (memo)
NOVEMBER 21, 2006 (first reading)
NOVEMBER 6, 2006 (second reading/public hearing)

TO: LANE COUNTY BOARD OF COMMISSIONERS

FROM: STEPHANIE SCHULZ, PLANNER
LAND MANAGEMENT DIVISION



TITLE: ORDINANCE NO. 10-06 - IN THE MATTER OF AMENDING CHAPTER 16 OF LANE CODE TO REVISE THE COMMERCIAL AIRPORT SAFETY COMBINING ZONE TO REFLECT UPDATES MADE TO MAHLON SWEET FIELD (LC 16.245). (File No. PA 06-6070; Applicant: City of Eugene, Agent: Bob Noble, Airport Manager)

I. MOTION

1. For November 21, 2006: I move approval of the first reading and setting the second reading and public hearing on Ordinance No. 10-06 for December 6, 2006 at 1:30 p. m.
2. For December 6, 2006: I move approval of Ordinance No. 10-06.

II. ISSUE

Should the Board of County Commissioners amend Chapter 16.245 of Lane Code, the Commercial Airport Safety Combining Zone, to reflect updates made to Mahlon Sweet Field?

III. DISCUSSION

A. Background

The City of Eugene Airport is requesting adoption of the attached amendment to Lane Code Chapter 16.245 to modernize the zoning text and diagram to reflect the recently constructed extension of the new runway at the Eugene Airport and to establish the appropriate protected surfaces required by the Federal Aviation Administration (FAA). The purpose of this Code update is to recognize the necessary safety zone that covers the airspace above the new coordinates of the extended runway. The runway coordinates determine the safety approach surfaces for which the FAA requirements limit structure height, lights, glare, radio interference, smoke, dust and other hazards to flight safety. The safety zone extends in a three dimensional cone from the surface of the earth and encompasses space that extends for quite a distance from the airport.

The Eugene Airport Master Plan Update (Airport Master Plan) was adopted by the Metro jurisdictions in March 2000. The Airport Master Plan is a refinement plan to the Metro Plan

that is functionally specific to the provisions of commercial and general aviation, and airport related commercial and industrial services associated with the Eugene Airport. The Airport Master Plan geographically focuses on existing and future airport needs by establishing a boundary encompassing existing and future airport property, while also considering potential impacts (e.g. sound levels and airport safety zones) that extend beyond the Plan boundaries.

B. Criteria

The Commercial Airport Safety Combining Zone (LC16.245) is a geographic component of the rural comprehensive plan, guiding development of county lands. The applicable comprehensive plan element for this overlay zone is:

LC 12.010 (g) A safety element for the protection of the community from fires, geologic hazards, flood hazard areas, and other hazards dangerous to life or property.

The Lane Code Chapter 16 provisions for the Commercial Airport Safety Combining Zone implement the Eugene/Springfield Metro Plan for the Eugene Airport since it is located outside the Urban Growth Boundary but inside the Metro Plan. Because the proposed amendment does not amend the Metro Plan, the Board of Commissioners are the sole decision makers. Lane Code Criteria for zoning, rezoning and amendments to requirements of Lane Code Chapter 16 are found under 16.252 (2).

LC16.252 (2) Criteria. Zoning, rezoning and changes in the requirement of this chapter shall be enacted to achieve the general purpose of this chapter and shall not be contrary to the public interest. In addition, zonings and rezonings shall be consistent with the specific purposes of the zone classification proposed, applicable Rural Comprehensive Plan elements and components, and Statewide Planning Goals for any portion of Lane County which has not been acknowledged for compliance with the Statewide Planning Goals by the Land Conservation And Development Commission. Any zoning or rezoning may be effected by Ordinance or Order of the Board of County Commissioners, the Planning Commission, or the Hearings Official in accordance with the procedures in this section.

C. Analysis

The groundwork for this action was set forth with the adoption of the Airport Master Plan Update and Metro Plan Amendments in March of 2000. The proposed amendment to the text and diagram in LC Chapter 16.245 is consistent with the policies contained therein and is under consideration at this time because the runway construction is now complete. Final determination of the actual base coordinates that define the limits of the airport safety zone is based on the constructed facility. The Safety Combining Zone is associated with the Eugene Airport airspace that is within the approach zones of the runways, above rural lands, the cities of Harrisburg and Junction City, and in a north-south cone that extends along the urban fringe lands adjacent to west Eugene.

This request does not require multi-jurisdictional approval, as the aforementioned action in 2000 adequately addressed the full intent of the long range Master Plan for the Eugene

Airport. Construction of the extended runway now requires expansion of the safety zone in the airspace above that runway to reflect the required protected surfaces.

D. Alternatives/Options

1. Approve the Ordinance as presented.
2. Revise the Ordinance as directed by the Board and return for approval of the revised Ordinance on a date certain.
3. Do not approve the Ordinance and deny the application.

E. Recommendation

The request would amend LC16.245. Staff recommends approval of this amendment by the Board. The proposal meets the criteria to update Lane Code Chapter 16.245 to reflect the necessary changes to the safety zone of airspace that covers land above and within the approach zone of the newly constructed runway at Mahlon Sweet Field, consistent with procedures outlined in LC 16.252 (3) (b).

The issues were presented to the Lane County Planning Commission at a public hearing held on November 7, 2006. The planning commission voted unanimously to recommend adoption of the Lane Code updates to the Board. Planning commission reasoning is set forth in the meeting minutes, attachment 2 to this memo.

F. Timing

The Ordinance does not contain an emergency clause. The new runway is now in operation, and requires adoption of the new coordinates that apply to the airspace identified in the safety zone expansion through this Ordinance.

IV. IMPLEMENTATION/FOLLOW-UP

Notice of Board action will be provided to DLCD and parties. If the Board adopts the Ordinance as presented or modified, notice will also be provided.

Should the Board choose option 3, an Order with findings setting forth the Board's reasons for denying the Ordinance would be prepared and returned to the Board for a third reading and adoption.

V. ATTACHMENTS

1. Ordinance No. 10-06
 - Exhibit A – LC 16.245 legislative format copy
 - Exhibit B – LC 16.245 amended copy for replacement purposes
 - Exhibit C – Findings of Fact
2. Planning Commission Minutes – November 7, 2006

IN THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

ORDINANCE NO. 10-06

IN THE MATTER OF AMENDING CHAPTER 16 OF
LANE CODE TO REVISE THE COMMERCIAL
AIRPORT SAFETY COMBINING ZONE TO REFLECT
UPDATES MADE TO MAHLON SWEET FIELD (LC
16.245)

The Board of County Commissioners of Lane County ordains as follows:

Chapter 16 of Lane Code is hereby amended by deleting, substituting, and adding new sections as follows:

DELETE THESE SECTION(S)

16.245
as located on pages 16-453 through
16-456
(a total of 4 pages)

INSERT THESE SECTION(S)

16.245
as located on pages 16-453 through
16-456
(a total of 4 pages)

Said section is attached hereto and incorporated herein by reference. The purpose of this substitution and addition is to revise the Commercial Airport Safety Combining Zone to reflect updates made to Mahlon Sweet Field (LC 16.245).

While not part of this Ordinance, the findings attached as Exhibit "A" and incorporated herein by this reference are adopted in support of this decision.

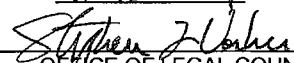
ENACTED this _____ day of _____ 2006.

Chair, Lane County Board of Commissioners

Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM

Date 11-15-2006 Lane County



OFFICE OF LEGAL COUNSEL

approving variances in LC 16.256, and the application complies with the additional criteria listed below.

(i) Variances may be issued for the reconsideration, rehabilitation or restoration of structures listed on the National Register of Historic Places of the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this subsection.

(ii) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(b) Conditions. Reasonable conditions may be established in connection with a variance as deemed necessary to secure the purpose and requirements of this section. In cases where a variance is granted to allow residential construction with a lowest floor elevation below the required minimum elevation, or nonresidential flood-proofing below the required minimum elevation, the applicant shall record a deed covenant, that the cost of flood insurance will be commensurable with the increased risk resulting from the reduced floor elevation of flood-proofing. *(Revised by Ordinance No. 7-87, Effective 6.17.87; 12-87, 8.13.87; 19-87, 10.14.87; 3-91, 5.17.91; 2-98, 4.8.98)*

COMMERCIAL AIRPORT SAFETY COMBINING ZONE (/CAS-RCP) RURAL COMPREHENSIVE PLAN

16.245 Commercial Airport Safety Combining Zone (/CAS-RCP).

(1) Purpose. The Commercial Airport Safety Combining Zone (/CAS-RCP) is applied to those lands adjacent to and within the Mahlon Sweet Field Airport. The /CAS-RCP Zone is intended to carry out the following purposes:

(a) Prevent the creation or establishment of obstructions that are a hazard to air navigation and flight.

(b) Prevent the creation or establishment of other hazards to air navigation and flight such as distracting light and glare producing surfaces, radio interference, smoke, steam and dust, areas which attract birds and hazards of a similar nature.

(2) Applicability. The /CAS-RCP Zone is applied to those lands encompassed by the surfaces set forth and described in LC 16.245(4) below and diagramed in LC 16.245(6) below.

(3) Use Limitations. In the /CAS-RCP Zone, the following limitations and standards shall apply to all uses permitted, allowed conditionally or allowed as special uses by the primary zone with which the /CAS RCP Zone is combined:

(a) The height of structures or objects shall not exceed the maximum height of the primary zone with which the /CAS-RCP Zone is combined. Furthermore, no structure or object shall be erected, altered, allowed to grow or be maintained in such a manner as to penetrate the height limitations of the various areas described in LC 16.245(4) below.

(b) No use may be made of land or water in such a manner as to create electrical interference with navigational signals or radio for pilots to distinguish between airport lights and others, resulting in glare in the eyes of pilots using the airport, impairing visibility in the vicinity of the airport, or otherwise in any way endangering the landing, take off or maneuvering of aircraft intending to use the airport.

(4) Surfaces Described.

(a) Primary Surfaces.

(i) The Primary Surface is a plane longitudinally centered on the runway centerline and extending 200 feet beyond the ends of prepared runway surfaces.

The width of the Primary Surface for each runway is the same as the width of the inner portion of the Approach Surface for that runway.

(ii) For purpose of this section, the center-points at the ends of each runway Primary Surface shall be considered as having the following coordinates and elevations:

<u>Runway</u>	<u>Centerpoint Coordinates (NAD 83)</u>		<u>Centerpoint Elevation (NAVD 88)</u>
	<u>Latitude</u>	<u>Longitude</u>	<u>Feet above sea level</u>
16R	44°08'07.610"	123°13'08.960"	360.1
34L	44°06'36.766"	123°13'07.953"	365.5
16L	44°07'58.724"	123°12'09.711"	363.4
34R	44°06'59.478"	123°12'08.832"	373.6

(iii) The elevation at any point on the Primary Surface is the same as the elevation of the nearest point on the runway centerline. For purposes of this section, the runway centerline shall be considered as having a straightline grade between the two centerpoints for that runway as described in LC 16.245(4)(ii) above.

(b) Runway 16R-34L Approach Surface. This runway is a precision instrument runway aligned in a north-south direction and is designated as a primary runway. The inner edges of the Approach Surfaces coincide with the width of the Primary Surface at the ends of Runway 16R-34L and are 1,000 feet wide. Each Approach Surface extends outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the Primary Surface, its centerline being a continuation of the runway centerline. The Approach Surface for 16R and 34L extends outward and upward at a slope of 50 horizontal feet to one vertical foot 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 40 horizontal feet to one vertical foot to an additional distance of 40,000 feet along the extended runway centerline.

(c) Runway 16L-34R Approach Surface. This runway is a precision instrument runway aligned in a north-south direction and will be designated as a secondary runway. The inner edges of the Approach Surfaces coincide with the width of the Primary Surface of the ends of Runway 16L-34R and are 1,000 feet wide. Each Approach Surface extends outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the Primary Surface, its centerline being the continuation of the runway centerline. The Approach Surface for 16L extends outward and upward at a slope of 20 horizontal feet to one vertical foot beginning at the end of and at the same elevation as the Primary Surface, to a horizontal distance of 10,000 feet along the extended runway centerline, thence slopes upward 40 horizontal feet to one vertical foot for an additional 40,000 feet along the extended runway centerline. The Approach Surface for 34R extends outward and upward at a slope of 34 horizontal feet to one vertical foot, beginning at the end of and at the same elevation as the Primary Surface, to a horizontal distance of 50,000 feet along with extended runway centerline.

(d) Transitional Surfaces. These surfaces are adjacent to the Primary Surfaces and the Approach Surfaces. The surfaces slope upward and outward seven horizontal feet to one vertical foot, beginning at the side of and at the same elevation as the Primary Surfaces and the Approach Surfaces, and extend to where they intercept the Horizontal Surface at a height of 150 feet above the airport elevation. Where the Runway 16R-34L and 16L-34R Approach Surfaces pass through the Conical Surface, there are

Transitional Surfaces sloping outward and upward seven horizontal feet to one vertical foot, beginning at the sides of and at the same elevation Approach Surface, and extending to where they intersect the Conical Surface. Where the Runway 16R-34L and 16L-34R Approach Surfaces extend beyond the Conical Surface, there are Transitional Surfaces sloping outward and upward seven horizontal feet to one vertical foot, beginning at the sides of and at the same elevation as the Approach Surface, and extending to a horizontal distance of 5,000 feet measured horizontally from the edge of the Approach Surface and at right angles to the runway centerline.

(e) Horizontal Surface. The Horizontal Surface is described by swinging arcs of 10,000 feet radii from the center of each end of the Primary Surfaces of Runway 16R-34L and Runway 16L-34R, and connecting the arcs with tangent lines. The Horizontal Surface is a horizontal plane 150 feet above the elevation of the airport and for purposes of this section shall be considered as having an elevation of 515 feet above mean sea level. The Horizontal Surface does not include the Approach and Transitional Surfaces.

(f) Conical Surface. The Conical Surface begins at the outer periphery of the Horizontal Surface and slopes outward and upward 20 horizontal feet to one vertical foot, starting at the elevation of the Horizontal Surface and extends outward a horizontal distance of 4,000 feet.

(5) Marking and Lighting. The owner of any existing structure or object that does not conform to the height limitations of this section shall be required to permit the installation, operation and maintenance thereon of such markers and lights as may be deemed necessary by the City of Eugene to indicate to the operators of aircraft in the vicinity of the airport, of the presence of such aircraft obstructions. Such markers and lights shall be installed, operated and maintained at the expense of the City of Eugene.

(6) Surfaces Diagramed. The surfaces described in LC 16.245(4) above are as illustrated in the diagram below: *(Revised by Ordinance 7-87; Effective 6.17.87)*

**Ordinance No. 10-06
Findings of Fact**

1. The Eugene-Springfield Metropolitan Area General Plan (Metro Plan) contains numerous policies relating to the Eugene Airport and depicts generalized land use designations for the Airport and environs on the Metro Plan diagram. The Eugene Airport is located outside the Eugene Urban Growth Boundary (UGB) and is wholly within the boundaries of the Metro Plan. Therefore, Metro Plan land use designations apply, and specific uses defined and allowed in Lane County zoning districts outlined in Chapter 16 of Lane Code apply to the Airport.
2. The Eugene Airport Master Plan Update (Airport Master Plan) was adopted by the Metro jurisdictions in March 2000. The Airport Master Plan is a refinement to the Metro Plan that is functionally specific to the provisions of commercial and general aviation, and airport related commercial and industrial services associated with the Eugene Airport. The Airport Master Plan documents the purpose and need for the revisions to LC 16.245, the Commercial Airport Safety Combining Zone. The groundwork for this action was set forth with the adoption of the Airport Master Plan Update and Metro Plan Amendments in March of 2000 and the proposed amendments are under consideration because the planned runway construction is now complete.
3. Land Use Planning within the boundaries of the Airport Master Plan boundary and in the environs of the Eugene Airport is important to protecting the Airport and future airport and airport-related uses. Incompatible land uses in the environs of the airport can limit development potential and can represent a potential safety threat. Local planning and zoning authority provides essential land use tools to preserve airport and airport-related functions and protect against incompatibility. The Airport Master Plan geographically focuses on existing and future airport needs by establishing a boundary encompassing existing and future airport property, while also considering potential impacts (e.g. sound levels and airport safety zones) that extend beyond the Plan boundaries.
4. Lane Code Chapter 16.245, the Commercial Airport Safety Combining Zone (/CAS-RCP) contains the text and diagram establishing the appropriate protected surfaces and airspace to define the safety zone required by the Federal Aviation Administration (FAA). The purpose of the Code update is to recognize this necessary safety zone that covers the airspace above the new coordinates of the extended runway. The runway coordinates determine the safety approach surfaces for which the FAA requirements limit structure height, lights, glare, radio interference, smoke, dust and other hazards to flight safety. The safety zone extends in a three dimensional cone from the surface of the earth that encompasses space that extends for quite a distance from the airport.
5. Lane Code 16.245 provisions for the Commercial Airport Safety Combining Zone implement the Eugene/Springfield Metro Plan for the Eugene Airport since it is located outside the Urban Growth Boundary but inside the Metro Plan. The proposed language and diagram amendments to LC 16.245 are consistent with the policies found within the Metro Plan and the Airport Master Plan, as it is an adopted refinement functional plan to the Metro Plan.

approving variances in LC 16.256, and the application complies with the additional criteria listed below.

(i) Variances may be issued for the reconsideration, rehabilitation or restoration of structures listed on the National Register of Historic Places of the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this subsection.

(ii) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(b) Conditions. Reasonable conditions may be established in connection with a variance as deemed necessary to secure the purpose and requirements of this section. In cases where a variance is granted to allow residential construction with a lowest floor elevation below the required minimum elevation, or nonresidential flood-proofing below the required minimum elevation, the applicant shall record a deed covenant, that the cost of flood insurance will be commensurable with the increased risk resulting from the reduced floor elevation of flood-proofing. *(Revised by Ordinance No. 7-87, Effective 6.17.87; 12-87, 8.13.87; 19-87, 10.14.87; 3-91, 5.17.91; 2-98, 4.8.98)*

COMMERCIAL AIRPORT SAFETY COMBINING ZONE (/CAS-RCP) RURAL COMPREHENSIVE PLAN

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(b) Prevent the creation or establishment of other hazards to air navigation and flight such as distracting light and glare producing surfaces, radio interference, smoke, steam and dust, areas which attract birds and hazards of a similar nature.

(2) Applicability. The /CAS-RCP Zone is applied to those lands encompassed by the surfaces set forth and described in LC 16.245(4) below and diagramed in LC 16.245(6) below.

(3) Use Limitations. In the /CAS-RCP Zone, the following limitations and standards shall apply to all uses permitted, allowed conditionally or allowed as special uses by the primary zone with which the /CAS RCP Zone is combined:

(a) The height of structures or objects shall not exceed the maximum height of the primary zone with which the /CAS-RCP Zone is combined. Furthermore, no structure or object shall be erected, altered, allowed to grow or be maintained in such a manner as to penetrate the height limitations of the various areas described in LC 16.245(4) below.

(b) No use may be made of land or water in such a manner as to create electrical interference with navigational signals or radio for pilots to distinguish between airport lights and others, resulting in glare in the eyes of pilots using the airport, impairing visibility in the vicinity of the airport, or otherwise in any way endangering the landing, take off or maneuvering of aircraft intending to use the airport.

(4) Surfaces Described.

(a) Primary Surfaces.

(i) The Primary Surface is a plane longitudinally centered on the runway centerline and extending 200 feet beyond the ends of prepared runway surfaces. The width of the Primary Surface for each runway is the same as the width of the inner portion of the Approach Surface for that runway.

(ii) For purpose of this section, the center-points at the ends of each runway Primary Surface shall be considered as having the following coordinates and elevations:

<u>Runway</u>	<u>Centerpoint Coordinates</u>		<u>Centerpoint Elevation</u>
	<u>North</u>	<u>East</u>	<u>feet above sea level</u>
16R-34L	909607	1286460	358.20
	903409	1286325	361.54
3-21	904458	1286176	365.10
	908000	1288540	359.97C
16L-34R	907826	1290222	360.00
	904626	1290152	370.00

<u>Runway</u>	<u>Centerpoint Coordinates (NAD 83)</u>		<u>Centerpoint Elevation (NAVD 88)</u>
	<u>Latitude</u>	<u>Longitude</u>	<u>Feet above sea level</u>
16R	44°08'07.610"	123°13'08.960"	360.1
34L	44°06'36.766"	123°13'07.953"	365.5
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34R	44°06'59.478"	123°12'08.832"	373.6

(iii) The elevation at any point on the Primary Surface is the same as the elevation of the nearest point on the runway centerline. For purposes of this section, the runway centerline shall be considered as having a straightline grade between the two centerpoints for that runway as described in LC 16.245(4)(ii) above.

(b) Runway 16R-34L Approach Surface. This runway is a precision instrument runway aligned in a north-south direction and is designated as a primary runway. The inner edges of the Approach Surfaces coincide with the width of the Primary Surface at the ends of Runway 16R-34L and are 1,000 feet wide. Each Approach Surface extends outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the Primary Surface, its centerline being a continuation of the runway centerline. The Approach Surface for 16R and 34L extends outward and upward at a slope of 50 horizontal feet to one vertical foot 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 40 horizontal feet to one vertical foot to an additional distance of 40,000 feet along the extended runway centerline.

~~(c) Runway 3-21 Approach Surface. This runway is a non-precision instrument runway, aligned in an east-west direction and designated as a crosswind runway. The inner edge of the Approach Surfaces coincide with the width of the Primary Surface at the ends of Runway 3-21 and are 500 feet wide. Each Approach Surface extends outward uniformly to a width of 4,000 feet at a horizontal distance of 10,000 feet from the Primary Surface, its centerline being the continuation of the runway centerline. The Approach Surface extends outward and upward at a slope of 34 horizontal feet to one vertical foot, beginning at the end of and at the same elevation as the Primary Surface.~~

~~(d) Runway 16L-34R Approach Surface. This is a future runway to be~~ is a precision instrument runway aligned in a north-south direction and will be designated as a secondary runway. The inner edges of the Approach Surfaces coincides with the width of the Primary Surface of the ends of Runway 16L-34R and are 2501,000 feet wide. Each Approach Surface extends outward uniformly to a width of 1,25016,000 feet at a horizontal distance of 50,000 feet from the Primary Surface, its centerline being the continuation of the runway centerline. The Approach Surface for 16L extends outward and upward at a slope of 20 horizontal feet to one vertical foot, beginning at the

end of and at the same elevation as the Primary Surface, to a horizontal distance of 10,000 feet along the extended runway centerline, thence slopes upward 40 horizontal feet to one vertical foot for an additional 40,000 feet along the extended runway centerline. The Approach Surface for 34R extends outward and upward at a slope of 34 horizontal feet to one vertical foot, beginning at the end of and at the same elevation as the Primary Surface, to a horizontal distance of 50,000 feet along with extended runway centerline.

(ed) Transitional Surfaces. These surfaces are adjacent to the pPrimary sSurfaces and the aApproach sSurfaces. The surfaces slope upward and outward seven horizontal feet to one vertical foot, beginning at the side of and at the same elevation as the Primary Surfaces and the Approach Surfaces, and extend to where they intercept the Horizontal Surface at a height of 150 feet above the airport elevation. Where the Runway 16R-34L and 16L-34R Approach Surfaces pass through the Conical Surface, there are Transitional Surfaces sloping outward and upward seven horizontal feet to one vertical foot, beginning at the sides of and at the same elevation Approach Surface, and extending to where they intersect the Conical Surface. Where the Runway 16R-34L and 16L-34R Approach Surfaces extends beyond the Conical Surface, there are Transitional Surfaces sloping outward and upward seven horizontal feet to one vertical foot, beginning at the sides of and at the same elevation as the Approach Surface, and extending to a horizontal distance of 5,000 feet measured horizontally from the edge of the Approach Surface and at right angles to the runway centerline.

(fe) Horizontal Surface. The Horizontal Surface is described by swinging arcs of 10,000 feet radii from the center of each end of the Primary Surfaces of Runway 16R—34L and Runway 16L-34R—3.21, and connecting the arcs with tangent lines. The Horizontal Surface is a horizontal plane 150 feet above the elevation of the airport and for purposes of this section shall be considered as having an elevation of 515 feet above mean sea level. The Horizontal Surface does not include the Approach and Transitional Surfaces.

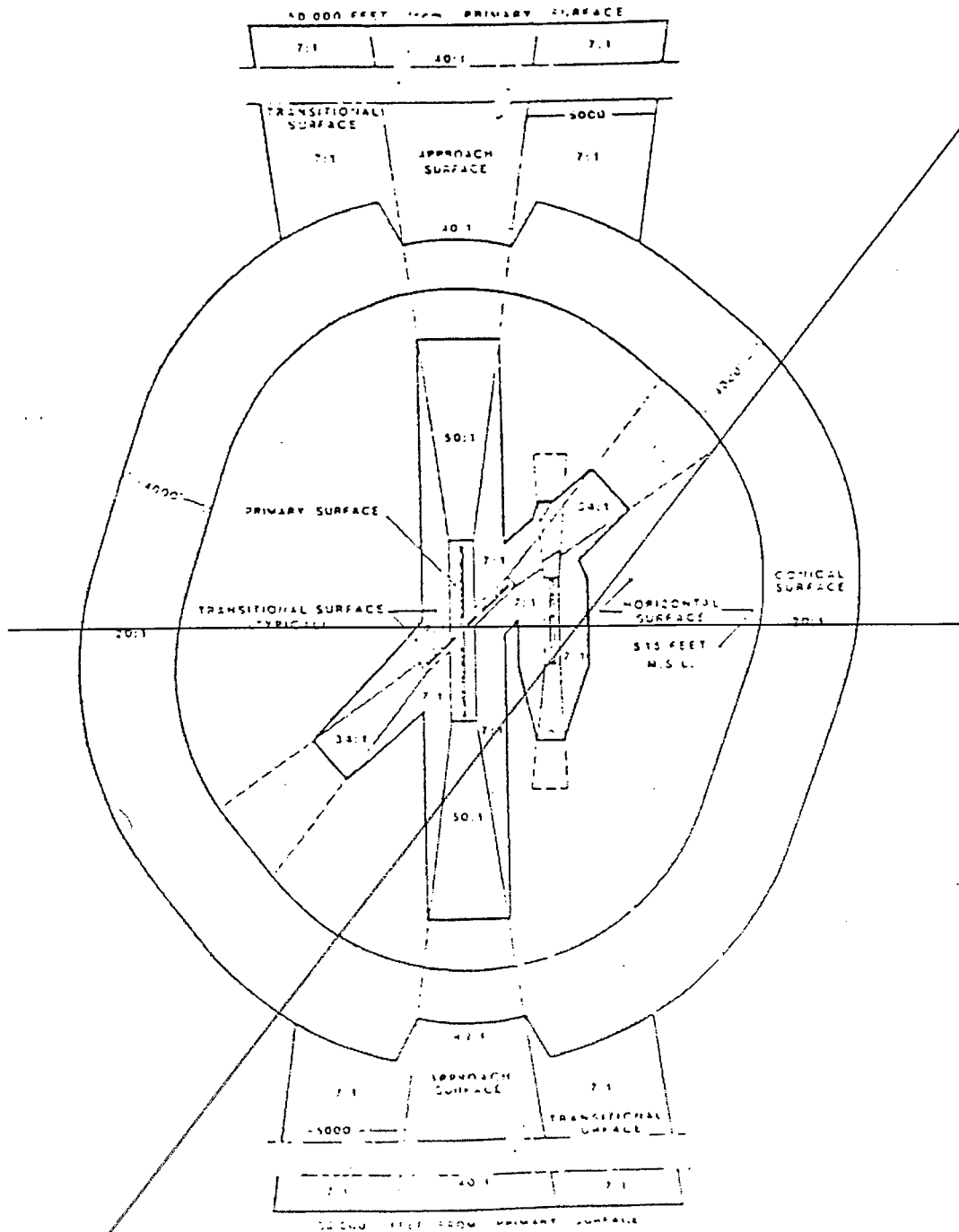
(fg) Conical Surface. The Conical Surface begins at the outer periphery of the Horizontal Surface and slopes outward and upward 20 horizontal feet to one vertical foot, starting at the elevation of the Horizontal Surface and extends outward a horizontal distance of 4,000 feet.

(5) Marking and Lighting. The owner of any existing structure or object that does not conform to the height limitations of this section shall be required to permit the installation, operation and maintenance thereon of such markers and lights as may be deemed necessary by the City of Eugene to indicate to the operators of aircraft in the vicinity of the airport, of the presence of such aircraft obstructions. Such markers and lights shall be installed, operated and maintained at the expense of the City of Eugene.

(6) Surfaces Diagramed. The surfaces described in LC 16.245(4) above are as illustrated in the diagram below: *(Revised by Ordinance 7-87; Effective 6.17.87)*

| At right margin indicates changes
Bold indicates material being added
~~Strikethrough~~ indicates material being deleted
16.245 Lane Code

LEGISLATIVE
FORMAT
16.245



**LEGISLATIVE
FORMAT
16.245**



**DRAFT
MINUTES**

Attachment 2

Lane County Planning Commission
Board of Commissioners Conference Room—125 East 8th Avenue
Eugene, Oregon

November 7, 2006
6:15 p.m.

PRESENT: Jim Carmichael, Ed Becker, Lisa Arkin, Jozef Siekiel-Zdzienicki, Nancy Nichols, John Sullivan, Todd Johnston, Steve Dignam, Lane County Planning Commissioners; Kent Howe, Stephanie Schulz, Lane County Land Management Division; Bob Noble, Eugene Airport.

Mr. Carmichael convened the meeting of the Lane County Planning Commission.

Mr. Carmichael determined there was no one wishing to speak on items not related to agenda items.

Mr. Carmichael called for declaration of *ex parte* contacts. None were declared.

1. PA 06-6070: Amending Lane Code Chapter 16.245, the Commercial Airport Safety Combining Zone (/CAS-RCP) Text and Diagram to Recognize the New Coordinates of the Extended Runway.

The runway coordinates determine the safety approach surfaces for which the Federal Aviation Administration (FAA) requirements limit structure height, lights, glare, radio interference, smoke, dust and other hazards to flight safety. Applicant: City of Eugene Airport

Mr. Carmichael opened the public hearing and called for the staff presentation.

Ms. Schulz stated that the Eugene Airport was requesting adoption of the amendment to the Lane Code to modernize the text and diagram to reflect the recent construction of the extended runway. She said the Eugene Airport Master Plan Update was adopted by the Metro jurisdictions in March 2000 and was a refinement plan to the Metro Plan that dealt with the provisions of commercial and general aviation and airport-related commercial and industrial services. She said the airport plan focused on existing and future airport needs by establishing a boundary encompassing existing and future property and considered potential impacts that extended beyond the plan boundaries.

Ms. Schulz said that Lane Code Chapter 16 provisions for the Commercial Airport Safety Combining Zone implemented the Metro Plan for the airport since it was located outside the urban growth boundary but within the Metro Plan. She noted that the proposed amendment did not actually amend the Metro Plan and the Board of County Commissioners were the sole decision-makers because it related to the Lane Code, although courtesy notification was sent to Eugene, Springfield, and Junction City. She reviewed the relevant criteria and illustrated the expanded zone on a map. She stated that staff recommended a positive vote to recommend adoption to the Board of County Commissioners.

Mr. Carmichael called for questions and comments from commissioners.

Mr. Siekiel-Zdzienicki asked why the code amendment did not occur prior to construction of the expanded runway. Ms. Schulz said that Airport Manager Bob Noble would answer that question.

Ms. Arkin asked how the expanded safety zone would relate to new housing developments planned for the area or existing development. Ms. Schulz said that the scale of residential development would not conflict with height or other restrictions in the zone. She said there would be no change in zoning on the ground; the safety zone was an overlay zone.

Mr. Dignam what would be affected by the zone if nothing on the ground was.

Mr. Noble explained that the proposal was to update an existing overlay zone in the code. He said the code language applied to airspace above the airport as it existed 20 years ago, but when the County and Eugene and Springfield went through the airport master planning process the second runway parallel to the existing runway was anticipated and planned for 20 years ago to provide the airport with additional capacity. He said the diagram in that master plan mirrored what was being proposed but reflected transitional surfaces. He said the zone controlled airspace off the end of the runways and the diagrams were schematic in nature with specific dimensions but no elevations or coordinates because the second runway was not yet constructed. He said that once the runway was constructed the exact elevations and coordinates specific to the code could be submitted to the County.

Mr. Noble said the zone more significantly affected the space immediately adjacent to the airport because that was where aircraft were lower to the ground. He said the zone extended with one foot of elevation per 50 feet of direction along the plane. He agreed that three- or four-story buildings would not be appropriate near the airport but by the time the zone reached Royal Avenue or Barger Avenue it was not anticipated that any future building that would be tall enough to pose an obstruction. He said other types of hazards to aircraft that would be prohibited included light beams, farmers burning fields or other interferences with an aircraft's approach. He indicated there had been not problems with the current zone and did not expect the proposed expansion would create any operating problems for affected properties, particularly since it was limited in scope and there was already an overlay district in place. He stated that the proposal was mostly a housekeeping item to bring the code into compliance with what was planned and built.

Mr. Sullivan asked if Fiddler's Green Golf Course had expressed any concern with posing a potential light obstruction in the expanded zone. Mr. Noble replied that airport staff had been talking with Fiddler's Green and working with the golf course to amicably resolve any conditions that might be in conflict. He said the major concern was the driving range lights and the airport had participated in the financial cost of reorienting those lights to avoid problems. He noted that the pro shop was in a protected zone and could not be increased in height and Fiddler's Green was considering long term plans to perhaps relocate the building.

Mr. Sullivan asked if field burning and dust from farming activities would become more of an issue with the expansion. He asked if the airport anticipated safety problems with farming activities. Mr. Noble responded that he had not seen any problems with farming activities in the past 12 years and did not anticipate conflicts because of the expansion.

In response to a question from Mr. Siekiel-Zdzienicki, Mr. Noble estimated that the width of the proposed expansion was a half- to three-quarters of a mile. He illustrated on a map the areas to the north and south that would be encompassed by the expansion.

Mr. Siekiel-Zdzienicki asked if there were any rye seed farmers in the expanded zone, particularly in the north, that could have their operations impacted. Mr. Noble said there could potentially be farmland to

the north that might be included in the expanded zone but he said a plume from field burning would have to go up several thousand feet before there would be a conflict.

Ms. Nichols asked what would happen if a plume did extend to that height. Mr. Noble said if the airport received a complaint from an airline that there was a hazard it would be reported to the County.

Mr. Carmichael asked if the expansion area had been surveyed to determine if there were any current buildings or structures that would be noncompliant under the new zone. Mr. Noble said there were no structures that would be noncompliant.

In response to a question from Mr. Dignam, Ms. Schulz said that all property owners in the expanded zone were given notification.

Mr. Johnston asked if there had been any opposition to the expansion. Ms. Schulz said there had been no opposition but she had responded to some phone calls asking for more information about the proposal.

Mr. Siekiel-Zdzienicki said he understood the need for coordinates and elevations but thought that information would have been available before construction. He asked if the airport would have preferred to have the secure zone approved before construction. Mr. Noble responded that while there could be pre-construction survey information, but what was actually constructed generally varied somewhat from plans and the FAA required that survey data be taken post-construction to provide exact coordinates for the code.

Mr. Siekiel-Zdzienicki asked if it was customary to try to obtain combined zone airport security after the fact. Mr. Noble reiterated that a combined zone already existed and the action before the commission was to describe the coordinates of that zone specific to the constructed runway.

Ms. Nichols indicated that she was confused about the proposal. She said it sounded as though the proposal just modified the description of the existing zone and even if no action was taken the zone was still in effect. Mr. Noble stated that the proposal expanded the zone because the configuration of the runways changed. He said the code provision contained coordinates associated with the original runway and while the master plan anticipated the additional runway with its associated protected airspace the update to the Lane Code with the new coordinates was not proposed until the second runway was construction and exact post-construction survey data was available.

Mr. Sullivan confirmed that the change was an amendment to a safety zone and not a traditional zone change.

Mr. Becker asked if there were any cell towers or similar structures in the expanded safety zone. Mr. Noble said there were but none were obstructions and all had been processed through the FAA and permitted.

Mr. Carmichael determined there was no one else wishing to speak and closed the public hearing.

Mr. Sullivan, seconded by Mr. Dignam, moved to recommend to the Board of County Commissioners approval of the request to amend Lane Code 16.245 (text and diagram) as it applies to the airspace and land as proposed by the City of Eugene Airport. The motion passed unanimously, 8:0.

The meeting adjourned at 6:50 p.m.

(Recorded by Lynn Taylor)

MINUTES

Lane County Planning Commission
Board of Commissioners Conference Room—125 East 8th Avenue
Eugene, Oregon

November 7, 2006
6:15 p.m.

PRESENT: Jim Carmichael, Ed Becker, Lisa Arkin, Jozef Siekiel-Zdzienicki, Nancy Nichols, John Sullivan, Todd Johnston, Steve Dignam, Lane County Planning Commissioners; Kent Howe, Stephanie Schulz, Lane County Land Management Division; Bob Noble, Eugene Airport.

Mr. Carmichael convened the work session of the Lane County Planning Commission.

1. Approval of February 7, April 4, April 18, June 20, July 25, August 1, August 30 and September 5, 2006 Minutes

Mr. Dignam noted that he was not present at the August 30, 2006, meeting but shown as making the last motion at the end of the meeting.

Mr. Carmichael determined there was consensus to substitution of the term “a member of the commission” for “Mr. Dignam” as maker of the final motion

Mr. Siekiel-Zdzienicki observed that the February 7 meeting happened so long ago it was difficult to remember details of the discussions and determine accuracy of minutes. He did not think the Board of County Commissioners should be voting on a matter for which the commission’s minutes had not yet been approved, such as the Ogle marginal lands application.

Mr. Howe said there had been a problem with receiving timely minutes due in part to health problems experienced by the person who was taking the minutes but he did not feel there would be delays in reviewing minutes in the future.

Mr. Siekiel-Zdzienicki questioned whether there should be a policy regarding the board acting on matters from the Planning Commission before the commission had approved the relevant minutes.

Ms. Arkin echoed Mr. Siekiel-Zdzienicki’s comments and emphasized that it appeared to violate due process when the board considered issues for which the commission had not yet approved its own minutes. She intended to vote not to approve any minutes older than six months.

Ms. Nichols asked that the last sentence on page 5 of the September 5, 2006, minutes be corrected as follows: “Ms. Nichols said she would vote against the motion because the soils survey was incomplete, ~~thus rendering the assessment too close so she could not determine what the actual soil situation was.~~” Mr. Carmichael determined there were no objections to Ms. Nichol’s correction.

Mr. Dignam, seconded by Mr. Sullivan, moved to approve the August 30 and September 5, 2006, minutes as corrected and the February 7, April 4, April 18, June

20, July 25, and August 1, 2006 minutes as submitted. The motion passed 6:2; Ms. Arkin and Ms. Nichols voting in opposition.

Mr. Howe distributed an informational update on the status of the commission's recommendations.

2. Diversity of Advisory Boards

Mr. Howe reviewed the agenda packet document entitled *Annual Review of the Diverse Make-up of Lane County Boards and Commissions*. He said the County's Diversity Action Plan (DAP) had six action items relating to diversifying its boards and commissions, with the goal to ensure that those bodies were reflective of the diversity of Lane County's population. He used a PowerPoint presentation to illustrate responses to a survey of boards and commissions and composition of those groups compared to the population of the County. He reviewed a list of suggested discussion points and indicated that the commission's minutes would convey its feedback on those points to the board. He noted that several of the discussion points were not relevant to the Planning Commission and invited comments from members on those that were, particularly with respect to whether the commission felt it was effective, represented diversity and functioned effectively, including what worked well and what needed to change.

Regarding holding meetings around the County, staff and commissioners pointed out that the commission had met in other locations such as Florence and Junction City when considering an issue of particular concern to a community.

Mr. Becker asked if the goal was to achieve parity with Lane County demographics and have the commission reflect statistical categories. Mr. Howe replied that the goal was to ensure boards and commissions were reflective of the diversity of Lane County population. He agreed with Mr. Becker's assessment that the goal was to be reflective of the population whenever possible but not to establish numerical requirements.

In response to a question from Ms. Nichols, Mr. Howe said the commission did have requirements regarding rural representation.

Mr. Becker observed that some statistics, such as the percentage of the County's population that was under 18 years of age, were not applicable to the commission. Mr. Howe said there was an overarching goal to improve the lives of Lane County youth and perhaps it would be appropriate to have a college student on the commission.

Mr. Siekiel-Zdzienicki stated that he had been attending Planning Commission meetings for 30 years and had never seen a young person on the commission. He had attempted to recruit young people for boards and commissions over the years but there was no interest, even from urban planning programs.

Mr. Dignam asked why the County required that the commission include representation from west Lane County but not from east Lane County. He thought that requiring representation from the eastern part of the County could possibly improve the commission's diversity. Mr. Howe explained that in the early days of land use planning there were two planning commissions—the West Lane Planning Commission and the Lane County Planning Commission—because the Coastal Resources Management Plan required extensive effort to develop and implement, was specific to the western part of the County and required local expertise. He said once the plan was adopted and implemented the decision was made to combine the commissions in the interest of operational efficiency but retain the requirement for representation from

west Lane County when that commission was eliminated. He said the remainder of the County also had geographic representation as reflected by urban and rural requirements. He said the commission could explore other ways to achieve geographic diversity.

Mr. Sullivan expressed disappointment with the lack of response to finding representatives from west Lane County. He indicated he was on the board of directors for the American Planning Association, in part for the purpose of addressing training-related issues. He noted that the Planning Commission was one of only two bodies for which applicants were actually interviewed by the Board of County Commissioners. He recommended that the board establish an advisory panel to make recommendations on applicants for the Planning Commission based on qualifications and compliant with Goal 1. He suggested that the advisory panel could be composed at a minimum of local professional planners, attorneys involved in land use applications and Land Watch representatives and charged with improving recruitment of interested, qualified candidates. He felt the commission did a good job and while members sometimes did not agree on an issue, they were willing to listen to each other and be persuaded.

Ms. Nichols stated that she was attempting to recruit coastal representatives but many younger people had greater challenges finding the time to make the trip to Eugene for meetings. She emphasized the importance of having the perspective of coastal residents reflected on the board.

Mr. Howe thanked commissioners for their comments.

The meeting adjourned at 6:50 p.m.

(Recorded by Lynn Taylor)