

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of Adopting            )  
Sections 940 through 949            )     ORDINANCE NO. 93-8  
of the Columbia County            )  
Zoning Ordinance                    )

The Board of County Commissioners for Columbia County, Oregon ordains as follows:

SECTION 1.            TITLE.

This ordinance shall be known as Ordinance No. 93-8.

SECTION 2.            AUTHORITY.

This ordinance is adopted under the authority of ORS 203.035, 215.050 and 215.223.

SECTION 3.            PURPOSE.

The purpose of this ordinance is to create an Airport Industrial Zone 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 a location within or immediately adjacent to primary flight operations and passenger or cargo service facilities. It is further intended to provide appropriate locations for airport related light industrial uses that are compatible with and dependent upon air transportation.

SECTION 4.            AMENDMENT.

Sections 940 through 949 are adopted and added to the Columbia County Zoning Ordinance as shown in the attached Exhibit "A" which is incorporated herein by this reference.

SECTION 5.            FINDINGS.

Findings of fact and conclusions of law in support of this amendment are attached hereto, labeled Exhibit "B" and incorporated herein by this reference.

SECTION 6. SEVERABILITY.

If any provision of this ordinance, including Exhibits "A" and "B", are for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct and independent provision and such holding shall not affect the remaining portions thereof.

SECTION 7. EMERGENCY CLAUSE.

This ordinance being immediately necessary to maintain the public health, safety and welfare, an emergency is declared to exist and this ordinance shall take effect immediately upon its adoption.

REGULARLY PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS FOR COLUMBIA COUNTY, OREGON THIS 14th DAY OF July, 1993.

Approved as to form

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By: John K. King  
Office of County Counsel

Attest:

By: Cheryl May  
Recording Secretary

First Reading: 07-14-93

Second Reading: 07-14-93

Effective Date: 07-14-93

By: Not Present  
Chairman

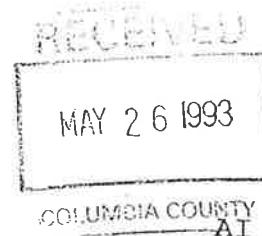
By: [Signature]  
Commissioner

By: [Signature]  
Commissioner

FOURTH DRAFT: 5/17/93

Section 940

AIRPORT INDUSTRIAL



941 Purpose: The Airport Industrial 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 a location within or immediately adjacent to primary flight operations and passenger or cargo service facilities. It is further intended to provide appropriate locations for airport related light industrial uses that are compatible with and dependent upon air transportation.

942 Uses Permitted Outright:

- .1 Aerial mapping and surveying.
- .2 Air cargo warehousing and distribution facilities.
- .3 Airport operation facilities, including aircraft hangers, fuel storage facilities, control towers, passenger and air freight terminals, aircraft runways, taxi-ways and tie-down areas, firefighting facilities, and other uses and buildings necessary for airport operation.
- .4 Aircraft and aircraft component manufacturing or assembly.
- .5 Aircraft sales, repair, service and storage.
- .6 Aircraft related research and testing.
- .7 Aircraft or air transportation businesses.
- .8 Auto rental agencies.
- .9 Day care and recreational facilities exclusively for employers and employees of businesses located within this district.
- .10 Farm Uses.
- .11 Greenways, including but not limited to bicycle and pedestrian paths.
- .12 Public and semi-public buildings, structures and uses that provide necessary services to an airport, such as fire stations, pump stations and water storage.
- .13 Public parking and auto storage.

- .14 Schools relating to aircraft operation.
- .15 Snack shop for airport clientele with a total floor area no larger than twelve hundred (1200) square feet.
- .16 Taxi, bus and truck terminals.

943 Uses Permitted Under Prescribed Conditions: The following uses shall be permitted upon demonstration of compliance with the standards in this subsection:

- .1 Motels, hotels, and gift shops, upon demonstration that they are compatible with airport operations and, if located outside an urban growth boundary, of a size and scale intended primarily to serve air service patrons.
- .2 Cafeterias and restaurants; upon demonstration that they are compatible with airport operations and, if located outside an urban growth boundary, of a size and scale intended primarily to serve air service patrons and employees working at businesses located within this district.
- .3 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 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:

1. More than thirty (30) percent of the products produced would be shipped through air cargo; or
2. More than thirty (30) percent of gross sales would be with customers located out of state; or
3. Sales or service of the product requires a rapid response that can only be achieved through air transport; or
4. The use would suffer an economic disadvantage if not located at or adjacent to an airport.

944 Conformance with Aircraft Landing Field Overlay Zone Requirements:

- .1 Where a use established within this district is also subject to the requirements of the Aircraft Landing Field Overlay Zone, the use shall conform with the requirements of that zone, with Federal Aviation Agency Regulation FAR-77 or its successor, and with other applicable Federal and State laws regulating structure height, lights, glare, producing surfaces, radio interference, smoke, dust, steam, or other hazards to flight or air navigation.
- .2 In the event of conflict between the requirements of the Aircraft Landing Field Overlay Zone and FAR-77 or its successor, the requirements in FAR-77 or its successor shall control.

945 Standards:

- .1 Lot Size: There is no minimum lot size in the AI district, except where Oregon Department of Environmental Quality standards require a minimum area for sewage disposal.
- .2 Setbacks: No front, side or rear yard setbacks except on lots abutting a residential district, where the minimum setback is fifty (50) feet on the side abutting or facing the residential district.
- .3 Off-Street Parking: Off-street parking shall be provided as required in Section 1400.
- .4 Services: All lots shall have frontage on or approved access to a public street, a water system, and a sewage disposal system prior to occupancy.

- .5 Site Coverage: The maximum site coverage shall be eighty-five (85) percent, including buildings and impervious surfaces.
- .6 Landscaping: The minimum landscaping requirement shall be fifteen (15) percent. Maintenance of landscaping shall be the owner's responsibility.

946 Limitations on Uses: In the AI zone, the following conditions shall apply:

- .1 Storage of animal, vegetable, or other wastes which attract insects, rodents or birds is prohibited.
- .2 Emission of smoke, fumes, fly ash, dust, vapor, gases, or other forms of air pollution that may interfere with present or planned aircraft operations is prohibited.
- .3 Sign lighting and exterior lighting shall not project directly into:
  - A. The runway, taxiway, or approach zone, unless necessary for safe and convenient air travel; or
  - B. An adjoining residential zone.
- .4 Building materials shall not produce glare which may conflict with any present or planned operation of the airport.
- .5 No use may produce electromagnetic interference which may conflict with any present or planned operations of the airport.

947 Review Procedures:

- .1 The Planning Commission shall review, in accordance with Section 1603, all requests made pursuant to Section 943.
- .2 The Planning Commission's action may be appealed to the Board of Commissioners pursuant to Section 1703; provided, however, that the appeal shall be on the record unless the Board, on request by any party, chooses to allow new evidence to be submitted. The Board shall grant a request to allow new evidence only where it finds that:
  - A. The additional evidence could not reasonably have been presented at the prior hearing; and
  - B. The evidence proposed to be submitted is necessary to fully and properly evaluate a significant issue relevant to the proposed action; and

C. The request is not likely to cause any substantial delay in the proceeding.

948 Design Review: Uses authorized in the AI zone shall be subject to site design review as provided in Section 1550 of the Columbia County Zoning Ordinance. Where a hearing is required under Section 947, the Planning Commission concurrently shall consider compliance with the requirements of Section 1550.

949 Conflicts: In the event of conflict between this section and any other section of this Ordinance, the requirements of this section shall control.

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COLUMBIA COUNTY BOARD OF COMMISSIONERS  
Staff Report  
Text Amendment - Airport Industrial District

FILE NUMBER: TA 5-93

APPLICANT: Columbia County Planning Director  
Courthouse, St. Helens, OR 97051

REQUEST: To add a new Section 940, Airport Industrial District  
to the Zoning Ordinance.

BACKGROUND:

Applicant wishes to add to the text of the Columbia County Zoning Ordinance a new AI Airport Industrial District according to the attached 5 page document titled "FOURTH DRAFT: 5/17/93", and containing the following section headings:

"Section 940 AIRPORT INDUSTRIAL

- 941 Purpose:
- 942 Uses Permitted Outright:  
.1 through .16.
- 943 Uses Permitted Under Prescribed Conditions: The following  
uses shall be permitted upon demonstration of compliance  
with the standards in this subsection:  
.1 through .3B.4.
- 944 Conformance with Aircraft Landing Field Overlay Zone  
Requirements:  
.1 and .2
- 945 Standards:
  - .1 Lot Size
  - .2 Setbacks
  - .3 Off-Street Parking
  - .4 Services
  - .5 Site Coverage
  - .6 Landscaping
- 946 Limitations on Uses: In the AI zone, the following  
conditions shall apply:  
.1 through .5
- 947 Review Procedures:  
\_\_\_\_.1 through .2C.
- 948 Design Review:
- 949 Conflicts:"



The Planning Commission recommends adoption of this new zone. See also related files TA 4-93, PA 1-93 and ZC 5-93.

FINDINGS:

This request is being processed under Sections 1606 and 1611 of the Zoning Ordinance. The pertinent sections of the ordinance are as follows:

"1606 Legislative Hearing: Requests to amend the text of the Zoning Ordinance...are legislative hearings. Legislative hearings shall be conducted in accordance with the following procedures:

- .1 A legislative amendment to the Zoning Ordinance Text or Map may be initiated at the request of the Board of Commissioners, a majority of the Commission, or the Director, or any citizen of the County may petition the Commission for such a change."

Finding 1: This legislative amendment to the Columbia County Zoning Ordinance was initiated by the Planning Director.

Continuing with Section 1606 of the Zoning Ordinance:

".2 Notice of a Legislative Hearing shall be published at least twice, 1 week apart in newspapers of general circulation in Columbia County. The last of these notices shall be published no less than 10 calendar days prior to the Legislative Hearing. The mailing of notice to individual property owners is not required but shall be done if ordered by the Board of Commissioners."

Finding 2: Notice of the Planning Commission hearing for this legislative amendment was published twice in the Chronicle and Spotlight newspapers on May 19 and 26, 1993, both of which were more than 10 days prior to the Commission hearing of June 7, 1993. The mailing of notice to individual property owners was not ordered by the Board of Commissioners and was not done.

Continuing with the Zoning Ordinance:

"1611 Notice of Legislative Hearing: The notice of a legislative hearing shall contain the following items:

- .1 Date, time and place of the hearing;
- .2 A description of the area to be rezoned or the changes to the text;

- .3 Copies of the statement for the proposed changes are available in the Planning Department. These proposed changes may be amended at the public hearing;
- .4 Interested parties may appear and be heard;
- .5 Hearings will be held in accordance with the provisions of the Zoning Ordinance."

Finding 3: All of the above were included in the Notice of Public Hearing published twice in the Chronicle and Spotlight newspapers.

COMMENTS:

No comments have been received from any interested parties or notified government agencies as of the date of this staff report (June 9, 1993).

CONCLUSION AND RECOMMENDATION:

Based upon the above findings, the Planning Commission and staff recommend approval of the legislative amendment to the text of the Columbia County Zoning Ordinance to create a new AI Airport Industrial zone, as per the attached 5 page document.

BEFORE THE COUNTY PLANNING COMMISSION  
OF COLUMBIA COUNTY, STATE OF OREGON

In the Matter of the Application            )  
for Columbia County/LDS for a Text        )  
Amendment to Add Section 940, Airport)        Final Order TA 5-93  
Industrial District to the Zoning        )  
Ordinance                                    )

This matter came before the Columbia County Planning Commission on the application of Columbia County/Land Development Services for a Text Amendment to add Section 940 to the Zoning Ordinance, which is as follows:

Section 940 AIRPORT INDUSTRIAL

941 Purpose:

942 Permitted Uses:  
.1 through .16.

943 Uses Permitted Under Prescribed Conditions:  
The following uses shall be permitted upon demonstration of compliance with the standards in this subsection:  
.1 through .3B.4.

944 Conformance with Aircraft Landing Field Overlay Zone Requirements:  
.1 and .2

945 Standards:

- .1 Lot Size
- .2 Setbacks
- .3 Off-Street Parking
- .4 Services
- .5 Site Coverage
- .6 Landscaping

946 Limitations on Uses: In the AI zone, the following conditions shall apply:  
.1 through .5

947: Review Procedures:  
.1 through .2C.

948: Design Review:

949 Conflicts:"

The hearing was held on June 7, 1993. Testimony was submitted on behalf of the applicant. The Planning Commission having heard the arguments of the parties and having considered its testimony and the report of the Planning Commission Staff Report.

The Planning Commission recommends to the Board of Commissioners this application to add Section 940 to the Columbia County Zoning Ordinance be approved adopting staff findings, conditions and conclusions as stated in the attached report.

Change and/or comments:

Date

6/8/93

COLUMBIA COUNTY PLANNING COMMISSION

  
\_\_\_\_\_  
JEFFREY VANNATTA, CHAIRMAN

Columbia County Land Development Services  
Courthouse, St. Helens, OR 97051. Phone 397-1501

GENERAL LAND USE PERMIT APPLICATION  
General Information

TYPE OF PERMIT: Zone Change Temporary Permit  
Site Design Review Resource Management Plan

OTHER: Zoning Ordinance Text Amendment

APPLICANT: Name: Columbia County Planning Director

Mailing address: Courthouse  
St. Helens, OR. 97051

Phone No.: Office 397-1501 Home \_\_\_\_\_

Are you the property owner? \_\_\_\_\_ owner's agent? \_\_\_\_\_

PROPERTY OWNER: \_\_\_\_\_ same as above, OR:

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

PROPERTY ADDRESS (if assigned): \_\_\_\_\_

TAX ACCOUNT NO.: \_\_\_\_\_ Acres: \_\_\_\_\_ Zoning: \_\_\_\_\_

\_\_\_\_\_ Acres: \_\_\_\_\_ Zoning: \_\_\_\_\_

PRESENT USES: (farm, forest, bush, residential, etc.)

Use:	Approx. Acres
_____	_____
_____	_____
_____	_____
_____	_____

Total acres (must agree with above): \_\_\_\_\_

PROPOSED USES:

A zoning text amendment establishing a new zoning district, the AIRPORT INDUSTRIAL district.

WATER SUPPLY:  Private well  Community system

Name of community water system: \_\_\_\_\_

SEWAGE DISPOSAL SYSTEM:  Subsurface Septic  Community

Has the property been approved for a subsurface sewage disposal system?  Yes  No  Not Applicable

List all other CONTIGUOUS property you own:

Tax Acc't.No.	Acres	Co-owners (if any)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

CERTIFICATION: I hereby certify that all of the above statements, and all other documents submitted, are accurate and true to the best of my knowledge and belief.

Date: 5/3/93 Signature: [Signature]

NOTE: Please attach an accurate and detailed plot plan, including property lines, existing and proposed structures, location of septic tank and drainfield, farm and forest areas, large natural features (cliffs, streams, etc.).

+++++  
Planning Department Use Only

Date Rec'd. 5/3/93 P.C. Hearing Date: 6/7/93

Receipt No. \_\_\_\_\_ Or: Administrative \_\_\_\_\_

Zoning: \_\_\_\_\_ Staff Member: [Signature]

+++++

RECEIVED

MAY 26 1993

COLUMBIA COUNTY  
AI

FOURTH DRAFT: 5/17/93

Section 940

AIRPORT INDUSTRIAL

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