



Oregon

Kate Brown, Governor



3040 25th Street, SE
Salem, OR 97302-1125
Phone: (503) 378-4880
Toll Free: (800) 874-0102
FAX: (503) 373-1688

MEMORANDUM

DATE: September 8, 2015

TO: Oregon Aviation Board

FROM: Jeff Caines, AICP – Aviation Planner

SUBJECT: Sunset Airstrip & Sunset Orchards Estates

The Owner of Sunset Orchards Estates requests the Oregon Aviation Board to amend Airport License #16 – Sunset Airstrip to include the property recently included in Washington County's Comprehensive Plan including but not limited to associated Planning Elements and Policies.

In 2013 Washington County Board adopted A-Engrossed Ordinance 772 to amend Policy 28 AIRPORTS and adopt a new development code overlay zone (Residential Airpark Overlay District). This newly created overlay district is located both north and south of the existing Sunset Airstrip (License #16) located south of North Plains and approximately 3.6 miles northwest of RW 13-31 at the Portland Hillsboro Airport (HIO).

The original airport was approved in August 1967 and later modified to increase the number of based aircraft from 25 to 50 in July 1973. This specific request by Sunset Orchards Estates is to modify the license to increase the airport boundary as defined by ORS 836.640(1) which *"includes the combined public and private properties that are permitted to have direct access to the airport runway by aircraft"* to match Washington County's approved documents.

Attached is a brief history of both the Sunset Airstrip and Sunset Orchards Estates with supplemental supporting documentation.

Action Item:

Department Staff requests the Board take the following action with regards to this request and modification to the Sunset Airstrip license:

- Approve the new airport boundary to match adopted Washington County plans and policies to modify the Sunset Airstrip license to include the area identified as Sunset Orchards Estates to reflect Washington County's Airport Policy #28 and overlay districts.
- Recognize that 50 aircraft can be based at Sunset Airstrip and distributed between the Sunset Airpark and Sunset Orchard Estates.
- Confirm Conditions of Approval as stated in the July 20, 1973 letter to Roth Development, consistent with Oregon Department of Justice's letter dated September 18, 1973 for all properties located within the modified airport boundary.
 - No more than 50 aircraft, belonging to owners/residents of property adjacent to Sunset Airstrip, may be based at Sunset Airstrip. Terms and conditions under which these permanently based aircraft may operate from the Sunset Airstrip are subject to periodic review and revision by the Oregon State Board of Aviation.
 - In the event it becomes necessary for the operation of Portland-Hillsboro Airport (HIO), all property owners within the revised airport boundary agree to grant to the Port of Portland, without charge, airspace easements over the runway and taxiways leading to Sunset Airstrip
 - The Sunset Airstrip shall be constructed and maintained to meet at least minimum airport standards established by the Oregon Board of Aviation.
 - Ingress and egress to the airport will be conducted in accordance with procedures coordinated with the Chief, Hillsboro Airport Air Traffic Control Tower and the Oregon State Board of Aviation. These procedures will include, but are not limited to:
 - Arrival paths
 - Departure paths
 - Communication requirement
 - Communication procedures
 - Air Traffic Control instructions
 - No take-off or landing will be accomplished at the Airstrip when weather conditions at the Sunset Airstrip, or being reported by the Hillsboro Air Traffic Control Facility, are less than required for operation under the Visual Flight Rules of the Federal Aviation Administration (FAA).
 - At each end of the runway, there shall be established and maintained a sign directing pilots who are about to take off to contact the Hillsboro Traffic Control Facility for traffic advisory information.
 - Any substantial failure by licenses or assigns to comply with conditions of the license as stated herein, or of the letter of agreement with the Hillsboro Traffic Control Tower, shall constitute cause for the Board of Aviation to institute revocation procedures for the airport license under provision of ORS 836.110.

History:

Sunset Airstrip

May 22, 1967 – Application for Sunset Airstrip was filed with FAA. It was proposed as a 2,200'x140' turf runway.

July 10, 1967 – Board of Aeronautics held a public hearing about the Sunset Airpark.

August 11, 1967 – Sunset Airpark was approved by the Oregon Board of Aeronautics; in the letter it states “Any change in the character of the use as proposed by you in your request for approval of this site must be approved by the Board.”

August 11, 1967 – The FAA states in a letter to Mr. Roth (Sunset Airstrip) that the FAA “has determined that the proposed airport would adversely affect the safe and efficient use of airspace by aircraft due to its proximity to the existing Portland-Hillsboro Airport.”

September 6, 1968 – Board granted approval – but specifically identified four (4) conditions of approval:

- 1) No more than 25 families with aircraft shall have easements for the use of the airstrip at any one time.
- 2) Sunset Airpark will grant Portland-Hillsboro airspace easements without charge.
- 3) Airstrip will be constructed to meet minimum airport safety standards
- 4) Ingress and egress to the airport will be coordinated with the HIO Control Tower including:
 - a. Arrival Paths
 - b. Departure Paths
 - c. Traffic Patter
 - d. Communication requirement
 - e. Communication procedures
 - f. Air Traffic Control Instructions

January 20, 1970 – Division of Aeronautics re-issues Sunset Airpark Airport License #16 again stating the conditions of approval from September 6, 1968 (Annual Renewal Letter).

March 20, 1973 – Port of Portland wrote a letter objecting to the airport due to future FAA capital improvements to HIO. The letter indicated that the Port will conduct a Master Plan for HIO and any decisions about Sunset Airpark should be delayed.

March 20, 1973 – Sunset Airpark requests an increase in the number of based plans. The airpark requested that the possible increase in the number of based aircraft be heard at the next Board meeting (March 30, 1973).

April 19, 1973 – The Port of Portland requested that the decision to increase the number of based aircraft from 25 to 50 be delayed “until after completion of the Portland-Hillsboro Airport Master Plan Study.”

July 20, 1973 - Division of Aeronautics issues an amendment to the Sunset Airpark Airport License #16, which becomes part of the valid license. Item #1 states that “no more than fifty (50) aircraft belonging to owners or residents of property adjacent to Sunset Airstrip may be based at Sunset Airstrip.”

August 2, 2073 – Sunset Airstrip requests that Condition of Approval #1 be revised to state “No more than 50 airport access easements ...”

September 18, 1973 – Oregon DOJ issued a guidance letter to the Division of Aeronautics giving guidance on the issue of aircraft vs easements. In summary DOJ stated that the number of easements is not a matter of air safety, rather the number of airplanes based at the airstrip is a matter of safety.

November 27, 2003 – Washington County adopts Development Code standards for Private Use Airports, which includes Sunset Airpark. (CDC 385 & CDC 386 – WA CO Ordinance # 609).

Sunset Orchards Estates

October 2007 – A Notice of Development was mailed to the Department of Aviation for the development of properties north and south of Sunset Airstrip (Sunset Orchards). This development included a 20 lot subdivision and property line adjustments.

April 2009 – Notice of Development was mailed to the Department of Aviation for a 15 lot subdivision and property line adjustments.

October 22, 2013 – Policy 28 was amended to include Sunset Orchards Overlay was formally adopted by Washington County. It also included a new section of the Washington County Development Code (CDC 389) which only covers Sunset Orchards Estates.

In summary: Sunset Airpark has a long history with the Department of Aviation and Hillsboro Airport due to its location and flight activity. Washington County amended its comprehensive plan (i.e., Policy 28) to include Sunset Orchards Estates while creating a new and separate development overlay zone (CDC 389) which is separate than the one covering Sunset Airpark (CDC 385 & 386).