



## STAFF REPORT

**To:** Robby Hammond, City Manager

**From:** Ruth Klein, Senior Planner

**Date:** July 7, 2026

**Subject:** Receipt of Two Appeals of Development Review Approval for Aircraft Hangars Case File Nos. APPEAL-001-26 Sky Harbour Barnes et. al. and APPEAL-002-26 Sky Harbour Richmond et. al.

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### **Requested Action:**

Consider staff's recommendation to: (1) receive the land use appeals of the Sky Harbour Hangars development; (2) set August 18, 2026 as the hearing date for both appeals; (3) confirm a 'de novo' hearing process for both appeals; (4) confirm that both appeals will be heard concurrently in a single public hearing; and (5) confirm the order of events at the August 18, 2026 hearing.

### Proposed Order of Events:

1. Open appeal hearing
2. Staff report on Appeal A and Appeal B
3. Appellant A presentation (10 minutes)
4. Appellant B presentation (10 minutes)
5. Applicant's response (20 minutes, 10 minutes each appeal)
6. Testimony in support of Appellants A and/or B
7. Testimony in opposition to Appellants A and/or B
8. Appellant A rebuttal to opposition testimony (10 minutes)
9. Appellant B rebuttal to opposition testimony (10 minutes)
10. Applicant's rebuttal to support testimony (20 minutes, 10 minutes each appeal)
11. Questions of staff
12. Close appeal hearing
13. Council deliberation
14. Council decision with vote on Appeals A and B, adopt Order

### **Background/Project Overview:**

At its March 27, 2026 regular meeting, the Planning Commission adopted Order No. 8492, approving with conditions a Type II Development Review for the construction and

operation of seven aircraft hangars within five buildings on a 13.70-acre site leased from Portland Hillsboro Airport. The application was originally submitted as a Type III review because the applicant sought Major Adjustments to the Community Development Code. During the public process, the applicant revised the application to eliminate the need for those adjustments, reducing it to a Type II review. Although a Type II Development Review is normally decided at the staff level, the applicant elected to continue through the Type III process rather than withdraw and resubmit.

The lead appellant for Case File No. APPEAL-001-26 is Miki Barnes, with supporting appellants Trevor Southard, Linda Howey, Karna Sheth, Blain Ackley, Helen Krieger, Greg Driscoll, David Barnes and Christopher Bockstahler. The lead appellant for Case File No. APPEAL-002-26 is Sarah Richmond, with supporting appellants Brett Hamilton and Valerie Pratt.

There are two types of land use appeal hearings: 'on the record' which means no new evidence is submitted and 'de novo' which means new evidence can be submitted for consideration. The Barnes et. al. appellant group is requesting an on the record appeal hearing and the Richmond et. al. appellant group is requesting a 'de novo' hearing. Per Community Development Code (CDC) Section 12.70.180.H.2, a 'de novo' appeal must meet the following standards in CDC Section 12.70.180.H.4:

- 4. A request for a de novo appeal hearing shall be decided by the City Council as a non-public hearing item. The City Council may grant the request upon findings that:*
- a. A de novo hearing is necessary to fully and properly evaluate a significant issue relevant to the proposed development action;*

**RESPONSE:** A 'de novo' format is justified when a significant issue exists and Council would benefit from a fully developed record. Here, the Barnes et al. appeal raises six issues, and its narrative states the appellants do not wish to be limited to those issues. The Richmond et al. appeal raises seventeen issues. All of these issues are expected to generate testimony and argument from multiple parties. A 'de novo' hearing would allow Council to receive complete testimony in a structured way, rather than limiting its review to the Planning Commission record.

- b. The substantial rights of the parties will not be significantly prejudiced; and*

**RESPONSE:** A 'de novo' hearing reduces the risk of prejudice because all parties have a clear, equal opportunity to participate, with notice that new testimony and evidence may be submitted. An on the record hearing creates complications: each person testifying must cite the specific document and location of the information, which City staff must then verify. If new information is introduced, the recorder must be directed to strike it from the record, and Council must be instructed to disregard it when making a decision.

*c. The request is not necessitated by improper or unreasonable conduct of the requesting party or by a failure to present evidence that was available at the time of the initial Type III public hearing.*

**RESPONSE:** The purpose of a 'de novo' hearing is to promote an orderly process and fairness for all parties; it is not being used to correct a problem caused by improper or unreasonable conduct by the appellant. Staff are not aware of any failure by the appellant to present available evidence at the initial public hearing.

**Attachments:**

APPEAL-001-26 Application Form

APPEAL-002-26 Application Form

Planning Commission Order No. 8492

cc: Miki Barnes  
Trevor Southard  
Linda Howey  
Karna Sheth  
Blaine Ackley  
Helen Krieger  
Greg Driscoll  
David Barnes  
Christopher Bockstahler  
Sarah Richmond  
Brett Hamilton  
Valerie Pratt  
Christian  
File