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By electronic mail

Hillsboro City Council
150 E. Main Street
Hillsboro, Oregon, 97123
Council@Hillsboro-Oregon.gov

Re: Hearing Letter and Proposed Findings
Appeal-001-26 (Barnes et al); Appeal-002-26 (Richmond et al)

Dear Mayor Pace and Members of the City Council,

On behalf of Mr. Brett Hamilton, appellant in Appeal-002-26, please accept the following letter for the record in the proceedings for the Sky Harbor appeals.

This letter summarizes the reasons why the City Council must deny the application.

1. The Planning Commission found that the applicant failed to “sufficiently minimize[] or mitigate[]” the “negative impacts of the development.” CDC 12.80.040.H.7.e. The Planning Staff agrees that the Planning Commission determined that the applicant failed to meet the requirement.

- The criteria in 12.080.040.H are mandatory, and the City cannot approve the application without showing that they are met.

CDC 12.80.040.H.7.e requires the City to determine that the applicant meets the criteria in CDC 12.080.040.H:

“To approve an application for Development Review, the Review Authority shall make findings of fact based on evidence provided that the following criteria are satisfied:” CDC 12.80.040.H.

CDC 12.80.040.H.7.e requires the city to address the negative impacts of the development, stating, “[n]egative impacts of the development have been sufficiently minimized or mitigated.” CDC 12.80.040.H.7.e.

- The City can deny the application because of the applicant's failure to provide sufficient information regarding the negative impacts of the development. These include the following:
 - Applicant failed to address or provide information on **noise** emanating from jets and other equipment that will use the hangars.
 - Applicant failed to address or provide information on **jet blast** from jets that will use the hangars
 - Applicant failed to address or provide information on **fumes** and **pollution** that will come from jets and "fuel farm."
- The applicant failed to meet its burden and provide sufficient information about its facilities or the use of the development.

CDC 12.80.040.H.7.e explains that findings must be based on "evidence provided." **The City has the discretion and authority to conclude that the applicant has failed to provide sufficient evidence on the negative impacts of the proposed development and therefore has failed to meet its burden.**

- The City can consider and require the applicant to address noise impacts and other impacts (including air quality) resulting from the use of the proposed aircraft hangars from the additional 30 jets proposed by the applicant.
- The evidence in the record shows that a 6-foot wall will not be sufficient to address noise from jets and jet blast coming from the site. The jet engines for the proposed jets are taller than the proposed boundary fence and proposed wall.



- The tank farm will include two massive fuel tanks and potentially a tanker truck.
 - The applicant fails to adequately disclose the chemicals or make up of fumes that the fuel tanks will vent, the quantity of the fumes, the harm that could result, or the radius of that harm. The radius of the impacts can include

pedestrian walkways, parking lots, and nearby buildings, including the nearby library.

A study of an analogous situation by researchers at the Columbia University Mailman School of Public Health examined the release of vapors from gas station vent pipes. The study found that “emissions were 10 times higher than estimates used in setback regulations that determine how close schools, playgrounds, and parks can be to the facilities.”^{1, 2}

The study notes that “Gasoline vapors, invisible but odorous, contain a number of toxic chemicals, notably benzene, a carcinogen.” The study explains that gas station vapors are released from storage tanks through vent pipes.

The study showed that emission factors were greater than 10 times higher than previous estimates.³

The study’s authors noted that “We found evidence that much more benzene is released by gas stations than previously thought. In addition, even during a relatively short study period, we saw a number of instances in which people could be exposed to the chemical at locations beyond the setback distance of 300 feet[.]”

- The applicant’s proposal represents nearly a 100 percent increase (from 33 to 63) in the number of jets based at the airport.

In response to a June 2026 public records request submitted by Mr. Hamilton to the Port of Portland, the Port stated the following: “Port reported 33 jets as being based at Hillsboro Airport as of November 2025.” This is down significantly from the number (49 based jets) reported in the Hillsboro airport’s 2016 airport master plan.

¹ <https://www.publichealth.columbia.edu/news/gas-stations-vent-far-more-toxic-fumes-previously-thought>

² <https://doi.org/10.1016/j.scitotenv.2018.09.303>

³ Abstract: “At gas stations, fuel vapors are released into the atmosphere from storage tanks through vent pipes. Little is known about when releases occur, their magnitude, and their potential health consequences. Our goals were to quantify vent pipe releases and examine [exceedance](#) of short-term exposure limits to benzene around gas stations. At two US gas stations, we measured volumetric vent [pipe flow](#) rates and pressure in the storage tank headspace at high temporal resolution for approximately three weeks. Based on the measured vent emission and [meteorological data](#), we performed air dispersion modeling to obtain hourly atmospheric benzene levels. For the two gas stations, average vent emission factors were 0.17 and 0.21 kg of gasoline per 1000 L dispensed. Modeling suggests that at one gas station, a 1-hour Reference Exposure Level (REL) for benzene for the general population (8 ppb) was exceeded only closer than 50 m from the station’s center. At the other gas station, the REL was exceeded on two different days and up to 160 m from the center, likely due to non-compliant bulk fuel deliveries. A minimum risk level for intermediate duration (>14–364 days) [benzene exposure](#) (6 ppb) was exceeded at the elevation of the vent pipe opening up to 7 and 8 m from the two gas stations. Recorded vent emission factors were >10 times higher than estimates used to derive setback distances for gas stations. Setback distances should be revisited to address temporal variability and [pollution controls](#) in vent emissions.”

The applicant's proposal represents a significant increase in the number of jets that will use the airport. In 2016 the airport master plan for the Hillsboro airport only forecast 55 jets for its base aircraft fleet mix in 2026. The applicant's proposal would exceed even that forecast.

The airport master plan is the facility plan that the airport sponsor must complete for the airport for the purpose of land use planning.

2. The City must consider the operating characteristics of the proposed development. CDC 12.80.040.H.7.d, which includes the use of the development (hangars and fuel farm) by jets.

CDC 12.80.040.H.7.d also requires the city to address the negative impacts of the development, stating: "The design and *operating characteristics* of the proposed development are reasonably compatible with surrounding development and land uses"

- The City can deny the application because the applicant has failed to provide sufficient information about the operating characteristics of the proposed development and their compatibility with the nearby non-industrial uses, including sidewalks, parking lots, office buildings and the public library.

3. The City can and must consider whether the applicant's proposal complies with the City comprehensive plan provisions. CDC 12.01.130.

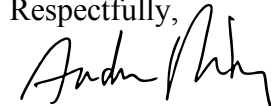
- Staff states that CDC 12.01.130 applies to all use or development of land or structures within the City limits.

CDC 12.01.130.A requires that "All use or development of land or structures within the City limits of Hillsboro shall comply with the Hillsboro Comprehensive Plan, the Hillsboro Municipal Code, and applicable regional, State, Federal and local laws."

Conclusion.

For those reasons, I respectfully request that the City deny the applicant's request for approval for failure to meet its burden and demonstrate compliance with the provisions discussed above.

Respectfully,



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