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Sent: Friday, February 21, 2025 12:20 PM
To: Peter Domine
Subject: ODAV Comments on City of Salem File No. PAR-UGA-SPR-ADJ-DAP-DR25-02

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Good afternoon Peter,

Thank you for providing the opportunity for the Oregon Department of Aviation (ODAV) to comment on file number(s): PAR-UGA-SPR-ADJ-DAP-DR25-02

ODAV has reviewed the proposal and prepared the following comment(s):

1. Because the subject property is at a higher elevation than the nearby Salem Municipal Airport, such that existing structures and planned development exceed the height requirements of OAR 660 Division 13 (Airport Planning Rule), ODAV recommends a maximum height allowance of 35 feet above ground level (AGL) for new development, including vegetation, except as otherwise approved through a height variance. Pursuant to OAR 660-013-0070:

For areas in the safety overlay zone, but outside the approach and transition surface, where the terrain is at higher elevations than the airport runway surface such that existing structures and planned development exceed the height requirements of this rule, a local government may authorize structures up to 35 feet in height. A local government may adopt other height exceptions or approve a height variance when supported by the airport sponsor, the Oregon Department of Aviation, and the FAA.

The subject development area is located inside the overlay zone, but appears to be located outside the approach and transitional surfaces. For areas outside the approach surface, ODAV finds allowing structures up to 35 feet in height AGL, except as otherwise approved through a height variance, meets the requirements of this administrative rule. This will ensure any impact on airspace from development at this site will be minimized.

2. In accordance with FAR Part 77.9 and OAR 738-070-0060, the proposed development is required to undergo aeronautical evaluations by the FAA and ODAV. The applicant can use the FAA's [Notice Criteria Tool](#) to determine which proposed structures warrant a *notice of construction*, including any cranes or other tall construction equipment used during development or maintenance. They are required to provide separate notices of construction to both the FAA and ODAV. The applicant should receive the resulting aeronautical determination letters from the FAA and ODAV prior to approval of any building permits.

Please reach out if you have questions or concerns. I'm available if the applicant has any questions or wants our input at this stage.

Best,

BRANDON PIKE

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AVIATION PLANNER



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