



**WASHINGTON COUNTY**  
Department of Land Use & Transportation  
Current Planning  
155 North First Avenue, Suite #350-13  
Hillsboro, Oregon 97124-3072  
phone: (503) 846-8761 fax: (503) 846-2908  
www.co.washington.or.us

## **NOTICE OF DECISION OF THE HEARINGS OFFICER**

**PROCEDURE TYPE:** III

**CPO:** 11

**COMMUNITY PLAN:**

Rural/Natural Resource Plan Element

**LAND USE DISTRICT:**

AF-5 (Agriculture & Forest)

**PROPERTY DESCRIPTION:**

**ASSESSOR MAP#:** 1S4 13

**LOT#:** 2000

**SITE SIZE:** 9.98 acres

**ADDRESS:** 4115 SW Dilley Road

**CASEFILE:** L2500062-SU

**APPLICANT:**

Forest Grove School District No. 15

Ilean Clute

1728 Main Street

Forest Grove, OR 97116

**APPLICANT'S REPRESENTATIVE:**

AKS Engineering & Forestry LLC

Melissa Slotemaker

12965 SW Herman Road Suite 100

Tualatin, OR 97062

**OWNER:**

Forest Grove School District No. 15

Same address as applicant

**LOCATION:** On the west side of SW Dilley Road approximately 25 feet north of its intersection with SW Dudney Avenue.

**PROPOSED DEVELOPMENT ACTION:** Special Use Review for Expansion of the Existing Dilley Elementary School (1,198 square-foot classroom addition).

**DATE OF DECISION:**

**June 26, 2025**

A summary of the decision of the Hearings Officer and supplemental findings are attached.

This decision may be appealed to the Land Use Board of Appeals (LUBA) by filing a Notice of Intent to Appeal with LUBA within 21 days of the date of this decision. Contact your attorney if you have any questions in this regard.

For further information contact the Land Use Board of Appeals at 503-373-1265.

The complete case, including Notice of Decision, Application, Staff Report, Findings and Conclusions, and Conditions of Approval, if any, are available for review at no cost at the Department of Land Use and Transportation. Copies of this material will be provided at reasonable cost.

**Notice to Mortgage, Lien Holder, Vendor or Seller:** ORS Chapter 215 requires that if you receive this notice it must be promptly forwarded to the purchaser.

**SUMMARY OF DECISION:**

On June 26, 2025, the Washington County Hearings Officer issued a written decision (Attachment “C”) approving an application for an expansion of the existing Dilley Elementary School (1,198 square-foot classroom addition) in the AF-5 District at 4115 SW Dilley Road in unincorporated Washington County. The subject property is identified as tax lot 1S4 13 2000 within CPO 11. The hearings officer’s decision is as follows:

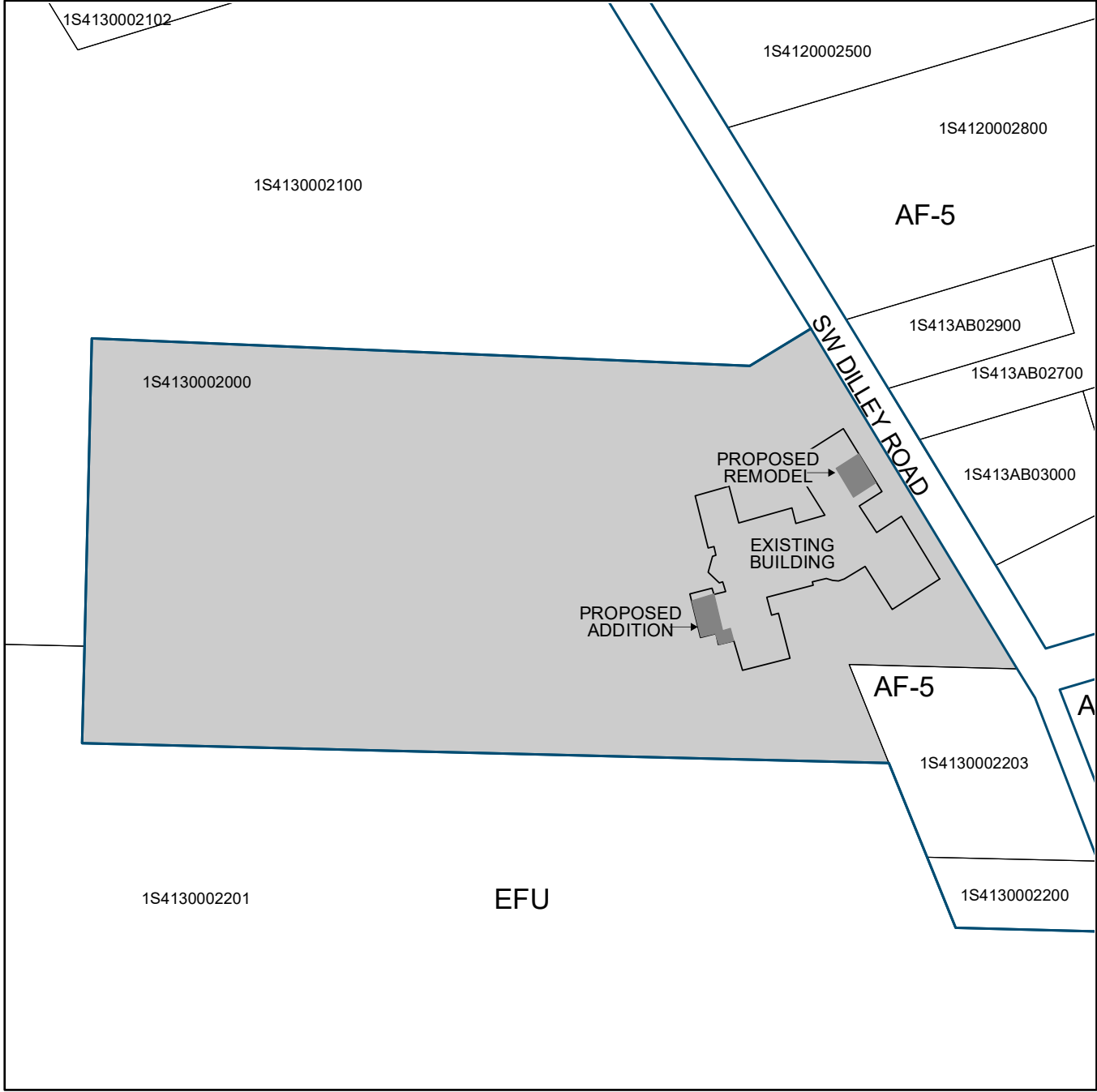
**ORDER:**

The Hearings Officer approves Casefile L2500062-SU (Expansion of the existing Dilley Elementary School in the AF-5 District) subject to the conditions of approval in Attachment B of this Final Order.

**Attachments:**     A. Vicinity Map  
                             B. Hearings Officer’s Findings, Conclusion and Order

AttachmentA\_VicinityMap

TAX MAP/LOT NO. 1S4 13 00 02000



↑ NORTH  
NOT TO SCALE

■ AREA OF CONSIDERATION

**SITE & SURROUNDING LAND USE DISTRICTS:**  
AF-5 District (Agriculture and Forest)  
EFU District (Exclusive Farm Use)

**REVIEW STANDARDS FROM CURRENT OR APPLICABLE ORDINANCE OR PLAN**

- A. Washington County Comprehensive Plan
- B. Applicable Community Plan (See Front of Notice)
- C. Transportation System Plan
- D. Washington County Community Development Code:
  - ARTICLE I, Introduction & General Provisions
  - ARTICLE II, Procedures
  - ARTICLE III, Land Use Districts
  - ARTICLE IV, Development Standards
  - ARTICLE V, Public Facilities and Services
  - ARTICLE VI, Land Divisions & Lot Line Adjustments
  - ARTICLE VII, Public Transportation Facilities
- E. R & O 86-95 Traffic Safety Improvements
- F. ORD. NO. 738, Road Design and Construction Standards
- G. ORD.691-A, 729, 741, 746, 751, 793-A Transp. Development Tax

**ATTACHMENT B**  
**CONDITIONS OF APPROVAL**  
**Casefile No. L2500062-SU**  
**(DILLEY ELEMENTARY ADDITION)**

- I. **In accordance with Section 201-4, this permit shall automatically expire within four (4) years of the date of this approval, unless: the permit is revoked as provided by Section 201-7; an application for a permit extension is filed pursuant to Section 201-5; or development has commenced, as provided by Section 201-6.**
- II. **Prior to any ground-disturbing activities on the site, submit to the Building Services Division information as determined necessary by the Building Engineer (503-846-6733) (Sections 207-5, 410, and 426) including:**
  - A. A site-specific geotechnical engineering report with recommendations for development of the site. The report shall be stamped and signed by an Oregon registered engineer.
  - B. A drainage analysis report stamped by a civil engineer showing that any additional impervious areas as a result of the proposed work will not impact the surrounding properties negatively, per WCC 14.12.310.
  - C. All other requirements as stated on the Building Services Grading Permit application form.
  - D. Evidence of an issued right-of-way permit for all site accesses to SW Dilley Road. (Contact Washington County Operations Division, 503-846-7623, Section 501-9)
- III. **Prior to issuance of Building Permits (including Electrical, Plumbing, or Mechanical Permits):**
  - A. Submit to the Building Services Division (503-846-3470)
    1. Any required electrical, mechanical, plumbing, or structural permits consistent with Commercial Building Codes. Contact Commercial Plans Review staff at 503-846-3470. (Section 207-5) for further information on required permitting.
    2. A site plan consistent with the plan stamped "Preliminary Approval" in the casefile. (Section 207-5)
    3. Pay System Development Charges and Transportation Development Tax as applicable for the proposed development. (Section 207-5) (Ordinance No. 793-A)

*NOTE: See the current rate schedule, available on the Washington County website, [www.washingtoncountyor.gov](http://www.washingtoncountyor.gov), or at the Current Planning Services front counter (503-846-8761).*

**IV. Prior to Final Inspection/Occupancy, submit to Current Planning Services (503-846-8761):**

- A. Evidence of Final Approval of Right-of-way permit(s) for the site access(es) onto NW Dilley Road.

**V. Miscellaneous Conditions**

- A. This approval is based on the site plan stamped “Preliminary Approval,” in the casefile and the uses described in the application. Any changes to the approved plan or the approved uses may require subsequent land use approval. (Contact Current Planning, 503-846-8761.) (Section 207-5)
- B. Adequate sight distance shall be continuously maintained by the applicant/property owner. This may require the applicant/property owner to periodically remove obstructing vegetation from the road right-of-way and/or within the shared access easement. (Section 501-9)
- C. Site development shall be constructed in accordance with the conditions of this decision, the approved final plans, and the standards of the Community Development Code. (Section 207-5)
- D. All conditions of approval shall be binding upon all heirs, successors, and assigns. (Section 207-5)
- E. Any expansion of the school through expansion of the existing building or addition of new structures (including modular classrooms) will be subject to additional land use review through a Type III application process, or the applicable process in effect at that time. (Section 348-4.1 N)

**BEFORE THE LAND USE HEARINGS OFFICER  
OF WASHINGTON COUNTY, OREGON**

Regarding an application by Forest Grove School District ) **FINAL ORDER**  
No. 15 for Special Use approval to construct a 1,198 square ) **Casefile No.**  
foot addition to the existing Dilley Elementary School at ) **L2500062-SU**  
4115 SW Dilley Road in unincorporated Washington County )(Dilley Elementary Addn)

**I. SUMMARY**

1. The applicant, Forest Grove School District No. 15, requests Special Use approval for additions and improvements to the existing Dilley Elementary School located at 4115 SW Dilley Road; also known as tax lot 2000, Section 13, Township 1 South, Range 4 East, of the Willamette Meridian, Washington County (the “site”). The site and abutting properties to the east and southeast are zoned AF-5 (Agriculture/Forest, five-acre minimum lot size). Properties to the north, west, and south are zoned EFU (Exclusive Farm Use).

2. The original Dilley Elementary School was originally established on the site in 1942. The northeast classroom wing dates back to 1949, the gym to the early 1950s, the west classroom wing to 1969 (CU 19-69), and two additions were built in 1973 and 1981. (Casefile L8100023-D). In 1997 the County determined that the existing Dilley Elementary School was a non-conforming use. (Casefile L9700174-NC). As part of the County’s determination, the applicant was granted approval for a 5,024 square-foot addition, which included improvements to the access, parking lot configuration, and bus turnout. The existing covered play structure was approved in 2003, pursuant to Casefile L0300189-SU/D/HRV.

3. Improvements proposed with the current application include a 1,198 square-foot classroom addition to the west side of the school and an interior renovation of an existing classroom. Minor additional improvements are included in this application to accommodate the planned addition and renovation, including the construction of a hallway to connect the addition to the existing school building and the installation of an exterior walkway along the westside of the school, providing exterior access to the planned hallway from the existing field and playground. The classroom addition is expected to increase the overall building capacity by 20 students and two adults. However, due to the “considerable” decline in enrollment, the applicant does not expect an increase in the overall building usage as compared to historical usage. There are currently 207 students enrolled at the elementary school as compared to 264 in 2016-2017.

4. Additional basic facts about the site and surrounding land are provided in the Staff Report to the Hearings Officer dated June 17, 2025 (Exhibit PH-4, the “Staff Report”).

5. Washington County Land Use Hearings Officer Joe Turner (the “hearings officer”) conducted a duly noticed online public hearing regarding the application. County

staff recommended that the hearings officer approve the application subject to conditions included in the Staff Report. The applicant accepted those findings and conditions without exceptions. No one else testified orally or in writing other than public agency staff.

6. Based on the findings provided and/or incorporated herein, the hearings officer approves the application subject to the conditions of approval in Attachment B of this Final Order.

## **II. HEARING AND RECORD HIGHLIGHTS**

1. Washington County Land Use Hearings Officer Joe Turner received testimony at the duly noticed public hearing about this application on June 17, 2025. At the hearing, the hearings officer received into the record and physically inspected the file maintained by the Department of Land Use and Transportation regarding the application. The hearings officer made the declarations required by ORS 197.763. The hearings officer disclaimed any *ex parte* contacts and any bias or conflicts of interest.

2. County planner Paul Schaefer summarized the Staff Report (Exhibit PH-4), the applicable approval criteria, and his PowerPoint presentation (Exhibit H-1). He noted that the applicant requests special use approval for a 1,198 square foot addition to the existing Dilley Elementary School. The applicant also plans to remodel a classroom within the existing school.

3. Planner Melissa Slotemaker appeared on behalf of the applicant, Forest Grove School District No. 15, and summarized her PowerPoint presentation (Exhibit H-12). She noted that the school has existed on the site since 1942, with subsequent additions and approvals by the County. The proposed addition is not expected to increase the number of students at the school, as enrollment has decreased in recent years. She waived the applicant's right to submit a final written argument.

4. The hearings officer closed the record at the end of the hearing and announced his intention to approve the application generally subject to the conditions of approval in Attachment B of the Staff Report.

## **III. APPLICABLE CRITERIA**

- A.** Washington County Comprehensive Framework Plan (Rural/Natural Resource Plan Element)
- B.** Washington County Community Development Code:
  - 1.** Article II, Procedures:
    - Section 202-3      Type III Procedure
    - Section 203-3      Neighborhood Meeting
    - Section 207-5      Conditions of Approval
  - 2.** Article III, Land Use Districts:
    - Section 348      AF-5 Agriculture and Forest District
  - 3.** Article IV, Development Standards:

- Section 404 Master Planning
- Section 410 Grading and Drainage
- Section 411 Screening and Buffering
- Section 413 Parking and Loading
- Section 423 Environmental Performance Standards
- Section 426 Erosion Control
- Section 430-121 Schools
- 4. Article V, Public Facilities and Services:
  - Section 501-9 Limited Application of Public Facility & Service Standards Outside the UGB
- C. Transportation System Plan
- D. Transportation Development Tax

#### **IV. AFFECTED JURISDICTIONS**

Forest Grove Rural Fire District  
Washington County Sheriff's Office

#### **V. DISCUSSION**

##### **A. Comprehensive Framework Plan (Rural/Natural Resource Plan Element):**

The goals and policies which relate to the development of land are implemented by the code. The applicant is not required to address, consider, or implement any goal, policy or strategy of the plan except where required by the code.

Development requests on land with identified Significant Natural Resource Areas are subject to Section 422, which requires the application of Plan Policy 10, Implementing Strategy E. The Rural/Natural Resource Plan map does not identify any resources on the subject site; therefore, Section 422 is not applicable to this review. All other plan policies are implemented by the code.

##### **B. Washington County Community Development Code:**

###### **1. Article II, Procedures:**

###### **Section 202-3 Type III Procedures**

*202-3.1 Type III actions involve development or uses which may be approved or denied, thus requiring the exercise of discretion and judgment when applying the development criteria contained in this Code or the applicable Community Plan. Impacts may be significant and the development issues complex. Extensive conditions of approval may be imposed to mitigate impacts or ensure compliance with this Code and the Comprehensive Plan.*



The proposed school addition is a use which may be permitted through a Type III procedure, pursuant to Section 348-4.1.N. Public notice was mailed to surrounding property owners within 1,000 feet of the subject site and the applicant has submitted an affidavit stating that a public notice sign was posted on the site. No public comments were submitted for this application.

### **Section 203-3 Neighborhood Meeting**

For Type III Special Uses proposed Outside the UGB, Code Section 203-3.2.B. requires the applicant to host a neighborhood meeting prior to application submittal. The applicant has submitted documentation that the required neighborhood meeting was held on January 30, 2025.

### **Section 207-5 Conditions of Approval**

*207-5.1 The Review Authority may impose conditions on any Type II or III development approval. Such conditions shall be designed to protect the public from potential adverse impacts of the proposed use or development or to fulfill an identified need for public services within the impact area of the proposed development. Conditions shall not restrict densities to less than that authorized by the development standards of this Code.*

Attachment B to this Final Order provides a set of recommended conditions of approval for the school expansion. The conditions will ensure that the use and any site alterations will meet applicable requirements for the use.

## **2. Article III, Land Use Districts:**

### **Section 348 Agriculture and Forest District (AF-5)**

*348-4.1 Uses which may be allowed:*

*N. Schools - Section 430-121.*

The applicant requests approval for an expansion of the existing Dilley Elementary School. Improvements proposed include interior renovation of an existing classroom and a 1,198 square-foot classroom addition to the west side of the school. This additional classroom will connect to the existing school building via a proposed hallway. Minor additional improvements to accommodate the planned addition and renovation include installation of an exterior walkway along the westside of the school, providing exterior access to the planned hallway from the existing field and playground.

*348-4.2 Required Findings:*

- A. The requested use is compatible with the surrounding uses or may be made more compatible through conditions of approval.*
- B. The proposed use does not interfere seriously with "accepted farming practices" as defined in ORS 215.203(2)(c) or forestry uses on adjacent lands devoted to farm or forest use.*

The applicant's findings in response to Section 348-4.2 are provided on pages 8-9 of the written narrative. The applicant states the proposed school will be compatible with surrounding uses in the area, and points to the fact that Casefile L0300189-SU/D/HRV found the existing and proposed uses of the school to be compatible with surrounding uses and would not seriously interfere with defined "accepted farming practices" on land devoted to farm or forest uses. The applicant states that the planned addition does not invalidate those previous findings of compatibility and non-interference, and that this application does not change the "fundamental nature" of the school use, as previously determined.

A summary of the impact analysis follows:

#### Identification of Analysis Area

The analysis area includes the eight adjacent properties surrounding the subject parcel. The analysis area includes tax lots within the AF-5 and EFU Districts.

#### Land Use Activities on Adjacent Properties

Properties to the north, west and south are within the EFU District and are primarily engaged in farming activities. The applicant notes that the surrounding properties to the east and southeast are located in the AF-5 District and are primarily in residential use. Properties in the analysis area range from 0.39 acres (Tax Lot 1S4 13AB 3001) to 65.18 acres (Tax Lot 2201).

#### Activities Associated with the School:

The applicant described the use as a public elementary school that has existed on the site for over 80 years, with a current enrollment of 207 students. The applicant identifies the activities associated with the existing school as those activities typical of a relatively small neighborhood school. School hours are approximately 8:00 am to 3:00 pm. A combination of parents and school buses transport students to and from school.

#### Conclusion

The hearings officer concurs with the applicant that the analysis area in the application is sufficient to assess the potential for impacts to farm/forest practices in the immediate surrounding area. Since there has been a school on the site since 1942, and because this proposal does not alter the use of the site as it has existed since at least 1969, the compatibility and impact analysis is adequate in this case. The proposed addition and interior modifications to the existing school, are not expected to increase enrollment or staffing, thus existing traffic to the site will remain relatively the same. Further, surrounding uses have remained substantially the same since the 2003 impact analysis, and the record includes no indication that conflicts have occurred between the existing residential and farm uses surrounding the school. The hearings officer finds that the proposed 1,198 square foot addition and the existing public school will be compatible with other uses in the area and that it will not seriously interfere with accepted farming practices and forest uses in the area. The applicant has met the requirements of Section 348-4.2.

*C. The applicant has signed and recorded in the Department of Assessment & Taxation, Recording Division, a waiver of the right to remonstrate against customarily accepted farming practices.*

The required waiver was signed and recorded following approval of Casefile L0300189-SU/D/HRV (Document No. 2003-120835). That waiver runs with the property deed. This requirement has already been met.

#### *348-6 Dimensional Requirements*

##### *348-6.2 Yard Requirements:*

The minimum setback requirements of Section 348 are superseded by those in Section 430-121.4, which require a minimum setback for all yards of 30 feet. The proposed addition is setback more than 100 feet in all directions.

#### *348-7 Access*

*All lots in this District shall either:*

- 348-7.1 Abut a public street; or*
- 348-7.2 Have an easement of record at least thirty (30) feet wide at the street or as approved by the appropriate fire marshal.*
- 348-7.3 Access roadways shall be approved, developed and maintained in accordance with the requirements of the appropriate fire protection agency for the geographical*

*location. Where no fire protection agency has jurisdiction, access roadways shall meet the requirement of the nearest or most likely fire protection jurisdiction to annex the property under consideration.*

The subject parcel has three accesses on to SW Dilley Road: two in the northeast corner and another in the southeast corner via easement over Tax Lot 1S4 13 2203 (Document No. 2004-068709). The site also includes a bus turnout located in the right-of-way. The accesses and bus turnout were approved with the 1997 decision.

*348-8 Article IV - Development Standards*

*In addition to the requirements of this District, the standards of Article IV - Development Standards, including Section 422 (Significant Natural Resources), are applicable as required by Subsection 403-4.*

The applicable standards of Article IV are addressed below.

**3. Article IV, Development Standards:**

**Section 404 Master Planning**

The applicant has submitted the information required by this section; this information is in the casefile.

**Section 409 Private Streets Outside the UGB**

*409-5.1 Private streets (driveways), or portions thereof, shall demonstrate adequate accessibility for emergency vehicles. The private street (driveway) shall comply with the access road requirements of the Oregon Fire Code...*

The site has three access approaches onto SW Dilley Road, two in the northeast and one in the southeast via easement as mentioned above. The access driveways are longer than 150 feet and are thus subject to Oregon Fire Code (OFC) standards. Compliance with the OFC was confirmed as part of the Building Services Division review for the 2003 school addition. The proposal is subject to Building Services Division review for compliance with the Building Code. During that review Building Services staff will confirm continued compliance with the OFC. This standard is met.

**Section 410 Grading and Drainage**  
**Section 426 Erosion Control**

Any grading on the subject property is subject to the approval criteria of Section 410-3. Although certain grading activities may be exempt from permit requirements, any grading,

exempt or not, must be for a use permitted in the AF-5 District and must be preceded by approved grading, drainage, and erosion control plans. Pursuant to Section 410-1.2, the applicant or owner shall submit the necessary plans for review by the County Building Engineer prior to any grading/construction activities.

Any grading on the subject parcel must be appropriate for the intended use; in this case, an addition to an elementary school. Erosion control and drainage requirements are reviewed as part of the grading permit via the building permit process and must conform to Chapter 14.12 of the Washington County Code.

The above are included as recommended Conditions of Approval in Attachment B of this Final Order.

## **Section 411        Screening and Buffering**

### *411-1        Applicability*

*411-1.1        Screening and Buffering requirements are in addition to the setback requirements in residential and institutional districts and inclusive of the setback requirements in the commercial, mixed-use and industrial districts, as well as the setback requirements and design standards of the transit oriented districts, and shall be provided on the subject site at the time of development.*

*411-1.2        Screening and Buffering shall apply to all Development permits as determined in Section 411-3 or as determined by the Review Authority.*

### *411-2        Location*

*Screening and Buffering shall be located on the perimeter of a lot or parcel, extending to the lot or parcel boundary line. Buffering shall not be located on any portion of an existing or dedicated public or private street or right-of-way. In a case of two overlapping types of buffers, the higher type shall prevail.*

### *411-3        Determination of Screening and Buffering Requirements*

*411-3.1        To determine the type of Screening and Buffering required, the following procedure shall be used:*

*A.    Identify the primary district of the subject site by referring to the applicable Community Plan;*

- B. Identify the primary district(s) of the surrounding properties by referring to the applicable plan(s);*
- C. Determine the Screening and Buffering type by referring to the Screening and Buffering Matrix (Section 411-5); and*
- D. Determine the Screening and Buffering Standards by referring to the Screening and Buffering Standards (Section 411-6).*

#### *411-4 Limitations*

*All areas for screening and buffering shall remain void of buildings, building mechanical equipment (e.g., heat pumps, air conditioners), parking, service areas (e.g., solid waste and recyclables storage and pick-up facilities, loading and delivery areas), signing, lighting (except lighting of pathways) and utilities (unless underground). Area required for screening and buffering may be used to satisfy landscape and open space requirements and be included in the density calculation of the site.*

Section 411 does not provide specific standards for provision of screening/buffering measures for rural properties. Staff will typically require or recommend screening/buffering in order to block the view of a special use (such as an expansion of a school) that may have visual impact to surrounding homes or from view of public roads. In this case, the school addition is proposed on the west side of the school, which will not be visible from the public road, and existing vegetation along the north, west, and south property lines provides additional screening. Similar to the staff findings in 2003, the hearings officer finds that since the school has existed on the site since 1942, additional screening and buffering are not necessary at this time.

#### **Section 413      Parking and Loading**

Section 413-6.1 B(8)(b) is specific to elementary and junior high school. This section requires one space for each teacher and administrator, in addition to one space for each three seats within the auditorium. As shown on the applicant's Floor Plans (Exhibit A of the application), Dilley Elementary School does not have an auditorium. The students at the elementary school are served by 29 staff members, including 12 full-time teachers, a principal, a counselor, and various other staff; therefore, 29 parking spaces are required. The applicant's Preliminary Plans (Exhibit A) shows 50 spots currently exist on the site, thus exceeding the minimum requirement in this case. Staffing is not expected to increase as a result of this addition, as mentioned previously.

The parking standards are met.

## **Section 423      Environmental Performance Standards**

The applicant's response to the standards of this section is provided on pages 28-32 of the submitted written narrative. The county requires the proposed development to comply with all applicable DEQ and county standards pertaining to noise, odor, drainage and wastewater, and storage. Environmental issues which must be addressed with the proposal are the provision of water and sanitary sewer for the added use, and the potential for noise.

With regard to noise, Dilley Elementary School has existed on site since 1942, and the applicant states elevated noise levels beyond those that might be expected from a school use is not anticipated. County records do not include evidence of complaints regarding noise. No comments were received for this application, indicating that noise is likely not a significant issue for surrounding residents. Further, the submitted plans indicate that the addition will lie more than 100 feet from the nearest residences, and the number of attendance and staffing is not expected to increase. Thus, the proposed addition does not appear to present a noise concern.

With regard to sanitary sewer, the applicant will be required to provide evidence of authorization from the Washington County Health Department for the site's septic system to serve the addition (noted in the recommended conditions of approval in Attachment B).

With regard to water, the applicant has submitted a service provider letter from the District 18 Watermaster indicating no issues with the existing well's capability to serve the added use.

Therefore, this request meets the requirements of this section.

## **Section 430      Special Use Standards**

### *Section 430-121      Schools, Including Nursery (Private and Public)*

*430-121.1 Residential facilities, provided in conjunction with a school, may be approved as part of a school master plan pursuant to this Section, provided the facilities are for the exclusive use of staff and students affiliated with the school. Residential facilities may include dormitories.*

*430-121.2 Before and/or after school child care provided at a school exclusively for students affiliated with the school is permitted pursuant to Section 201-2.19.*

*430-121.3 Schools in the EFU and AF-20 Districts shall be small in size, rural in character and not require urban services.*

*430-121.4 The minimum setback for all yards shall be thirty (30) feet.*

*430-121.5 The maximum sign areas shall be:*

*B. On one (1) to ten (10) acres - seventy (70) square feet.*

The applicant proposes a 1,198 square-foot classroom addition to the west side of the school and an interior renovation of an existing classroom. Minor additional improvements are included in this application to accommodate the planned addition and renovation, including the construction of a hallway to connect the addition to the school and the installation of an exterior walkway along the westside of the school, providing exterior access to the planned hallway from the existing field and playground. No residential facilities are proposed. The planned expansion does not include any before or after school childcare. The site is not within the EFU or AF-20 Districts; thus Section 430-121.3 is not applicable. The addition has setbacks of more than 100 feet in all directions and the requirements of Section 430-121.4. The site already has signage and the applicant indicates this existing signage will suffice for the addition. Should additional signage be desired, compliance with the standard of Section 430-121.5 will be confirmed through the sign permit process.

#### **4. Article V, Public Facilities and Services:**

##### ***Section 501-9 Limited Application of Public Facility Standards Outside the UGB***

*501-9.3 For the purpose of determining impact and adequacy of public roads, Section 501-8.5 F. (Sight Distance), 501-8.5 H. (Road Standards), and 501-8.4 (Dedication of Right-of-way) of this article shall apply except as provided in Sections 501-9.4 and 501-9.5. However, in all instances, traffic safety issues shall be addressed. Consideration of traffic safety shall include but not be limited to the following:*

*A. Applicants for developments that will generate five hundred (500) or more average daily trips (ADT), based on the current edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual, shall submit a traffic analysis which evaluates and makes recommendations for traffic safety. The traffic analysis shall be prepared by a certified Traffic or Civil Engineer registered in the State of Oregon. Submitted traffic analyses will be reviewed by the County Engineer for adequacy and completeness. Where development will access a state highway, the requirement to provide a traffic report shall be determined by the Oregon Department of Transportation (ODOT).*



- B. Based on evaluation of the traffic analysis by the County Engineer, improvements such as signalization, acceleration lanes, deceleration lanes, turning lanes, and channelization may be required by the County Engineer when found to be necessary for traffic safety under accepted traffic engineering standards and practices.*
- C. Sections 501-8.5 A., 501-8.5 B.(4), 501-8.5 C. and 501-8.5 E. may apply to development that will generate at least two hundred (200) ADT and that will access arterial roadways upon the County Engineer's determination that the application of these standards is in the best interest of preserving the safety of arterial roadways.*

Outside the UGB, the County applies the Public Facilities Standards in a limited way. In this case the applicant has requested approval for an expansion of the existing Dilley Elementary School. As mentioned previously, the expansion will likely not generate any additional trips as additional enrollment is not anticipated (currently 207 students). Rural local streets typically require 50 feet of right-of-way. The SW Dilley Road right-of-way abutting the site is 40 feet wide. However, dedication of additional right-of-way disproportionate to the impact of the proposed addition.

The subject parcel has three accesses on to SW Dilley Road: two in the northeast corner and another in the southeast corner via easement (Document No. 2004-068709) over Tax Lot 1S4 13 2203. The site also includes a bus turnout located in the right-of-way. Applications which do not generate additional trips are exempt from sight distance standards but must maximize sight distance. (Section 501-9.6 E). In order to confirm that sight distance at the access approaches on to SW Dilley Road is maximized, a right-of-way permit is required provided in Attachment B of this Final Order.

It should also be noted that outside the UGB, the Code does not require the applicant to assure that adequate levels of public services exist, only that the County is required to *consider* the impact of the proposed development on public facility and service levels. While the land use review process does consider the impact of development on public service, it does not assure their adequacy. Service provider letters for this application were provided from the Health Department, Fire Marshal, and Sheriff's Office.

### **C. Transportation System Plan:**

With regard to this request, the policies of the Transportation Plan element of the Washington County Comprehensive Plan are limited to the classification of SW Dilley Road as a rural local street.

### **D. Ordinance No. 793-A, Transportation Development Tax:**

The Transportation Development Tax is required of all new development. It constitutes an assurance to satisfy extra capacity improvements to major collectors, county and city arterial streets, certain state facilities, and transit facilities, as listed in the Capital Improvement Project List. This tax is based on the number of daily trips a site generates and is due upon issuance of a building permit.

## **VI. CONCLUSION**

Based on the findings and discussion provided or incorporated herein, the hearings officer concludes that Casefile No. L2500062-SU (Dilley Elementary Addition) should be approved subject to the conditions of approval recommended by county staff, because the applicant sustained the burden of proof that the proposal does or will comply with the applicable approval standards in the Washington County Community Development Code subject to those conditions.

## **VII. ORDER**

The hearings officer hereby approves the Special Use approval requested in Casefile No. L2500062-SU (Dilley Elementary Addition), subject to the conditions of approval in Attachment B of this decision.

DATED this 26<sup>th</sup> day of June 2025.

A handwritten signature in dark ink, appearing to be 'Joe Turner', with a long horizontal flourish extending to the right.

Joe Turner, Esq., AICP  
Washington County Land Use Hearings Officer

**CONDITIONS OF APPROVAL**  
**Casefile No. L2500062-SU**  
**(DILLEY ELEMENTARY ADDITION)**

- I. **In accordance with Section 201-4, this permit shall automatically expire within four (4) years of the date of this approval, unless: the permit is revoked as provided by Section 201-7; an application for a permit extension is filed pursuant to Section 201-5; or development has commenced, as provided by Section 201-6.**
- II. **Prior to any ground-disturbing activities on the site, submit to the Building Services Division information as determined necessary by the Building Engineer (503-846-6733) (Sections 207-5, 410, and 426) including:**
  - A. A site-specific geotechnical engineering report with recommendations for development of the site. The report shall be stamped and signed by an Oregon registered engineer.
  - B. A drainage analysis report stamped by a civil engineer showing that any additional impervious areas as a result of the proposed work will not impact the surrounding properties negatively, per WCC 14.12.310.
  - C. All other requirements as stated on the Building Services Grading Permit application form.
  - D. Evidence of an issued right-of-way permit for all site accesses to SW Dilley Road. (Contact Washington County Operations Division, 503-846-7623, Section 501-9)
- III. **Prior to issuance of Building Permits (including Electrical, Plumbing, or Mechanical Permits):**
  - A. Submit to the Building Services Division (503-846-3470)
    1. Any required electrical, mechanical, plumbing, or structural permits consistent with Commercial Building Codes. Contact Commercial Plans Review staff at 503-846-3470. (Section 207-5) for further information on required permitting.
    2. A site plan consistent with the plan stamped "Preliminary Approval" in the casefile. (Section 207-5)
    3. Pay System Development Charges and Transportation Development Tax as applicable for the proposed development. (Section 207-5) (Ordinance No. 793-A)

*NOTE: See the current rate schedule, available on the Washington County website, [www.washingtoncountyor.gov](http://www.washingtoncountyor.gov), or at the Current Planning Services front counter (503-846-8761).*

**IV. Prior to Final Inspection/Occupancy, submit to Current Planning Services (503-846-8761):**

- A. Evidence of Final Approval of Right-of-way permit(s) for the site access(es) onto NW Dilley Road.

**V. Miscellaneous Conditions**

- A. This approval is based on the site plan stamped “Preliminary Approval,” in the casefile and the uses described in the application. Any changes to the approved plan or the approved uses may require subsequent land use approval. (Contact Current Planning, 503-846-8761.) (Section 207-5)
- B. Adequate sight distance shall be continuously maintained by the applicant/property owner. This may require the applicant/property owner to periodically remove obstructing vegetation from the road right-of-way and/or within the shared access easement. (Section 501-9)
- C. Site development shall be constructed in accordance with the conditions of this decision, the approved final plans, and the standards of the Community Development Code. (Section 207-5)
- D. All conditions of approval shall be binding upon all heirs, successors, and assigns. (Section 207-5)
- E. Any expansion of the school through expansion of the existing building or addition of new structures (including modular classrooms) will be subject to additional land use review through a Type III application process, or the applicable process in effect at that time. (Section 348-4.1 N)