

**WASHINGTON COUNTY**

Dept. of Land Use & Transportation
Current Planning
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**STAFF REPORT &
RECOMMENDATION****PROCEDURE TYPE:** III**CPO:** 5**COMMUNITY PLAN:** Comprehensive
Framework Plan for the Urban Area**LAND USE DISTRICT:** FD-20 District (Future
Development 20-Acre)**PROPERTY DESCRIPTION:****ASSESSOR MAP NO.:** 3S103B0**TAX LOT NO:** 00300 / 00500**ASSESSOR MAP NO.:** 3S103C0**TAX LOT NO:** 01900**SITE SIZE:** 31.25 / 2.90 / 4.61 acres**SITE ADDRESS(ES):** 12040 SW Tonquin Rd
& 25887 SW Graham's Ferry Rd / 25861 SW
Graham's Ferry Rd / 25853 SW Graham's
Ferry Rd**PROPOSED DEVELOPMENT ACTION:** Development Review and Miscellaneous Review for
Exceptions to Public Facility and Service Standards for a Contractor's Establishment in the FD-
20 District.**August 21, 2025****RECOMMENDATION:**

Staff recommends the Hearings Officer approve the applicant's request, subject to Conditions of Approval set forth in Attachment B of this report.

Project Planner: Cassandra O'Donnell, 503-846-8170

Attachments:

- A. Vicinity Map
- B. Recommended Conditions of Approval
- C. Staff Report

CASEFILE: L2500129-D/M**APPLICANT:**Robert D HatchPO Box 4070Wilsonville, OR 97070**APPLICANT'S REPRESENTATIVE:**AKS Engineering & Forestry, LLCSean Vermilya12965 SW Herman Rd, Ste 100Tualatin, OR 97062**PROPERTY OWNER(S):**Robert D HatchPO Box 4070Wilsonville, OR 97070**PROPERTY LOCATION:**West of railroad tracks at the western terminus
of SW Cahalin Street, approximately 2,000 feet
west of its intersection with SW Graham's
Ferry Road.

ATTACHMENT B RECOMMENDED CONDITIONS OF APPROVAL

- I. **THIS APPROVAL SHALL AUTOMATICALLY EXPIRE FOUR YEARS FROM THE DATE OF THIS APPROVAL, UNLESS DEVELOPMENT HAS COMMENCED, AN APPLICATION FOR AN EXTENSION IS FILED, OR THIS APPROVAL IS REVOKED OR INVALIDATED (SECTION 201-4).**
- II. **PRIOR TO COMMENCING ANY ON-SITE IMPROVEMENTS, INCLUDING GRADING, EXCAVATION AND/OR FILL ACTIVITIES:**
 - A. **Submit to Building Services (503-846-3470) for review and approval of a Grading Permit:**
 1. A site-specific geotechnical engineering report with recommendations for development of the site. The report shall be stamped and signed (electronic signature accepted) by an Oregon registered engineer.
 2. Provide private road/driveway/parking lot structural details on the plans per site-specific geotechnical engineering recommendations.
 3. Provide a drainage analysis report stamped by a registered civil engineer that shows that additional impervious areas as a result of this proposed work will not impact the surrounding properties negatively per WCC 14.12.310.
 4. In addition to the above items, comply with all requirements given on the Building Services Grading Permit application forms.
- III. **PRIOR TO THE ISSUANCE OF ANY BUILDING OR PLACEMENT PERMIT FOR EXISTING STRUCTURES:**
 - A. **Submit to Building Services (503-846-3470):**
 1. Building plans and building code summary (using the current building code) prepared by a registered architect.
 2. Final plans in conformance with the plans stamped "Preliminary Approval" in the casefile, which illustrate the following:
 - a. Six-foot high sight-obscuring fence along the perimeter of the outdoor storage areas consistent with the requirements of Section 423-9.
 - b. All structures meeting minimum setbacks, including a 20-foot rear setback at the west property line.
 - B. **Pay all applicable System Development Charges (SDCs) and Transportation Development Tax (TDT).**
- IV. **PRIOR TO FINAL APPROVAL:**
 - A. **Obtain Building Permits for all structures.**
 - B. **Submit Final Approval Application to Land Development Services, Project Planner (Cassandra O'Donnell, 503-846-8170), including the following:**
 1. Final Approval form (Type I procedure; two copies).

NOTE: *The final approval application shall contain a written statement and complete evidence/documentation that all Conditions of Approval have been/will be met.*

2. Final Approval fee.
3. Final plans in conformance with the plans stamped "Preliminary Approval" in the casefile, which illustrate requirements of III.2, above.
4. Written certification from an engineer that the vehicle parking area and access has been designed in accordance with the requirements of Sections 413-4 and 413-5.

NOTE: *In accordance with Section 413-4.4, the area proposed for storage of heavy equipment or vehicle parking area may consist of a gravel surface with a minimum four (4) inches of base rock with two (2) inches of three-quarter (3/4) inch minus leveling course.*

V. PRIOR TO FINAL BUILDING INSPECTION AND/OR OCCUPANCY:

- A. Obtain Final Approval.
- B. Have installed a six-foot high sight-obscuring fence along the perimeter of all outdoor storage areas consistent with the requirements of Section 423-9.

VI. OPERATIONAL LIMITATIONS FOR THE CONTRACTOR'S ESTABLISHMENT

- A. This approval is limited to the storage of vehicles, materials, and equipment as outlined in this Staff Report. The addition of other uses to this operation, change of ownership, or change of use at this site may require subsequent approval through the land use application process. In particular, no change in gravel/paved storage area and no new structures shall be permitted without land use and/or building department review. (Section 207-5)
- B. The applicant shall limit site access to contractor employees and shall not allow access by customers and the general public.

VII. ADDITIONAL CONDITIONS

- A. Adequate sight distance shall be continuously maintained by the property owner(s). This may require the property owner(s) to periodically remove obstructing vegetation.
- B. All conditions of approval shall be binding upon all heirs, successors, and assigns (Section 207-5).

ATTACHMENT C STAFF REPORT

I. APPLICABLE STANDARDS

- A. Washington County Comprehensive Framework Plan for the Urban Area
- B. Washington County Community Development Code (CDC)
 - 1. Article II, Procedures
 - Section 202-3 Type III
 - Section 203-3 Neighborhood Meeting
 - Section 203-5 Application Submittal and Acceptance
 - Section 207-5 Conditions of Approval
 - 2. Article III, Land Use Districts
 - Section 308 Future Development 20-Acre District (FD-20)
 - 3. Article IV, Development Standards
 - Section 403 Applicability
 - Section 404 Master Planning
 - Section 406 Building, Siting and Architectural Design
 - Section 407 Landscape Design
 - Section 408 Neighborhood Circulation
 - Section 410 Grading and Drainage
 - Section 411 Screening and Buffering
 - Section 413 Parking and Loading
 - Section 416 Utility Design
 - Section 418 Setbacks
 - Section 419 Height
 - Section 421 Floodplain and Drainage Hazard Area Development
 - Section 422 Significant Natural Resources
 - Section 423 Environmental Performance Standards
 - Section 426 Erosion Control
 - 4. Article V, Public Facilities and Services
 - Section 501 Public Facility and Service Requirements
- C. Ordinance No. 691-A – Transportation Development Tax

II. AFFECTED JURISDICTIONS

Sewer:	Washington County Environmental Health (Septic, None Proposed)
Streets:	Washington County Dept. of Land Use and Transportation
Drainage:	Washington County Dept. of Land Use and Transportation
Water:	Oregon Water Resources Department (Well)
Fire Protection:	Tualatin Valley Fire & Rescue
Police Protection:	Washington County Sheriff
Schools:	Sherwood School District
Transit:	Tri-Met

III. FINDINGS OF FACT

BACKGROUND FINDINGS

1. The applicant requests development review for a contractor's establishment in the FD-20 District, located on tax lots 3S103B000300, 3S103B000500, and 3S103C001900. The applicant proposes to store contractor vehicles, equipment, and materials for multiple tenants, potentially including an electrical contractor's yard, a demolition and removal contractor's yard, and/or a building siding contractor's yard. Improvements for the contractor's establishment includes previously unpermitted existing graveled areas, previously unpermitted existing structures, new concrete blocks and fencing, new infiltration trenches, and new stormwater facilities.
2. The applicant also requests a miscellaneous review for exceptions to public facility and service standards per Section 501-6, including water, sewer, and stormwater management standards.
3. The site contains one single detached dwelling unit (12040 SW Tonquin Rd), built 1961, to be retained as a separate use, along with the associated well house, workshop, and carport.
4. Existing structures proposed for use by the contractor's establishment include two job trailers, two storage buildings, two office containers, and one storage container, all built or placed after 2021. County records do not contain building or placement permits for any of these structures. Central and eastern portions of the site were graded and graveled over several years between 2017 and 2023. County records do not contain grading permits for these gravel areas.
5. The existing dwelling takes access from SW Tonquin Rd via three identified roadway easements (Book 148 Page 462, Book 349 Page 3, and Partition 2018-056).
6. The proposed contractor's establishment takes access to SW Graham's Ferry Rd from an existing 40-foot-wide access easement across tax lot 3S103C002100, recorded in Plat No. 1999-101. The access was permitted under Access Permit 04001581. The access also crosses Tax Lot 3S103C000490, under the same ownership as the subject site. If either site changes ownership, a new access easement may be required to ensure lawful access is maintained.
7. According to the Flood Insurance Rate Map for Washington County, the western edge of the site lies within the 100-year floodplain. See Section 421 for floodplain development standards.
8. The application for this project was received on November 27, 2024, prior to the effective date of Ordinances 901 and 902, which updated maps and standards relating to Significant Natural Resources. In accordance with Section 203-5.6, approval or denial of the application shall be based upon the standards and criteria that were applicable at the time of submittal. According to Map B of Policy 41 of the Comprehensive Framework Plan for the Urban Area, as effective at the time of application submittal, the southern portion of the site contains a Significant Natural Area (Tonquin Scablands Geologic Area), the southeast portion of the site contains Water-Related Fish and Wildlife Habitat, and the northern portion of the site lies within Mineral & Aggregate District B. The site

also contains Metro Riparian Wildlife Habitat Class I. See Sections 379 and 422 for standards related to these areas.

9. Staff notes that, if the Hearings Officer approves this application, the approval will be based on evidence in the record for this use. Transfer of the property or business to another owner could result in changes to the use that are not consistent with the use as described in this application. Therefore, staff has included a recommended condition of approval in Attachment B, limiting approval to the vehicles, materials, equipment, and operation of the contractor's establishment as described in this application. The addition of other uses or expansion of any uses approved by the Hearings Officer under this review may require subsequent approval through the land use application process. Further, staff recommends that the applicant be conditioned to limit site access to contractor employees and shall not allow access by customers and the general public. No retail or other commercial activity is permitted on the site.
10. Comments were received from the Washington County Building Division, Washington County Engineering, Clean Water Services, and Department of State Lands (see Casefile). Where appropriate, recommendations proposed in these letters are incorporated as Conditions of Approval in Attachment B of this report.
11. A public notice advertising the scheduled public hearing for this project was mailed on July 31, 2025 in accordance with County requirements. No letters of comment were received prior to the preparation of this Staff Report. Letters received after the report is provided to the Hearings Officer (seven days prior to the hearing) will be provided to the Hearings Officer at the hearing.
12. Processing timelines for the application are as follows:

Application Submitted:	November 27, 2024
Application Deemed Complete:	May 27, 2025
120-day Review Timeline:	September 24, 2025

A. WASHINGTON COUNTY COMPREHENSIVE FRAMEWORK PLAN FOR THE URBAN AREA

The goals and policies which relate to the development of land are implemented by the Washington County Community Development Code (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. In accordance with Section 308-3 of the Code, the proposed use is subject to Policy 41 of the Comprehensive Framework Plan for the Urban Area.

The subject site is located within Area of Special Concern No. 6, as designated on Map C of Policy 41. Area of Special Concern No. 6 is subject to the following:

6. *Area of Special Concern 6 is comprised of approximately 264 acres of land located generally west of Coffee Creek Correctional Facility in the City of Wilsonville. The boundary of ASC 6 is shown on Map C (Future Development Areas Detailed Areas) of Policy 41. The properties included in this Area of Special Concern are designated Future Development 20-Acre (FD-20) District on the Future Development Areas Map (Map A). These properties were added to the UGB by Metro Ordinance 04-1040B*

(adopted on June 24, 2004), and were designated as Industrial land on Metro's 2040 Growth Concept Plan. Title 11 planning and FD-20 development applications within this Area of Special Concern are subject to the following criteria:

- a) *Title 11 planning shall be completed for the area within two years following the selection of the right-of-way alignment for the I-5/99W Connector, or within seven years of the effective date of Metro Ordinance No. 04-1040B, whichever occurs earlier.*
- b) *Until the effective date of new regulations adopted pursuant to Title 11, development applications within this Area of Special Concern shall be subject to Community Development Code Section 308, except as otherwise provided below:*
 - 1) *Day care facilities, cemeteries, religious institutions and schools are prohibited due to the area's designation as an Industrial Area.*
- c) *The Title 11 planning required by Metro shall:*
 - 1) *Adopt provisions – such as setbacks, buffers and designated lanes for movement of slow-moving farm machinery – to enhance compatibility between urban uses in the UGB and agricultural practices on adjacent land outside the UGB zoned for farm or forest use.*
 - 2) *Incorporate the general location of projected right-of-way location alignment for the I-5/99W Connector and the Tonquin Trail as shown on the 2004 Regional Transportation Plan.*

STAFF: The development site is in the West Railroad Future Planning Area of Wilsonville's Basalt Creek Concept Plan but has not undergone any further Title 11 planning. Future Title 11 planning will be completed by the City of Wilsonville in accordance with the above standards. Until such time, the application remains subject to the requirements of Section 308.

The proposed development is in line with the designation as an Industrial Area and does not involve development review for a day care facility, cemetery, religious institution, or school.

In addition, according to Map B of Policy 41, the southern portion of the site contains a Significant Natural Area (Tonquin Scablands Geologic Area), while the southeast portion of the site contains Water-Related Fish and Wildlife Habitat. See Section 422 for standards related to these areas.

The northwest portion of the site is mapped with Mineral and Aggregate District B. However, the proposed uses are not considered noise sensitive uses (e.g., not residential) and findings for the requirements of Section 379 (Mineral and Aggregate Overlay District) are not required for this report.

B. WASHINGTON COUNTY COMMUNITY DEVELOPMENT CODE (CDC)

1. Article II, Procedures

Section 202 Procedure Types and Determination of Proper Procedure

202-3 Type III

- 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.*

STAFF: This request is being processed through the Type III procedure of the Community Development Code, pursuant to Section 308-4.6. In accordance with Type III procedural requirements, public notice was sent to surrounding property owners 20 days prior to the hearing. No letters of comment were received prior to the preparation of this report.

Section 203 Processing Type I, II and III Development Actions

203-3 Neighborhood Meeting

- 203-3.2 *The following application types shall be subject to the neighborhood meeting requirements:*

A. *Inside the UGB:*

- *Type II or III Development Review - Commercial, Industrial, or Institutional (required only when the parcel subject to the application is within 125 feet of a Residential District).*

STAFF: The proposed use is a Type III industrial use in the FD-20 District. The subject site is over 125 feet from a Residential District. A neighborhood meeting is not required.

203-5 Application Submittal and Acceptance

- 203-5.6 *If the application was complete when first submitted or the applicant submits the requested additional information within 180 days of the date the application was first submitted and the County has a Comprehensive Plan and land use regulations acknowledged under ORS 197.251, approval or denial of the application shall be based upon the standards and criteria that were applicable at the time the application was first submitted.*

STAFF: The application for this project was received on November 27, 2024, prior to the effective date of Ordinances 901 and 902, and requested additional information was submitted on May 27, 2025, 180 days from the date the application was first submitted. In accordance with Section 203-5.6, approval or denial of the application shall be based upon the standards and criteria that were applicable at the time the application was first submitted.

Section 207 Decision

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.*

STAFF: Recommended Conditions of Approval are included in Attachment B. The applicant shall comply with all Conditions of Approval of the Hearings Officer's Final Decision.

2. Article III, Land Use Districts

Section 308 Future Development 20-Acre District (FD-20)

308-4 Uses Which May Be Permitted Through a Type III Procedure

The following uses may be permitted unless specified otherwise by the applicable Community Plan or Policy 41 of the Comprehensive Framework Plan for the Urban Area. These uses may be permitted subject to the specific standards for the use set forth below and in applicable Special Use Sections of Section 430, as well as the general standards for the District, the Development Standards of Article IV and all other applicable standards of the Code. Approval may be further conditioned by the Review Authority pursuant to Section 207-5.

308-4.5 Contractor's Establishment.

STAFF: The proposed contractor's establishment may be permitted in the FD-20 District through a Type III procedure. The applicant proposes to utilize the graveled areas and existing structures to store contractors' vehicles, equipment, and materials.

308-5 Prohibited Uses

308-5.4 *The outdoor parking or storage of any five or more vehicles on a single lot or parcel for more than 48 hours, except as approved in conjunction with a development or as allowed under Section 201-2 (Exclusions from Permit Requirement).*

308-5.9 *Any parking or storage of tractor-trailers, semi-trucks, or heavy equipment, except in conjunction with an approved development or with a farm or forest use.*

STAFF: As part of the contractor's establishment, the applicant proposes to park and/or store vehicles and heavy equipment on the site. Approval of this request constitutes development approval, thereby permitting the storage of the contractors' vehicles and heavy equipment on the site, as specified in this request and in Conditions of Approval (Attachment B).

308-6 Dimensional Requirements

STAFF: No new structures or land division are proposed in this request. Submitted plans indicate that the majority of structures meet setbacks, but do not provide all setback dimensions. Plans showing all structures meeting setbacks shall be required prior to Final Approval, as conditioned in this report. These standards will be reviewed further at time of Building or Placement Permit submittal.

308-7 Additional Standards

308-7.1 *All new permitted uses shall be constructed in a manner which does not interfere with future conversion of the land to planned urban densities and/or uses.*

STAFF: This approval is in line with future industrial zoning. While development of the site and its infrastructure would be required, nothing in this approval would preclude future conversion to urban densities or uses. The site is in the West Railroad Future

Planning Area of Wilsonville's Basalt Creek Concept Plan, which does not specifically contemplate a future land use scenario for this area.

308-7.3 *Property in an Area of Special Concern on the Future Development Areas Map in the Comprehensive Framework Plan for the Urban Area is subject to the applicable Area of Special Concern provisions in Plan Policy 41.*

STAFF: See findings for the Washington County Comprehensive Framework Plan for the Urban Area above.

308-8 Access

All lots in this District shall either:

308-8.1 *Abut a public street; or*

308-8.2 *Have an easement of record at least 40 feet wide at the street or as approved by the appropriate fire marshal. In cases where no fire marshal has jurisdiction, the easement shall be subject to the standards of Fire District #1.*

STAFF: The site takes primary access to SW Graham's Ferry Rd from an existing 40-foot-wide access easement across tax lot 3S103C002100, recorded in Plat No. 1999-101.

3. Article IV, Development Standards

Section 403 Applicability

403-3 Additional Standards Inside the UGB

403-3.1 *Type III development, except those detailed in Section 403-3.2, may be denied based on the following:*

A. *The proposed development will have significant adverse impacts on property values in the area;*

STAFF: Staff is not aware of any known significant adverse impacts on property values as a result of this request. Further, staff believes that the recommended Conditions of Approval ensure that the proposed use will not adversely impact surrounding properties.

B. *The proposed development will unduly conflict with the character of an area not otherwise in transition; or*

STAFF: Staff finds that the development site is located within a broad area in transition. The area was added to the Regional Urban Growth Boundary by Metro for the primary purpose of providing industrial land. The proposed contractor's establishment as proposed is in general character for future industrial uses.

C. *The public interest is not served by permitting the proposed development to occur on the proposed site at the proposed time. Development proposed to serve significant portions of the county may be evaluated for its impacts on the entire area to be served.*

STAFF: The proposed use benefits the public interest by supporting the economic growth that development and construction can provide to the local area as well as the region as a whole. The proposed use also allows active use on industrial land that would otherwise be undevelopable due to a lack of urban services. Importantly, existing

and proposed uses and structures on site are not necessarily an impediment to more intensive redevelopment. Staff finds that the greater public interest will be served by the proposed development.

Section 404 Master Planning

STAFF: The applicant has submitted materials showing on-site topography and tax lot lines, as well as roadways in proximity to the site. This information adequately represents the Master Planning requirements of Section 404.

Section 406 Building, Siting and Architectural Design

STAFF: Existing structures, including unpermitted structures, generally comply with the standards of this section. No new structures are proposed and existing structures without permits are required to submit building plans to the county as conditioned in Attachment B.

Section 407 Landscape Design

407-1 Minimum Landscape Standards

407-1.4 Commercial, Industrial and Institutional Districts:

- A. *For new development, the minimum area required for landscaping shall be 15% of the land area.*

STAFF: Submitted plans and narrative indicate that over 15% of the land area shall be landscaped, including infiltration trenches and stormwater facilities.

Section 408 Neighborhood Circulation

408-2 Applicability

- 408-2.1 *Notwithstanding the requirements of Section 408-10, within an urban growth boundary the requirements of 408-4 - 408-9 shall apply as follows:*

- B. *To all Type II and Type III development except for the uses listed below:*

- (6) *Specific land uses, as determined by the Review Authority, may be exempt from the provisions of this Section on a case-by-case basis, based on findings that:*
 - (a) *The nature of the use will create minimal demand for pedestrians and bicycle use; and*
 - (b) *The subject property does not front on an Arterial or Collector; or*
 - (c) *All properties abutting the subject site that do not have frontage on an Arterial or Collector are developed; or*
 - (d) *All properties abutting the subject site that do not have frontage on an Arterial or Collector are designated as Industrial or General Commercial; or*
 - (e) *Walking distances to the nearest Arterial or Collector from all properties abutting the subject site that do not have frontage on an Arterial or Collector will not increase more than 200 feet if the subject property were found to be exempt from this Section.*

STAFF: The proposed use is a private contractor's establishment, primarily for storage of vehicles, equipment, and materials. The site shall not be open to the general public and will be primarily used by contractor employees. Therefore, the use will create minimal-to-no demand for pedestrian and bicycle use. Further, the subject site does not front on any public road. Therefore, staff recommends this use be exempted from the standards of 408-4 - 408-9.

408-10 Internal Pedestrian Circulation

408-10.1 Number of Pedestrian Connections

- A. *All developments with 20 or more parking spaces or that generate 14 or more additional ADT shall provide a pedestrian connection between the street and the main entrance of the primary structure on the lot. For lots with more than one street frontage, a connection shall be provided to each street. As an alternate for new development on lots with multiple buildings, a pedestrian connection shall be provided between the street and the center of the internal pedestrian network. These requirements do not apply to single-family or Duplex residential development.*

408-10.2 Reduction of Number of Pedestrian Connections

A reduction of the number of pedestrian connections required by 408-9.1 A. through D. may be granted by the Review Authority based on a determination that reducing the number of connections would not result in an increase in out of direction travel from the street or trail to any main building entrance for pedestrians or cyclists accessing the site from: 1) An off-site accessway or trail, 2) The sidewalk or shoulder along the street where the property has frontage, 3) A transit stop, 4) Pedestrian crossings on Arterials and Collectors, and 5) from pedestrian oriented uses across a Collector, Neighborhood Route or Local Street.

STAFF: The proposed use will generate 14 or more additional ADT. However, as described above, the use will create minimal demand for pedestrian and bicycle use and has limited access easements. In addition, the site contains multiple structures accessory to the primary use but no primary structure. No increase in out-of-direction travel from the street or trail to any main building entrance for pedestrians or cyclists is anticipated. Therefore, staff recommends this use be exempted from the connection requirement of 408-10.1 A.

Section 410 Grading and Drainage

STAFF: The applicant proposes to permit existing grading, including gravelling, and new grading necessary to create new stormwater management facilities and new infiltration trenches. The applicant submitted preliminary details as required by this section, including preliminary grading and drainage plans. The Washington County Building Engineer has reviewed the preliminary details submitted with the application and determined that the plans meet the requirements of Section 410-1.1. A grading permit will be required for the development. See Attachment B, Recommended Conditions of Approval.

Section 411 Screening and Buffering

STAFF: The applicant has proposed a contractor's establishment on this FD-20 site. The Code includes no specific provisions for screening and buffering on FD-20 uses or

contractor's establishments, with required screening and buffering to be determined by the review authority. Inside the UGB, Code provisions specifically require screening and buffering when commercial and industrial uses adjoin residential uses.

The surrounding properties to the north and south in industrial use, including other contractor's establishments, and therefore require minimal screening. The property to the east (Tax Lot 3S103A001300) is in institutional use by Coffee Creek Correctional Facility. Existing rail right-of-way and the correctional facility's site design provide sufficient screening and buffering. The property to the west (Tax Lot 3S103B000302) is in residential use, including a single detached dwelling unit and a temporary health hardship dwelling. The existing design of this site provides substantial screening and buffering, and no new screening and buffering shall be required under this section at this time.

See also Section 423 for required screening of storage areas.

Section 413 Parking and Loading

STAFF: No minimum parking requirement applies. The applicant notes that all vehicles accessing the site will be stored on-site. Per Section 413-4.4, for the purpose of storage of heavy equipment or vehicles in the Industrial District, an appropriate gravel surface may be approved. No specific number or location of spaces are proposed. Given the nature of the use and minimal development proposed, staff recommends finding the proposed gravel storage areas sufficient for Section 413, subject to certification that the parking area has been designed in accordance with the requirements of Sections 413-4 and 413-5.

Section 416 Utility Design

STAFF: No modifications are proposed to existing utilities. New utilities, as necessary, shall be placed underground pursuant to Section 416-1. The location, design, and installation of new utilities (if any) shall be coordinated with the applicable service provider and carried out with minimum site disturbance. Utility easements shall be provided in accordance with Section 416-1.3.

Section 418 Setbacks

STAFF: Section 308 establishes setback requirements for structures and buildings on properties designated FD-20. Section 418 applies to yard obstructions, corner vision and fences and retaining walls. Fences required under Section 423 shall comply with this section. These standards will be reviewed further at time of building permit submittal.

Section 419 Height

STAFF: Section 303 establishes height requirements for buildings within the R-6 District. Section 419 applies to fences and retaining walls and establishes height requirements for properties that abut properties in different districts. Fences required under Section 423 shall comply with this section. These standards will be reviewed further at time of building permit submittal.

Section 421 Floodplain and Drainage Hazard Area Development

421-3 Submittal Requirements

In addition to the requirements of Sections 203-4 and 410, an application for a floodplain or drainage hazard area alteration shall contain the following information for the area proposed to be disturbed. This information shall be prepared by a licensed professional engineer and

may be submitted with or be made part of a site plan or grading plan for the proposed development.

421-3.1 Recognizing that the scale may be such that the true and accurate floodplain or drainage hazard area boundaries cannot be determined from the maps referenced in Sections 421-1.1 and -1.2 alone, all persons seeking a development permit for lands within said areas and within 250 feet of the map boundary of a floodplain or drainage hazard area identified in Sections 421-1.1 and -1.2, except as noted below for Land Divisions and property line adjustments, shall submit with the development permit application:

A. A delineation of the floodplain and the floodway boundaries, established by a registered engineer or a registered surveyor from the surface elevations for the floodplain based upon maps or other data sources referenced in Section 421-1.1; and

STAFF: The western portion of the site lies partially within the 100-year floodplain. The applicant's preliminary site plan shows the delineated 100-year floodplain, prepared by a registered surveyor. No development is proposed in or in proximity to the floodplain at this time and further review of this section is not required.

Section 422 Significant Natural Resources

NOTE: *The application for this project was received on November 26, 2024, prior to the effective date of Ordinances 901 and 902, which updated county standards and mapping relating to Significant Natural Resources. In accordance with Section 203-5.6, approval or denial of the application shall be based upon the standards and criteria that were applicable at this time.*

422-3 Criteria for Development

422-3.1 The required master plan and site analysis for a site which includes an identified natural resource shall:

A. Identify the location of the natural resource(s), except in areas where a Goal 5 analysis has been completed and a program decision adopted pursuant to OAR 660, Division 23 (effective September 1, 1996);

B. Describe the treatment or proposed alteration, if any. Any alteration proposed pursuant to Section 422-3.1 B. shall be consistent with the program decision for the subject natural resource; and

STAFF: The southeast portion of the site is identified as Water-Related Fish and Wildlife Habitat on the County Goal 5 Map and contains Metro Riparian Wildlife Habitat Class I. The applicant submitted a Significant Natural Resource Assessment showing that no Significant Natural Resources are or were present in the development area. The applicant additionally completed a Wetland Delineation/Determination Report, showing that no jurisdictional wetlands or other waters of the state are or were present within the development area. The Department of State Lands reviewed this report and concurred with the applicant's findings. Staff similarly concurs with the applicant's determination that no Significant Natural Resources are or were present in the development area and finds that no alteration is proposed at this time.

422-3.5 Significant Natural Areas

Any development requiring a permit from Washington County which is proposed in a Significant Natural Area, as identified by the applicable Community Plan or the Rural/Natural Resource Area Plan Element, shall reduce its impact, to the maximum extent feasible, on the unique or fragile character or features of the Significant Natural Area. Appropriate impact reducing measures shall include:

- A. Provision of additional landscaping or open space; and*
- B. Relocation of the proposed site of a building, structure or use on the lot.*

STAFF: The southern portion of the site contains an identified Significant Natural Area (Tonquin Scablands Geologic Area). A 1984 memo from Senior Planner Hal Bergsma describes the unique features of the Tonquin Scablands Geologic Area: "Geologic features of the area include channels, depressions (often containing ponds or marshes), and scoured bedrock knolls and channel walls." Bergsma further identifies the major conflicting use for this area as quarrying.

On investigation, the applicant did not find any of the listed features which characterize the natural area. No quarrying is proposed which may conflict with Significant Natural Area features. No further review of this section is required at this time.

Section 423 Environmental Performance Standards

423-6 Noise

All development shall comply with Chapter 8.24 of the Washington County Code of Ordinances relating to noise control. Documentation required to demonstrate compliance may include analysis from a registered professional acoustical engineer.

STAFF: The use shall comply with Chapter 8.24 of the Washington County Code of Ordinances throughout its life cycle.

423-9 Storage

423-9.1 All materials, including wastes, shall be stored and all grounds maintained in a manner which will not attract or aid the propagation of insects or rodents or create a health hazard.

423-9.2 No open storage of materials and equipment shall be permitted unless contained by a site obscuring fence or landscaped screening.

423-9.3 Fencing will be allowed between the required landscaping and use where necessary to protect the property concerned or to protect the public from a dangerous condition subject to the following provisions:

- A. No fence shall be constructed in the required setback from the public road right-of-way.*
- B. Fences shall be constructed as required through development review.*
- C. Fencing or sight obscuring screening for storage areas must be at least 6 feet, but no more than 10 feet high.*

423-9.4 Storage of Hazardous Materials

Developments which store hazardous materials must comply with state standards, OAR 340-063, and the federal standards, 40 CFR Part 262 and 264 and shall demonstrate such compliance. All hazardous materials must be stored above ground. Transport of and disposal of such materials shall be in conformance with all applicable local, state and federal regulations with such compliance demonstrated.

STAFF: The applicant proposes storage of equipment and materials. None of the materials are expected to attract or aid the propagation of insects or rodents or create a health hazard. No storage of hazardous materials is proposed. Staff recommends that, as a condition of approval, the applicant be required to install a six-foot high sight-obscuring fence along the perimeter of all outdoor storage areas consistent with the requirements of Section 423-9.

Section 426 Erosion Control

STAFF: As a Recommended Condition of Approval in Attachment B, the applicant/property owner shall submit erosion control plans prior to any site disturbances. The applicant will be required to submit plans showing compliance with Section 426 and all grading shall be conducted using erosion control which meets the provisions of Chapter 14.12 of the Washington County Code (adopted by Ordinance No. 689).

4. Article V, Public Facilities and Services

Section 501 Public Facility and Service Requirements

501-6 Exceptions for Critical and Essential Services

501-6.1 Development proposals that cannot ensure critical and essential services applicable to the development, other than those required by Sections 501-8.1 B (9) or 501-8.2 G. (Half-street improvements), within the required time frames shall be denied unless all of the following findings can be made:

- A. The particular inadequate facility(ies) or service(s) is not necessary for the particular proposal within the time period identified by the service provider;*
- B. The approval of the development application will not substantially interfere with the ability to later provide the particular inadequate facility(ies) or service(s) to anticipated uses in the vicinity of the subject property;*
- C. The approval of the development application without the assurance of the particular inadequate facility(ies) and service(s) will not cause a danger to the public or residents in the vicinity of the subject property; and*
- D. It is shown that the applicant has exhausted all practical methods within the ability of the applicant to ensure the provisions of the unacceptable facility(ies) and service(s).*

STAFF: In accordance with Section 501-8.1 of the Code, the following facilities and services are considered critical:

- Water
- Sewer

- Fire protection
- Access
- Drainage, storm water, surface water, and water quality management
- Urban Road Maintenance District

Water: The site is located outside an established water district. The applicant proposes to utilize an existing private well for water needs and submitted appropriate documentation from the Oregon Water Resources Department to confirm well approval. Timeframes for the provision of urban water services to the site are unknown. Water would be provided by the City of Wilsonville after the site annexes into the city. The proposed use is not expected to interfere with the future provision of this service. The approval of the development application without water service is not expected to cause a danger to the public or residents in the vicinity of the subject property.

Sewer, drainage, storm water, surface water, and water quality management: The subject site is currently outside of a service district for these services. Timeframes for the provision of sewer and surface water management services are unknown. No improvements requiring sanitary sewer service are proposed at this time. The proposed use does not interfere with the future provision of these services. The approval of the development application without such services is not expected to cause a danger to the public or residents in the vicinity of the subject property. The applicant is required to provide evidence relating to compliance with appropriate on-site surface water management and drainage.

Fire: The applicant has provided an approved service provider letter from Tualatin Valley Fire & Rescue, dated April 11, 2025.

Access: Sufficient access is provided via a 40-foot access easement to SW Graham's Ferry Road.

Urban Road Maintenance District (URMD): The property will not be required to join the URMD at this time per Policy 41, Implementing Strategy e, of the Washington County Comprehensive Framework Plan for the Urban Area, which provides that FD-10 and FD-20 properties are not required to annex to the URMD until such time as another urban plan designation is applied.

In accordance with Section 501-8.2 of the Code, the following facilities and services are considered essential:

- Schools
- Police or Sheriff protection
- Transit agency service
- Trail Provider
- Highway department
- Adequate Level of Arterial and Collector Roads
- Future alignments of Collectors or Arterials
- Street Lighting
- Half street improvements

Schools: School service is not considered applicable to this development application for a contractor's establishment.

Sheriff: The applicant has provided a service provider letter from the Washington County Sheriff's Department establishing that police protection is available to the site. The site is not required to annex into the Enhanced Sheriff's Patrol District (ESPD) per Policy 41, Implementing Strategy e, of the Washington County Comprehensive Framework Plan for the Urban Area which provides that FD-10 and FD-20 properties are not required to annex to the ESPD until such time as another urban plan designation is applied.

Transit: An adequate level of transit service is not considered applicable to this development application for a contractor's establishment. Members of the general public will not visit the site, no pedestrian access to the site is neither proposed nor required, and the typical use activity of the site will not require transit-related use.

Trails: The site is outside of any parks and recreation service district. Timeframes for the provision of parks and recreation service are unknown. The site lies over 500 feet north and east of the Tonquin Ice Age Trail, a Regional Trail identified in the Transportation System Plan. Access to this trail is not necessary for the proposed use. The proposed use does not interfere with the future provision of these facilities. The approval of the development application without trail service is not expected to cause a danger to the public or residents in the vicinity of the subject property. Further, an adequate level of trail service is not considered applicable to this development application for a contractor's establishment.

Arterial and Collector Roads: The property takes access from SW Graham's Ferry Rd, an arterial. No future alignments for arterials or collectors cross the property.

Street Lighting and Half-Street Improvements: The property does not have any street frontage. No improvements are required.

- D. *It is shown that the applicant has exhausted all practical methods within the ability of the applicant to ensure the provisions of the unacceptable facility(ies) and service(s).*

STAFF: As discussed above, there is no practical method to ensure provision of water, sewer, and surface water management services to the site and it is unknown when these services will become available to the area. There is no known timeline for annexation of the site into the city boundary. As such, the applicant is unable to practically ensure the provisions of the unacceptable services.

501-6.2 *Exceptions to the Public Facility and Service Standards as provided under Section 501-6.1 will be reviewed through a Type III process.*

STAFF: The request for exceptions to the Public Facility and Service Standards identified above is being reviewed through the Type III process.

501-8 *Standards for Development*

501-8.5 *Access to Public Roads*

B. *Roadway Access:*

(4) *Arterials*

Direct access to arterial roads shall be from collector or other arterial streets. Exceptions for local streets and private

accesses may be allowed through a Type II process when collector access is found to be unavailable and impracticable by the Director. New Arterial Street alignments identified in the TSP may be adjusted within the subject property, as approved by the County Engineer. Access to arterials shall comply with the following standards:

(a) *Arterials*

Direct access to an arterial will be permitted provided that Point 'A' of such access is more than 600 feet from any intersection Point 'A' or other access to that Minor Arterial (Point 'C').

STAFF: The applicant proposes to utilize an existing access to SW Graham's Ferry Rd, approved by Access Permit 04001581. The existing access is acceptable.

F. *Sight Distance*

The following specifies the minimum requirements for sight distance for roads intersecting each other and for driveways intersecting public roads. It is the intent of this section to regulate the creation of new access points to maximize the safety of access to public roads.

- (4) *Minimum intersectional sight distance shall be equal to ten times the vehicular speed of the road as determined by the standards of Section 501-8.5 F. (1) and (2) such as in the following table.*

INTERSECTIONAL SIGHT DISTANCE	
MPH	DISTANCE ALONG CROSSROAD (FT)
45	450

STAFF: SW Graham's Ferry Rd has a speed limit of 45 mph at the access point. The application included a Certification of Sight Distance at the access to SW Grahams Ferry Rd. Sight distance in both directions is measured as greater than 450 feet. Adequate sight distance is provided at the access point.

C. ORDINANCE NO. 691-A – TRANSPORTATION DEVELOPMENT TAX

STAFF: The Transportation Development Tax (TDT) is required of all new development and constitutes an assurance to satisfy a development's requirement to provide additional capacity to Collectors and Arterial streets needed for development. This tax is based on the number of daily vehicle trips a site generates and is due at issuance of a building permit.

IV. SUMMARY AND RECOMMENDATION

The applicant has requested Development Review approval and exceptions to Public Facility and Service Standards for a Contractor's Establishment on the subject site. The required findings have been made for the applicable Code sections. When implemented in accordance with the Recommended Conditions of Approval and the approved final plans, staff believes that the project will comply with the Washington County

Comprehensive Framework Plan for the Urban Area and the Washington County
Community Development Code.

Staff recommends the Hearing's Officer approve the applicant's request, subject to the
Conditions of Approval set forth in Attachment "B" of this report.