



**WASHINGTON COUNTY**  
 Dept. of Land Use & Transportation  
 Current Planning  
 155 N. 1st Avenue, #350-13  
 Hillsboro, OR 97124  
 Ph. (503) 846-8761 Fax (503) 846-2908  
[www.washingtoncountyor.gov](http://www.washingtoncountyor.gov)

**STAFF REPORT &  
 RECOMMENDATION**

**PROCEDURE TYPE:** III

**CPO:** 10

**COMMUNITY PLAN:** Aloha-Reedville-Cooper Mountain Community Plan

**LAND USE DISTRICT:** FD-20 District (Future Development 20-Acre)

**PUMP STATION SITE PROPERTY DESCRIPTION:**

**ASSESSOR MAP NO:** 1S22200  
**TAX LOT NO(S):** 00200 (Pump Station)  
**SITE SIZE:** 58.36 acres  
**SITE ADDRESS(ES):** 6650/6672 SW 229th Ave (Pump Station)

**CASEFILE:** L2400241-SU/D(IND)

**APPLICANT:**  
 Clean Water Services  
 Jeff Hart  
 16060 SW 85<sup>th</sup> Ave  
 Tigard, OR

**APPLICANT'S REPRESENTATIVE:**  
 MIG  
 Shayna Rehberg  
 506 SW 6<sup>th</sup> Ave, Ste 400  
 Portland, OR 97204

**PUMP STATION SITE PROPERTY OWNERS:**  
 Tax Lot 1S2220000200  
 Rosedale Floral Azaleas LLC  
 1386 SW 179<sup>th</sup> Ct  
 Beaverton, OR 97006

**PROPERTY LOCATION:**  
 Pump Station: On the northeast corner of the intersection of SW 229th Avenue and SW Rosedale Road.  
 Pipeline: From the pump station in a northeasterly direction to SW 209th Avenue; and from the intersection of SE Murphy Lane and future SW Cornelius Pass Road in a southerly direction to the north side of SW Rosedale Road.

**SEE CASEFILE FOR OTHER AFFECTED PROPERTIES**

**PROPOSED DEVELOPMENT ACTION:** Special Use and Development Review for Rosedale Pump Station and associated pipeline, a public utility service facility in the FD-20 District.

**December 19, 2024**

**RECOMMENDATION:**

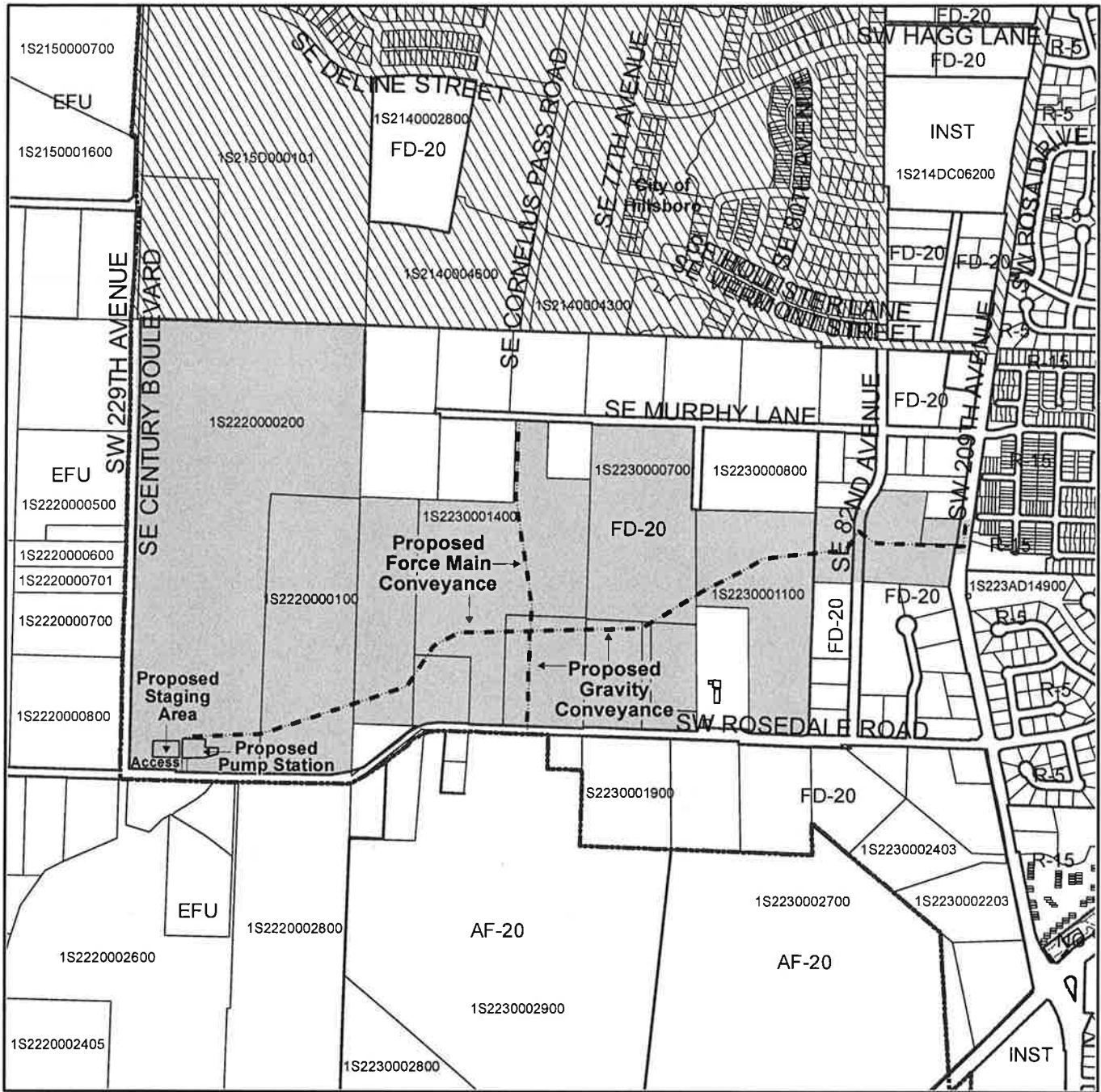
Staff recommends the Hearing's Officer approve the applicant's request, subject to the Conditions of Approval set forth in Attachment B of this report.

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

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

ATTACHMENT A VICINITY MAP

TAX MAP/LOT NO. 1S2 22 00 00100 & 00200; 1S2 23 00 00700, 01100, 01200, 01201, 01300, 01400, 01401, 01402, 01500; 1S2 23 AB 00800, 01500, 01600  
 CASEFILE / PROJECT #: L2400241-SU/D(IND)



↑ NORTH

■ AREA OF CONSIDERATION

NOT TO SCALE

**SITE & SURROUNDING LAND USE DISTRICTS:**

- Future Development 20-Acre District (FD-20)
- R-5 District (Residential 5 units/acre)
- R-15 District (Residential 15 units/acre)
- Institutional District (INST)
- City of Hillsboro
- Urban Growth Boundary
- EFU District (Exclusive Farm Use)
- AF-20 District (Agriculture and Forest)

**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 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, FILL ACTIVITIES OR TREE REMOVAL, THE APPLICANT SHALL:**
  - A. **Submit to Building Services (503-846-3470) for review and approval grading plans meeting the standards of CDC Sections 410 and 426 and consistent with the preliminary plan approved via this land use review. The grading permit application shall include at a minimum the following information/reports:**
    1. A grading permit is required for the proposed development/project. Plans and design documentation shall bear a civil engineer stamp and signature.
    2. Site-specific geotechnical engineering report with recommendations for the development of the site is required. The report shall be stamped and signed (electronic signature accepted) by an Oregon registered engineer.
    3. The proposed structure may fall under Risk Category III or IV, an "Essential Facility Structures." Therefore, provide a "Seismic Site Hazard Investigation Report" per OSSC-22 1803.3.2 requirement. Note, this report is an additional requirement from the standard project geotechnical engineering report.
    4. Separate review comments will be sent as applicable.
    5. Provide a drainage analysis report stamped by a civil engineer that shows that the additional impervious areas because this proposed work will not impact the surrounding properties negatively per WCC 14.12.310.
    6. Beside the above items, comply with all requirements given on the Building Services Grading Permit application forms.
  
  - B. **Submit to Clean Water Services (503-681-3600) for review and approval:**

Obtain a Clean Water Services (CWS) Site Development Permit. Application for CWS Site Development Permit must be in accordance with the requirements of the Design and Construction Standards, Resolution and Order No. 19-5 as amended by R&O 19-22 (CWS Standards), or prior standards as meeting the implementation policy of R&O 18-28, and is to include:

    1. Compliance with all provisions of CWS Standards.
    2. Detailed grading and erosion control plan. An Erosion Control Permit will be required. the area of disturbance must be clearly identified on submitted construction plans. If site area and any offsite improvements required for this development exceed one-acre of disturbance, the project will require a 1200-CN Erosion Control Permit.
    3. A drainage report including a downstream drainage analysis meeting the requirements of R&O 19-5, Section 2.04.2.m is required. If downstream storm conveyance does not have the capacity to convey volume during a 25-year, 24-

hour storm event, the applicant is responsible for mitigating the flow as provided in the above-named design standards.

4. Plans showing storm service requirements to each lot. If private lot LIDA systems are proposed, they must comply with current CWS Standards and Washington County Plumbing Standards.
5. Any offsite sanitary or storm sewer improvements identified as part of this development may require additional offsite street improvements/restorations. All transportation-related infrastructure, (including but not limited to roadway surfaces and base material) influenced by sanitary or storm sewer improvements, shall be restored to original or better condition.
6. Provisions for water quality in accordance with the requirements of the above-named design standards. Water Quality is required for all new development and redevelopment areas per R&O 19-5 Section 4.04. Access shall be provided for maintenance of facility per R&O 19-5, Section 4.07.6.
7. Show all existing and proposed easements on plans. Any required storm sewer, sanitary sewer, and water quality-related easements must be granted to Clean Water Services.
8. Any proposed offsite construction activities will require an update to the current Service Provider Letter for this project.

**PRIOR TO SEWER CONNECTION PERMIT ISSUANCE:**

- A. The above-noted improvements must be completed to CWS satisfaction.
- B. The as-constructed drawings (as-builts), or a bond guaranteeing the as-builts, shall be submitted and accepted by CWS.

**III. PRIOR TO ISSUANCE OF ANY BUILDING PERMIT(S)**

**A. Submit with the building plans to Building Services (503-846-3470) plans showing the following:**

1. Restoration of identified Significant Natural Resource Areas in accordance with Clean Water Services Design and Construction Standards.
2. Plans for line borings certified by a licensed professional engineer that illustrate that:
  - a. The line is located at least 36 inches below ground surface in floodways, floodplains, and drainage hazard areas;
  - b. Land disturbance will not alter flood storage capacity or water velocities;
  - c. All construction will take place outside the delineated floodplain or drainage hazard area; and
  - d. All spoils will be removed from the flood area and placed in an appropriate disposal site.

**B. Pay Tualatin Hills Park & Recreation District Service Development Charge, and other System Development Charges as applicable.**

***NOTE:*** Transportation Development Tax shall be required as determined by Ordinance #793-A.

- C. Obtain a Right-of-Way permit for all utility work, construction of access to SW Rosedale Road and work within the SW 209<sup>th</sup> Avenue right-of-way and all other work in the street right-of-way.

**IV. PRIOR TO BUILDING OCCUPANCY AND/OR FINAL BUILDING INSPECTION APPROVAL:**

- A. All facilities and improvements required by CWS shall be completed and approved by CWS, including tie-in to the public storm drainage.
- B. Provide Final Certification of Sight Distance at access to SW Rosedale Rd. Certification must be prepared by a licensed Oregon professional engineer in accordance with CDC 501-8.5 F.
- C. Restore identified Significant Natural Resource Areas in accordance with Clean Water Services Design and Construction Standards.
- D. Provide as-built plans that match the requirements noted at III.A.2.
- E. Evidence that the Right-of-Way Permit has been finalized for all utility work, construction of accesses to SW Rosedale Road and for work within the SW 209<sup>th</sup> Avenue right-of-way to the satisfaction of the County.

**V. ADDITIONAL CONDITIONS**

- A. Adequate sight distance shall be continuously maintained by the property owner at the access to SW Rosedale Rd. This may require the property owner to periodically remove obstructing vegetation from the road right-of-way and/or on site.
- B. This 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).
- C. All conditions of approval shall be binding upon all heirs, successors, and assigns (Section 207 5).
- D. Transferability of this Development Permit shall be in accordance with Section 201-8.

# ATTACHMENT C STAFF REPORT

## I. APPLICABLE STANDARDS

- A. Washington County Comprehensive Plan
- B. Aloha-Reedville-Cooper Mountain Community Plan
- C. Washington County Community Development Code (CDC)
  - 1. Article II, Procedures
    - Section 201-2 Exclusions from Permit Requirement
    - Section 202-3 Type III Procedure
    - Section 203-3 Neighborhood Meeting
    - 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 405 Open Space
    - Section 406 Building, Siting, and Architectural Design
    - Section 407 Landscape Design
    - Section 408 Neighborhood Circulation
    - Section 410 Grading and Drainage
    - Section 413 Parking and Loading
    - Section 416 Utilities
    - Section 418 Setbacks
    - Section 419 Height
    - Section 421 Floodplain and Drainage Hazard Area Development
    - Section 422 Significant Natural Resources
    - Section 426 Erosion Control
    - Section 430-105 Public Facility
  - 4. Article V, Public Facilities and Services
    - Section 501 Public Facility and Service Standards
- D. Resolution and Order No. 19-5 – Regarding Erosion Control, Water Quality and Water Quantity

## II. AFFECTED JURISDICTIONS

- Sewer: Clean Water Services
- Streets: Washington County Dept. of Land Use and Transportation
- Drainage: Washington County Dept. of Land Use and Transportation
- Fire Protection: Tualatin Valley Fire & Rescue
- Police Protection: Washington County Sheriff

### III. FINDINGS OF FACT

#### BACKGROUND FINDINGS

1. The applicant, Clean Water Services (CWS), requests special use and development review approval for construction of a new sanitary sewer pump station and associated sanitary sewer pipeline. The pump station facility is entirely contained to Tax Lot 1S2220000200 (pump station site). The remaining subject properties are crossed by the proposed pipeline alignment. All properties are in the FD-20 District in the Aloha-Reedville-Cooper Mountain Community Plan and lie entirely within the Regional Urban Growth Boundary. The project area lies south of current Hillsboro City Limits.
2. The pump station site is on the northeast corner of the intersection of SW Rosedale Rd and SW 229<sup>th</sup> Ave. This site is 58.36 acres and is primarily in farm use. Per assessment and taxation records, the property contains two detached dwellings, seven greenhouses, two farm implement buildings, a milkhouse and dairy, and an equipment building. The proposed pump station location is in the southern portion of the property with an access to SW Rosedale Rd.
3. The proposed pipeline includes gravity and force mains extending eastward from the pump station to the existing Cross Creek Pump Station at 6400 SW 209<sup>th</sup> Ave. The east-west pipeline is proposed to generally fall north of Cross Creek. Additional proposed sanitary sewer mains extend north and south along the future alignment of SW Cornelius Pass Rd, crossing Cross Creek.
4. The proposed pump station facility will include a standby generator; electrical equipment under an open-air cover; an electrical transformer; various above-ground valves, meters, and piping; a 12-foot diameter wet well; chain link fencing; lighting; and a stormwater management facility.
5. Both SW Rosedale Rd and SW 229<sup>th</sup> Ave are designated as 2-3 lane Collectors in the Transportation System Plan. The applicant proposes vehicle access to SW Rosedale Rd from the pump station. Traffic is expected to be minimal and limited to operation maintenance.
6. The applicant requests exemption from public facilities improvements per Section 501-2.2.
7. Prior casefiles on subject properties include:
  - a. L1100195-D(CI)/D(CI)/DHA (Tax Lot 1S2220000200): Development Review and Drainage Hazard Area Alteration for culvert replacement on SW Rosedale Road and Development Review for the improvement of sight distance at the intersection of SW Rosedale Road and SW 229<sup>th</sup> Avenue.
  - b. L1700370-PLA (Tax Lot 1S2230001400): Property Line Adjustment with Tax Lot 1S2230000600.
8. According to the Washington County Floodplain Map, the subject properties are crossed by a floodplain and drainage hazard area, both associated with Cross Creek. See Section 421 of this Staff Report.
9. According to the Aloha-Reedville-Cooper Mountain Community Plan, the subject properties are crossed by Water Area/Wetland and Fish/Wildlife Habitat, as well

as Metro-designated Title 13 Riparian areas, similarly associated with Cross Creek. See Section 422 of this Staff Report.

10. Comments were received from the County Floodplain Manager, the Washington County Building Division, and Clean Water Services (see Casefile). Where appropriate, recommendations proposed in these letters are included as Conditions of Approval in Attachment B of this report.
11. A public notice advertising the scheduled public hearing was mailed on November 27, 2024 for this project in accordance with County requirements. No letters of comment were received prior to the writing of this Staff Report. Letters received after the packet is provided to the Hearings Officer (seven days prior to the hearing) will be provided to the Hearings Officer at the hearing.

#### **A. WASHINGTON COUNTY COMPREHENSIVE PLAN**

The goals and policies which relate to the development of land are implemented by the code or the Community Plan. The Framework Plan requires development applications to comply with the Community Development Code and the applicable Community Plan. By demonstrating in this report that the request complies with the standards of the Code and the Community Plan, this Plan requirement will be satisfied.

#### **B. ALOHA-REEDVILLE-COOPER MOUNTAIN COMMUNITY PLAN**

The project area is located in the Central Residential Subarea.

The project area is not located in an Area of Special Concern.

The project area contains a Floodplain and a Drainage Hazard Area.

The project area contains areas designated as Significant Natural Resources.

The project has been reviewed for conformance with the applicable Community Plan General Design Elements. The Community Plan is implemented by the Community Development Code. When built in conformance with the Conditions of Approval, the project will comply with the Community Plan.

#### **C. WASHINGTON COUNTY COMMUNITY DEVELOPMENT CODE (CDC)**

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

##### ***Section 201 Development Permit***

##### ***201-2 Exclusions from Permit Requirement***

*The following activities are permitted in each district except as limited to particular districts below, but are excluded from the requirement of obtaining a development permit. Exclusion from the permit requirement does not exempt the activity from otherwise complying with all applicable standards, conditions and other provisions of this Code. The activities set forth below are not excluded from the requirement to obtain approval of erosion control measures to the extent the activity is subject to Section 426.*

- 201-2.12 The following excavations or fills, except excavations or fills for public transportation facilities, provided that no excavation or fill shall occur in the floodplain, drainage hazard area or in an area***



*specifically identified as a significant natural resource in the Community Plan or the Rural/Natural Resource Plan without first obtaining a development permit:*

- K. *Underground pipes and conduits except where such pipes or conduits would introduce an urban service outside the Urban Growth Boundary, in accordance with Section 430-105.6; and*

**STAFF:** No urban service will be introduced outside the Urban Growth Boundary. Underground pipes and conduits which do not require excavation or fill in the floodplain, drainage hazard area or in an area specifically identified as a significant natural resource are exempt from permitting. Therefore, all piping outside floodplains, drainage hazard areas, and significant natural resource areas are exempt. See Sections 421 and 422 for further analysis of piping in floodplains, drainage hazard areas, and significant natural resource areas.

**Section 202 Procedure Types and Determination of Proper Procedure**

**202-3 Type III Procedure**

- 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 application for development of a public utility facility in the FD-20 District is being processed through a Type III Procedure per Section 308-4.8.

**Section 203 Processing Type I, II, and III Development Actions**

**203-3 Neighborhood Meeting**

**STAFF:** As required by this Section, the applicant conducted a neighborhood meeting on May 21, 2024. The application included the necessary documentation for verifying compliance with the neighborhood meeting requirements pursuant to Section 203-4.2 K.

**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 designated 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:** Conditions of approval are recommended to ensure compliance with the standards of the Code and other County regulations and to mitigate the potential for certain adverse development-related impacts to the surrounding area. Conditions of approval listed in Attachment B are recommended to ensure the project is in conformance with applicable code standards and comments from other departments and agencies.

## 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.*

#### 308-4.8 Public Utility - Section 430-105; see also Section 308-7.1.

**STAFF:** The proposed public utility facility may be permitted in the FD-20 District through a Type III Procedure. Compliance with Sections 430-105 and 308-7.1 are discussed below.

#### 308-6 Dimensional Requirements

##### 308-6.2 Yard Requirements:

*The minimum yard requirements shall be:*

- A. *Thirty-foot front yard;*
- B. *Ten-foot side yard;*
- C. *Thirty-foot street side yard;*
- D. *Twenty-five-foot rear yard;*

**STAFF:** The pump station, including all structures, is over 30 feet from all property lines. These criteria are satisfied.

##### 308-6.3 Height:

- A. *The maximum height for structures shall be 35 feet, except as modified by other Sections of this Code.*

**STAFF:** The tallest proposed structure (a bioxide tank) has a maximum height of 12 feet. No structures will exceed 35 feet. This criterion is satisfied.

#### 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:** The proposed pump station and pipeline will not interfere with future conversion of the land to planned urban densities and/or uses in the City of Hillsboro. In fact, the proposed use supports future conversion by providing urban sanitary sewer service to the area. This criterion is satisfied

## 3. Article IV, Development Standards

### **Section 403 Applicability**

#### 403-3 Additional Standards Inside the UGB

*In addition to the requirements of Table I, all Master Plan and Site Analysis applications shall address the requirements of Sections 404-419, 421-423, 427 and 429.*

- 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;*
  - B. *The proposed development will unduly conflict with the character of an area not otherwise in transition; or*
  - 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 is a Type III use in the FD-20 District. Staff does not find that the proposed use meets any of the criteria listed above that would warrant denial of the application. The FD-20 District's purpose is to provide limited interim uses until the urban comprehensive planning for future urban development is complete. The area may therefore be considered "in transition" to future urban development. The proposed pump station and pipeline support this transition by providing for sanitary sewer service in the area. The applicant is not required to address these criteria as part of their application. As of the issuance of this staff report, no evidence or argument has been received to demonstrate that denial would be warranted under Section 403-3.1.

#### ***Section 404 Master Planning***

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

#### ***Section 406 Building, Siting, and Architectural Design***

**STAFF:** As described in this report, the proposed use and development conform to the use and development standards of Article III and IV of the CDC. Provisions of Section 406 related to ADA and energy conservation will be reviewed by Washington County Building Services as part of the development permit review. The proposed building elevations included in the applicant's site plans conform to the design guidelines of Section 406-2. The site and surrounding properties have adequate spacing such that there will be no conflicts with building orientation, site circulation, and privacy.

#### ***Section 407 Landscape Design***

##### ***407-1 Minimum Landscape Standards***

##### ***407-1.4 Commercial, Industrial and Institutional Districts:***

**STAFF:** Section 407-1.4 A requires that 15% of the site must be landscaped. Existing landscaping will be retained across the majority of the pump station site. No additional landscaping is required at this time.

##### ***407-2 Standards for Landscaping Materials***

**STAFF:** The applicant's plans demonstrate compliance with the standards in this section.

*407-4 Landscape Plan*

**STAFF:** The applicant's plans submitted with this development application contain the information required by this section. Final Approval plans shall comply with the standards of this section.

*407-7 Urban Street Tree Standards*

*Inside an urban growth boundary, when fronting on public or private roadways or access drives, new structures including a Single Detached Dwelling Unit or Duplex on an existing lot or parcel, or Middle Housing, and any Standard Land Division or Middle Housing Land Division, shall be required to plant street trees in accordance with the following standards:*

**STAFF:** The applicant proposes a small number of public utility structures on a lot which will otherwise remain vacant. No public improvements are required at this time. The property is designated for future development and will remain viable for such development in the future. Right-of-way dedications and improvements associated with future development would necessitate removal of any street trees planted at current road width. For these reasons, staff recommends deferring street tree planting until further development is proposed on the property.

**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:*

*(b) The subject property does not front on an Arterial or Collector; or*

*E. On those undeveloped or underdeveloped lands of five acres or more that are added into the UGB after August 24, 2000, the effective date of A-Engrossed Ordinance 552, Local Street Connectivity, the provisions of Section 408-6 shall apply.*

**STAFF:** The proposed Type III development fronts on a Collector and does not meet any of the exceptions under this section. The pump station site was added to the Regional UGB on October 20, 2011. The site exceeds 5 acres. Section 408 applies, including 408-6.

*408-4 Circulation Analysis*

**STAFF:** The applicant has submitted sufficient information to confirm compliance with the standards of this section.

*408-6 Review Standards for Development on Lands Designated in the Community Plan Local Street Connectivity Maps or on Lands Designated as a Pedestrian/Bicycle District*

408-6.5 *The Review Authority may approve a modification to the dimensional standards in Section 408-6 based on findings that the application of these standards creates a conflict with the standards of Article V or other traffic safety concerns identified through the development review process and that the modification is the minimum necessary to address the constraint.*

**STAFF:** As described below, the proposed use is exempt from Public Facility and Service Standards in Article V. No on-site streets nor pedestrian and bicycle circulation improvements are required at this time. Section 408-6 shall be applied with future development on the site.

***Section 410 Grading and Drainage***

**STAFF:** The applicant submitted preliminary details as required by this section, including preliminary grading and drainage plans. The Washington County Building Engineer has reviewed preliminary details of the proposal and determined the plans meet the requirements of Section 410-1.1. A Grading Permit meeting the requirements of Section 410 shall be obtained prior to any on-site work and shall comply with the Conditions of Approval of this Casefile.

Pursuant to Resolution and Order No. 19-5, Clean Water Services (CWS) has the responsibility for review and approval of storm drainage plans as well as erosion control plans. CWS has reviewed the preliminary details and determined the plans meet District standards. The applicant will be required to obtain a CWS Site Development Permit.

***Section 413 Parking and Loading***

**STAFF:** The proposed development includes one drive aisle for maintenance and delivery vehicles to drive through the site, including the exit onto SW Rosedale Rd. No individual parking stalls are proposed. The drive aisle will be 20 feet wide and include space for any maintenance or delivery vehicles visiting the site to park completely within the enclosed site.

Staff finds that the applicant is not required to provide vehicle parking or off-street loading spaces that comply with the specific standards of this section due to the operating characteristics of the site. The applicant has demonstrated that vehicles traveling to and from the site will have adequate area to enter, park, and leave the site without impacting travel on the abutting streets.

***Section 416 Utility Design***

**STAFF:** Consistent with CDC Section 416, new utilities must be located underground and associated utility easements provided. Further, in accordance with 416-1.4, disturbance of soil shall be kept to a minimum when installing utilities.

***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. Proposed fencing meets required setback standards.

***Section 419 Height***

**STAFF:** Section 308 establishes height requirements for buildings within the FD-20 District. Section 419 applies to fences and retaining walls and establishes height requirements for properties that abut properties in different districts. Proposed fencing meets required height standards.

## **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*
- B.** *A delineation of the drainage hazard area and the drainageway, established by a registered engineer or a registered surveyor from surface elevations for the drainage hazard area based upon maps or other data sources referenced in Section 421-1.2. Such delineation shall be based on mean sea level datum and be field located from recognized landmarks.*

**STAFF:** The applicant has provided a delineation of the floodplain and drainage hazard areas throughout the site. The delineation was reviewed and accepted by the Washington County Floodplain Manager. The vast majority of the project, including the pump station and approximately 98% of the proposed pipeline alignment, are outside of the floodplain and drainage hazard area and therefore exempt from the standards of this section.

### **421-16 Exemptions**

*Unless specifically prohibited in the applicable Community Plan, Rural/ Natural Resource Plan, or Clean Water Service's Design and Construction Standards for sanitary sewer and surface water management, the following are exempt from the requirement of obtaining a development permit for a floodplain or drainage hazard area alteration:*

**421-16.10** *Line borings for installation of utilities when certified by a licensed professional engineer: that the line is located at least 36 inches below ground surface in floodways, floodplains, and drainage hazard areas; that the land disturbance will not alter flood storage capacity or water velocities; that all construction will take place outside the delineated floodplain or drainage hazard area; and that all spoils will be removed from the flood area and placed in an appropriate disposal site.*

**STAFF:** The applicant proposes that the segment of the pipeline which crosses the floodplain will be constructed using trenchless methods as described in this section. By meeting this standard, the entire project is exempt from floodplain alteration permitting. No further review of this section is required at this time.

**Section 422 Significant Natural Resources**

*422-2 Lands Subject to this Section*

*Those areas identified in the applicable community plan or the Rural/Natural Resource Plan Element as Significant Natural Resources and areas identified as Regionally Significant Fish & Wildlife Habitat on Metro's current Regionally Significant Fish & Wildlife Habitat Inventory Map.*

*Significant Natural Resources have been classified in the Community Plans or the Rural/Natural Resource Plan Element by the following categories:*

*422-2.2 Water Areas and Wetlands and Fish and Wildlife Habitat. Water areas and wetlands that are also fish and wildlife habitat.*

*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);*

**STAFF:** Designated Water Areas and Wetlands and Fish and Wildlife Habitat are present across the project area. The applicant provided an analysis of Significant Natural Resources, identifying the locations of all resources.

*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 applicant identifies two areas where the proposed pipeline alignment crosses through significant natural resource area. A trench will be excavated through these areas and force and gravity mains placed. Excavated soils will be placed back over the pipe to match preconstruction grading. Habitat will be returned to preexisting conditions through native tree and shrub plantings and native herbaceous seeding in accordance with Clean Water Services standards.

The north-south pipeline alignment crosses Cross Creek, through an identified significant natural resource area. The segment of the pipeline which crosses the floodplain shall be constructed using trenchless methods and requires no alteration of the significant natural resource.

*422-3.3 Development within a Riparian Corridor, Water Areas and Wetlands, and Water Areas and Wetlands and Fish and Wildlife Habitat:*

*A. No new or expanded alteration of the vegetation or terrain of the Riparian Corridor (as defined in Section 106) or a significant water*

*area or wetland (as identified in the applicable Community Plan or the Rural/Natural Resource Plan) shall be allowed except for the following:*

- (3) *Installation or construction of the following utilities: sewer and water lines, electric, communication and signal lines; and gas distribution and transmission lines.*

**STAFF:** The proposed alteration for installation and construction of sanitary sewer lines is permitted.

- B. *Where development or alteration of the riparian corridor is permitted under the above exceptions, the floodplain and drainage hazard area development criteria shall be followed.*

**STAFF:** See Section 421 above.

- 422-3.6 *For any proposed use in a Significant Natural Resource Area, there shall be a finding that the proposed use will not seriously interfere with the preservation of fish and wildlife areas and habitat identified in the Washington County Comprehensive Plan, or how the interference can be mitigated. This section shall not apply in areas where a Goal 5 analysis has been completed and a program decision has been adopted that allows a "conflicting use" to occur pursuant to OAR 660-023-0040(5)(c) (effective September 1, 1996).*

**STAFF:** With proposed measures to restore the altered area in accordance with Clean Water Services Design and Construction Standards, no permanent impacts are proposed. The riparian area will be returned to preexisting conditions through native tree and shrub plantings and native herbaceous seeding in accordance with Clean Water Services standards. The proposed use will not seriously interfere with the preservation of fish and wildlife areas and habitat identified in the Washington County Comprehensive Plan.

#### **Section 426 Erosion Control**

**STAFF:** Section 426 requires erosion control measures in the Tualatin River and Oswego Lake sub-basins during construction to control and limit soil erosion. Section 426-5.2 allows the erosion control plan submission and review to be deferred until the time of any on-site work or construction. Therefore, the applicant shall be required to submit an erosion control plan consistent with the requirements of Section 426 prior to any physical change or construction on the site.

The applicant will be required to submit a final erosion control plan to Clean Water Services for their approval prior to any on-site or off-site work (including work within the right-of-way) or construction.

#### **Section 430 Special Use Standards**

##### **430-105 Public Facility**

*Any corporation, including municipal or semi-municipal corporation, service district, company, individual, or association that owns or operates any plant or equipment for the conveyance of telegraph or telephone messages, with or without wires; for the transportation of water, gas, or petroleum products by pipeline; for the production, transmission, delivery or furnishing of heat, light, water, or electricity; for the transmission and*



*delivery of television pictures and sound by cables; for the transportation of persons or property by street, railroads or other street transportation or common carriers; for the disposal of sewage; or for the disposal of storm water runoff.*

*430-105.3 A public utility service facility includes buildings, structures, and equipment within a fenced or otherwise enclosed area for the purpose of switching, regulating or controlling public utility services.*

**STAFF:** The proposed fenced sanitary pump station qualifies as a public utility service facility.

*430-105.4 Approval of a public utility shall be based upon a study submitted by the applicant which includes:*

- A. The need for the facility, present or future; and how the facility fits into the utility's Master Plan; and*
- B. The minimum area required for the facility for the present and anticipated expansion.*

**STAFF:** The applicant has provided siting studies and community plans which identify the need for this facility. In particular, the Rosedale Pump Station Siting Study, completed January 2023, demonstrates the need, siting requirements, and minimum area required for the facility. The proposed facility size is the ultimate size needed to serve future development in the Urban Growth Boundary.

- C. What measures will be used to minimize damage to paved roads and natural resources or open space.*

**STAFF:** See Section 422 regarding natural resources and open space.

The applicant specifies that paved roads shall be restored following construction activities and must meet County requirements.

*430-105.5 Site size and yard shall be based upon a site plan submitted by the applicant. The site plan shall consider especially, the compatibility of the facility with existing surrounding uses and uses allowed by the plan designation.*

**STAFF:** The applicant has submitted a detailed site plan showing the pump station site size and layout. Surrounding uses include large-lot residential use, agricultural use, and vacant land. Surrounding properties are designated FD-20 and AF-20. No conflicts are anticipated at this time.

*430-105.6 Exemptions from the Requirements of Section 430-105:*

*Exempted from these regulations are:*

- A. Underground pipes and conduits except where such pipes or conduits would introduce an urban service outside the Urban Growth Boundary.*

**STAFF:** No service will be introduced outside the Urban Growth Boundary through this project. All underground pipes and conduits are exempt from the requirements of Section 430-105.

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

### **Section 501 Public Facility and Service Standards**

#### **501-2 Application of the Public Facility and Service Standards Inside an Urban Growth Boundary**

*Application of the Public Facility and Service Standards (Section 501-1 through 501-13) shall apply to the Urban Unincorporated Area as follows:*

**501-2.2** *To any new structure or expansion of an existing structure, except as otherwise indicated below:*

**B.** *Any other structure that meets all of the following is exempt from Article V, except for the Transportation Development Tax (TDT) requirement:*

- (1) Contains 2,000 square feet or less;*
- (2) Does not, in itself, generate more than 14 vehicle trips per day, as defined by the Institute of Transportation Engineers, Trip Generation Information Report;*
- (3) Contains no plumbing fixtures, or has less than 12 additional fixtures attached to an existing, approved septic system or public sewer; and*
- (4) Does not pose any unique public health or safety issues.*

**STAFF:** The proposed pump station includes a small number of minor structures. All proposed structures contain less than 2,000 square feet. The site is expected to generate an average of one vehicle trip per week. No plumbing fixtures are proposed, and the project does not pose any unique public health or safety issues. This project is therefore exempt from the Public Facility and Service Standards of Sections 501-1 through 501-13.

#### **D. RESOLUTION AND ORDER NO. 19-5 – REGARDING EROSION CONTROL, WATER QUALITY AND WATER QUANTITY**

**STAFF:** Resolution and Order 19-5 contains adopted standards and regulations for Clean Water Services review and approval of erosion control measures.

#### **IV. SUMMARY AND RECOMMENDATION**

The applicant has requested Special Use and Development Review for Rosedale Pump Station and associated pipeline, a public utility service facility in the FD-20 District. 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.