



# CITY OF TUALATIN

## Staff Report

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Aquilla Hurd-Ravich, Community Development Director  
Kevin McConnell, City Attorney

**DATE:** February 23, 2026

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**SUBJECT:**  
Discussion and consideration of next steps for the business Honey Bucket

**RECOMMENDATION:**  
Review the staff report and presentation and provide staff with direction on next steps.

**EXECUTIVE SUMMARY:**  
The purpose of tonight's discussion is for Council to consider if they wish to allow Honey Bucket to pursue a legislative text amendment to allow Solid Waste Treatment and Recycling in the Light Manufacturing District (ML) as a Conditional Use Permit.

### Background

The City first became aware of Honey Bucket operating in October 2024 when there was a report of an illicit discharge from the site. After further investigation it was determined by City staff and Clean Water Services staff that there was no illicit discharge but we became aware of other issues such as lack of building permits for certain plumbing fixtures and mechanical equipment and the underlying zone became an issue.

After discussions in December 2024, between Honey Bucket, their attorney, and City staff, permits were applied for and they submitted a Statement of Use to determine if the use was permitted in the Light Manufacturing Zone. Email communication took place back and forth until March of 2025 when their attorney requested a formal code interpretation.

Honey Bucket's attorney submitted a formal request for code interpretation in June 2025 and staff reviewed and issued a decision within the 30-day requirement which concluded that the use fits the category of Solid Waste Treatment and Recycling which is not allowed in the Light Manufacturing Zone where Honey Bucket is located. The applicant appealed this staff decision and Council held a public hearing at the September 22, 2025 regular business meeting.

### Interpretation Appeal:

In September the Council held a public hearing to review an appeal of an interpretation from the company Honey Bucket. Ultimately, the City Council voted to uphold staff's interpretation that Honey Bucket was properly classified as a Solid Waste Treatment and Recycling use.

**Excerpt from the September 22, 2025 Analysis and Findings**

Staff's interpretation decision (INT25-0001), included as Exhibit C, evaluated the application following the interpretation process of TDC 31.070. The decision determined that the primary use most closely aligns with the Solid Waste Treatment and Recycling use category. After review of the record, text and context of TDC 39.100(3)(c) (Accessory Uses) and (4)(Considerations in Classifying Uses), the interpretation found that Honey Bucket's waste-related activities at the subject site are not subordinate and incidental to the stated primary use but part and parcel of an important, essential component of that use. The decision determined the site does collect, store, and wash the toilets on site, as well as, temporarily store the waste from those toilets onsite. As such, the proposed rental of portable restroom units contains many of the characteristics associated with a Solid Waste Treatment and Recycling use and is properly classified as Solid Waste Treatment and Recycling. The interpretation, concluded that the proposed portable toilet collection and associated holding tank, and the proposed rental of shower units; temporary fence panels (fencing); temporary metal storage containers; and ground-level office units are both prohibited uses within the ML Zone.

### **Voluntary Compliance Agreement**

City staff understands this is an existing business with employees and customers and felt it was reasonable to give some runway for this operation to ramp down and cease. We did not require them to leave the premises immediately. Instead we worked with Honey Bucket to sort out the current situation. The City Attorney, staff, and Honey Bucket's attorney have been in discussions about next steps since the hearing took place in September. Those discussions led to an agreement that we would issue a Voluntary Compliance Agreement as allowed in the Municipal Code TMC 7-1-040 (4). The Voluntary Compliance Agreement holds the alleged violations in abeyance until all terms of the agreement are satisfied.

Honey Bucket would like to pursue a Plan Text Amendment to allow Solid Waste Treatment and Recycling facilities in the Light Manufacturing District. However, legislative Plan Amendments can only be initiated by the City Council (TDC 33.070). As such, the Voluntary Compliance Agreement was structured so that three actions must take place and be resolved in a positive manner in order for Honey Bucket to resolve their land use violation. First, the Council may choose to give direction to staff to allow Honey Bucket to submit an application for a text change. If Council is inclined to allow this to move forward, staff is recommending the text change propose Solid Waste and Recycling Facilities as a Conditional Use in Light Manufacturing not an outright permitted use. This would give staff and the Planning Commission and the public an opportunity to review and weigh in on such a proposed use and review any possible adverse effects from the use. Second, the Plan Text Amendment would have to go through the legislative process and ultimately be approved by the City Council. If the code change is successful, the third action requires Honey Bucket to submit for and gain approval of a Conditional Use Permit. If those three actions are completed with a positive result, Honey Bucket would no longer be in violation of the land use code. They would still be required to obtain any necessary site development and building permits.

Code Interpretation 25-0001 also found that Honey Bucket's use of rental of shower units, temporary fence panels (fencing), temporary metal storage containers, and ground-level office units were also prohibited as a wholesale sales use. If a code amendment is allowed the wholesale sales category should also be amended for the use of temporary rental equipment.

### **OUTCOMES OF DECISION:**

The Council should consider the overall impacts and effects of allowing this potential code change. The Light Manufacturing zone is intended to be a buffer between residential or commercial uses and heavier industrial uses in the General Manufacturing zone.

The purpose as stated in TDC 60.100 of the ML zone is:

The zone serves to buffer heavy manufacturing uses from commercial and residential areas. Industrial uses that are environmentally adverse or pose a hazard to life and safety are prohibited. The zone is suitable for warehousing, wholesaling, and light manufacturing processes that are not hazardous and do not create undue amounts of noise, dust, odor, vibration, or smoke. The purpose is also to allow a limited amount of commercial uses and services and other support uses, including office uses in limited locations in close proximity to the Commercial Office (CO) district. Commercial uses are not permitted in the Limited Commercial Setback.

The Light Manufacturing zone is in areas located throughout the City buffering residential uses and heavier industrial uses. If there is an application for a code change to allow Solid Waste and Recycling Facilities as a Conditional Use Permit to ML it will be applicable city-wide. The code currently requires some conditional uses to be located a distance of 300 feet or more from any residential planning district boundary.

**ALTERNATIVES TO RECOMMENDATION:**

Staff requests the Council to provide direction if they wish to allow Honey Bucket to pursue a Plan Text Amendment to allow Solid Waste and Recycling Facilities as a Conditional Use Permit in the Light Manufacturing (ML) zone.

**Recommendation options:**

1. Direct staff to allow Honey Bucket to apply for a Plan Text Amendment to allow Solid Waste and Recycling Facilities as a Conditional Use permit in the Light Manufacturing zone and amend the Wholesale Sales category.
2. Direct staff not to allow amendments to the ML zone related to Solid Waste and Recycling Facilities or the Wholesale Sales use categories at this time.

**FINANCIAL IMPLICATIONS:**

A Plan Text Amendment application has a fee of \$2,670.00

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**ATTACHMENTS:**

- Presentation
- Voluntary Compliance Agreement
- Analysis and Findings Request for Review of Interpretation 25-0001