



## 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  
Madeleine Nelson, Associate Planner

**DATE:** September 22, 2025

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**SUBJECT:**

Resolution No. 5915-25 A Request for review of INT25-0001, Honey Bucket interpretation decision, located at 18805 SW 108<sup>th</sup> Avenue (Tax Lots: 2S122AD 600, 700, and 800).

**ISSUE BEFORE THE COUNCIL:**

A hearing before the City Council for consideration of INT25-0001, Honey Bucket interpretation decision, located at 18805 SW 108<sup>th</sup> Avenue (Tax Lots: 2S122AD 600, 700, and 800). The interpretation decision was issued on July 11, 2025.

**RECOMMENDATION:**

Staff recommend that City Council consider the staff report, attachments, and materials submitted into the record and provide direction to staff. A resolution affirming the July 11, 2025, interpretation in INT25-0001 is included as Attachment C.

**EXECUTIVE SUMMARY:**

- The hearing is a quasi-judicial procedure.
- The subject of appeal is INT25-0001 and the City staff's interpretation decision dated July 11, 2025.
- The subject property is 3.8-acres located at 18805 SW 108<sup>th</sup> Avenue. The site is zoned in the Light Manufacturing (ML) Planning District and has frontage along SW 108<sup>th</sup> Avenue.
- On June 11, 2025, a Request for Interpretation (INT25-0001)(Exhibit B) was submitted by Northwest Cascade, Inc. DBA Honey Bucket, represented by Merissa Moeller of Stoel Rives LLP, to identify if the proposed uses of "a portable restroom and industrial equipment rental business" are permitted uses within the Light Manufacturing (ML) Zone. The applicant requested that the City of Tualatin find the proposed use to be of a similar character and to meet the purpose of the ML zone, as provided in TDC 31.070.
- Within Tualatin Development Code (TDC) Table 60-1 (Use Categories in the ML Zone), "a portable restroom and industrial equipment rental business" is not explicitly listed as permitted in the ML zone.
- City staff's decision (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 and 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 issued July 11, 2025, 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.

- A Request for Review of INT25-0001 (Exhibit A) was filed on July 24, 2025, by Northwest Cascade, Inc. DBA Honey Bucket (c/o Greg Potts); cc: Merissa Moeller (Stoel Rives LLP). The applicant submitted the Request for Review on the basis that the INT25-0001 decision would “adversely affect business operations that are not allowed under the property’s current zoning”.

### **OUTCOMES OF DECISION:**

Affirmation of the Interpretation Decision INT25-0001 will result in the following:

- Approves the July 11, 2025, staff decision on the Applicants’ request in INT25-0001 and adopts Resolution 5915-25.
- Confirms that the requirements of TDC 31.071, TDC Chapter 39 and Chapter 60 have been met.
- Determines that the primary site use is considered Solid Waste Treatment and Recycling. In the Light Manufacturing (ML) Planning District, the Solid Waste Treatment and Recycling is limited to recycling collection centers. The INT25-0001 decision determined that the applicant’s use is not a permitted use at 18805 SW 108<sup>th</sup> Avenue. Affirmation of the Interpretation, or a denial of the appeal, confirms the applicant’s use is not a permitted use in the Light Manufacturing zone.

Reversal of the Interpretation Decision INT25-0001

- Concurs with the Applicant’s challenge of staff’s interpretation (INT25-0001) decision.
- Determines that the “portable restroom and industrial equipment rental business,” are Permitted uses within the Light Manufacturing (ML) Zone. Within Tualatin Development Code Table 60-1 (Use Categories in the ML Zone), “a portable restroom and industrial equipment rental business” is not explicitly listed as Permitted in the ML zone. Finds the proposed use to be of a similar character and to meet the purpose of the ML zone, as provided in TDC 31.070. Approval of the appeal confirms the use is allowed in the Light Manufacturing zone.

### **ALTERNATIVES TO RECOMMENDATION:**

The City Council may alternately:

- Affirm the INT25-0001 Decision and adopt attached Resolution 5915-25;
- Revise or modify the INT25-0001 Decision and adopt a written order that clearly states the basis for the Council’s decision;
- Reverse the INT25-0001 Decision and adopt a written order that clearly states the basis for the Council’s decision; or
- Continue the hearing to a later date.

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### **ATTACHMENTS:**

- Attachment A – Presentation
- Attachment B – Findings and Analysis
- Attachment C – Resolution Affirming INT25-0001 Interpretation Decision
- Exhibit A – Request for Review of INT25-0001, July 24, 2025
- Exhibit B – INT25-0001 Interpretation Request, June 11, 2025
- Exhibit C – INT25-0001 Interpretation Decision, July 11, 2025
- Exhibit D – Public Notice