WASHINGTON COUNTY
Department of Land Use & Transportation
Current Planning
156 North First Avenue, Suite #428-13
Hillsboro, Oregon 97124-3072
phone: (503) 846-8761 fax: (503) 846-2908
www.co.washington.or.us

NOTICE OF DECISION & STAFF REPORT

CASEFILE: L2600070-DI

APPLICANT:
Portland Golf Club Inc (Lonnie Lister)
5900 SW Scholls Ferry Road
Portland, OR 97225

APPLICANT'S REPRESENTATIVE:
Westlake Consultants Inc (Ken Sandblast)
15115 SW Sequioa Parkway, Suite 150
Tigard, OR 97224

PROCEDURE TYPE: II

COMMUNITY PLAN:
Raleigh Hills-Garden Home

LAND USE DISTRICT:
Institutional District (INST)
R-5 District (Residential 5 units/acre)

PROPERTY OWNER
Applicant

PROPERTY LOCATION:
On the south side of the intersection of SW Scholls Ferry Road and SW Nicol Road

PROPERTY DESCRIPTION:
ASSESSOR MAP: TAX LOT NUMBER(S):

1S1 13 CC	04250
1S1 23 AA	00800
1S1 24 00	01700

SITE SIZE: 126.77 acre

ADDRESS: 5900 SW Scholls Ferry Road

PROPOSED DEVELOPMENT ACTION: Director's Interpretation Regarding Dredging and Temporary Onsite Dewatering of Pond Sediment as a Maintenance Activity Associated with the Portland Golf Club in the INST and R-5 Districts.

Signature: _____ **Date** 6/03/2026
Ken Rencher, Current Planning Section Manager

Staff Planner: Maitreyee Sinha, 503-846-3835

Attachments:
A. Vicinity Map
B. Summary of Code Requirements
C. Staff Report

This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is 4:00 p.m. on June 15, 2026. See enclosed appeal form for additional information.

WASHINGTON COUNTY
Department of Land Use & Transportation
Development Review/Current Planning
155 N First Ave., Suite 350, MS13
Hillsboro, OR 97124
Phone: 503-846-8761
lutdev@washingtoncountyor.gov
www.washingtoncountyor.gov

TYPE II

Appeal Information

Attached is a copy of the Land Use and Transportation Department's Review Authority decision on this request for a Development Action.

Any person who is adversely affected or aggrieved, or who is entitled to written notice pursuant to ORS 215.416(11) may appeal the decision by filing a written appeal.

Failure to file a petition for review with the Department of Land Use and Transportation by 4:00 p.m. on the due date, with the fee specified in the Notice of Decision, shall be a jurisdictional defect.

The decision, including conditions of approval, may be appealed and a public hearing held by filing a signed petition for review (appeal) within twelve (12) calendar days of date written notice is issued.

This decision will be final if an appeal is not filed by the due date.

The complete file is available at the County Department of Land Use and Transportation for review.

A petition for review (appeal) must contain the following:

1. The name and signature of each petitioner filing the petition for review (appeal). If a group consisting of more than one person is filing a single petition for review, one individual shall be designated as the group's representative for all contact with the Department. All Department communications regarding the petition, including correspondence, shall be with this representative;

2. A statement of the interest of each petitioner;

3. The date the Notice of Decision was issued as specified in the notice;

4. The nature of the decision and the specific ground for appeal. For applications with multiple requests, specify the particular request(s) and/or specific conditions of approval being appealed;

5. A statement listing the number of pages of the petition and that all pages are present;

6. A statement setting forth the appeal fee as specified in the Notice of Decision; and

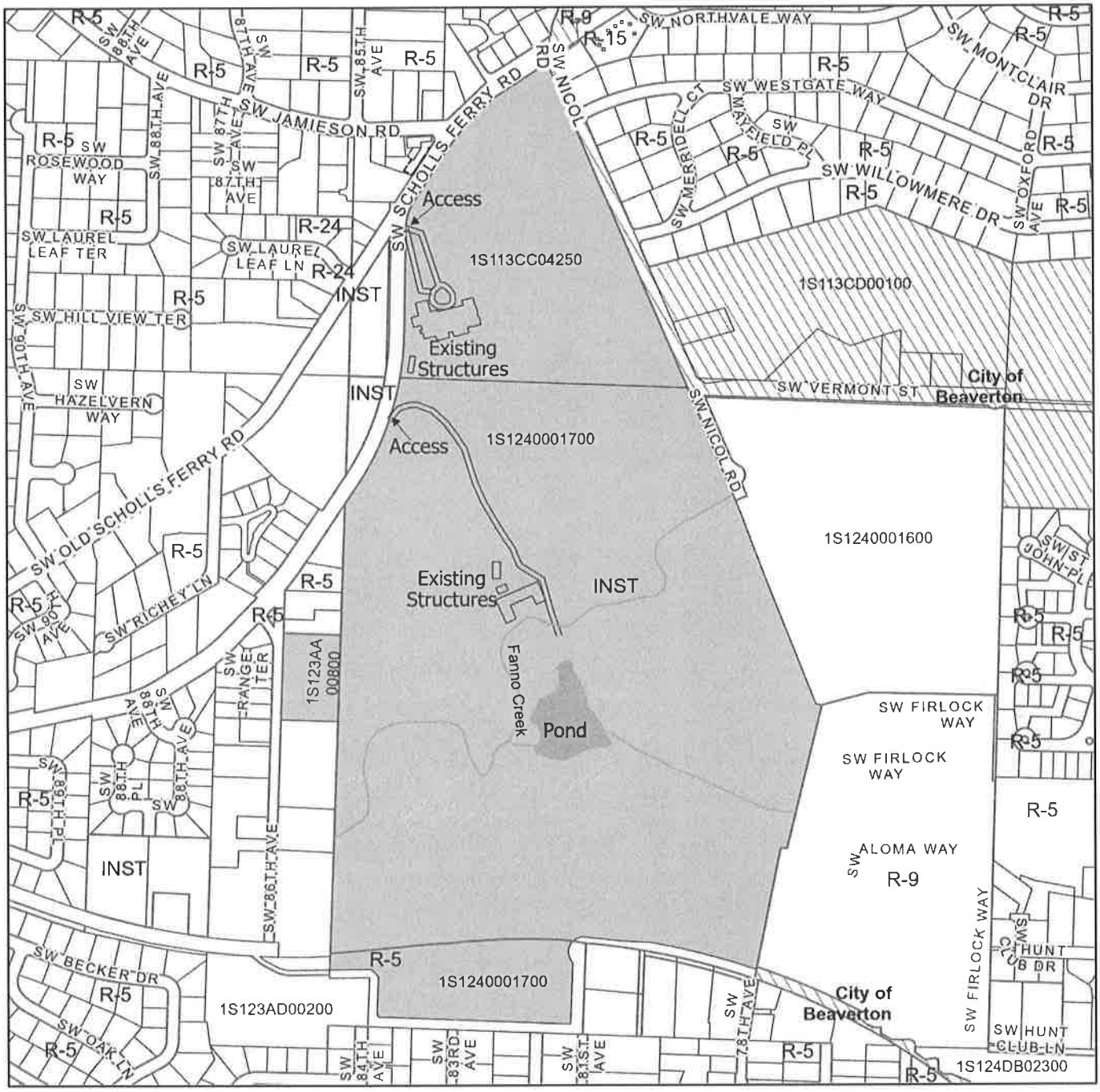
7. The appropriate appeal fee of **$250**.

For further appeal information, contact the Appeal Secretary at the Washington County Department of Land Use and Transportation — phone 503-846-8761 or cpadmin@washingtoncountyor.gov.

TAX MAP/LOT NO. 1S113CC04250; 1S123AA00800; 1S1240001700

ATTACHMENT A VICINITY MAP

CASEFILE: L2600070-DI



↑ NORTH

NOT TO SCALE

AREA OF CONSIDERATION

SITE & SURROUNDING LAND USE DISTRICTS:

Institutional District (INST)

R-5 District (Residential 5 units/acre)

R-24 District (Residential 24 units/acre)

City of Beaverton

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
Summary of Code Requirements

I. In accordance with Section 217-6, a Director's Interpretation shall not expire unless superseded by a subsequent Director's Interpretation or change to the Washington County Community Development Code. **(Section 217)**

II. This determination does not grant any project specific approval, and any alterations to the site may be subject to additional land use review. **(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/Code):
1. Article II, Procedures:
   - Section 201 Expiration
   - Section 202-2 Type II Procedure
   - Section 207-5 Conditions of Approval
   - Section 217 Director's Interpretation
2. Article III, Land Use Districts:
   - Section 308 INST District
   - Section 302 R-5 District

II. FINDINGS

Background

1. The subject property involves Tax Lots 1S1 13CC 4250, 1S1 23AA 800, and 1S1 24 1700. The southern portion of the property is designated Residential 5-Units per Acre (R-5) District, and the northern portion Institutional (INST) District. A 100-year floodplain overlay on the property along the alignment of Fanno Creek and Woods Creek intersects the site in an east to west direction. Woods Creek is also mapped as a 25-year floodplain overlay (Drainage Hazard Area, DHA). In addition, there are mapped Significant Natural Resources, both riparian and upland, on the property.

2. The application states that the subject property supports an 18-hole golf course, part of the Portland Golf Club (PGC), that has been operational since approximately 1914. Submitted materials indicate that the course generally consists of large grassy lawns and sand traps. The golf course is interspersed with trees and has a tree-lined perimeter. The southern portion contains a man-made in-line reservoir (Junor Lake created in 1922, also referred to as a *pond* in this report) used to irrigate the greens and fairways on the golf course and constructed along the flow path of Woods Creek just before its confluence with Fanno Creek as it crosses the property. The reservoir is fed by: (i) Woods Creek (seasonal), (ii) water diverted into it from Fanno Creek, and (iii) the pumping of ground water. The PGC property also supports a clubhouse built in 1928.

3. The application includes a statement by the authority responsible for grounds maintenance of the golf course describing the need for maintenance of the reservoir. Due to downstream flow of sediment from Woods Creek into the reservoir, sediment accumulates over time, thereby reducing the functionality of the reservoir in terms of water storage capacity and impacting the quality of water available for irrigation. Further, a reduced water depth not only fuels weed and algal growth, which can clog the irrigation system, but also makes the shallower waterbody more susceptible to temperature fluctuations. These above factors may result in aquatic habitat destruction and oxygen depletion in the lake.

4. The application states that accumulated sediment was last successfully removed from the reservoir in 1994. The application also includes a study from 1999 that analyses the sedimentation patterns at the site and includes alternatives on management of sediment accumulation. The study, among other things, recommends periodic dredging of the sediment that flows into the pond, thereby avoiding issues with irrigation. The study also refers to the fact that the Oregon Department of State Lands (DSL) issues maintenance dredging permits that are valid for a three-year period, while the US Army Corps of Engineers (USACE) issues a permit that is valid for ten years. Permit history submitted indicates a DSL permit was issued in 2013 (#54411-FP) for dredging Junor Lake, authorizing removal of up to 8,500 cubic yards, but the permit expired in 2016 before any dredging took place due to contractor disputes. The approval included disposal of dredged materials onsite. Staff notes that the proposed dredging

was within the floodplain and would be subject to development review for floodplain alteration pursuant to CDC Section 421; County records do not indicate any such floodplain alteration permit was applied for.

5. Land use approvals were issued to the site for the following uses over the last three decades:

   - Construction of a sanitary sewer line and pedestrian trail (Casefile L9800022-SU/D(INS)/FP)
   - Floodplain alteration and wetland enhancement to expand Junor Lake (Casefile L0300486-FP/W)
   - Construction of Maintenance Office (Casefile L0500476-D)
   - Floodplain alteration for stream enhancement (Casefile L0700370-FP)
   - Construction of a Pedestrian bridge (Casefile L1900145-FP)
   - Dredging and Maintenance of an Irrigation Pond (Casefile L2300011-FP)

6. Of the above, the 2023 casefile (L2300011-FP) approved the dredging of Junor Lake, the construction of a corridor with temporary flexible pipes for conveyance of the dredged material, and the burial of the dredged material at a designated location in the southern portion of the site. The recycled water would be returned to the pond. A floodplain review applied to this casefile since development was proposed within the flood hazard area associated with Fanno Creek and Woods Creek.

7. The applicant PGC, through the current application, is requesting a Director's Interpretation (DI) pursuant to CDC Section 217, that temporary onsite accumulation of the dredged Junor Lake sediment, placement in biobags, and eventual offsite disposal:

   - Constitutes a maintenance activity of the subject golf course, which is allowed outright; and
   - does not constitute a 'landfill' or 'solid waste disposal'.

   Findings addressing this request are presented in Section 217 of this Staff Report.

8. This Staff Report does not determine whether the proposed project is in compliance with the previously approved 2023 permit (L2300011-FP), nor does it approve any new uses or modifications onsite.

   Information communicated to Staff by neighboring residents on August 4, 2025 indicates that the plans submitted by the applicant to the Oregon Department of Environmental Quality (DEQ) and DSL for review were different from those submitted by the applicant to the County as part of the 2023 application. These recent plans, prepared by Terra Science, Inc. and dated August 2025, appear to materially deviate from the scope of the project approved by the County in 2023. According to the new plans: (i) the permanent burial of the dredged materials has been replaced by dredging and dewatering followed by offsite disposal; (ii) the proposed dewatering location is further west of the original burial location, away from the adjoining residential properties, and (iii) the overland pipe for conveyance of the dredged materials and recycled water is at a different location farther west, encroaching further into the floodplain. While an official determination has not been made as the revised materials have not yet been submitted to the County, the nature and extent of the project appear to be inconsistent with the original 2023 approval by the County. Accordingly, a formal County review of the revised project plans is required to determine compliance with the 2023 approval, and/or whether a new land use application is required.

9. Over 60 comment letters in opposition to the dredging and onsite dewatering operation were received in response to the 14-day public notice mailed for this application.

The public comments received can be broadly categorized into the following:

- Dredging and storing waste/sludge is not "routine maintenance," and solid waste cannot be stored in residential/institutional zones. PGC should not be exempt from zoning codes for any reason. This request appears to attempt to bypass the standard land use process and compliance with established zoning and state regulations. PGC is leaning into their designated historical status to avoid legal responsibility to dispose of the pond sludge and such historical status is irrelevant here.

- Concerns were raised about long-term negative impacts to the environment, humans, animals and waterfowl, adjoining residents, and recreational users in the area. Residents walk, bike, and hike along the Fanno Creek Trail which is a community resource. The trail should be safe for use by ducks, geese, deer, and people by not storing toxins on that site or allowing heavy metals to leach into the groundwater. The Fanno Creek Trail and surrounding wetlands are ecologically important. The application proposes to allow contaminated water to drain from the biobags into the wetlands before disposal of the biobags offsite at a landfill--this will harm all water resources including the Tualatin River into which Fanno Creek drains.

- Sludge cannot be turned into 'clean fill' as it contains heavy metals and golf balls, among other things. Storage of the bags would ruin the natural feel of the area. Toxic waste must be disposed of in accordance with law and storage should not be allowed for any amount of time in residential zones. Dredging may or may not be 'routine maintenance,' but disposal of hazardous materials is hazardous. General opposition to establishing a 'solid waste landfill' on the golf course property with a residential use designation.

- LUT cannot change public policy through a Director's Interpretation and will be dismissing the will of the Board. The purpose of a Director's Interpretation is to address uses that are not explicitly provided for in the Code and revisions to public policy shall not be made through a Director's Interpretation. The Code explicitly provides guidance for placement of solid waste where Section 430-127.2 states that a solid waste disposal site may not be established on land zoned "residential" or "institutional."

- This Type II Director's Interpretation does not include details of the current parameters of the project and has changed radically from the initial project. A Director's Interpretation is not the appropriate vehicle for a use of this scale and impact. A complete Type II development review with complete information and environmental consideration is required.

- Homeowners are not permitted to store and dispose of solid waste on their land, and PGC should not be treated differently. This approval would be detrimental to the community's wellbeing and not a responsible way forward.

- If the proposal were to move forward, the sludge disposal should be screened with natural vegetation. Site obstructing fence materials such as "black plastic swaths" blocking wetland views should be removed. Staff should consider the near unanimous objections to their dredge and dump plans.

APPLICANT RESPONSE TO PUBLIC COMMENTS:

The following is a summary of the response provided by the applicant to the public comments received during the 14-day notice period:

DEQ Determination on Solid Waste:
Several comments incorrectly assert that Oregon DEQ determined pond sediment is solid waste that cannot be placed onsite. DEQ authorization is not at issue for this Director's Interpretation. PGC will work with DEQ to obtain any necessary authorization.

Environmental and Public Health:
Multiple comments submit that the pond dredging will harm wetlands on the PGC property by placement of toxic and hazardous waste. The Washington County floodplain permit conditions approval on state and federal permitting by DSL and USACE. Neither DSL not USACE allows storage of dredged sediment within onsite wetlands either temporarily or long term. The project will temporarily place dredged sediment into enclosed filtration bags on uplands outside of the associated 50-foot vegetated corridors and floodplain. The biobags allow dewatering and conveyance of water back into the pond. Sediment analysis reports submitted by PGC through permitting approvals document no toxic or hazardous waste present in the pond sediment. After additional testing, DEQ issued a certification that the drained water will not result in risk to human health and environment. The dewatered sediment will be trucked offsite to a landfill; no sediment will remain onsite. Onsite dewatering is necessary to keep the floating dredge afloat. Unlike the prior approval by the County, PGC will stage the removal of the sediment with the first step allowing for dewatering and the second step for disposal offsite at an authorized landfill.

Section 217-1:
Comments citing CDC Section 217-1 argue that the approval of this application revises public policy. The application requests determination that dredging is an accessory use as part of maintenance of the PGC property as a golf course. Accessory uses are allowed outright and do not revise public policy.

Type II Process:
Several comments refer to a significant change in scope of the pond dredging process and the need to complete a Type II land use application process. The pond dredging previously went through a Type II process and received conditional approval of a floodplain alteration permit. As part of the County's conditions of approval, PGC was required to complete state and federal permitting before undertaking the dredging activity. The approval process for the state and federal permits resulted in a project that complies with the County's floodplain alteration permit but has reduced in scope from what the County approved. Dredging will occur from the same pond, the dredged sediment will be placed on the same property, and pipes between the pond and sediment placement area will be located in the same location. The only changes are that a lesser amount of sediment will be dredged, onsite wetland impacts will be eliminated, and onsite ground disturbance will be reduced by over 50%.

STAFF RESPONSE:

Some of the comments below are discussed in further detail later in the Staff Report where the standards of CDC Section 217 are addressed.

Based on the application materials, Junor Lake is a reservoir established at the golf course for irrigation purposes and serves as an accessory structure to support the use of the site. Maintenance is inherent to an existing use: the dredging and dewatering of an irrigation pond are standard and necessary procedures associated with maintenance of irrigation ponds. Since the golf course is lawfully established (lawfully nonconforming), maintenance of associated structures and features for its upkeep follows.

A major concern expressed by commentors related to the health of residents of the area, wildlife, and habitat is that toxins from the dewatered dredged materials will contaminate the water resources on the site. Dewatering of the dredged materials and reentry of the recycled water into the pond will be regulated by DEQ and DSL permits that ensure acceptable water quality. Contrary to some of the comments, and as communicated to Staff by DEQ, the dredged sediment is not considered "toxic" or "hazardous." DEQ noted that sample data from the U.S. Army Corp of Engineer's 404 permit application for the same project shows metal values in the sampling are slightly above background values for metals that DEQ considers for clean fill evaluations, and the concentrations of the metals in those samples are below residential human health risk-based concentrations.

The materials dredged from the pond are not being classified as "clean fill", nor is any portion of the subject site being converted to a "solid waste disposal" site. A solid waste disposal site is typically engineered for permanent burial or containment for processing of waste, which is not the proposed activity here. The applicant proposes to temporarily dewater dredged pond sediment onsite prior to offsite disposal as an ongoing maintenance activity, as addressed later in the report.

As discussed earlier, the current Director's Interpretation application does not request a determination of compliance with the previous approval (L2300011-FP). The applicant only requests a determination that temporary dewatering of the dredged pond sediment onsite: (i) constitutes maintenance, and (ii) does not constitute a "solid waste disposal site" or a "landfill". No changes to Code standards or public policy are being made via this application.

Staff acknowledge that the determination requested in this application is not entirely aligned with the project proposed (and approved) originally via Casefile L2300011-FP, which approved the dredging and permanent burial of the dredged sediment in the southern portion of the subject site within designated wetland area. This application requests interpretation for dredging the pond and temporarily dewatering the bags of dredged material onsite, prior to disposal offsite at an appropriate location. Per the August 2025 Terra Science Inc. site plans, the location proposed for dewatering is west of the originally proposed burial location, thus eliminating onsite wetland impacts. The pipes routing the dredged sediment to the dewatering location are moved farther west, encroaching further into the designated floodplain. These changes reduce onsite ground disturbance by over 50%.
The maintenance of existing approved (or lawfully nonconforming) uses does not by itself trigger land use review. However, dredging and conveyance pipe placement within a floodplain constitute development pursuant to CDC Section 421, requiring a land use permit. Further, Staff has determined that, if dredged materials are temporarily placed onsite for dewatering, further assessment is required with regard to the manner and duration of its placement. DEQ has communicated to Staff that the dredged sediment may be stored onsite only during "active dewatering," and that the anticipated duration communicated to DEQ by the applicant ranges from 2 to 3 months. Therefore, a temporary use permit is considered appropriate and will be required prior to any onsite placement of the dredged sediment; the duration permitted for onsite "active dewatering" will be determined at that time. The applicant has been advised that any alteration within the floodplain, or modification to the use areas approved within the floodplain via Casefile L2300011-FP will trigger additional Type II land use review.

A. Washington County Comprehensive Framework Plan for the Urban Area:

B. Raleigh Hills-Garden Home Community Plan

STAFF: The goals and policies relating to the development of land are implemented by the Washington County Community Development Code and the applicable Community Plan, in this case the Raleigh Hills-Garden Home Community Plan. The Washington County Comprehensive Framework Plan for the Urban Area requires development applications to comply with the Code and the applicable Community Plan.

Any future development application on the subject property must conform to the applicable standards of the Code and the Raleigh Hills-Garden Home Community Plan.

C. Washington County Community Development Code:

1. Article II: Procedures

Section 201 Expiration

201-4.2 Except as outlined below under Section 201-4.2 or as otherwise specifically provided in this Code, a development permit shall expire automatically four (4) years from the date of issuance unless one of the following occurs first:

A. The development permit is revoked as provided for in Section 201-7 or as otherwise invalidated by a body of competent jurisdiction; or

B. An application for an extension is filed pursuant to Section 201-5; or

C. The development has commenced as provided in Section 201-6.

D. Upon final approval by the county of a permit, if the permit is appealed to a body of competent jurisdiction, the four-year permit period shall be tolled until a final, unappealed decision by a competent jurisdiction is made.

In addition to A., B., C. and D., land divisions shall expire automatically four (4) years from the date of preliminary approval, and property line adjustments shall expire automatically four (4) years from the date of approval as specified in Article VI.

STAFF: Section 201 is superseded by Section 217-6, which outlines the expiration requirements for a Director's Interpretation such as the one assessed in this report. Section 217-6 states that no expiration dates shall be applied to an application for a Director's Interpretation. Section 217-6 is discussed in detail later in this report and its provisions are reflected in the Summary of Code Requirements in Attachment B.

Section 202 Procedure Types and Determination of Proper Procedure

202-2 Type II Procedures

STAFF: This application is being processed through the Type II procedure of the Community Development Code, pursuant to Section 217-3.2.

Section 204 Notice of Type I, II, or III Development Actions

STAFF: Public notice was mailed to nearby property owners as required under Section 204. Over 60 comment letters were received in response to the public notice for this application, and the public comments have been addressed in the background findings earlier in this Staff Report.

Section 207 Decision

207-5 Conditions of Approval

STAFF: Conditions of approval are imposed as necessary to ensure compliance with the standards of the Code and other County regulations and to mitigate any adverse impacts a development may have on the surrounding area. In this case, no development is proposed. Though the Director's Interpretation does not constitute development as defined by Section 106-57, Section 217-3.8 does allow the Review Authority to impose conditions on this interpretation. While this decision does not include any project-based Conditions of Approval since no specific development is being approved herein, the summary of code requirements advise the applicant to obtain appropriate land use approval prior to any ground disturbing activities at the subject site.

Section 217 Director's Interpretation

217-1 Purpose

217-1 The purpose of the Director's Interpretation is to address uses that are not explicitly provided for in this Code, to provide further interpretation of terms or phrases within this Code, make initial determinations of conformity through a

Development and Property Information (DPI) request, and provide guidance and documentation for future application of this Code.

In addition to this interpretation process, interpretations can be made by the Board pursuant to Resolution and Order 98-35. Revisions to public policy shall not be made through Board or Director's Interpretations of this Code. Policy revisions shall be considered through a Type IV legislative process as described in Section 202-4. Director's Interpretations shall be used to provide guidance for consistent application of Code standards. For Type II applications on appeal and Type III applications, the Hearings Officer may consider the Director's Interpretation and may use and incorporate the interpretation into its findings.

STAFF: The applicant requests a Director's Interpretation pursuant to CDC Section 217 determining that dredging the sediment of Junor Lake, an irrigation reservoir, and dewatering the dredged sediment onsite is a maintenance activity that is allowed outright incidental to the golf course, and that this activity/placement does not constitute a 'solid waste disposal site' or a 'landfill," and is, therefore, in compliance with County land use regulations.

As discussed previously in this Staff Report, the subject property is designated both R-5 and INST where golf courses are permitted. The existing Portland Golf Club on the subject site was established circa 1914 and is a lawful nonconforming use.

Staff notes that Junor Lake constitutes an accessory structure/use on the subject site in conjunction with the golf course, which is defined by CDC Section 106-5 as, *"A detached, subordinate structure, the use of which is customarily incidental to that of the dominant use of the main building, structure, or land and which is located on the same lot or parcel as the main building, structure or use."* Irrigation ponds are customarily found in conjunction with golf courses. According to the application materials, Junor Lake is an irrigation reservoir that supports the golf course functionally by providing water for the maintenance of the greens, serving aesthetic purposes by adding depth to the landscape, and being a challenging obstacle that tests a player's skills.

CDC Section 106 does not define the terms "maintenance" or "customarily accepted practice." Therefore, under Section 106-1.3, the dictionary definition of these terms will be used as defined by *Webster's Third New International Dictionary*, copyright 1993. "Maintenance" means "the state of being maintained" and "the upkeep of property or equipment;" "customarily" means "according to custom or established practice;" "accepted" means "generally approved or used;" and "practice" means "to do or perform often, customarily, or habitually."

As discussed earlier, the maintenance of structures is inherent to lawful use of a property. Indeed, maintenance of structures is generally recognized as a fundamental duty of a property owner, necessary to sustain the property by ensuring the structures continue to function properly. Maintenance of Junor Lake is vital to protect the ancillary uses it serves at the golf course. Dredging and dewatering onsite are common maintenance procedures for golf course ponds. Periodically dredging sediment from Junor Lake ensures proper depth (and, hence, its storage capacity) is maintained, sediment does not clog irrigation pipes, and invasive vegetation such as algal growth and weeds are limited. The dewatering process separates water from the dredged sediment, reduces waste volume prior to offsite removal, and returns the recycled water to the environment after appropriate treatment and testing as determined necessary by DEQ and DSL. Based on the definitions and discussion above, Staff find that both dredging and dewatering of the sediment onsite are customarily accepted practices that are reasonably associated with pond maintenance at golf courses.

Regarding the matter of "solid waste disposal site" or "landfill," temporary placement of dredged sediment for dewatering on the subject property prior to removal to a permanent disposal site does not convert the use of the property to a solid waste disposal site. Per CDC Section 106-1.3 and *Webster's Third New International Dictionary*, "landfill" means "a system of trash and garbage disposal in which the waste is buried between layers of earth to build up

low-lying land;" "disposal" means "systematic destruction or transformation of garbage;" and "site" means "the place, scene, or point of an occurrence or event." Solid waste disposal is, thus, the process of discarding or eliminating unwanted refuse from various sources such as industrial, residential, or agricultural sources, utilizing disposal methods including recycling, incineration, composting, or depositing at a landfill. As stated in the application, the activity subject to the Director's Interpretation is the temporary placement of dredged sediment onsite for dewatering prior to permanent disposal offsite at a landfill. Notably, the activity being evaluated in this Director's Interpretation, unlike the original approval in Casefile L2300011-FP, does not propose burial of the dredged sediment onsite. DEQ, likewise, has not expressed concerns with the "active dewatering" of the dredged sediment onsite, prior to the dredged sediment being hauled offsite to a permanent disposal facility.

Accordingly, Staff find the proposed dredging and dewatering activities meet the broad definition of a maintenance activity associated with any lawful use existing onsite and, by themselves, do not require additional land use review. Further, Staff also find that the dredging and dewatering activities do not constitute those customarily associated with a "solid waste disposal site" or "landfill."

Staff reiterate that this Director's Interpretation is not intended to determine compliance with the prior 2023 approval (Casefile L2300011-FP). Nonetheless, based on the Joint Permit Application (JPA) submitted to DSL in August 2025, it appears that the proposed scope of work has substantially been modified from that which was originally approved by the County in Casefile L2300011-FP. The applicant has not yet submitted these revised materials to Washington County for review. According to the revised plans included in the JPA: (i) sediment will no longer be permanently buried onsite, but will instead be dredged and dewatered onsite prior to disposal offsite at a landfill, (ii) conveyance pipes between Junor Lake and the dewatering site have been relocated farther west, thus encroaching further into the floodplain, and (iii) the location proposed for dewatering, though within the original project parameters, is relocated further west from the burial location, away from Wetland A and the residences. The scope of the project as submitted through the JPA, thus, appears to deviate materially from that which was originally approved by the County in Casefile L2300011-FP, thereby likely requiring additional land use review. If the County confirms that the scope of the applicant's project has been revised since the 2023 approval, then applicant would be required to apply for floodplain alteration approval for the modifications within the floodplain pursuant to CDC Section 421, demonstrate compliance with CDC Section 422 (Significant Natural Resources), and apply for a temporary use permit for the temporary onsite dewatering operation. Any such temporary use permit that is issued would stipulate the time limit for dewatering operations after consultation with DEQ.

217-2 Applicability

217-2 The Director shall have the initial authority and responsibility to interpret all terms, provisions, and requirements of this Code.

STAFF: This application is being processed through the Type II procedure of the CDC in accordance with Sections 202-2.1 and 202-2.2 to enable Staff, with the Director's delegated authority, to determine the merits of the application.

217-3 Procedure

217-3.1 A Director's Interpretation may be initiated by:

A. The Director;

B. A property owner or property owner's representative where an interpretation specific to that owner's property is requested; or

B. Any person to obtain an interpretation of specific terms within this Code where the terms and its interpretation are unrelated to a specific property.

STAFF: This application for a Director's Interpretation has been submitted by Westlake Consultants, Inc. (Ken Sandblast), the applicant's representative, on behalf of the applicant, with the approval of the property owner.

217-3.2 An application for a Director's Interpretation shall be processed as a Type II procedure in accordance with Section 202-2.1 and 202-2.2 of this Code.

STAFF: This application is being processed through the Type II procedure of the CDC in accordance with Sections 202-2.1 and 202-2.2.

217-3.3 Notice of a Director's Interpretation shall be provided as set forth in Section 202-2.3 for an interpretation involving a specific property only.

STAFF: This application is for a Director's Interpretation regarding proposed dredging and temporary onsite dewatering of the dredged sediment at the subject site, prior to disposal offsite at a landfill. Accordingly, public notice was mailed to owners of property within 500 feet of the subject properties in accordance with Section 204-3.1.B(1). Over 60 comment letters were received in response to the public notice for this application prior to the preparation of this report.

217-3.4 Public notice of pending review of a Director's Interpretation shall be provided to all Citizen Participation Organizations (CPOs) as set forth in Section 204-3.1 C. of this Code for an interpretation that does not involve a specific property. Notice of decision shall be provided to all CPOs as set forth in Section 204-3.4 of this Code.

STAFF: Public notice was provided to the relevant Citizen's Participation Organization (CPO 3), and the Notice of Decision will also be provided to CPO 3 in accordance with Section 204-3.4.

217-3.5 The Director may reject an application for a Director's Interpretation if:

A. The Director determines that the question presented can be decided in conjunction with a pending land use application, plan amendment, or land use permit; or

B. The Director determines that there is a compliance case pending in which the same issue will be decided.

STAFF: There are no pending land use applications, plan amendments, land use permits, or compliance cases addressing the questions presented in this application for a Director's Interpretation.

217-3.7 The Director's decision to accept or not accept an application under Section 217 shall be the County's final decision.

STAFF: This application has been accepted for review, as provided in this report, and assigned Casefile number L2600070-DI.

217-3.8 The Review Authority may impose conditions on the Director's Interpretation.

STAFF: Where appropriate, Conditions of Approval are imposed to ensure compliance with the standards of the Code and other County regulations, and to minimize identified impacts upon

surrounding properties. While Conditions of Approval are not relevant to this application, a Summary of Code Requirement has been provided. See Attachment B.

217-3.9 Appeals shall be processed in accordance with Section 209 of this Code and shall be to the Hearings Officer.

STAFF: Any appeal raised in response to the Director's Type II land use decision shall be processed in accordance with Section 209 and shall be decided by the Hearings Officer.

217-4 Application Requirements

217-4.1 An application for a Director's Interpretation shall be submitted when one or more of the following apply:

A. The owner of the property or the property owner's representative is requesting an interpretation relating to the use of the owner's property.

B. A request has been made to the Director to provide a Development & Property Information (DPI) determination.

C. The interpretation of a specific term or terms within this Code is requested.

D. A determination of a similar use is requested.

217-4.2 An application shall be submitted on a form provided by the Director along with all applicable fees and evidence that a preapplication meeting has been held.

STAFF: The property owner's representative requests interpretation relating to the use of the owner's property. The appropriate application form and fees were submitted. The application materials include a form waiving the preapplication meeting. Any appeal raised in response to the Director's Type II land use decision to approve this application shall be processed in accordance with Section 209 and shall be decided by the Hearings Officer.

217-5 Determination of Similar Uses

When making determination of a similar use, the proposed use subject to the interpretation must be substantially similar to a use currently identified in the applicable district or in other sections of this Code.

STAFF: This application does not request a determination of a similar use.

Nonetheless, Staff find that the proposed temporary placement of dredged pond sediment for dewatering is similar in nature to temporary uses and structures incidental to construction work as permitted by CDC Section 430-135.1.A. and -C.(8). While maintenance and construction differ in purpose, they share similar processes and tools. Dewatering is often employed during construction, and though it differs in execution from dewatering of pond sediment, the two are similar in concept such that they both require pumping water through physical barriers to remove suspended materials from the water.

It is also worth noting that the proposed dewatering operation is temporary and only required during active dewatering of the dredged sediment, as permitted by DEQ. Once the dewatering process is completed, the dredged sediment will be removed offsite to an appropriate solid waste disposal facility. The temporary use permit will afford Staff the opportunity to regulate the time period the dredged materials are stored onsite for dewatering, which will be determined in consultation with DEQ at the time the permit is issued.

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

   Section 302 R-5 District (R-5)
   Section 330 Institutional District (INST)

STAFF: The site is designated INST except for the southern portion of the site, which is designated R-5. While the Portland Golf Club predates land use regulations and is lawfully nonconforming, both of these land use districts allow golf courses as Type III Permitted Uses.

The applicant proposes to dredge the sediment of Junor Lake and temporarily place it onsite for dewatering. These activities have been proposed as maintenance of the irrigation reservoir, Junor Lake. The dewatered materials will be hauled offsite to an appropriate location for permanent disposal.

III. SUMMARY

Based on materials submitted by the applicant and contained in the casefile, it is the Director's Interpretation that the proposed dredging of Junor Lake and temporary storage of bagged dredged materials onsite for dewatering constitute maintenance activities associated with the golf course at the Portland Golf Club. The proposed activities do not constitute a landfill or disposal of solid waste on the subject site.

The applicant is reminded that any new use may be subject to development review, and any use on the site is subject to applicable Code standards, including development standards set forth in Article IV of the Code, such as environmental performance standards, and those regulating development within the 100-year floodplain, sensitive natural resources, and drainage hazard areas.