



Staff Report Presentation

Benton County Planning Commission Hearing

April 29, 2025

APPLICATION TYPE	Conditional Use Permit
LOCAL FILE NO.	LU-24-027
APPLICANT	Republic Services
PROPERTY OWNER	Valley Landfills, Inc.

NATURE OF REQUEST

Conditional Use Permit to expand Coffin Butte Landfill.

Republic Services is proposing to expand existing landfill operations south of Coffin Butte Road, construct an 1,800 sq. ft. employee building with off-street parking, modify an access road, and relocate leachate activities, portions of a perimeter landfill road, an outbound scale, and construct a shop/maintenance area. The applicant is also proposing to modify access roads North of Coffin Butte Road.

BACKGROUND

BACKGROUND

County Departments



Third-party Consultants



BACKGROUND

Parameters of review

- Benton County land use review
- Landfill expansion area
- "Burden of proof"

BACKGROUND

Event	Date
Pre-application conference	June 27, 2024
Conditional Use application received by CDD	July 19, 2024
CDD deems application to be incomplete	August 16, 2024
Completeness response from applicant is received by CDD	October 30, 2024
CDD requests additional information	December 11, 2025
Additional information and a request to begin review is received by CDD	January 15, 2025
Applicant requests a 58-day review extension	January 15 - March 14, 2025
CDD deems application to be "complete"	January 15, 2025
Additional information from applicant is received by CDD	March 14, 2025

PROPOSAL DESCRIPTION

Benton County Exhibit BC6 in Staff Report



**Benton
County**

**COMMUNITY DEVELOPMENT
DEPARTMENT**

April 18, 2025



Taxlots

Areas of Interest

- Development Area
- Properties with Landfill Operations
- Adjacent Properties

Rural Residential

- 2-Acre Minimum
- 5-Acre Minimum
- 10-Acre Minimum

Rural Lands

- Rural Industrial

Non-Resource Lands

- Landfill Site
- Open Space

Resource Zones

- Exclusive Farm Use
- Forest Conservation

Esri, Maxar, Earthstar Geographics,
and the GIS User Community, Esri
Community Maps Contributors,
County of Benton, Oregon State
Parks, State of Oregon GEO, Esri,
TomTom, Garmin, SafeGraph,
GeoTechnologies, Inc, METI/NASA,
USGS, Bureau of Land
Management, EPA, NPS, US Census
Bureau, USDA, USFWS



RIFLE RANGE RD

WILES RD

COFFIN BUTTE RD

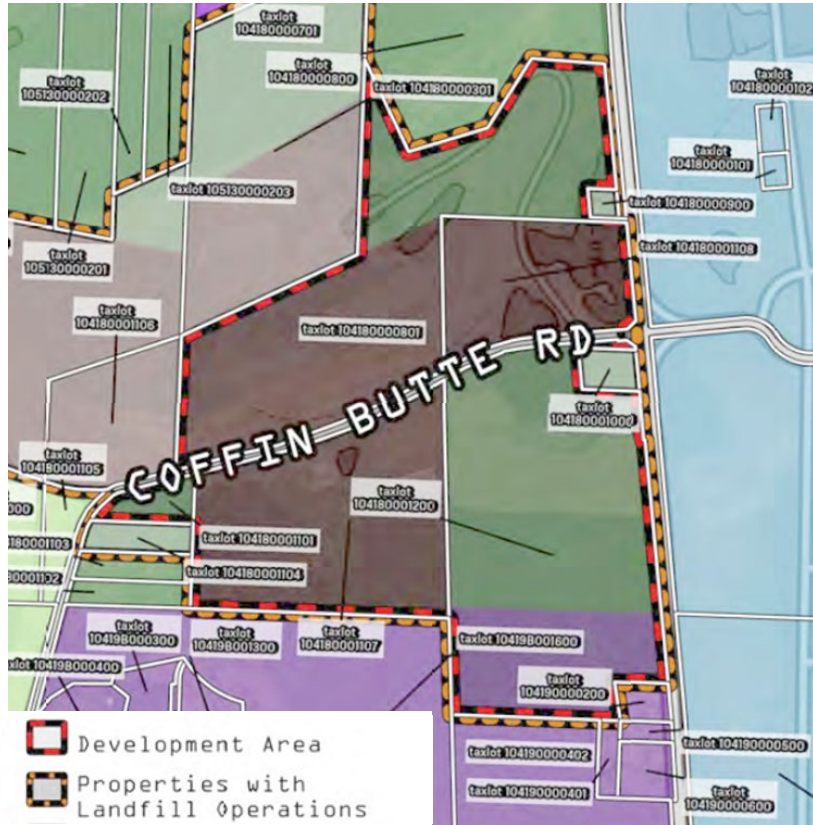
SOAP CREEK RD

CAMP ADAIR RD

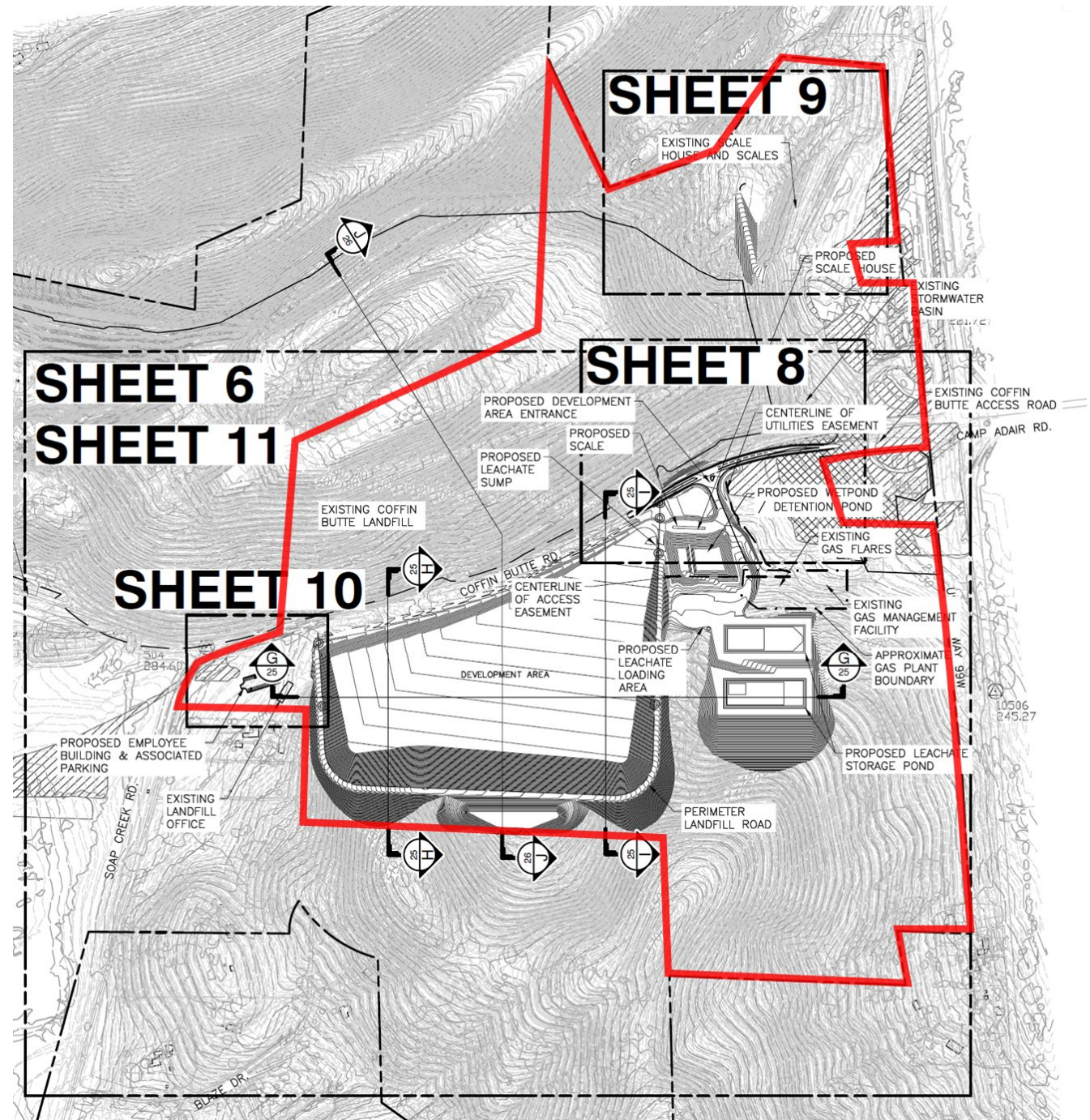
PROPOSAL DESCRIPTION

PROPOSAL DESCRIPTION

Benton County Exhibit BC6 in Staff Report



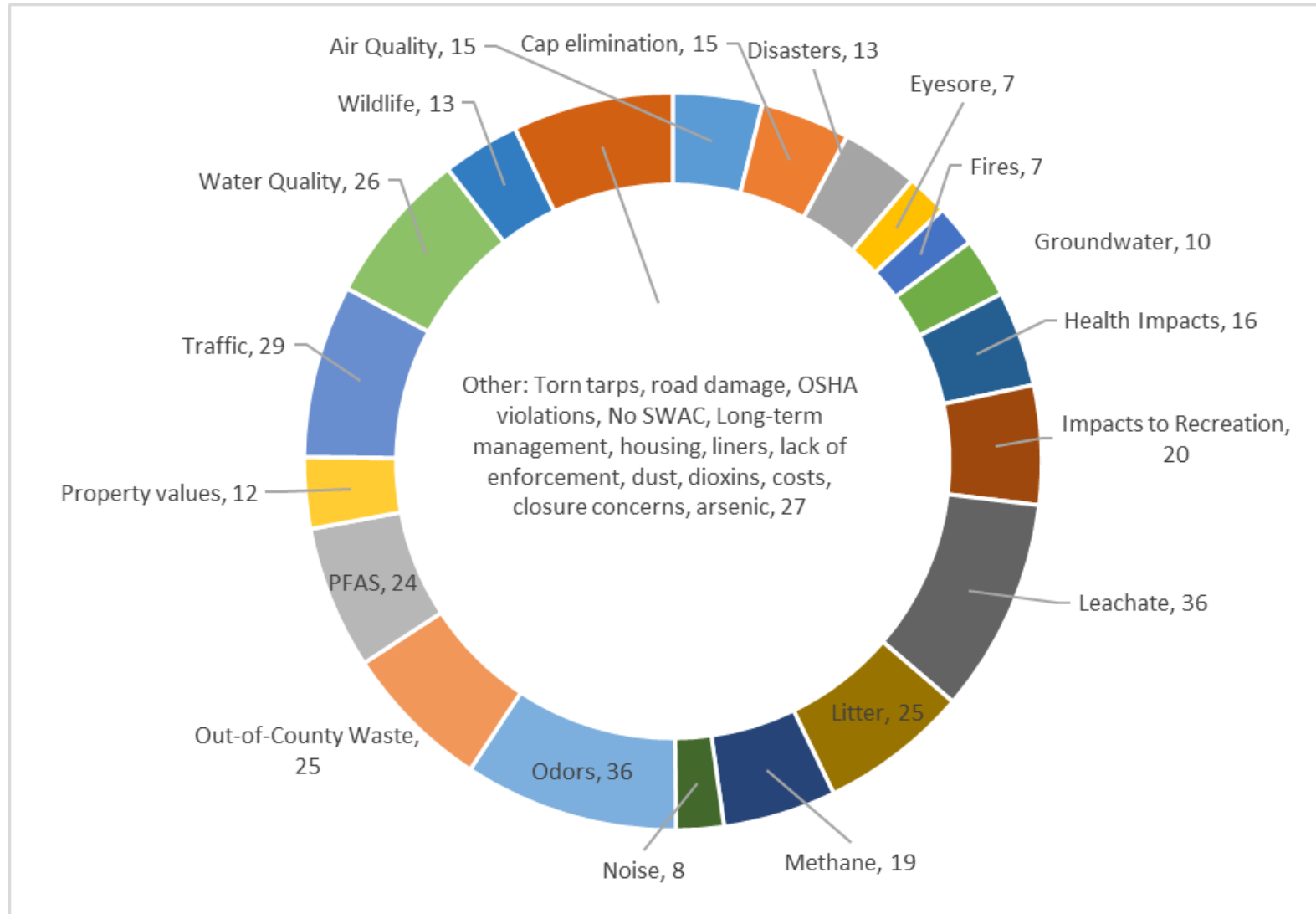
Approximate "Development Area", over the
Applicant's Exhibit E2, Sheet 5 in Staff Report



PUBLIC AND AGENCY COMMENTS

PUBLIC COMMENTS

135 written comments received by 12:00pm on April 22nd



AGENCY COMMENTS

Adair Village

Army Corps of Engineers

Benton County Environmental and
Natural Resources Advisory Committee
(ENRAC)

City of Corvallis

Oregon Department of Environmental
Quality (ODEQ)

Oregon Department of Fish and Wildlife
(ODFW)

Oregon Department of Geology and
Mineral Industries (DOGAMI)

Oregon Department of Land Conservation
and Development (DLCD)

Oregon Department of State Lands (DSL)

Oregon Department of Transportation
(ODOT)

RELEVANT CODE CHAPTERS

RELEVANT CODE CHAPTERS

BCC 51 - Development Code Administration

BCC 53 - General Review Criteria and Procedures

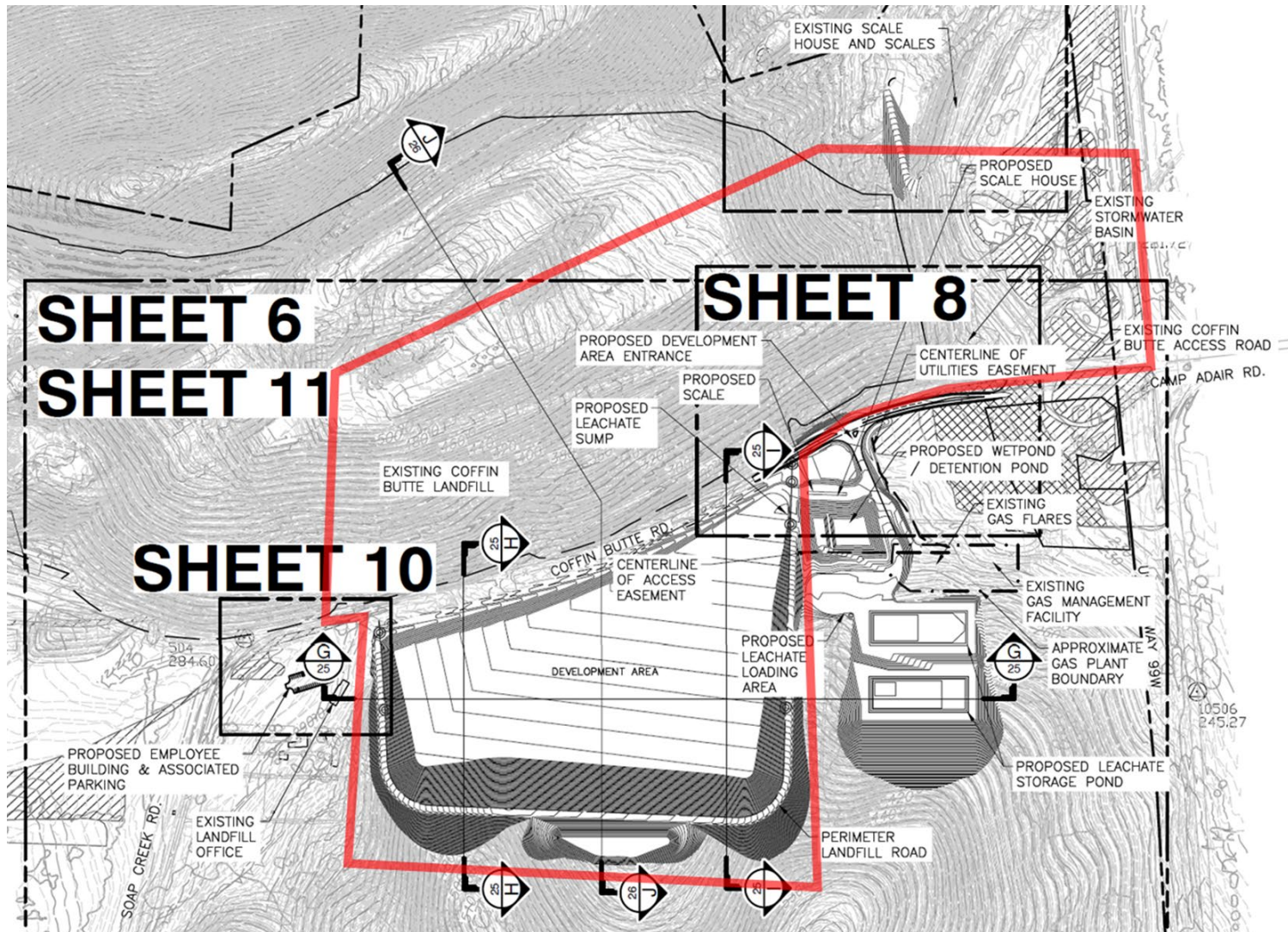
BCC 60 - Forest Conservation Zone (FC)

BCC 77 - Landfill Site Zone (LS)

BCC 99 - General Development Standards

KEY FINDINGS

KEY FINDINGS



Approximate LS zoned area over the Applicant's Exhibit E2, Sheet 5 in Staff Report

BCC 77 - Landfill Site Zone (LS)

*BCC 77.305 Conditional Uses
Approved by the Planning
Commission.*

LS zone was created and
applied to the
development area in 1983



Non-Resource Lands

Landfill Site

53.215 Criteria. The decision to approve a conditional use permit shall be based on findings that:

(1) The proposed use does not seriously interfere with uses on adjacent property, with the character of the area, or with the purpose of the zone;

Potential impact types

- Noise
- Traffic
- Groundwater
- Odor
- Visual

53.215 Criteria. The decision to approve a conditional use permit shall be based on findings that:

- (1) The proposed use does not seriously interfere with uses on adjacent property, with the character of the area, or with the purpose of the zone;*

KEY FINDINGS

BCC 53 - General Review Criteria and Procedures

BCC 53.215 (1) - seriously interfere

BCTT Formal
Workgroup
Polling

LLU F-9a



Unanimous

“[...] In applying the term “seriously interfere”, Staff reports that in past CUP applications the Planning Official, Planning Commission or Board has considered factors such as: does the proposed use make it difficult to continue uses on the adjacent property; would it create significant disruption to the character of the area; would it conflict, in a substantive way, with the purpose of the zone. [...] In the past, ‘seriously interfere’ has generally been applied as meaning more than an inconvenience or irritation but is a lesser threshold than rendering the uses on adjacent property impossible. Speculated effect on property values has not been a primary consideration in determining serious interference. [...]”

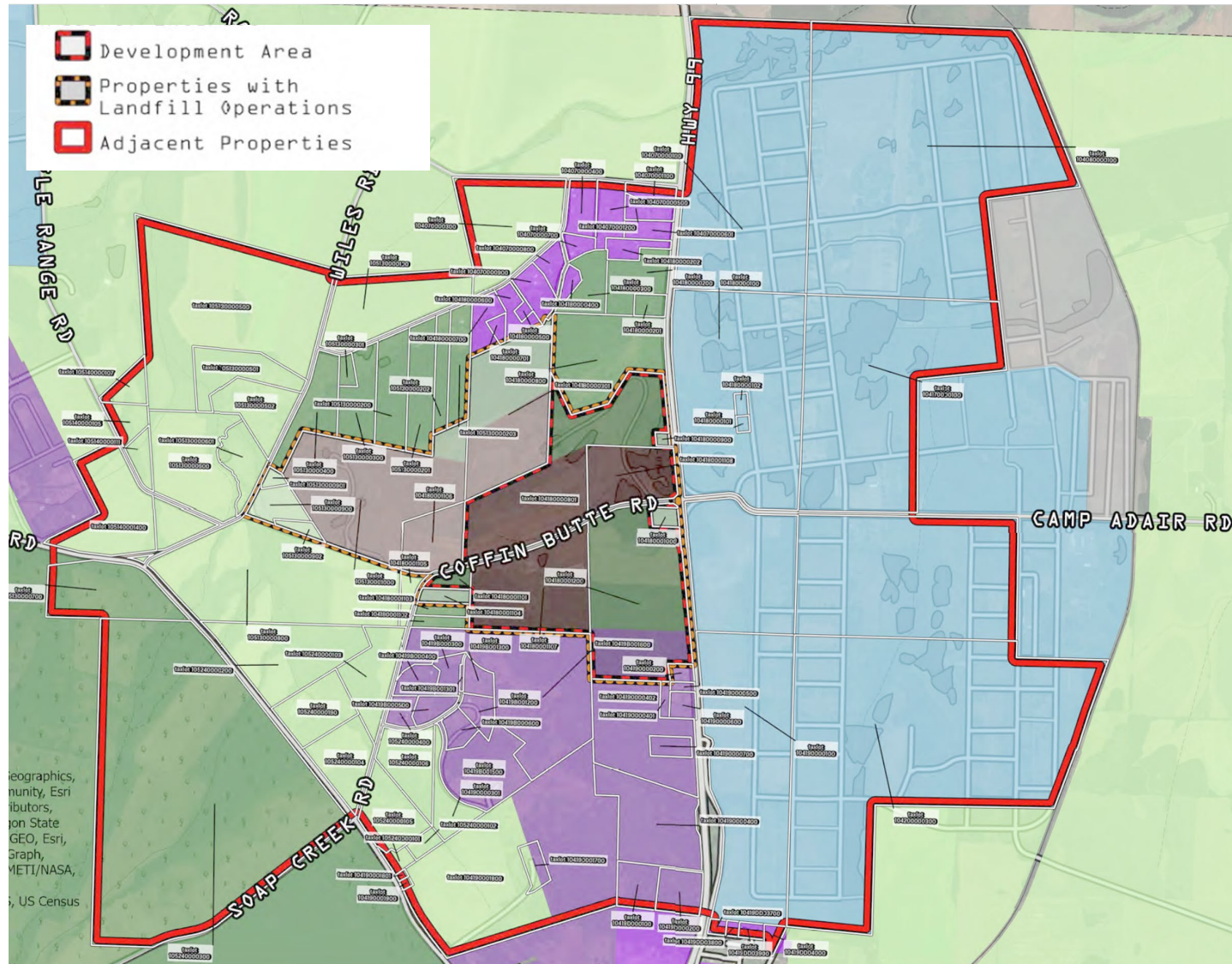
KEY FINDINGS

BCC 53 - General Review Criteria and Procedures

(1) The proposed use does not seriously interfere with uses on adjacent property, with the character of the area, or with the purpose of the zone;

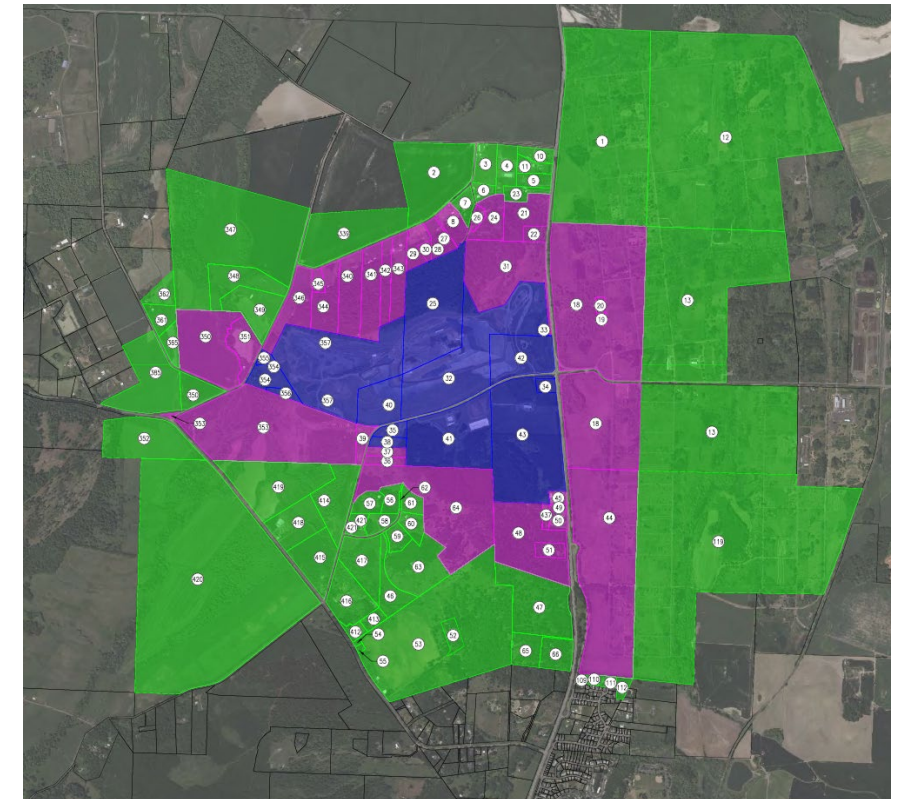
KEY FINDINGS

BCC 53 - General Review Criteria and Procedures



Benton County's Exhibit BC6 in Staff Report

BCC 53.215 (1) -
uses on adjacent property



LEGEND

- PROPERTY WITH LANDFILL OPERATIONS
- PROPERTY ADJACENT TO LANDFILL OPERATIONS
- PROPERTY ADJACENT TO ADJACENT PROPERTY

Applicant's Exhibit
E8 in Staff Report

KEY FINDINGS

BCC 53 - General Review Criteria and Procedures

(1) The proposed use does not seriously interfere with uses on adjacent property, with the character of the area, or with the purpose of the zone;

KEY FINDINGS

BCC 53 - General Review Criteria and Procedures

BCC 53.215 (1) - character of the area

- 90 square miles
- Rural and urban development
- Resource land
- Varying topography and natural habitats
- “[O]ccasional odors, sounds, noises, and trips from the existing landfill operation and surrounding resource-extraction uses” (Exhibit BOP p. 37)

Applicant’s Exhibit E10 in Staff Report

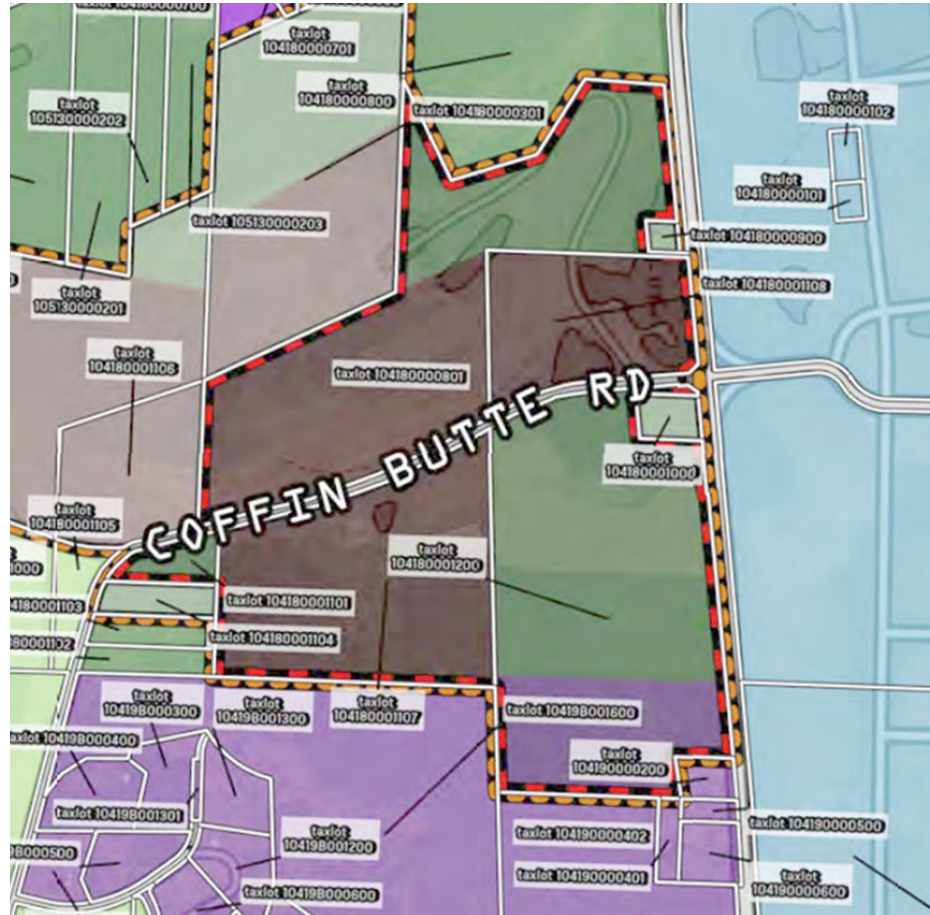


KEY FINDINGS

BCC 53 - General Review Criteria and Procedures

(1) The proposed use does not seriously interfere with uses on adjacent property, with the character of the area, or with the purpose of the zone;

KEY FINDINGS



Benton County's Exhibit BC6 in Staff Report

BCC 53 - General Review Criteria and Procedures

BCC 53.215 (1) - the purpose of the zone

BCC 77.005 Purpose.

BCC 60.005 Forest Conservation Zone.



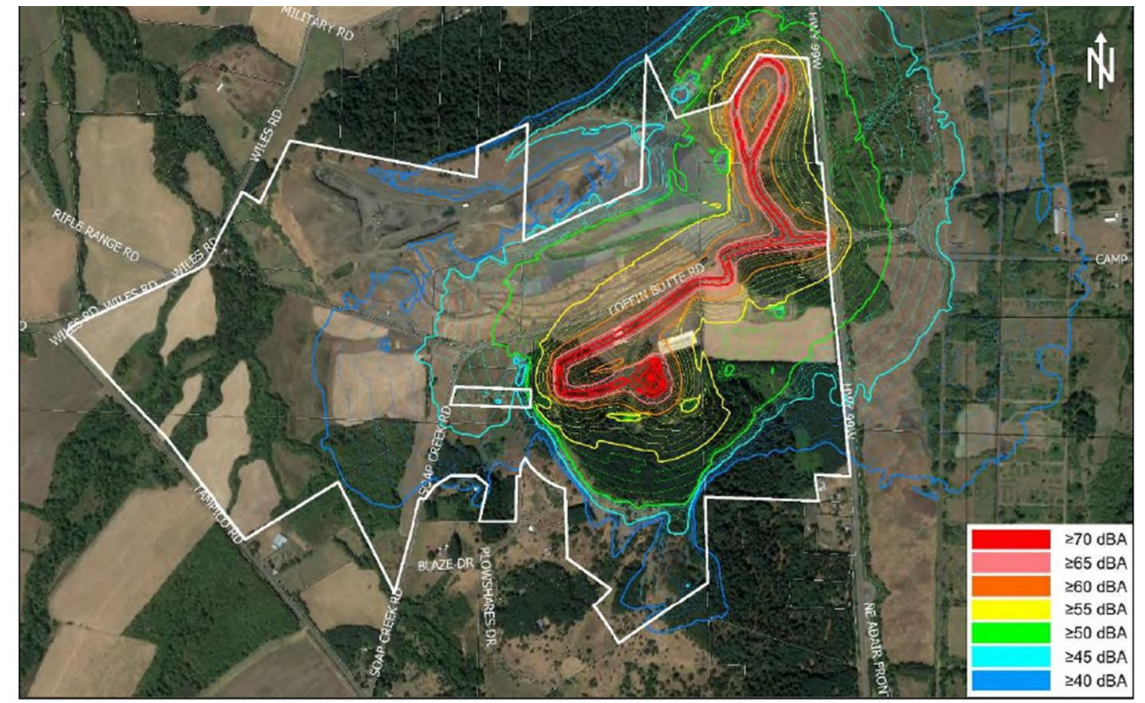
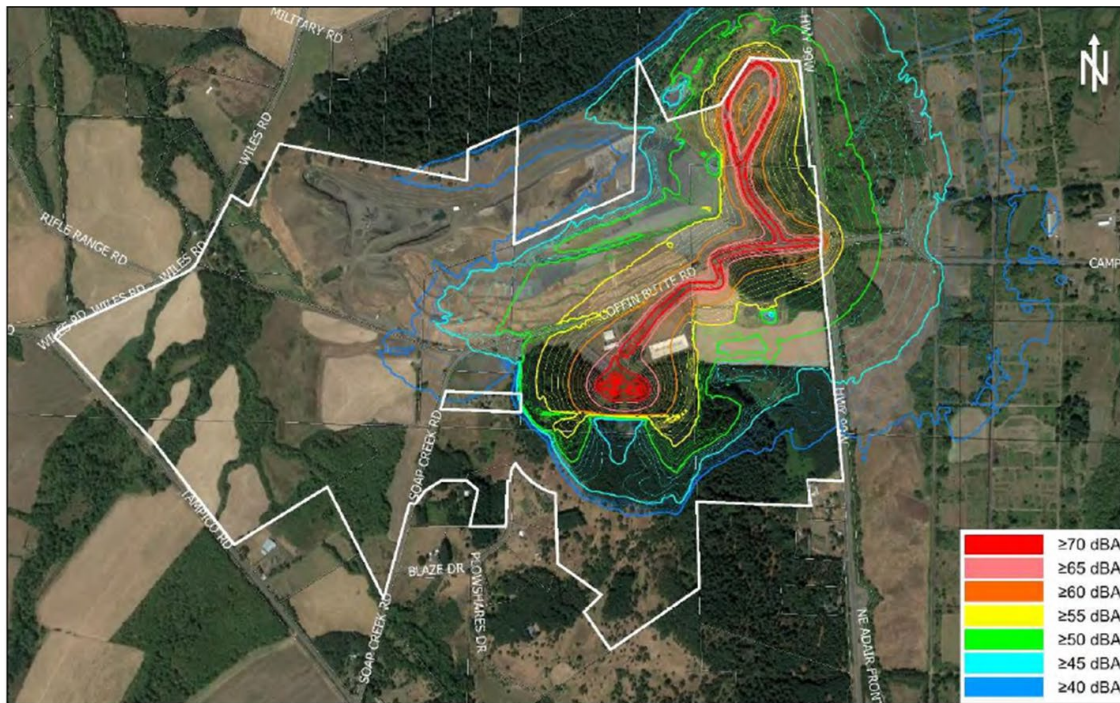
KEY FINDINGS

BCC 53 - General Review Criteria and Procedures

BCC 53.215 (1)

Noise impacts vs. uses on adjacent properties and character of the area

– **Basis for recommended denial**



KEY FINDINGS

BCC 53 - General Review Criteria and Procedures

BCC 53.215 (1)

Odor impacts vs. uses on adjacent properties and character of the area
– **Basis for recommended denial**

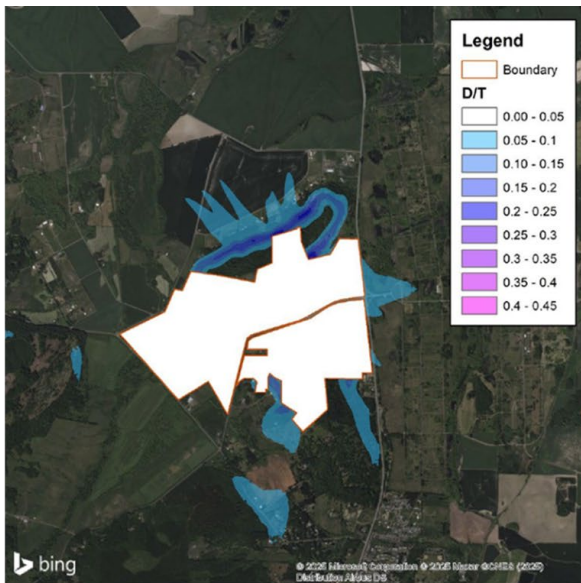


Figure 9. Scenario #1 NOx Odor D/T Contours
(Exhibit E33. 2025 Odor Study)

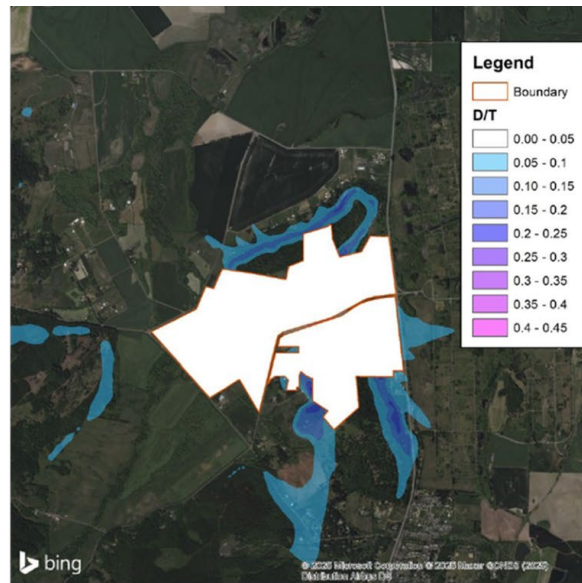


Figure 11. Scenario #2 NOx Odor D/T Contours
(Exhibit E33. 2025 Odor Study)

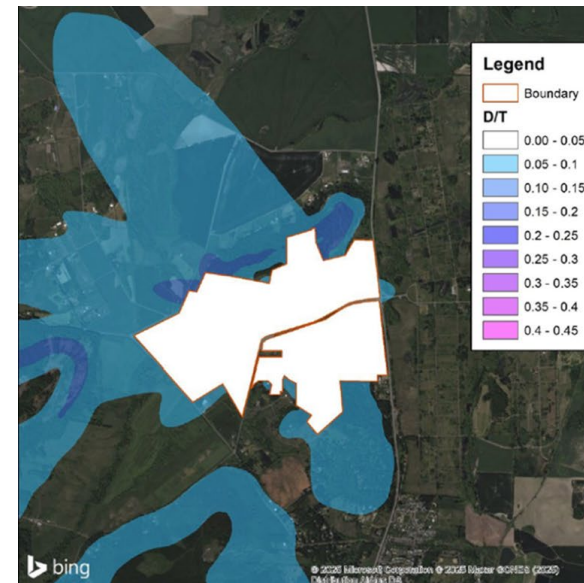


Figure 10. Scenario #1 Dimethyl Sulfide Odor D/T
Contours
(Exhibit E33. 2025 Odor Study)

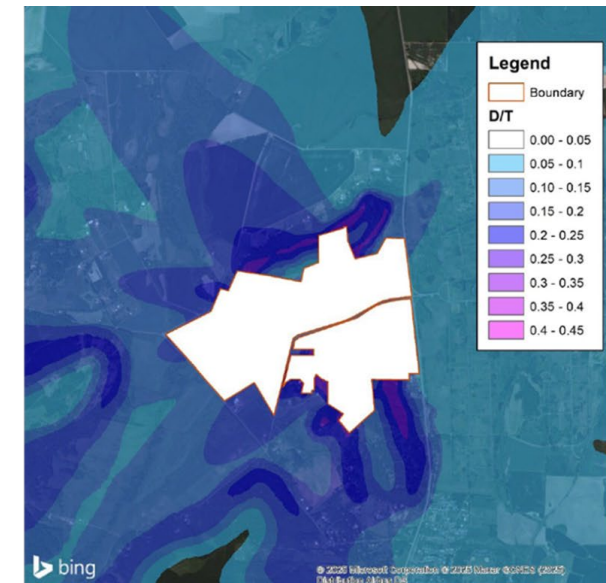


Figure 12. Scenario #2 Dimethyl Sulfide Odor D/T
Contours
(Exhibit E33. 2025 Odor Study)

KEY FINDINGS

Traffic, Groundwater, and Visual impacts

- **No evidence to the contrary**, as supported by applicant statements and engineering comments

53.215 Criteria. The decision to approve a conditional use permit shall be based on findings that:

[...]

(2) The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area; and

- **No evidence to the contrary**, as supported by applicant statements and engineering comments

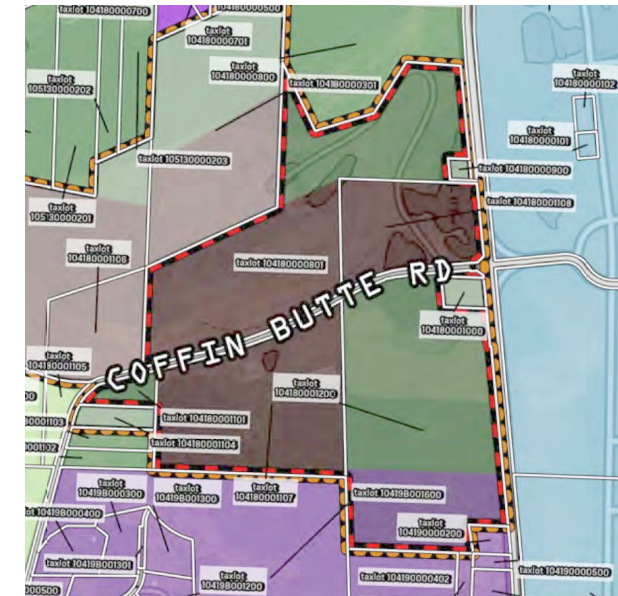
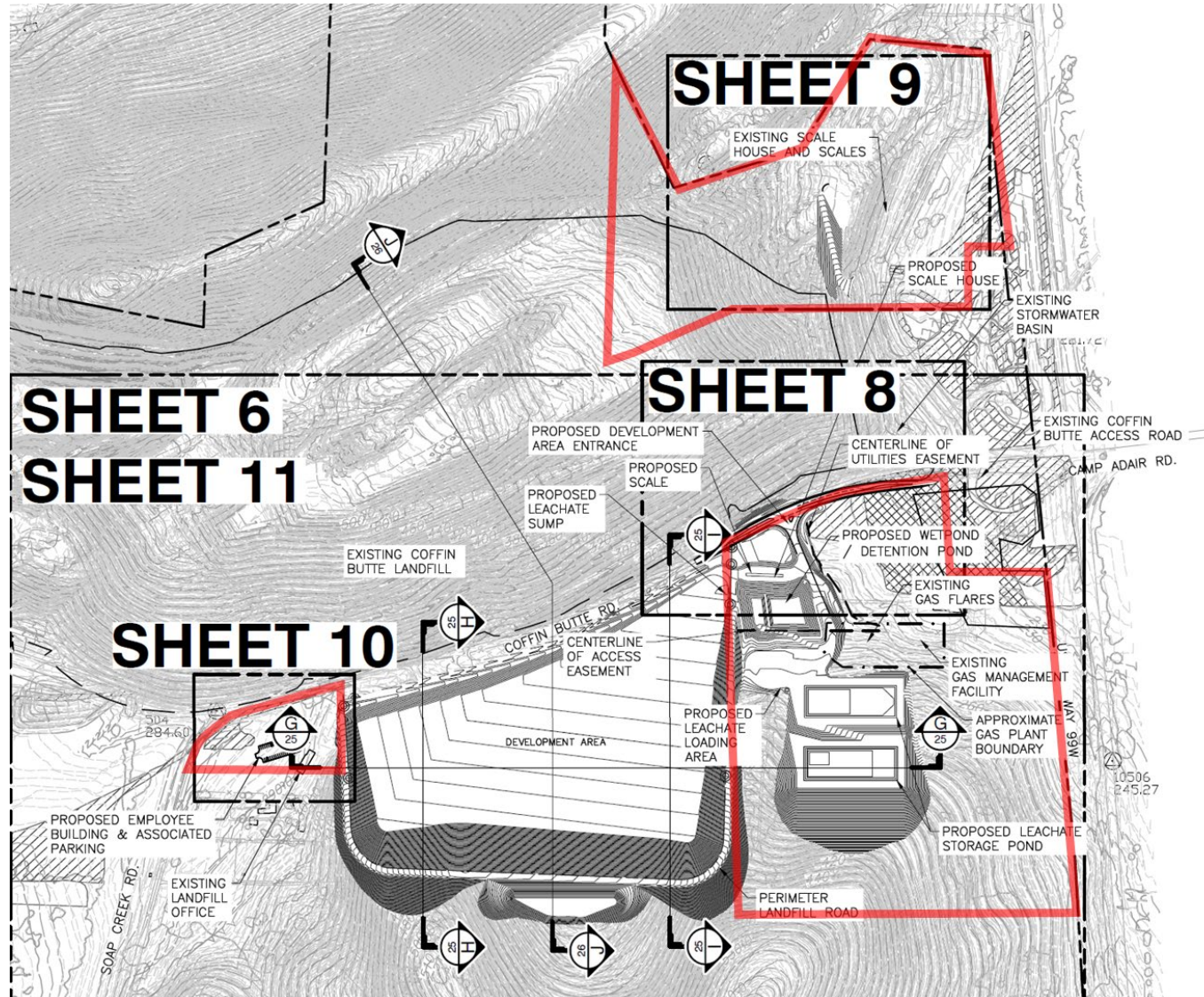
BCC 53.220 Conditions of Approval.

- **Staff recommends denial**, therefore, staff do not evaluate the applicant's proposed COAs nor present recommended COAs

KEY FINDINGS

BCC 60 - Forest Conservation Zone (FC)

BCC 60.215 Conditional Uses.



Resource Zones

Forest Conservation

Approximate FC zoned areas over the Applicant's Exhibit E2, Sheet 5 in Staff Report

KEY FINDINGS

BCC 60 - Forest Conservation Zone (FC)

BCC 60.220 Conditional Use Criteria.

Key criteria

- No significant change or cost increase to accepted farm or forest uses
- No increased fire risks
- **No evidence to the contrary**, as supported by applicant statements and engineering comments
- Meet the Conditional Use criteria in BCC 53.215
- **Basis for recommended denial**

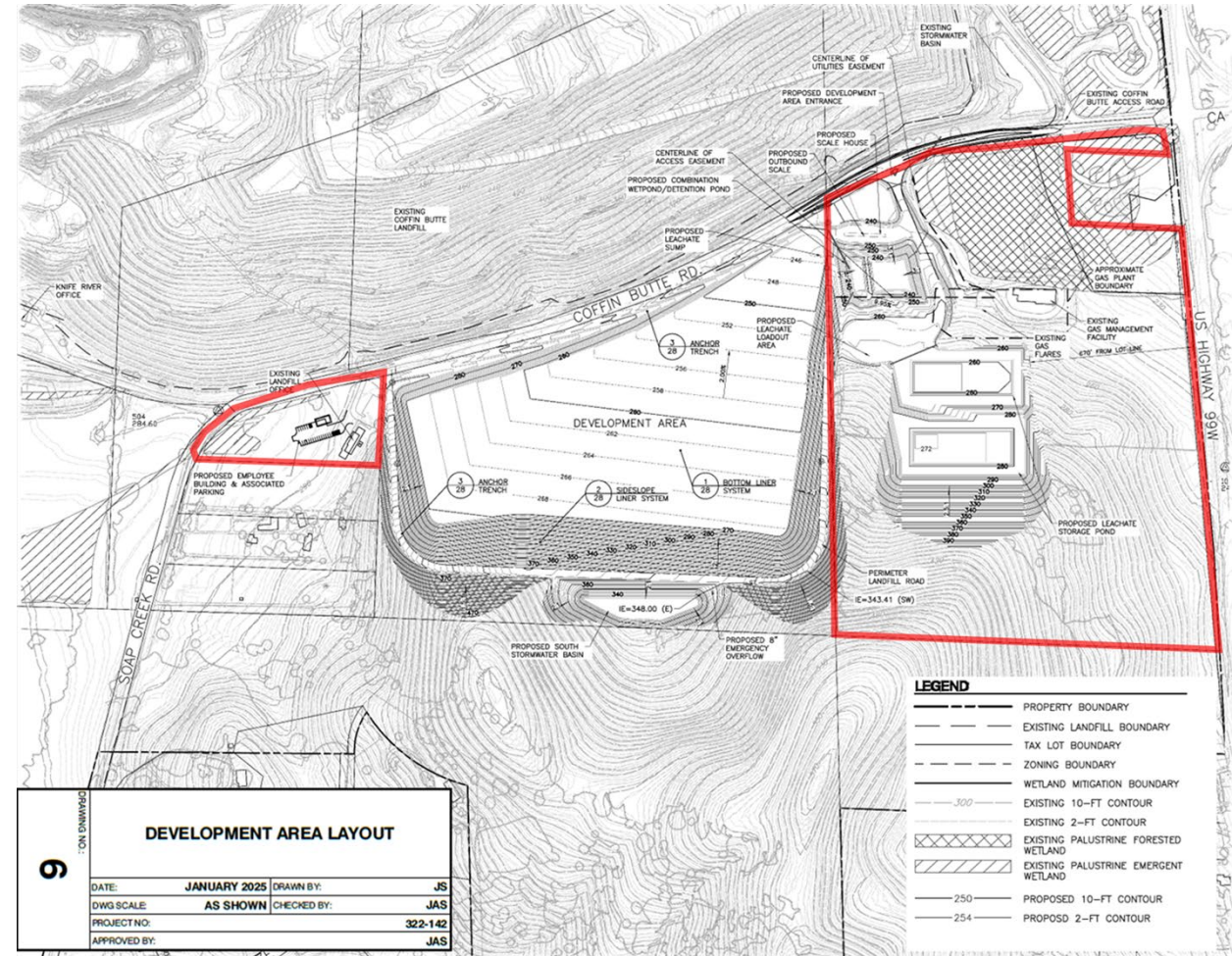
KEY FINDINGS

BCC 60.405 Siting Standards.

Key standards

- No increased fire risks, proper mitigation
- **No evidence to the contrary**, as supported by applicant statements and engineering comments
- New structure siting
- **Basis for recommended denial**

BCC 60 - Forest Conservation Zone (FC)



Tax Lot location of proposed structures over the Applicant's Exhibit E2, Sheet 6 in Staff Report

KEY FINDINGS

BCC 99 - General Development Standards

99.225 Development Activities in Wetlands.

99.515 Road Design and Construction Standards.

99.660 Erosion and Sediment Control.

99.670 Post-Construction Stormwater Management.

99.705 Sewage Disposal.

- **Standards can be met**, as supported by applicant statements and engineering comments

RECOMMENDATION

RECOMMENDATION

Based on findings in the Staff Report and information in the file, staff concludes that evidence provided by the applicant does not sufficiently demonstrate that the proposal will:

- Not “seriously interfere” with uses on adjacent properties or the character of the area
- Meet FC zone conditional use criteria and siting standards related to the proposed shop/maintenance area

Therefore, **staff recommends Denial of this application.**

MOTIONS

MOTIONS

I move that the Conditional Use Permit for expansion of the Coffin Butte Landfill be:

A) APPROVED, based on evidence in the record , and subject to conditions of approval [define conditions if PC identifies conditions].

OR,

B) DENIED, based on evidence in the record, recommendation from the staff report, and findings in opposition and conclusions developed at the public hearing.