Based on last Thursday night’s meeting, we have converted this section of the draft report into a freestanding document. For each of the applications, staff have provided a status of the conditions of approval. Please put an **X** in the **1**, **2**, or **3** column that best indicates your level of agreement/disagreement with the analysis. The ones without a consensus will go to a subcommittee to vet and its observations will be presented to the entire workgroup for formal polling at a meeting.

If you disagree with any statements in the document, please track-change them and attach the supporting documents to your homework email.

When done, please label the document **[Your Last Name] CUP CONDITIONS,** and send it to bentoncountytalkstrash@Co.Benton.OR.US **&** SamImperati@ICMresolutions.com as a Word document – not a PDF for ease of combining the input… Thanks!

**DUE DATE: Thursday, September 22nd at 9:00 AM.**

**Table of Contents**

| **#** | **Date** | **File #** | **Request** | **Result** |
| --- | --- | --- | --- | --- |
| **1** | **1974** | **CP-74-01** | **Designating Coffin Butte Landfill as a regional sanitary landfill site as recommended in the Chemeketa Regional Solid Waste Program Report[[1]](#footnote-1) and Sanitary Landfill expansion.** | **PC Approved****PC Decision Appealed****BOC Approved** |
| **2** | **1983** | **PC-83-02/L-83-07** | **Amendments to the Benton County Comprehensive Plan and Plan Map (Ordinance 251), and amendments to the Zoning Ordinance and Zoning Map (Ordinance 261).** **Amendments to the Comprehensive Plan Text and Map, amendments to the Zoning Ordinance and Zoning Map, and a Site Development Plan (M-48615-83, PC-83-07-C(1)).** | **BOC Approved.** |
| **3** | **1988** | **LD-88-11** | **A Lot line adjustment with a transfer of 37.94 acres from parcel A to parcel B.** | **Development Department Approved** |
| **4** | **1994** | **PC-94-03** | **A conditional use permit for a 2.2 megawatt power generation facility. The facility would utilize the gas generated from the decomposing refuse in the landfill as the fuel source.** | **Development Department Approved** |
| **5** | **1994** | **PC-94-10** | **Zone change from Rural Residential to Landfill Site Zone, Comprehensive Plan change from Rural Residential to Landfill Site** | **BOC Denied** |
| **6** | **1994** | **PC-94-11** | **A conditional use permit to expand the area approved for a landfill within the Landfill Site Zone and update the site development plan. An exception to the Statewide Planning Goal 4. A conditional use permit to expand the generating capacity of the existing electric generation plant that is served by the gas produced at the Coffin Butte Landfill. Phase I of the expansion would increase the capacity of the plant from the current 2.2 MW to 5 MW and Phase II would increase the capacity to 10 MW.** | **PC Approved; PC Decision Appealed; Application Withdrawn** |
| **7** | **1997** | **S-97-58** | **A conditional use permit to expand the generating capacity of the existing electric generation plant that is served by the gas produced at the Coffin Butte Landfill. Phase I of the expansion would increase the capacity of the plant from the current 2.2 MW to 5 MW and Phase II would increase the capacity to 10 MW.** | **Community Development and Parks Department Approved** |
| **8** | **1999** | **PC-99-06** | **A Conditional Use Permit for mining and processing of mineral and aggregate resources. The proposed area consists of 1.43 acres adjacent to the existing quarry operation.** | **Planning Commission approved** |
| **9** | **2002** | **PC-02-07** | **A Conditional Use Permit for landfilling of an area that will be excavated for mining of mineral and aggregate resources Approved by the Planning Commission with Conditions. (West Triangle Expansion). The proposed area consists of 1.43 acres adjacent to the existing quarrying and landfill operation, and is designed to fulfill the reclamation plan for the previously approved quarry on this site.** | **Planning Commission approved** |
| **10** | **2003** | **PC-03-11** | **A Conditional Use Permit for excavation and landfilling of 9.45 acres adjacent to the existing landfill operation, approved by planning commission with conditions. This portion of the landfill would represent an addition to the existing, previously approved, Landfill Site Zone. (East triangle).** | **Planning Commission approved** |
| **11** | **2011** | **LU-11-016** | **Conditional Use Permit for the construction of a new public recycling and refuse transfer facility at Coffin Butte Landfill. The request also includes enhancements to the stormwater conveyance and detention system, as well as a container and drop box storage area, and a landfill construction staging and storage area in FC zone.** | **Planning Commission approved** |
| **12** | **2013** | **LU-13-061** | **Conditional Use Permit for "minor additions and modifications" at Coffin Butte Landfill to change the location of a construction staging and storage area in the vicinity of the existing office structure.** | **Planning Commission approved** |
| **13** | **2015** | **LU -15- 001** | **Alteration of a nonconforming use to continue and enhance a stormwater treatment facility in the Exclusive Farm Use Zone, associated with Coffin Butte Landfill.** | **Community Development Department Approved** |
| **14** | **2021** | **LU-21-047** | **Conditional Use Permit to expand Coffin Butte Landfill. Republic Services proposed: to create a new disposal cell for the Coffin Butte Landfill which will extend from the current cell south of Coffin Butte Road; close Coffin Butte Road to public traffic (vacate the right-of-way\*) so the new cell can cover the road; relocate a replacement roadway (for landfill and quarry traffic only) around the area of the new disposal cell; relocate the leachate ponds south of Coffin Butte Road, and move some other structures. Closing Coffin Butte Road will likely require improvement of at least one other roadway in the area to accommodate increased traffic—potentially Tampico Road or Wiles and Robison Roads.** | **Planning Commission Denied; PC Decision Appealed; Appeal Withdrawn** |

**EACH REQUEST WITH RESULTS and STATUS FOR TRIAGING**

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| --- | --- | --- | --- |
| **Date** | **File #** | **Request** | **Result** |
| **1974** | CP-74-01 | **Designating Coffin Butte Landfill as a regional sanitary landfill site as recommended in the Chemeketa Regional Solid Waste Program Report[[2]](#footnote-2) and Sanitary Landfill expansion.** | **PC Approved****PC Decision Appealed****BOC Approved** |
| **Conditions of Approval** | **Status** | **1** | **2** | **3** |
| *Note: It is uncertain whether any of these conditions of approval remain in effect or have been superseded by subsequent land use decisions, including the adoption of the LS zone and approval of Coffin Butte Landfill under that new zoning designation in 1983. County staff is researching this question.*1. The service area to be served by the Coffin Butte Site should be defined and the approval should be confined to serving only areas MI, WS, DA, KV, MI, CO, AL, LV, and MH, as defined on the enclosed map[[3]](#footnote-3). Expanding Coffin Butte to service additional areas should require a re-review by the Planning Commission. | Additional Research Needed  |  |  |  |
| 2. The site management activities conducted at Coffin Butte should be reviewed periodically by the County Sanitarian (ex-officio member of the Planning Commission). A report of compliance to all state and local standards should be made at least once annually to the Planning Commission by the Sanitarian. | 1st report submitted on 8-12-75 to the Planning Commission |  |  |  |
| 3. Efficient leachate collection and treatment, including the old site, should be maintained by the applicant to insure against pollution of nearby waterways. In addition, wells should be established on the periphery of the solid waste site to monitor any potential seepage into underground aquifers (groundwater pollution). | In first year, per the status report, a collection-retention lagoon was installed to treat leachate from the old site.No longer relevant, replaced with later conditions for run-off. |  |  |  |
| 4. The scars that erode the face of Coffin Butte, when plans meet DEQ approval, shall be filled and compacted to a condition permitting re-seeding and eventual visual reclamation of the area and including screening with natural vegetation that portion of the subject property abutting the county road. | No longer relevant, this area will be covered by a disposal cell and be part of the overall site reclamation |  |  |  |
| 5. That by July 1, 1976, a plan including detailed elements on design, location, management, and financing of a solid waste resource recovery system be prepared and submitted to the Planning Commission for further consideration. Until such a plan is completed, the conditional use approval shall be limited to only the sanitary landfill method of waste disposal. | Complete, 1977 Waste Control Systems, Inc. Solid Waste Management Plan |  |  |  |
| 6. The landfill operation shall be phased so that only a small acreage is used for full at one time and then this acreage shall be returned to grazing, another farm-type operation or other permitted use as approved by the Planning Commission and the Board of County Commissioners. | No longer relevant, was over-ridden by the DEQ approved reclamation plan. |  |  |  |
| 7. That efforts be made to encourage voluntary separation of recoverable materials such as tin, aluminum, paper, glass, etc. to reduce the amount of landfill materials. | Cardboard being recovered by the collection firm. More items are being recycled currently. |  |  |  |

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| **Date** | **File #** | **Request** | **Result** |
| **1983** | PC-83-02; L-83-07 | **Amendments to the Benton County Comprehensive Plan and Plan Map (Ordinance 251), and amendments to the Zoning Ordinance and Zoning Map (Ordinance 261).** **Amendments to the Comprehensive Plan Text and Map, amendments to the Zoning Ordinance and Zoning Map, and a Site Development Plan (M-48615-83, PC-83-07-C(1)).** | **BOC Approved.** |
| **Conditions of Approval** | **Status** | **1** | **2** | **3** |
| 1. Cross reference the narrative and the map in both documents. | The narrative was updated to provide information related to all of these conditions. |  |  |  |
| 2. Expand the narrative statement, section (1.a.ii), on reclamation to include the physical configuration of the completed landfill areas and method of maintenance of the proposed pasture uses. Include a statement regarding the effects of methane and internal heat generation on the long-term maintenance of the pasture, and include irrigation plans if proposed. | The narrative was updated to provide information related to all of these conditions. |  |  |  |
| 3. Describe in more detail in the narrative, the method of screening: include a description of the location, height, width, depth and physical composition of the berm; and include the type and location of vegetative screening; and include a statement regarding the long-term maintenance of the berm and vegetative screens. | The narrative was updated to provide information related to all of these conditions. |  |  |  |
| 4. Include in the narrative the anticipated chemical composition of any leachate material to be used for irrigation south of Coffin Butte Road; and include documentation that the material to be utilized as irrigation meet federal and state standards for any run-off that may leave the property lines. | The narrative was updated to provide information related to all of these conditions. |  |  |  |
| 5. Include in the narrative review of the Environmental and Operational Factors in Art.XXX.05.A.1.(f) for the approximately 10 acres proposed for addition to the landfill area. | The narrative was updated to provide information related to all of these conditions. |  |  |  |
| 6. Provide a detailed reclamation plan that sets form the anticipated physical characteristics of the “terracing” including an average height and width of the terracing, provide documentation that the site is physically available to be reclaimed in this manner. | The narrative was updated to provide information related to all of these conditions. |  |  |  |
| 7. Submit for review by the Development Director a plan detailing the proposed method Valley Landfills shall use to protect the small ponds found in the Northeast corner of the property. | The narrative was updated to provide information related to all of these conditions. |  |  |  |
| 8. The current DEQ operational permit will expire on January 31, 1984. Valley Landfills, Inc. has been requested to submit an updated, long-term leachate control plan as part of the permit renewal process. This plan must contain provisions for a leachate storage facility so leachate irrigation will not occur on pasture lands from November 1 through May 1 of each year. The control plan must also provide for a soil study that designates present and future leachate irrigation areas. This plan must show that the amount of irrigation area available is compatible with future leachate generation volumes so metal or nutrient accumulations in the soils will remain fat below any toxicity levels. | Overseen by DEQ. The Comm. Dev. Department does not confirm and inspect records to ensure that conditions such as these are completed. It is a DEQ permit and if the DEQ does not approve the permit then the applicant could not continue the use and would be out of compliance. |  |  |  |
| 9. As the site expands eastward, additional monitoring wells will be required. Depending on DEQ budget limitations, the permittee may have to share in the responsibility for sampling and monitoring of these wells. | Overseen by DEQ. The Comm. Dev. Department does not confirm and inspect records to ensure that conditions such as these are completed. It is a DEQ permit and if the DEQ does not approve the permit then the applicant could not continue the use and would be out of compliance. |  |  |  |
| 10. Screen the landfill operation with fencing or berms so it cannot be seen from the County Road or adjacent properties. | Not completed. |  |  |  |
| 11. Daily cover of refuse with earth is not possible at this site due to the clay soils. The current (and future) permit addresses requiring daily compaction of refuse and require exposed refuse areas to not exceed 2 acres during the periods of October 15 to June 1 and to not exceed ¾ of an acre during all other periods. This shall be adhere to. | The landfill uses an alternative daily cover approved by DEQ, which includes Covanta Ash material. The landfill also uses temporary cover |  |  |  |
| 12. Occasionally, leachate seeps through the site berms during heavy rainfall periods. If these occur in the future, a requirement to channel these flows into the leachate collection system within a timely period (i.e., 3 days) may be added. | Overseen by DEQ.  |  |  |  |
| 13. DEQ permits are normally issued for a maximum of 5 years. As part of the permit renewal process, DEQ requires updated operational and construction plans to reflect the current permit period. As such, changes in environmental controls may be required to incorporate new technology into the landfill operation. | This is an advisory to the applicant rather than a condition that needed to be met. |  |  |  |

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| **Date** | **File #** | **Request** | **Result** |
| **1988** | **LD-88-11** | **A Lot line adjustment with a transfer of 37.94 acres from parcel A to parcel B.** | **Development Department Approved** |

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| **Date** | **File #** | **Request** | **Result** |
| **1994** | PC-94-03 | **A conditional use permit for a 2.2 megawatt power generation facility. The facility would utilize the gas generated from the decomposing refuse in the landfill as the fuel source.** | **Development Department Approved** |
| **Conditions of Approval** | **Status** | **1** | **2** | **3** |
| 1. The facility shall be housed in a structure approximately 50 by 100 feet or less in size, as described in the application materials. | Superseded by subsequent expansion approval. Original generator building 3,900 square feet |  |  |  |
| 2. Noise levels shall comply with the New Industrial and Commercial Noise Standards (OAR 30403-355)-as measured at the nearest dwellings existing on the date of approval of this conditional use permit. | Noise testing completed in 1997. |  |  |  |
| 3. The applicant is responsible for ongoing monitoring of noise levels. Upon request of the Planning Official, the applicant shall provide the County with sufficient information to determine whether the facility is in compliance with Condition 2 of this permit. | Available records do not indicate any such requests by the Planning Official. |  |  |  |
| 4. The applicant shall obtain and comply with all applicable permits from Oregon Department of Environmental Quality (DEQ). The applicant shall provide copies of all DEQ permits to the County. | This is a standard type of condition that ties a County permit to a permit issued by another agency. The County does not actively monitor compliance with outside agency permitting requirements, but if the outside agency determines that their permitting requirements have not been met then the applicant is also out of compliance with the Benton County permit. |  |  |  |
| 5. Expansion of the generating capacity of the facility is authorized under this permit as long as all conditions of approval, including those specifying building size and noise levels, are met. The Planning Official may require that the applicant obtain a new conditional use permit in order to expand the facility if, in his judgment, conditions existing at the time of the proposed expansion warrant a conditional use review. | A new CUP was submitted and approved to expand the size of the facility. |  |  |  |
| 6. Lighting shall be located so that it does not face directly, shine or reflect glare onto an adjacent street or property. | Monitoring of this condition is complaint driven. |  |  |  |
| 7. Obtain all required septic, access, building, plumbing, mechanical, electrical, and other applicable permits prior to construction. | Electrical -  C9500565, C9501197, C9600514, C9600852  |  |  |  |

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| **Date** | **File #** | **Request** | **Result** |
| **1994** | **PC-94-10** | **Zone change from Rural Residential to Landfill Site Zone, Comprehensive Plan change from Rural Residential to Landfill Site.** | **BOC Denied** |

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| **Date** | **File #** | **Request** | **Result** |
| **1994** | **PC-94-11** | **A conditional use permit to expand the area approved for a landfill within the Landfill Site Zone and update the site development plan. An exception to the Statewide Planning Goal 4. A conditional use permit to expand the generating capacity of the existing electric generation plant that is served by the gas produced at the Coffin Butte Landfill. Phase I of the expansion would increase the capacity of the plant from the current 2.2 MW to 5 MW and Phase II would increase the capacity to 10 MW.** | **PC Approved; PC Decision Appealed; Application Withdrawn** |

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| **Date** | **File #** | **Request** | **Result** |
| **1997** | S-97-58 | **A conditional use permit to expand the generating capacity of the existing electric generation plant that is served by the gas produced at the Coffin Butte Landfill. Phase I of the expansion would increase the capacity of the plant from the current 2.2 MW to 5 MW and Phase II would increase the capacity to 10 MW.** | **Community Development and Parks Department Approved** |
| **Conditions of Approval** | **Status** | **1** | **2** | **3** |
| 1. The Phase I generation facility shall be located in a structure approximately 75 by 85 feet; as shown in the application. The Phase 2 expansion shall be located in a building approximately 120 by 200 feet, as shown in the application materials. The Phase 2 expansion shall be located at least 300 feet from State Highway 99W, as shown in the application materials. | The expansion added 4,300 square feet to the original building.  |  |  |  |
| 2. Both the Phase 1 and Phase 2 expansions shall be constructed in accordance with the applicationmaterials. In addition, the siting standards of BCC 60.405 (2) and (3) and BCC 60.415(4), (5), (9), and (11) shall be met. | Permit B0700147 Phase I expansion Permits B0700323, B0700416, B0700415, F0600068, B1400497 |  |  |  |
| 3. Noise levels for both Phase I and Phase 2 expansions shall comply with the Noise Control Regulations for Industry and Commerce in Oregon Administrative Rules 340-035- 0035 as measured at the nearest dwellings existing on the date of approval of this conditional use permit. | Noise Compliance Monitoring memorandum submitted on June 11, 1997 by Pacific Northwest Generating Cooperative. Subsequent to the compliance monitoring memorandum, the County would require additional testing only if there was reason to believe the noise standards were no longer being met (such as through a noise complaint received from an adjacent dwelling.  |  |  |  |
| 4. The applicant is responsible for ongoing monitoring of noise levels. Upon request of the Planning Official, the applicant shall provide the County with sufficient information to determine whether the facility is in compliance with Condition 3 of this permit. | Available records do not indicate any such requests by the Planning Official. |  |  |  |
| 5. The applicant shall continue to provide sanitation facilities for the generation plant employees thatare located on site. The facilities shall include:1. Drinking water within the generating plant building by a potable water container, refilled periodically;
2. A portable toilet located at the generating plant site;
3. Plumbed restroom facilities, with water closets and hot and cold running water shall be available for use by employees at the Coffin Butte Landfill office;
4. Generating plant employees shall have vehicles available for trips to the Coffin Butte Landfill office restroom facilities;
5. The maximum number of generating plant employees shall be five (5).
 | OSHA letter from September 29, 1997 included relating to the toilet facilities and drinking water being compliant with OSHA standards for sanitation. |  |  |  |
| 6. The application shall obtain and comply with all applicable permits from the Oregon Department of Environmental Quality (DEQ). The applicant shall provide copies of all DEQ permits for the generation facility to the Community Development and Parks Department. | This is a standard type of condition that ties a County permit to a permit issued by another agency. The County does not actively monitor compliance with outside agency permitting requirements, but if the outside agency determines that their permitting requirements have not been met then the applicant is also out of compliance with the Benton County permit. |  |  |  |
| 7. Lighting shall be located so that it does not face directly, shine, or glare onto an adjacent road orproperty. | Monitoring of this condition is complaint driven. |  |  |  |
| 8. The property owner shall submit a declaratory statement to be recorded in the Benton County Deed Records for the subject property that recognizes the rights of adjacent forest uses, consistent with BCC 620.220(). | Completed. |  |  |  |
| 9. The applicant shall prepare a site specific development plan addressing emergency water supplies for fire protection. The plan shall be submitted to the local fire protection agency for review. The plan approved by the local fire protection agency shall be shall submitted to the Community Development and Parks Department prior to the issuance of building permits for the structure for Phase 1. A revised site specific development plan shall be completed prior to issuance of construction permits for the Phase 2 expansion. The site development plan shall address:1. Emergency access to the local water supply in the event of a wildfire or other fire-related emergency;
2. Provision of an all-weather road or driveway to within 10 feet of the edge of identified water supplies which contain 4,000 gallons or more and exist within 100 feet of the driveway or road at a reasonable grade (e.g. 12 percent or less);and
3. Emergency water supplies shall be clearly marked along the access route with a Fire District approved sign.
 | Additional Research Needed |  |  |  |
| 10. The applicant shall obtain all required septic, road approach, building, plumbing, mechanical,electrical, and other applicable permits prior to commencement of construction for both the PhaseI and Phase 2 expansion. Contact the Permits Clerk and Building Official at the CommunityDevelopment and Parks Department regarding permits and fees. | Completed for Phase 1. |  |  |  |

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| **Date** | **File #** | **Request** | **Result** |
| **1999** | PC-99-06 | **A Conditional Use Permit for mining and processing of mineral and aggregate resources. The proposed area consists of 1.43 acres adjacent to the existing quarry operation.** | **Planning Commission approved** |
| **Conditions of Approval** | **Status** | **1** | **2** | **3** |
| 1. Obtain approval of a reclamation plan from the Oregon Department of Geology and Mineral Industries or the Oregon Division of State Lands. Operation and reclamation plan shall demonstrate consistency with the intended subsequent site use. | This is a standard type of condition that ties a County permit to a permit issued by another agency. The County does not actively monitor compliance with outside agency permitting requirements, but if the outside agency determines that their permitting requirements have not been met then the applicant is also out of compliance with the Benton County permit. |  |  |  |
| 2. if the mining is the primary cause of traffic on the unpaved public road, that road shall be kept dust-free by the applicant if dwellings are located within 300 feet of the roadway. The applicant and lease-holding operator shall endeavor to use only those public roads designated for truck usage, unless making local deliveries of mineral and aggregate resources to residential areas serviced by roads not designated for truck usage.  | Public roads serving primarily quarry traffic are paved. |  |  |  |
| 3. The applicant or lease-holding operator shall provide screening to partially obscure the mining site from view by adjoining occupied property and public roads in Soap Creek Valley and north Benton County to the extent reasonable and practicable to do so. The screening shall consist of an ornamental fence or wall, a vegetated berm, or preservation of vegetated natural slope in character with the natural landscape of Soap Creek Valley. | Additional Research Needed |  |  |  |
| 4. The applicant or lease-holding operator shall ensure that the mining operation does not exceed the maximum sound level permitted by the Oregon Department of Environmental Quality. The applicant or lease-holding operator shall monitor noise generated by mining activities on one randomly selected day per month when noise complaints are received, not withstanding a minimum of one time per year. Noise data and reports of findings from this monitoring shall be placed on file, in a timely way with the Benton County Community Development Department for public inspection. A berm, or other sound-absorbing construction materials such as acoustical cinder blocks or other similar methods may be used to reduce the sound off-site to levels at or below those permitted by the Oregon Department of Environmental Quality. Any sound-reduction construction will be consistent with the visual buffering required in Condition #3 above. The applicant or lease-holding operator shall limit blasting to the hours of 9:00 a.m. to 5:00 p.m., Monday through Friday. | Additional Research Needed |  |  |  |
| 5. Provide on-site parking for employees, customers, and visitors to the mining site. | Additional Research Needed |  |  |  |
| 6. Maintain a security fence between the mining operation and the public road when such road is located within 200 feet of the mining operation. | Additional Research Needed |  |  |  |
| 7. Not excavate in a manner which would result in disturbance of perimeter fencing or screening, or would impair the intent of the reclamation plan. | Additional Research Needed |  |  |  |
| 8. The quarry operation hours shall occur only between 7:00 a.m. and 5:00 p.m. Monday through Friday, and 7:00 a.m. and 3:00 p.m. on Saturdays. Quarrying operations shall not be conducted on Sundays. | Additional Research Needed |  |  |  |
| 9. The applicant shall retain the dual-access road system to provide for emergency service access to the subject site. | Additional Research Needed |  |  |  |
| 10. the quarrying activity shall be limited to the 600 foot contour elevation and below, as show by the applicant on Attachment 2 to the application. | Additional Research Needed |  |  |  |
| 11. Copies of water quality and air quality permits, and data produced from associated monitoring programs, required of the applicant by the Oregon Department of Environmental Quality, shall be placed on file, in a timely way, with the Benton County Community Development Department for public inspection.  | Additional Research Needed |  |  |  |
| 12. Copies of storm-water runoff permits and data produced from associated monitoring programs required of the applicant by the Oregon Department of Environmental Quality, shall be placed on file in a timely way, with the Benton County Community Development Department for public inspection. | Additional Research Needed |  |  |  |

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| --- | --- | --- | --- |
| **Date** | **File #** | **Request** | **Result** |
| **2002** | PC-02-07 | **A Conditional Use Permit for landfilling of an area that will be excavated for mining of mineral and aggregate resources Approved by the Planning Commission with Conditions. (West Triangle Expansion). The proposed area consists of 1.43 acres adjacent to the existing quarrying and landfill operation, and is designed to fulfill the reclamation plan for the previously approved quarry on this site.** | **Planning Commission approved** |
| **Conditions of Approval** | **Status** | **1** | **2** | **3** |
| 1. Obtain approval from the Oregon Department of Environmental Quality for landfill operations on this site. | This is a standard type of condition that ties a County permit to a permit issued by another agency. The County does not actively monitor compliance with outside agency permitting requirements, but if the outside agency determines that their permitting requirements have not been met then the applicant is also out of compliance with the Benton County permit. |  |  |  |
| 2. In cases where landfill operations are the primary cause of traffic on unpaved public roads in the area, those roads shall be kept dust-free by the applicant. |  No longer applicable. Coffin Butte Road is entirely paved. |  |  |  |
| 3. The applicant or lease-holding operator shall ensure that the landfill operation does not exceed the maximum sound level permitted by the Oregon Department of Environmental Quality. | County monitoring of this condition is complaint-based. |  |  |  |
| 4. Provide on-site parking for employees, customers, and visitors to the landfill site. | Completed. |  |  |  |
| 5. Maintain a security fence between the landfill operation and the public road when such road is located within 200 feet of the landfill operation. | Security fence is present |  |  |  |
| 6. The landfill operation hours shall occur between 8:00 a.m. and 5:00 p.m. Monday through Saturday, and 12:00 p.m. through 5:00 p.m. on Sundays, with 24-hour access for commercial customers. | Per Ian McNab: Monday through Friday internal operations begin at approximately 4:30am. The site opens to commercial vehicles starting at 5am and to public vehicles starting at 8am. The site closes to both commercial and public vehicles at 5pm with onsite operations wrapping up around 5:30pm. The hours are self-imposed and can be extended based on a customer’s needs. On Saturday internal operations begin at approximately 7:30am. The site opens to commercial and public traffic at 8am and closes to both at 5pm. Internal operations finish around 5:30pm. The site is closed on Sunday.The contractors constructing landfill infrastructure are allowed to operate outside of normal landfill hours, however, typically do not start before 6am and typically end by 7pm. Occasionally they also work on Sunday. |  |  |  |
| 7. The applicant shall retain the dual-access road system to provide for emergency service access to the subject site. |  Additional Research Needed |  |  |  |
| 8. The landfill activity shall be limited to the 600 foot contour elevation and below, as shown by the applicant on the Site Development Plan in the application. | Additional Research Needed |  |  |  |
| 9. Copies of water quality and air quality permits, and data produced from associated monitoring programs, required of the applicant by the Oregon Department of Environmental Quality, shall be placed on file, in a timely way, with the Benton County Community Development Department for public inspection. | The county regularly receives copies. |  |  |  |
| 10. Copies of storm-water runoff permits and data produced from associated monitoring programs required of the applicant by the Oregon Department of Environmental Quality, shall be placed on file in a timely way, with the Benton County Community Development Department for public inspection. |  The county regularly receives copies. |  |  |  |

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| --- | --- | --- | --- |
| **Date** | **File #** | **Request** | **Result** |
| **2003** | PC-03-11 | **A Conditional Use Permit for excavation and landfilling of 9.45 acres adjacent to the existing landfill operation, approved by planning commission with conditions. This portion of the landfill would represent an addition to the existing, previously approved, Landfill Site Zone. (East triangle).** | **Planning Commission approved** |
| **Conditions of Approval** | **Status** | **1** | **2** | **3** |
| 1. The applicant shall continue to operate within the approval of the Oregon Department of Environmental Quality Solid Waste Disposal Permit No 306. | The Comm. Dev. Department does not confirm and inspect records to ensure that conditions such as these are completed. It is a DEQ permit and if the DEQ does not approve the permit then the applicant could not continue the use and would be out of compliance. |  |  |  |
| 2. In cases where landfill operations are the primary cause of traffic on unpaved public roads in the area, those roads shall be kept dust-free by the applicant. | No longer relevant. |  |  |  |
| 3. The applicant or lease-holding operator shall ensure that the landfill operation does not exceed the maximum sound level permitted by the Oregon Department of Environmental Quality. | County monitoring of this condition is complaint-based. |  |  |  |
| 4. Provide on-site parking for employees, customers, and visitors to the landfill site. | Complied with. |  |  |  |
| 5. Maintain a security fence between the landfill operation and the public road when such road is located within 200 feet of the landfill operation. | Complied with. |  |  |  |
| 6. The landfill operation hours shall occur between 8:00 a.m. and 5:00 p.m. Monday through Saturday, and 12:00 p.m. through 5:00 p.m. on Sundays, with 24-hour access for commercial customers. | Per Ian McNab: Monday through Friday internal operations begin at approximately 4:30am. The site opens to commercial vehicles starting at 5am and to public vehicles starting at 8am. The site closes to both commercial and public vehicles at 5pm with onsite operations wrapping up around 5:30pm. The hours are self-imposed and can be extended based on a customer’s needs. On Saturday internal operations begin at approximately 7:30am. The site opens to commercial and public traffic at 8am and closes to both at 5pm. Internal operations finish around 5:30pm. The site is closed on Sunday.The contractors constructing landfill infrastructure are allowed to operate outside of normal landfill hours, however, typically do not start before 6am and typically end by 7pm. Occasionally they also work on Sunday. |  |  |  |
| 7. The applicant may relocate the eastern haul road, and shall retain the dual-access road system to provide for emergency service access to the subject site. | Additional Research Needed |  |  |  |
| 8. Copies of water quality, stormwater runoff, and air quality permits; and data produced from associated monitoring programs, required of the applicant by the Oregon Department of Environmental Quality, shall be placed on file in a timely way with the Benton County Community Development Department for public inspection. | The county regularly receives copies. |  |  |  |
| 9. A plan for a landscape buffer to mitigate visual impacts shall be approved by the Community Development Department. Landscape screening in the form of deciduous trees between the east triangle and Highway 99W, and a mixed deciduous/evergreen buffer shall be planted and maintained in good health by the applicant. | Not completed |  |  |  |
| 10. Approval shall be obtained from the Oregon Division of State Lands for any activities on the subject property that affect designated wetlands. | This is a standard type of condition that ties a County permit to a permit issued by another agency. The County does not actively monitor compliance with outside agency permitting requirements, but if the outside agency determines that their permitting requirements have not been met then the applicant is also out of compliance with the Benton County permit. |  |  |  |

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| **Date** | **File #** | **Request** | **Result** |
| **2011** | LU-11-016 | **Conditional Use Permit for the construction of a new public recycling and refuse transfer facility at Coffin Butte Landfill. The request also includes enhancements to the stormwater conveyance and detention system, as well as a container and drop box storage area, and a landfill construction staging and storage area in FC zone.** | **Planning Commission approved** |
| **Conditions of Approval** | **Status** | **1** | **2** | **3** |
| 1. Development shall comply with the plans and narrative in the applicant's proposal identified as Attachment 'A' except as modified by the approval or the conditions below. Modifications to the operation of the facility other than those addressed through this decision, including, but not limited to, the relocation of additional activities, or the configuration of relocated activities in a manner not substantially in conformance with the submitted conceptual site plan, shall require approval through a Modification of a Conditional Use Permit request (BCC 53.225). | Standard condition requiring the applicant to implement the conditional use permit as described in their application. Compliance is not actively monitored. |  |  |  |
| 2. As required by BCC 60.220 (2) the applicant shall record a declaratory statement acknowledging the rights of adjacent and nearby property owners to conduct forest operations consistent with the Forest Practices Act and Rules prior to issuance of building permits. | Completed. |  |  |  |
| 3. The applicant shall demonstrate compliance with the applicable siting standards specified in BCC 60.405 through materials submitted for issuance of building permits. | In compliance.  |  |  |  |
| 4. All new facilities constructed under this approval shall comply with the applicable provisions of Building Code, Electrical Code, Plumbing Code, Mechanical Code, Fire Code, and rules and regulations imposed by state and federal agencies. | In compliance. |  |  |  |
| *Conditions of Approval from PC-03-11 that remain applicable and should be continued**(as of the time of this decision)****:*** |   |  |  |  |
| 1. Obtain necessary approvals from the Oregon Department of Environmental Quality for landfill operations on this site. | The Comm. Dev. Department does not confirm and inspect records to ensure that conditions such as these are completed. It is a DEQ permit and if the DEQ does not approve the permit then the applicant could not continue the use and would be out of compliance. |  |  |  |
| 2. In cases where landfill operations are the primary cause of traffic on unpaved public roads in the area, those roads shall be kept dust-free by the applicant. | No longer applicable. Coffin Butte Road is entirely paved. |  |  |  |
| 3. The applicant or lease-holding operator shall ensure that the landfill operation does not exceed the maximum sound level permitted by the Oregon Department of Environmental Quality. | County monitoring of this condition is complaint-based. |  |  |  |
| 4. Provide on-site parking for employees, customers, and visitors to the landfill site. |  In compliance.  |  |  |  |
| 5. Maintain a security fence between the landfill operation and the public road when such road is located within 200 feet of the landfill operation. |  In compliance. |  |  |  |
| 6. The landfill operation hours shall occur between 8:00 a.m. and 5:00 p.m. Monday through Saturday, and 12:00 p.m. through 5:00 p.m. on Sundays, with 24-hour access for commercial customers. | Per Ian McNab: Monday through Friday internal operations begin at approximately 4:30am. The site opens to commercial vehicles starting at 5am and to public vehicles starting at 8am. The site closes to both commercial and public vehicles at 5pm with onsite operations wrapping up around 5:30pm. The hours are self-imposed and can be extended based on a customer’s needs. On Saturday internal operations begin at approximately 7:30am. The site opens to commercial and public traffic at 8am and closes to both at 5pm. Internal operations finish around 5:30pm. The site is closed on Sunday.The contractors constructing landfill infrastructure are allowed to operate outside of normal landfill hours, however, typically do not start before 6am and typically end by 7pm. Occasionally they also work on Sunday. |  |  |  |
| 7. The applicant shall retain the dual-access road system to provide for emergency service access to the subject site. | Additional Research Needed |  |  |  |
| *8. OMITTED* | *N/A* |  |  |  |
| 9. Copies of water quality and air quality permits, and data produced from associated monitoring programs, required of the applicant by the Oregon Department of Environmental Quality, shall be placed on file, in a timely way, with the Benton County Community Development Department for public inspection. | The county regularly receives copies. |  |  |  |
| 10. Copies of storm-water runoff permits and data produced from associated monitoring programs required of the applicant by the Oregon Department of Environmental Quality, shall be placed on file in a timely way, with the Benton County Community Development Department for public inspection. | The county regularly receives copies. |  |  |  |

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| **Date** | **File #** | **Request** | **Result** |
| **2013** | LU-13-061 | **Conditional Use Permit for "minor additions and modifications" at Coffin Butte Landfill to change the location of a construction staging and storage area in the vicinity of the existing office structure.** | **Planning Commission approved** |
| **Conditions of Approval** | **Status** | **1** | **2** | **3** |
| 1. Development shall comply with the plans and narrative in the applicant' s proposal identified as Attachment ‘A', except as modified by the approval or the conditions below. Modifications to the operation of the facility other than those addressed through this decision, including, but not limited to, the relocation of additional activities, or the configuration of relocated activities in a manner not substantially in conformance with the submitted conceptual site plan, shall require approval through a Modification of a Conditional Use Permit request (BCC 53. 225). | Complied with. |  |  |  |
| 2. As required by BCC 60.220 (2), the applicant shall record a declaratory statement acknowledging the rights of adjacent and nearby property owners to conduct forest operations consistent with the Forest Practices Act and Rules prior to issuance of building permits. | Additional Research Needed |  |  |  |
| 3. Any new access to a county road or change to an existing access shall require a permit issued through the Benton County Public Works Department. | Advisory |  |  |  |
| 4. Disturbance of 1 Acre or More. A National Pollutant Discharge Elimination System NPDES) permit is required for all construction activities that disturb one acre or more. The NPDES permit must be obtained through Benton County Public Works and the Oregon Department of Environmental Quality.  | Advisory |  |  |  |
| Conditions of Approval from prior approvals that remain in effect *(as of the time of this decision)*: |   |  |  |  |
| 1. Obtain necessary approvals from the Oregon Department of Environmental Quality for Landfill operations on this site. | The Comm. Dev. Department does not confirm and inspect records to ensure that conditions such as these are completed. It is a DEQ permit and if the DEQ does not approve the permit then the applicant could not continue the use and would be out of compliance. |  |  |  |
| 2. In cases where Landfill operations are the primary cause of traffic on unpaved public roads in the area, those roads shall be kept dust -free by the applicant. | No longer applicable. Coffin Butte Road is entirely paved. |  |  |  |
| 3. The applicant or lease - holding operator shall ensure that the Landfill operation does not exceed the maximum sound level permitted by the Oregon Department of Environmental Quality. | County monitoring of this condition is complaint-based. |  |  |  |
| 4. Provide on-site parking for employees, customers, and visitors to the Landfill site. | In compliance.  |  |  |  |
| 5. Maintain a security fence between the Landfill operation and the public road when such road is located within 200 feet of the Landfill operation. | In compliance. |  |  |  |
| 6. The Landfill operation hours shall occur between 8: 00 a.m. and 5: 00 p.m. Monday through Saturday, and 12: 00 p.m. through 5: 00 p.ni. on Sundays, with 24 -hour access for commercial customers. | Per Ian McNab: Monday through Friday internal operations begin at approximately 4:30am. The site opens to commercial vehicles starting at 5am and to public vehicles starting at 8am. The site closes to both commercial and public vehicles at 5pm with onsite operations wrapping up around 5:30pm. The hours are self-imposed and can be extended based on a customer’s needs. On Saturday internal operations begin at approximately 7:30am. The site opens to commercial and public traffic at 8am and closes to both at 5pm. Internal operations finish around 5:30pm. The site is closed on Sunday.The contractors constructing landfill infrastructure are allowed to operate outside of normal landfill hours, however, typically do not start before 6am and typically end by 7pm. Occasionally they also work on Sunday. |  |  |  |
| 7. The applicant shall retain the dual - access road system to provide for emergency service access to the subject site. | Additional Research Needed |  |  |  |
| 8. *OMITTED* | N/A |  |  |  |
| 9. Copies of water quality and air quality permits, and data produced from associated monitoring programs, required of the applicant by the Oregon Department of Environmental Quality, shall be placed on file, in a timely way, with the Benton County Community Development Department for public inspection. | The county regularly receives copies. |  |  |  |
| 10. Copies of storm -water runoff permits and data produced from associated monitoring programs required of the applicant by the Oregon Department of Environmental Quality, shall be placed on file in a timely way, with the Benton County Community Development Department for public inspection. | The county regularly receives copies. |  |  |  |

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| **Date** | **File #** | **Request** | **Result** |
| **2015** | LU -15- 001 | **Alteration of a nonconforming use to continue and enhance a stormwater treatment facility in the Exclusive Farm Use Zone, associated with Coffin Butte Landfill.** | **Community Development Department Approved** |
| **Conditions of Approval** | **Status** | **1** | **2** | **3** |
| 1. Development shall substantially comply with the plans and narrative in the applicant' s proposal identified as Attachment A. Significant modifications to the construction or operation of the stormwater system other than those addressed through this decision shall require additional approval. | The Comm. Dev. Department does not confirm and inspect records to ensure that conditions such as these are completed. It is a DEQ permit and if the DEQ does not approve the permit then the applicant could not continue the use and would be out of compliance. |  |  |  |
| 2. The applicant shall obtain and maintain compliance with the terms of all necessary federal, state, and local permits for construction and operation of the stormwater system described in this application. | The Comm. Dev. Department does not confirm and inspect records to ensure that conditions such as these are completed. It is a DEQ permit and if the DEQ does not approve the permit then the applicant could not continue the use and would be out of compliance. |  |  |  |

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| **Date** | **File #** | **Request** | **Result** |
| **2021** | **LU-21-047** | **Conditional Use Permit to expand Coffin Butte Landfill. Republic Services proposed: to create a new disposal cell for the Coffin Butte Landfill which will extend from the current cell south of Coffin Butte Road; close Coffin Butte Road to public traffic (vacate the right-of-way\*) so the new cell can cover the road; relocate a replacement roadway (for landfill and quarry traffic only) around the area of the new disposal cell; relocate the leachate ponds south of Coffin Butte Road, and move some other structures. Closing Coffin Butte Road will likely require improvement of at least one other roadway in the area to accommodate increased traffic—potentially Tampico Road or Wiles and Robison Roads** | **Planning Commission Denied; PC Decision** |

1. The [Chemeketa Regional Solid Waste Program Report](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8136/1974_chemeketa_region_solid_waste_management_program_summary_volume_i.pdf) was produced in 1974 as part of a regional collaborative effort between Benton, Marion, Linn, Polk, and Yamhill counties (Stevens, Thompson & Runyan, Inc., 1974a). This report details recommendations and options for disposal sites, collection strategies, and other materials management approaches. [↑](#footnote-ref-1)
2. The [Chemeketa Regional Solid Waste Program Report](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8136/1974_chemeketa_region_solid_waste_management_program_summary_volume_i.pdf) was produced in 1974 as part of a regional collaborative effort between Benton, Marion, Linn, Polk, and Yamhill counties (Stevens, Thompson & Runyan, Inc., 1974a). This report details recommendations and options for disposal sites, collection strategies, and other materials management approaches. [↑](#footnote-ref-2)
3. The [Chemeketa Regional Solid Waste Program Report](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8136/1974_chemeketa_region_solid_waste_management_program_technical_report_volume_ii.pdf) labels specific Chemeketa Region Service Areas, including the general areas of Monmounth/Independence (MI), West Salem (WS), Dallas (DA), Kings Valley (KV), Corvallis (CO), Albany (AL), Lobster Valley (LV), and Monroe/Harrisburg/Halsey (MH), which are mapped and detailed on Figure IV-7 of the Report (Stevens, Thompson & Runyan, Inc., 1974b). [↑](#footnote-ref-3)