

MEMORANDUM

TO: Board of Commissioners
FR: Bob Richardson, Director, Community Development Department
DT: July 27, 2026
RE: Executive Summary: Appeal of Northside Christian Church Conditional Use Permit
(File #LU-25-067)

Background

The applicant, Northside Christian Church requests approval of a Conditional Use Permit to construct a church, consisting of a main building (18,902sq.ft.), a storage building (2,160sq.ft.), and a vehicle parking lot (261 spaces) on a 19.43-acre property. The original request first heard by the Planning Commission included a second development phase that envisioned additional building construction as well as a variance request¹ for reduced vehicle parking spaces. During the Planning Commission public hearing process and prior to their decision, the applicant withdrew the request for Phase II and the variance request.

The property is zoned Rural Residential, 2-acre minimum (RR-2) and is located on the south side of Powers Avenue in an area of Benton County commonly referred to as North Albany.

On May 5, 2026, the Planning Commission denied the application with a 4 – 2 vote. On May 18, 2026, the applicant appealed the decision and, over the following weeks, provided new information in support of their appeal and revised application that withdrew the Phase II building and parking variance requests. During this same period, additional written testimony was accepted, and County staff revised and updated their analysis of the proposal. Staff's revised findings and conclusions are included in the July 24, 2026, Staff Report to the Board of Commissioners.

The Board of Commissioners is scheduled to hold a de novo public hearing on the matter on August 4, 2026.

Purpose of Zone and Conditional Use Permit Review

The purpose of the Rural Residential zone is to “provide areas within Benton County where rural residential lifestyles can occur outside recognized urban areas without conflicting with agriculture and forestry uses”.² The purpose and allowed land uses apply to the entire zone, regardless of parcel size. Some uses are permitted outright in the Rural Residential zone, while

¹ Planning File LU-25-066

² Benton County Code (BCC) 63.005

others – including churches – require review and approval through the Conditional Use Permit process.

Conditional uses are land uses which may have an adverse effect on surrounding permitted uses within the same zone, typically due to size, intensity, or other factors that are different from surrounding uses.³ The Conditional Use Permit review process evaluates such uses to determine if the proposed use will fit within the character of the area, either as proposed, or with conditions of approval designed to mitigate potential negative impacts.

Decision Making Framework

The decision to issue a conditional use permit is discretionary (BCC 53.210), and is based on findings that the proposal satisfies the following criteria found in BCC 53.215:

- (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;
- (2) The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area; and
- (3) The proposed use complies with any additional criteria which may be required for the specific use by this code.

If a decision-making body determines that a proposed use does not fully satisfy all applicable review criteria but it could satisfy those criteria through the application of conditions of approval, the decision-making body is expected, within reason, to apply conditions that would ensure operation of the proposed use in a manner consistent with the review criteria. In part, BCC 53.220 – Conditions of Approval states:

“The County may impose conditions of approval to mitigate negative impacts to adjacent property, to meet the public service demand created by the development activity, or to otherwise ensure compliance with the purpose and provisions of this code. On-site and off-site conditions may be imposed.”

This code section also lists the following twelve topics that conditions of approval might address and acknowledges that this list is not exhaustive:

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| 1. Size and location of site. | 7. Height and square footage of a building. |
| 2. Road capacities in the area. | 8. Signs. |
| 3. Number and location of road access points. | 9. Exterior lighting. |
| 4. Location and amount of off-street parking. | 10. Noise, vibration, air pollution, and other environmental influences. |
| 5. Internal traffic circulation. | 11. Water supply and sewage disposal. |
| 6. Fencing, screening, and landscaping separations. | 12. Law enforcement and protection. |

³ BCC 53.205

The above are topic areas for consideration, not decision-making criteria. They provide guidance to decision makers on issues that could be considered when evaluating the need, if any, to apply approval conditions to ensure consistency with the applicable review criteria.

Request and Recommendation

The Board of Commissioners is asked to hold a de novo public hearing, consider materials in the record, including public testimony, and evaluate the conditional use permit against applicable review criteria.

The Board of Commissioners has three decision options:

Option 1: Approve the application as submitted.

Option 2: Approve the application with conditions of approval, either those provided in the July 24, 2026, staff report or with conditions of approval revised by Commissioners through the public hearing process.

Option 3: Deny the application.

Staff recommend the Board of Commissioners approve the application subject to conditions of approval.

Suggested Motions

Based on the recommendation to approve with conditions of approval, the following two motions are suggested. The first motion references conditions that are currently proposed by staff. The second motion references conditions revised by the Board of Commissioners.

"I move to approve Planning File LU-25-067 (Northside Christian Church Conditional Use Permit application) as revised and presented to the Board of Commissioners, with the Staff recommended conditions of approval provided in the July 24, 2026, staff report."

Or,

"I move to approve Planning File LU-25-067 (Northside Christian Church Conditional Use Permit application) as revised and presented to the Board of Commissioners, with the revised conditions of approval developed by the Board of Commissioners during the public hearing deliberations."