



**NOTICE OF PLANNING COMMISSION DECISION:
DENIED**

NATURE OF REQUEST:	Conditional Use Permit to expand Coffin Butte Landfill. Republic Services is proposing: 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.
APPLICABLE CODE CRITERIA:	Benton County Code (BCC) Section 51.505, Sections 51.705 through 51.840, Sections 53.205 through 53.235, Section 60.215, Section 60.220, Chapter 77, Chapter 99. The Benton County Code can be found at this link: https://www.co.benton.or.us/planning/page/development-code
PROJECT LOCATION:	<ul style="list-style-type: none"> • 29000 Coffin Butte Road; Township 10 S, Range 4 W, Section 18, Tax Lot 1107 • 29160 Coffin Butte Road; Township 10 S, Range 4 W, Section 18, Tax Lot 1200 • 28972 Coffin Butte Road; Township 10 S, Range 4 W, Section 18, Tax Lot 1101 • Township 10 S, Range 4 W, Section 18, Tax Lot 1104 • Township 10 S, Range 4 W, Section 18, Tax Lot 1108 • 29175 Coffin Butte Road; Township 10 S, Range 4 W, Section 18, Tax Lot 801
APPLICANT:	Republic Services
PROPERTY OWNER:	Valley Landfills Inc.
ZONE DESIGNATION:	Landfill Site (LS), and Forest Conservation (FC)
COMPREHENSIVE PLAN DESIGNATION:	Landfill Site, Forestry
CAC PLANNING AREA:	North Benton (not active)
STAFF CONTACT:	Inga Williams, inga.williams@co.benton.or.us
FILE NUMBER:	LU-21-047

DECISION

This matter came before the Planning Commission in public hearings held November 2 and November 16, 2021. At the November 16 meeting:

- the applicant was provided the opportunity to submit additional written evidence up to 5 PM on November 19th;
- per statute, the record was held open so that the public could to submit further written testimony until 5 PM on the 29th; and
- per statute, the applicant was allowed one additional week, until 5 PM on December 6, to submit final written argument.

On December 7, 2021, the Planning Commission returned to deliberate on the application. At the meeting on the 7th, the Planning Commission considered the record as a whole, then deliberated and reached a decision. The decision of the Planning Commission is to **DENY** the Applicant's request for a Conditional Use authorization to expand Coffin Butte Landfill based upon findings of fact and conclusions developed at the hearing.

The Planning Commission's findings may be reviewed at the following website: www.co.benton.or.us/pc or by contacting the Community Development Department. A printed copy can be provided at cost.

PLANNING OFFICIAL:  Date of Decision: December 7, 2021

IF YOU SUBMITTED EITHER ORAL OR WRITTEN TESTIMONY ON THIS APPLICATION:

THIS DECISION MAY BE APPEALED TO THE BENTON COUNTY BOARD OF COMMISSIONERS BY FILING AN APPEAL FORM AND PAYING THE APPEAL FEE BY 5:00 P.M. ON **DECEMBER 21, 2021** (THE 14TH CALENDAR DAY AFTER THE DATE OF THE DECISION).

The form and fee must be received by the department prior to the deadline (postmark does not count). The appeal fee is an actual cost of staff time and expenses to process the appeal; a deposit equal to the original application fee of **\$3,435** is required at the time of appeal. You may obtain an appeal form via email, the department website, or in person by appointment. You may submit the completed form and the appeal fee via U.S Mail, via the drop box in front of the building, or by appointment. Call 541-766-6819 or email Inga.Williams@co.benton.or.us.

The Community Development Department is at 360 SW Avery Ave., Corvallis. A person receiving this notice may appeal this decision only to the Board of Commissioners and may not appeal directly to the Oregon Land Use Board of Appeals. This decision will not become final until the 14-day appeal period has elapsed. The findings of fact relied upon in making this decision are available for review free of charge at the Community Development Department. A copy can be provided at a reasonable cost.

NOICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: ORS 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER. The recipient of this notice is hereby responsible to promptly forward a copy of this notice to every person with a documented interest, including a renter or lessee.

General Location Map – the shaded areas are parcels that are part of this conditional use permit application. The parcels are transected by Coffin Butte Road; those located south of Coffin Butte will be the locations of the new landfill cell and leachate ponds.



Zoning Map

FC = Forest Conservation; LS = Landfill Site; OS = Open Space; EFU = Exclusive Farm Use; RR = Rural Residential

