



## MEMORANDUM

**To:** Benton County Planning Commission

**From:** Northside Christian Church Project Team

**Date:** March 31, 2026

**Subject:** LU-25-066 and LU-25-067

**Property:** 4500 NW Powers Avenue, Albany, Oregon

### I. PURPOSE

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This memorandum provides the applicant's response to comments contained in the Staff Report, the Public Works memorandum, and public testimony concerning the proposed Northside Christian Church project and is intended to assist the Planning Commission in applying the applicable approval criteria based on the evidentiary record.

The applicant has revised the proposal to eliminate Phase II and limit the request to Phase I, as indicated during the open record period and reflected in the supplemental materials submitted to the record, and the analysis herein reflects that reduced scope.

### II. APPLICANT POSITION ON APPROVAL OPTIONS

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The applicant supports Option 2, as outlined in the Staff Report, which limits approval to Phase I of the proposed development in response to concerns raised during the public hearing regarding traffic, project scale, and compatibility with the surrounding area. Limiting the request to Phase I allows the Commission to evaluate a reduced and more defined level of development and ensures that the decision is based on the portion of the project supported by the current record.

The applicant generally accepts the conditions of approval recommended by staff, subject to the clarifications and proposed modifications outlined in Section III (Proposed Edits to Conditions of Approval), including revisions related to transportation improvements.

### III. PROPOSED EDITS TO CONDITIONS OF APPROVAL

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As discussed in Sections IV through VI, the following proposed edits are provided to ensure that the conditions of approval are necessary to mitigate impacts attributable to Phase I, are supported by applicable approval criteria, and satisfy nexus and proportionality requirements.

Unless modified below, all other conditions of approval recommended in the Staff Report are accepted as written.



#### A. PROPOSED MODIFICATIONS

The applicant requests the following modifications to the recommended conditions of approval. As demonstrated in the record, the required roadway improvements have not been shown to be attributable to, or necessary to mitigate, impacts associated with Phase I.

- Road Improvements (Condition 5): Remove the requirement for corridor-wide roadway improvements and application of a hybrid roadway standard.
- Road Improvements / Security (Condition 6): Remove or revise to eliminate requirements for construction or financial assurance associated with roadway improvements.
- Frontage Improvements (Condition 7): Revise to require a 5-foot right-of-way dedication along the frontage of the subject property only and remove any frontage improvement requirements.
- Phased Development (Condition 3): Revise to authorize Phase I only, consistent with the applicant's request and Option 2 in the Staff Report.

#### IV. ROADWAY IMPROVEMENT

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The Public Works memorandum requires roadway improvements to NW Powers Avenue extending from NW Scenic Drive to NW Oak Grove Drive and applies a hybrid roadway standard (Primary Local and Minor Collector).

##### A. PEDESTRIAN FACILITIES AND SAFETY CONSIDERATIONS

NW Powers Avenue is classified as a Primary Local Access Road under the Benton County Transportation System Plan. This functional classification does not require or include dedicated pedestrian facilities such as sidewalks or separated pathways. The proposed hybrid improvement standard appears to introduce pedestrian-oriented design elements intended to address safety for non-motorized users; however, these elements exceed the requirements of the adopted functional classification and may encourage pedestrian use along a roadway that is not designed or intended to function as a pedestrian facility, potentially creating unintended safety risks.

Conditions of approval must mitigate impacts caused by the development and should not be used to remedy pre-existing deficiencies in the transportation system.

##### B. TRAFFIC VOLUMES AND ROADWAY FUNCTION

NW Powers Avenue is currently improved with two travel lanes, one in each direction, and functions as a low-volume rural roadway. The existing configuration is capable of accommodating current traffic volumes as well as the incremental increase in traffic associated with Phase I of the proposed development.



Evaluation of roadway improvements should be based on the impacts associated with Phase I of the development. Phase I represents a limited level of development and is not anticipated to generate traffic volumes that would necessitate corridor-wide roadway upgrades.

C. ENVIRONMENTAL AND PERMITTING IMPACTS

The roadway improvements required by the Public Works memorandum extend beyond the project frontage and would require alteration or filling of existing roadside drainage features along NW Powers Avenue. As documented in the Civil Plan Set (Exhibit D), wetlands and drainage features are present in the vicinity of the corridor. Disturbance of these features may constitute impacts to jurisdictional waters or wetlands subject to regulation by the U.S. Army Corps of Engineers and the Oregon Department of State Lands.

Implementation of the required improvements would therefore likely trigger federal and state removal-fill permitting, potential mitigation obligations, and associated costs, timelines, and regulatory uncertainty. These impacts are independent of, and not attributable to, Phase I of the proposed development.

The applicable approval criteria require that conditions of approval mitigate impacts caused by the proposed development. Here, the roadway improvements would introduce new environmental impacts and regulatory burdens that would not otherwise occur with Phase I, but instead result from attempts to address broader corridor conditions.

Requiring roadway improvements that introduce additional environmental permitting obligations and potential impacts beyond those caused by the proposed development further demonstrates that the conditions are not proportional to project impacts and raise significant feasibility concerns.

Accordingly, the wetland and permitting implications associated with the required roadway improvements underscore both the lack of proportionality and the feasibility constraints of the proposed conditions and support modification or removal of those requirements.

D. RIGHT-OF-WAY AND FEASIBILITY CONSTRAINTS

Development conditions must be limited to improvements necessary to address impacts attributable to the proposed development. While such improvements may extend beyond the project frontage where a clear nexus and proportional relationship can be demonstrated, the conditions proposed here go further.

The Development Code does not require application of a hybrid roadway standard or corridor-wide improvements for development of this scale. Conditions must be based on adopted standards rather than discretionary or project-specific design approaches.

The Public Works memorandum requires corridor-wide improvements to NW Powers Avenue extending from NW Scenic Drive to NW Oak Grove Drive, including widening the roadway to meet





a hybrid Primary Local / Minor Collector standard. These improvements are not limited to the project frontage and instead address broader corridor conditions.

Implementation of these improvements would require right-of-way acquisition from multiple properties not under the applicant's control. Northside Christian Church does not have the authority to acquire right-of-way from third parties, nor can it ensure delivery of improvements dependent on actions by unrelated property owners. Conditions that depend on acquisition of right-of-way from third-party properties outside the applicant's control are not reasonably enforceable and create uncertainty as to compliance.

Accordingly, while the applicant evaluated potential roadway improvements, the record does not demonstrate that improvements, including frontage improvements, are necessary to mitigate impacts attributable to Phase I. No roadway improvements have been identified that are both necessary and proportional to the impacts of the proposed development.

## V. APPLICABLE ANALYTICAL AND LEGAL FRAMEWORK

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Land use decisions must be based on the Benton County Development Code and applicable adopted plans, including the Comprehensive Plan and Transportation System Plan.

The Staff Report references analytical requirements and roadway design concepts that are not explicitly required by the Development Code or adopted transportation planning documents, including:

- multiple rounds of seven-day traffic counts
- additional observation studies at comparison churches
- expanded Design Hourly Volume calculations
- application of a hybrid roadway improvement standard

These requirements and design concepts do not appear to be grounded in adopted code provisions or formally adopted transportation planning standards. As such, they extend beyond the applicable approval criteria and introduce additional analytical and design expectations that are not required to demonstrate compliance with the Benton County Development Code.

Land use decisions must be based on adopted standards, and conditions of approval must be tied to applicable code criteria rather than supplemental or discretionary analytical frameworks that have not been formally adopted.

### A. CONSISTENCY WITH ADOPTED PLANS AND STANDARDS

The Staff Report and Public Works memorandum reference planning initiatives and policy concepts that were not formally adopted by Benton County at the time of application submittal and



therefore do not constitute applicable approval criteria, including the Transportation Safety Action Plan (TSAP) and the application of a hybrid Primary Local / Minor Collector roadway standard.

The applicant recognizes that planning efforts such as transportation safety initiatives may inform future policy development. However, land use decisions must be based on the adopted provisions of the Benton County Comprehensive Plan, Development Code, and other formally adopted planning documents in effect at the time of application submittal. Plans, policies, or frameworks that have not been formally adopted through the County's legislative process do not constitute regulatory standards and cannot serve as the basis for conditions of approval or additional analytical requirements applied to a specific development application.

The hybrid roadway section referenced in the Public Works memorandum appears to reflect a planning concept or draft design approach rather than an adopted roadway standard. Any prior references to similar roadway configurations appear to have been developed at the request of individual applicants for site-specific design purposes and do not establish an adopted or generally applicable standard.

Accordingly, to the extent the Staff Report relies on concepts or standards that were not adopted at the time of application submittal, those concepts do not establish applicable approval criteria. The application must be evaluated based on the provisions of the Benton County Development Code and Comprehensive Plan in effect at that time.

#### B. NEXUS AND PROPORTIONALITY

Conditions of approval must be reasonably related to the impacts of the proposed development and proportional to those impacts. Courts have consistently held that such conditions must demonstrate an essential nexus to a legitimate governmental interest and be roughly proportional in both nature and extent to the impacts of the proposed development (*Nollan v. California Coastal Commission*; *Dolan v. City of Tigard*).

The Public Works memorandum requires roadway improvements to NW Powers Avenue extending beyond the project frontage, including widening to a hybrid roadway standard and associated shoulder improvements, as described in the Staff Report and Public Works memorandum. These improvements would necessitate right-of-way acquisition from multiple properties not under the applicant's control.

As demonstrated in the March 31, 2026 memorandum prepared by Sandow Engineering, Phase I of the proposed development is estimated to generate approximately 194 average daily trips, resulting in total corridor volumes that remain well below the Benton County Transportation System Plan threshold for a Primary Local Road.

The record therefore does not demonstrate that Phase I of the proposed development generates impacts that necessitate roadway widening, shoulder improvements, or application of a hybrid





roadway standard. Rather, the identified deficiencies reflect existing corridor conditions independent of the proposed use.

The required improvements function as corridor-wide upgrades rather than mitigation of project-specific impacts. In addition, implementation of these improvements will trigger off-site right-of-way acquisition and environmental permitting requirements that are not attributable to Phase I, further underscoring the lack of proportionality.

The record does not demonstrate that any of the required roadway improvements are attributable to, or necessary to mitigate, impacts associated with Phase I.

Accordingly, the required conditions lack an essential nexus to the impacts of the proposed development and are not roughly proportional in nature or extent. Imposing such conditions would effectively require the applicant to remedy pre-existing deficiencies in the transportation system, which exceeds the scope of permissible land use regulation and is not supported by the applicable approval criteria.

#### C. RELIGIOUS LAND USE CONSIDERATIONS (RLUIPA AND ORS 215.441)

The proposed use is a church and therefore constitutes religious exercise protected under the federal Religious Land Use and Institutionalized Persons Act (RLUIPA). Under RLUIPA, land use regulations that impose a substantial burden on religious exercise must be supported by a compelling governmental interest and implemented through the least restrictive means.

In addition, ORS 215.441 provides that when a place of worship is allowed, counties must allow the reasonable use of property for activities customarily associated with religious practice, including worship services, gatherings, and childcare. While counties may apply reasonable site and design regulations, such regulations must not impose undue burdens that limit the ability to site and operate a place of worship.

The roadway improvement requirements described in the Staff Report and Public Works memorandum impose obligations that extend beyond impacts attributable to the proposed development, including corridor-wide improvements, potential off-site right-of-way acquisition, and widening to a hybrid roadway standard reflecting a higher functional classification than a Primary Local Access Road. As such, these requirements must be evaluated to ensure they do not impose unnecessary or disproportionate burdens on religious exercise and do not effectively limit the reasonable use of the property for religious activities as contemplated under ORS 215.441.

## VI. SUPPLEMENTAL TECHNICAL ANALYSIS

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The applicant has coordinated with its engineering and legal team to further evaluate technical and legal matters identified in the Staff Report and Public Works memorandum as well as the public hearing



held Tuesday, March 17, 2026. The following supplemental information is provided to assist the Planning Commission in its evaluation of the application:

**A. SEPTIC CAPACITY**

The applicant has applied for and received Septic Site Approval from the Benton County Environmental Health Department. A copy of the Septic Site Evaluation Approval was submitted as Exhibit J of the application submittal.

The approval site demonstrates capacity for both primary and replacement drainfield areas to accommodate a daily septic flow of 5175 gallons per day. Phase 1 of the proposed development includes a 500-seat church/gymnasium. Pursuant to OAR 340-071-0220, Table 2 (Quantities of Sewage Flows), church facilities are calculated at 5 gallons per day per seat, resulting in an estimated demand of 2,500 gallons per day.

Based on the Septic Site Evaluation approval granted by Benton County Environmental Health Department and the calculated demand, the site provides substantial excess capacity to accommodate the proposed development.

The evaluation considered the location and capacity of both primary and replacement drainfield areas, which have been identified and will be protected from disturbance consistent with applicable requirements.

Accordingly, the proposed development can be accommodated within the available septic capacity, and no constraints have been identified that would preclude compliance with applicable standards or conditions of approval.

Final septic system design will be submitted to the Benton County Environmental Health Department and Oregon DEQ for review and approval at the time of building permit.

**B. TRANSPORTATION / TRAFFIC IMPACTS**

The applicant has coordinated with its traffic engineer to evaluate potential transportation impacts associated with the proposed development, including comments raised in the Staff Report and at the public hearing.

The results of this evaluation are documented in the memorandum prepared by Sandow Engineering, dated March 31, 2026, included in the record as Exhibit A.

**C. WETLAND DELINEATION**

The wetlands as shown on the submitted Civil Plan Set (i.e., Exhibit D) were delineated by Eric Henning of Zion Natural Resources. The delineation report has been submitted to the Oregon Division of State Lands for their review and concurrence, and any jurisdictional determinations or permitting requirements will be addressed through that process.



## VII. RESPONSE TO PUBLIC TESTIMONY AND RECORD EVIDENCE

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The proposal has been revised to eliminate Phase II and is limited to Phase I. The following responses address recurring themes raised in public testimony and are provided to assist the Planning Commission in evaluating the proposal under the applicable approval criteria and evidence in the record.

### A. RURAL CHARACTER AND COMPATIBILITY

Public testimony raised concerns that the proposed development would alter the rural character of the area and be incompatible with surrounding uses.

A place of worship is an allowed conditional use within the RR-2 zoning district, subject to approval of a Conditional Use Permit. Accordingly, the applicable standard is not whether change will occur, but whether the proposed use at the scale requested can be accommodated in a manner that is compatible with surrounding uses and does not result in significant adverse impacts.

The evaluation of "rural character" must be based on measurable land use impacts, including site design, intensity of use, traffic generation, and operational characteristics, rather than generalized perceptions of scale or use type.

The reduced scope substantially decreases overall intensity and addresses concerns related to scale, traffic, and activity levels.

Phase I has been designed to minimize visual and functional impacts, including:

- Locating improvements toward the interior of the site;
- Maintaining substantial areas of open space;
- Limiting development to a single building and associated site improvements; and
- Avoiding high-intensity daily operations.

While the proposed use represents a change from existing conditions, the applicable criteria do not require preservation of the site in its current state, but rather that the proposed use does not significantly interfere with the livability or use of surrounding properties.

The record does not demonstrate that Phase I would result in significant adverse impacts to surrounding properties or that the use cannot be made compatible through the conditional use process.

Accordingly, when evaluated under the applicable approval criteria, the proposed Phase I development is consistent with the intent of the RR-2 zone and satisfies the standard for compatibility with surrounding uses.





B. TRAFFIC AND ROADWAY CONDITIONS

Public testimony raised concerns regarding traffic volumes, roadway safety, and operational conditions along NW Powers Avenue and surrounding roads.

As detailed in Section IV (Roadway Improvement Requirements) and Section VII(d) (Road Improvements and Proportionality), these concerns primarily reflect existing roadway conditions rather than impacts attributable to Phase I of the proposed development.

As further detailed in the applicant's traffic analysis prepared by Sandow Engineering, Phase I of the proposed development is not anticipated to result in a significant increase in traffic volumes or materially alter roadway operations.

Accordingly, the record does not demonstrate that the proposed development would create transportation impacts that preclude approval of the application.

C. ROAD IMPROVEMENTS AND PROPORTIONALITY

Public testimony raised concerns regarding roadway conditions along NW Powers Avenue, including safety and roadway adequacy.

As discussed in Section IV (Roadway Improvement Requirements) and Section V(b) (Nexus and Proportionality), these concerns primarily reflect existing corridor deficiencies rather than impacts attributable to Phase I of the proposed development.

Conditions of approval must demonstrate a clear nexus to the impacts of the proposed use and be roughly proportional to those impacts. The record does not demonstrate that Phase I would generate impacts necessitating roadway widening, frontage improvements, or upgrades to a higher roadway classification.

D. ENVIRONMENTAL CONCERNS (WETLANDS, DRAINAGE, WILDLIFE)

Public testimony raised concerns regarding the presence of wetlands, seasonal drainage features, wildlife habitat, and the potential for stormwater runoff or downstream impacts.

The proposed development is subject to multiple layers of state and local environmental regulation and permitting, including:

- Oregon Department of Environmental Quality (DEQ) 1200-C Construction Stormwater Permit;
- Benton County Erosion and Sediment Control (ESC) Permit;
- Benton County Stormwater Management (SWM) Permit; and
- Potential state and federal removal-fill permitting through the Oregon Department of State Lands (DSL) and the U.S. Army Corps of Engineers, if jurisdictional wetlands or waters are present.



These regulatory frameworks require detailed evaluation of site-specific conditions at the time of construction and ensure that stormwater quantity and quality, drainage patterns, and potential impacts to regulated wetlands or waters are appropriately addressed through design, mitigation, and ongoing maintenance requirements.

The applicable approval criteria require that the proposed development can comply with these regulations. The record demonstrates that Phase I can meet these requirements.

Concerns regarding wildlife presence and habitat are acknowledged; however, the subject property is not designated under any adopted resource overlay or protection program that would preclude development of the site. The property may be developed consistent with underlying zoning, subject to compliance with applicable environmental and permitting standards.

In addition, Phase I development:

- Limits disturbance to a defined portion of the site;
- Retains substantial areas of open space; and
- Will be required to incorporate stormwater management measures designed to control runoff and protect downstream conditions.

While development of the site will result in some level of change from existing conditions, the applicable standard is whether the proposed use results in significant adverse environmental impacts that cannot be mitigated. The record does not demonstrate that such impacts would occur with implementation of required permits and conditions.

Accordingly, environmental concerns related to wetlands, drainage, and wildlife do not preclude approval of the Phase I development.

#### E. NOISE, LIGHTING, AND ACTIVITY LEVELS

Public testimony raised concerns regarding potential noise, lighting, and the frequency or intensity of on-site activities.

The proposed use is a place of worship, which is an allowed conditional use within the RR-2 zoning district. As such, typical operational characteristics associated with places of assembly including periodic gatherings, events, and associated lighting are anticipated within the framework of the zoning ordinance and are evaluated through the conditional use process.

Noise and activity associated with the proposed use are inherently intermittent and time-limited, occurring primarily during scheduled services or events rather than continuously throughout the day. This differs from other permitted uses that may generate ongoing daily activity or continuous operational noise.

With respect to lighting, all exterior lighting will be required to comply with applicable development standards at the time of building permit review. These standards are intended to minimize off-site impacts through measures such as directional lighting, shielding, and intensity limitations.



Compliance with these standards ensures that lighting impacts are controlled and do not result in significant adverse effects on adjacent properties.

Similarly, any mechanical equipment, building systems, or site features will be subject to applicable building and development regulations governing noise and operational impacts. These requirements are designed to ensure compatibility with surrounding uses.

While some level of noise and lighting is inherent to any developed use, the applicable approval criteria do not require the elimination of all impacts, but rather that the proposed use does not result in significant adverse effects on surrounding properties.

The record does not demonstrate that the Phase I development would generate noise, lighting, or activity levels exceeding what is typical for an allowed conditional use or that would rise to the level of significant adverse impact. Accordingly, these considerations do not preclude approval of the application.

F. SCALE OF DEVELOPMENT

Several comments characterized the proposal as a “campus” or “mega-church” and evaluated potential impacts based on the full conceptual buildout of the site.

Accordingly, the Planning Commission’s decision must be based solely on the scope, intensity, and impacts of the Phase I development.

Importantly, a place of worship is an allowed conditional use within the RR-2 zoning district, subject to approval of a Conditional Use Permit. The applicable review is therefore not whether the use itself is appropriate in the zone, but whether the specific proposal at the scale requested satisfies the relevant approval criteria.

Phase I consists of a single building and associated site improvements at a reduced scale relative to the previously contemplated buildout. The reduction in scope directly affects key impact areas raised in testimony, including traffic generation, parking demand, and overall site intensity.

When evaluated under the applicable criteria, Phase I does not function as a large institutional “campus,” but rather as a single place of assembly at a scale that can be accommodated within the surrounding area.

VIII. CONCLUSION AND REQUEST FOR APPROVAL

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The applicant has revised the proposal to eliminate Phase II and limited it to Phase I. This modification substantially reduces the scale and intensity of the project and resolves issues related to parking demand and project phasing.

The record demonstrates that the Phase I development can be accommodated within existing infrastructure and complies with applicable Benton County Development Code criteria.





While public testimony reflects differing perspectives regarding the desirability of the proposed use, the applicable decision criteria focus on measurable land use impacts and compatibility standards. The evidence in the record demonstrates that these standards can be met.

Based on the foregoing, the applicant respectfully requests approval of LU-25-067 (Conditional Use Permit) consistent with Option 2, subject to the modifications to the conditions of approval outlined in Section III and reflected in Section IX below.

As modified, the conditions of approval are consistent with applicable approval criteria and legal standards, including nexus and proportionality requirements.

The parking variance request (LU-25-066) is no longer applicable and should be dismissed.

#### IX. PROPOSED CONDITIONS OF APPROVAL

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The following conditions of approval reflect the modifications outlined in Section III.

1. Conformance with Approved Plans: Development shall be substantially consistent with the approved Phase 1 site plan, and supporting materials, except as modified by these conditions of approval.
2. Deed Consolidation: Prior to issuance of any building permit, the applicant shall record a deed consolidating Parcel 1 and Parcel 2 identified in Deed 2023-640923 into a single legal parcel. Proof of recordation shall be provided to the Community Development Department.
3. Phased Development Authorization This approval authorizes development of Phase I Development consisting of construction of the 18,902-square-foot gymnasium, associated parking, storage structure, and site improvements.
4. Parking Requirements
  - a. Phase I Parking Minimum: Prior to issuance of a Certificate of Occupancy for Phase I, the applicant shall construct a minimum of 189 parking spaces consistent with BCC 91.605.
5. Road Dedication: The applicant shall dedicate 5-foot right-of-way along the frontage of the subject property of Powers Avenue NW sufficient to meet the minimum 50-foot right-of-way standard.
6. Road Approach: The existing field approaches shall be removed at the time the new entrance is established. The new entrance location shall serve as the construction entrance to the site. Other construction entrances will not be permitted.
  - a. The existing residential approach shall be modified to accommodate two-way traffic.
  - b. Knock-down bollards, a chain gate, or a knox-box gate shall be placed in the throat of the connecting road between the existing residence and the main parking lot to prevent cut-through traffic for access and egress.



- c. The applicant shall apply, pay fees and obtain approval for Road Approach Permits for all new approaches and/or modifications to existing approaches to the property.
7. Water Service: Water service shall be provided in coordination with the City of Albany. Any on-site storage tank and pumping infrastructure shall be installed prior to occupancy.
8. Fire Protection: All fire suppression, hydrant spacing, fire flow, and emergency vehicle access requirements shall be approved by the Albany Fire Department prior to issuance of building permits.
9. DEQ WPCF Permit: Prior to issuance of building permits, the applicant shall obtain a Water Pollution Control Facility (WPCF) permit from the Oregon Department of Environmental Quality (DEQ), if required based on design flow.
10. Septic Area Protection: Approved primary and reserve drainfield areas shall be protected from grading, compaction, or disturbance during construction. No development shall occur within approved septic areas without authorization from Environmental Health.
11. DEQ 1200-C Permit: The proposed construction activity and common plan of development will result in land disturbance of one acre (1.00 ac) or more. The applicant shall apply, pay fees, and obtain approval for an Oregon Department of Environmental Quality (DEQ) 1200-C Construction Stormwater Quality Permit.
12. Erosion and Sediment Control Permit: Upon issuance of the DEQ 1200-C Permit, the applicant shall then apply for a Benton County ESC Permit. These permits must be obtained prior to start of ground disturbing activities.
13. Stormwater Management Permit: The total impervious area for the project in the post construction condition will exceed one-quarter acre (0.25 ac). The applicant shall apply, pay fees, and obtain approval for a Benton County Stormwater Management (SWM) permit. The SWM permit shall be approved and a Long-Term Maintenance Agreement signed and recorded prior to building permit issuance and before work begins on the proposed drainage system.
  - a. Construction and post-construction stormwater discharge shall conform to the standards and tenets established by Oregon Drainage Law.
  - b. Construction stormwater discharge shall conform to all current Oregon Department of Environmental Quality (DEQ) and Benton County erosion and sediment control standards using Oregon Department of Transportation erosion and sediment control details and best management practices.
  - c. Post-construction stormwater quantity and quality standards shall conform to all current Oregon Department of Environmental Quality and Benton County stormwater requirements and the most recent edition of the Benton County's Stormwater Support Documents.



14. Taxes: The applicant shall provide for payment of all prior year outstanding property taxes, current year-to-date property taxes, and any applicable interest and penalties. Contact the County Assessor (541-766-6855) to determine the amount due. (The applicant does not need to bring proof of payment to the Community Development Department; payment is checked by other means.) [BCC 95.125(4)]

#### Conditions of Operating Approval

1. Western Access: Western access shall be restricted from church-related activity. A Knox-box gate shall be placed in the throat of the connecting road between the existing residence and the main parking lot to prevent cut-through traffic for ingress and egress.
2. Stormwater Management Longterm Contract: The applicant shall maintain onsite stormwater management in compliance with Public works form.
3. Daycare: The applicant shall comply with Oregon Department of Early Learning and Care (DELIC) for the operation of a daycare.
  - Advisory - The applicant shall verify with DELIC if they are identified as a certified childcare center.

#### X. EXHIBITS

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- A. Exhibit A: Sandow Engineering Memorandum – Response to Comments (March 31, 2026)