

EXHIBIT LIST FOR CUP 2026-013
William J. McNeal

Hearings Examiner Staff Memo Exhibit List - August 21, 2026 hearing		
HEM 1.1	Staff Memo	July 30, 2026
HEM 1.2	Vicinity map	June 30, 2026
HEM 1.3	Application	June 30, 2026
HEM 1.4	Site Plan	June 30, 2026
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HEM 1.6	Agency Review Request	July 1, 2026
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HEM 1.10	Comment from Benton County Public Works	July 13, 2026
HEM 1.11	Notice of Open Record Hearings	July 31, 2026
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[illegible]



HEM 1.1

**STAFF REPORT TO THE
BENTON COUNTY HEARINGS EXAMINER
William McNeal ADU
Detached Accessory Dwelling Unit**

FILE NO: CUP 2026-013

MEMO DATE: July 30, 2026

HEARING DATE: August 21, 2026

APPLICANT: William McNeal, 113418 N. Harrington PR NE, West Richland, WA, 99353

LANDOWNERS: Charles and Jennifer McNeal, 113418 N. Harrington PR NE, West Richland, WA, 99353

LOCATION: General Location: The property is located approximately 0.27 miles west of the end of Harrington Rd in the West Richland area of unincorporated Benton County.
Address: 113418 N. Harrington PR NE, West Richland, WA 99353
Legal: Portions of Lots 3 and 4 of Short Plat 1746, Section 4, Township 10 N, Range 27 E, W.M.
Parcel Number: 1-0407-401-1746-007

PROPERTY SIZE: Approximately 5.12 Acres

AREA TO BE USED: 790 square feet

LAND USE: Residential

ZONING: Rural Lands Five-Acre District

**COMPREHENSIVE
PLAN DESIGNATION:** Rural Remote

RECOMMENDATION:

The Planning Division recommends approval of the application request, subject to the suggested twenty-three (23) Findings of Fact and five (5) Conditions of Approval as outlined in this staff report.

APPLICATION DESCRIPTION:

The applicant is seeking a Conditional Use Permit (CUP) under BCC 11.42.020(c)(1) to construct a 790 square foot detached Accessory Dwelling Unit (ADU) within a proposed 3,200 square foot shop on a property located within the Rural Lands Five-Acre Zoning District.

The first floor ADU is proposed to be constructed east of the existing 1,976 square foot single-family residence. The proposed structure will be located on a 5.12-acre parcel in the West Richland area of unincorporated Benton County. (HEM 1.4)

The application for CUP 2026-013 (HEM 1.3) was submitted to the Benton County Planning Division on June 30, 2026.

The application was declared complete for processing on July 1, 2026. (HEM 1.5)

The application documents were distributed to reviewing agencies on July 1, 2026. (HEM 1.6)

The Benton County Hearings Examiner Notice of Open Record Hearing for application CUP 2026-013 was published on August 5, 2026 in the Prosser Record Bulletin. (HEM 1.11)

The Notice was mailed to property owners of record within 300 feet of the outer boundaries of the parcel on July 31, 2026.

The Open Record Hearing is scheduled for August 21, 2026.

APPLICABLE STANDARDS/ORDINANCES:

1. *Revised Code of Washington*
Chapter 36.70A.400 Growth Management—Planning by Selected Counties and Cities
Any local government, as defined in RCW 43.63A.215, that is planning under this chapter shall comply with RCW 43.63A.215(3).

RCW 43.63A.215(3) Accessory apartments—Development and placement—Local governments

Unless provided otherwise by the legislature, by December 31, 1994, local governments shall incorporate in their development regulations, zoning regulations, or official controls the recommendations contained in subsection (1) of this section. The accessory apartment provisions shall be part of the local government's development regulation, zoning regulation, or official control. To allow local flexibility, the recommendations shall be subject to such regulations, conditions, procedures, and limitations as determined by the local legislative authority.

2. *Benton County Comprehensive Plan*
3.3.2.3 Rural Land Use Designations

Rural Remote is the predominant rural land use in the County. This land is located mostly between the agricultural lands (GMA Agriculture), Rural Transition, and the UGAs. Rural Remote land use is intended to enhance and preserve the County's rural character, which includes rural open space, low densities, wildlife habitat, public open space for outdoor recreational activities, and rural home sites on which a limited range of agricultural activities may be conducted. Allowable density in Rural Remote land use is 1DU/5acres.

Section 2.7 Housing

HE Goal 1: Provide for a variety of residential uses and densities consistent with the rural character and lifestyles and a choice of housing types for people of all income levels.

Policy 7: Consider accessory dwelling units as an affordable housing option and look for

flexible and innovative ways of integrating accessory dwelling units into single family residential zones.

Section 6.4.2 Housing Types

Accessory Dwelling Units. The zoning code permits the establishment of additional living quarters within single family residences to permit persons who, due to a disability or an infirmity, require the assistance of friends, relatives, or a professional nurse to remain in their home and for persons related to the occupant. These units help meet the needs of the disabled, infirm, or elderly in need of assisted care and are currently allowed by ordinance in all residential zones and the agricultural zoning district of Benton County.

3. Benton County Code (BCC)

Title 11 Zoning

Chapter 11.03 Definitions

(2) "Accessory Dwelling Unit" an additional room or set of rooms located within a single-family structure and designed, arranged, occupied, or intended to be occupied by not more than one (1) household as living accommodations independent from any other household and not exceeding 800 square feet in area.

Chapter 11.42 General Use Regulations

11.42.020 Accessory Dwelling Unit (ADU).

An accessory dwelling unit shall be allowed on any real property located within unincorporated Benton County that is zoned for single family residences, except for those properties with an Industrial or Commercial zoning designation, thereby meeting the requirements of the Washington State Housing Policy Act of 1993 to incorporate provisions for accessory apartments in the County's zoning ordinance (Title 11 BCC).

(a) All accessory dwelling units authorized herein shall meet the following minimum criteria:

- (1) One (1) accessory dwelling unit is allowed per parcel/lot.
- (2) A single-family dwelling must be located on the parcel/lot where the accessory dwelling unit is to be located.
- (3) The accessory dwelling unit shall not exceed 40% of the total square footage of the single-family home or 800 square feet in size, whichever is smallest.
- (4) The accessory dwelling unit shall consist of no more than one (1) bedroom.
- (5) The accessory dwelling unit shall provide two (2) off-street parking spots.
- (6) An accessory dwelling unit shall be constructed on the site and permanently affixed to the ground by footings and foundation. A recreational vehicle (RV), mobile home, manufactured home, or factory assembled structure is not to be permitted as an accessory dwelling unit.
- (7) The accessory dwelling unit is not allowed on a lot/parcel that has a duplex, multi-family dwelling, a temporary dwelling permit (see BCC 11.42.110), a multiple detached dwelling permit (see BCC 11.42.080) or two (2) or more single-family dwellings.
- (8) The accessory dwelling unit is not allowed to be used in the operation of a home occupation.
- (9) The accessory dwelling unit shall both meet and comply with Benton Franklin Health District standards.
- (10) The accessory dwelling unit shall meet and comply with Benton County Fire Marshal requirements for access.
- (11) The accessory dwelling unit may be permitted as either a ground floor or

- 2nd floor unit.
- (12) Either the accessory dwelling unit or the single-family dwelling shall be occupied by a landowner(s) as his/her primary residence. The landowner shall maintain residency at least six (6) months out of the year and at no time receive rent for or otherwise allow to occupy the landowner(s) unit when absent the rest of the year.
 - (13) If the accessory dwelling unit is connected to the single-family dwelling through a breezeway or similar means, the accessory dwelling unit shall be considered detached and compliance with subsection (c) below is required.
 - (14) The accessory dwelling unit shall comply with the applicable building, fire, critical area, shoreline, and zoning requirements of Title 3, 11, and 15 of Benton County Code.
 - (15) The accessory unit shall not be considered as a dwelling unit when calculating density.
 - (16) The accessory dwelling unit shall comply with requirements in subsection (b) and (c) respectively.
- (c) An accessory dwelling unit detached from the single-family dwelling shall comply with the following:
- (1) All detached accessory dwelling units require approval of a conditional use permit (see Chapter 11.50 BCC).
 - (2) A detached accessory dwelling unit shall comply with the following minimum design standards.
 - (i) The detached accessory dwelling unit may be constructed within an existing outbuilding or be a stand alone structure, where the dwelling unit does not share a common wall with the primary single-family dwelling. If the accessory dwelling unit is connected to the single-family dwelling through a breezeway or similar means, the accessory dwelling unit shall be considered detached.
 - (ii) An outside entrance to the accessory dwelling unit is required and be placed at the side or rear of the building, when possible, to maintain the appearance and character of an accessory use.
- (d) The applicant shall record the permit issued for the accessory dwelling unit with the Benton County Auditor's Office. The recording fee shall be paid by the applicant for the accessory dwelling unit. The permit shall include a statement that the accessory dwelling may not be sold as a separate residence until such time as the accessory dwelling is located as the sole residence on a legally subdivided parcel.

Chapter 11.50 Variance and Conditional Use

11.50.040 Conditional Use

(a) Conditional Use Permit – General Standards. The conditional use permit application process allows the Hearings Examiner to review the location and design of certain proposed uses, the configuration of improvements, and the potential impacts on the surrounding area. The application process also allows the Hearings Examiner to ensure that development in each zoning district protects the integrity of that district. The notice, hearing, decision, and enforcement procedures are as set forth herein and in BCC 11.50.050.

Certain uses are classified as conditional uses because of their unusual nature, infrequent occurrence, special requirements, or potentially significant impacts to the environment, public infrastructure, or adjacent properties, and/or possible safety hazards and other similar reasons.

Once granted, a conditional use permit may be transferred by a holder thereof after written notice to the Hearings Examiner; provided the use and location must remain the same and the transferee must continue to comply with the conditions of the permit and, if applicable, the requirements set forth in Chapter 11.51 BCC.

(d) Conditional Use Permit- Permit Granted or Denied. A conditional use permit shall be granted only if the Hearings Examiner can make findings of fact based on the evidence presented sufficient to allow the Hearings Examiner to conclude that, as conditioned, the proposed use:

- (1) Is compatible with other uses in the surrounding area or is no more incompatible than are any other outright permitted uses in the applicable zoning district.
- (2) Will not materially endanger the health, safety, and welfare of the surrounding community to an extent greater than that associated with any other permitted uses in the applicable zoning district.
- (3) Would not cause the pedestrian and vehicular traffic associated with the use to conflict with existing and anticipated traffic in the neighborhood to an extent greater than that associated with any other permitted uses in the applicable zoning district.
- (4) Will be supported by adequate service facilities and would not adversely affect public services to the surrounding area; and
- (5) Would not hinder or discourage the development of permitted uses on neighboring properties in the applicable zoning district because of the location, size or height of the buildings, structures, walls, or required fences or screening vegetation to a greater extent than other permitted uses in the applicable zoning district.

It is the applicant's burden to present sufficient evidence to allow the above conclusions to be made. If such evidence is not presented or all necessary reasonable conditions are not identified by the applicant to allow the Hearings Examiner to make the conclusions required above, the conditional use application shall be denied.

PUBLIC NOTICE:

The Public Notice Requirements for this application as per BCC 11.50.050(b) are as follows:

1. The Planning Division shall provide written notification for an open record hearing, subject to the rules and regulations set forth in RCW 36.70. Written notice shall be mailed at least twelve (12) days in advance of the open record hearing to the applicant and the owner of the parcel(s) to which the proposed variance or conditional use permit would apply, and to all owners of real property, as shown in the records of the Benton County Assessor, located within a distance of three hundred (300) feet of any portion of the applicable parcel, provided that if the owner of the parcel for which the proposed variance or conditional use permit is requested owns another parcel or parcels adjacent the parcel at issue, notification shall be mailed to owners of real property located within three hundred (300) feet of any portion of such adjacent parcels as well. Failure to receive the notice shall not invalidate any proceedings or decision in connection with the proposed variance or conditional use permit. Notices addressed to the last known owner of record as shown on the County Assessor's records shall be deemed proper notice to the owner of such

property; and,

2. By publication of a legal notice in a newspaper of general circulation in the County at least ten (10) days prior to the open record hearing date.

AGENCY COMMENTS:

1. The application documents were distributed to the following reviewing agencies on July 1, 2026.
 - a. Benton County Building Division
 - b. Benton County Code Enforcement
 - c. Benton County Fire District #4
 - d. Benton County Fire Marshal
 - e. Benton County Rural Water Coordinator
 - f. Benton County Public Works Department
 - g. Benton-Franklin Health District
 - h. Benton REA
 - i. City of West Richland
2. The following comments were received from the Benton County Building Division (HEM 1.9):
 - a. The Accessory Dwelling Unit must comply with all current Benton County building and fire codes.
 - b. If you have any questions about these comments, please contact the Benton County Building Division at (509) 735-3500.
3. The following comments were received from Benton County Rural Water Supply Program (HEM 1.7):
 - a. This property is located within the Benton County Rural Water Supply Program area which requires the new dwelling unit to obtain a water mitigation certificate or provide evidence of a valid domestic water right. Additionally, the new dwelling unit will require a water meter to be installed to monitor water usage for compliance with the Rural Water Supply Program.
 - b. If you have any questions about these comments, please contact the Benton County Rural Water Supply Program at (509) 786-5612.

FINDINGS OF FACT AND CONDITIONS OF APPROVAL:

The following Findings of Fact and Conditions of Approval are based on comments received up to the date of this staff memo. Any comments received after the completion of this staff memo or submitted during the advertised public hearing for CUP 2026-013 will need to be considered by the Hearings Examiner and may be added to the suggested Findings of Fact and Conditions of Approval as set forth below. The Hearings Examiner may decide to adopt these as their own or amend/add to these Findings of Fact and Conditions of Approval after holding the open public hearing.

Based on the information received to date, Planning staff recommends approval of the applicant's request with the following suggested findings of fact and conditions of approval:

SUGGESTED FINDINGS OF FACT:

1. The applicant is proposing to construct a 790 square-foot accessory dwelling unit within a proposed 3,200 square foot shop located at 113418 N Harrington PR NE, West Richland, WA 99353.
2. The applicant is William McNeal, 113418 N. Harrington PR NE, West Richland, WA 99353.
3. The owners are Charles and Jennifer McNeal, 113418 N. Harrington PR NE, West Richland, WA 99353
4. The property is approximately 5.12 acres in size and is zoned Rural Lands Five-Acre District (RL-5).
5. The property is in the West Richland area of unincorporated Benton County, approximately 0.27 miles west of the end of Harrington Rd (Parcel 104074011746007).
6. The ADU is proposed to be constructed east of the existing 1,976 square-foot single-family residence.
7. The ADU will be used as guest accommodations and living quarters for family.
8. The Conditional Use Permit (CUP 2026-013) shall comply with the Benton County Critical Area Ordinance, Title 15 BCC.
 - a. The proposed ADU is not located within any critical areas.
9. Public notice and application requirements have been met per BCC 11.50 Variance and Conditional Use.
10. The proposed detached ADU is allowable by Conditional Use Permit if approved by the Benton County Hearings Examiner.
11. The detached ADU complies with Benton County Building Division standards and requirements.
12. The application for CUP 2026-013 is consistent with the Growth Management Act, RCW 36.70A, including RCW 36.70A.390.
13. The application for CUP 2026-013 is consistent with RCW 43.63A.215 (3) *Accessory apartments*.
14. The application for CUP 2026-013 is consistent with the goals and policies of the Benton County Comprehensive Plan.
15. The application for 2026-013 is consistent with the requirements of the Benton County Zoning Code.
16. The application for CUP 2026-013 is consistent with the requirements of BCC 11.42.020(a) Accessory Dwelling Units (ADU):

- a. One (1) detached ADU is proposed for the subject property.
 - b. There is an existing single-family dwelling on the parcel/lot where the detached ADU is to be located.
 - c. The primary single-family dwelling is 1,976 square feet. Forty percent (40%) of is 1,976 square feet is 790 square feet. The applicant is proposing a maximum of 790 square feet in the application.
 - d. The detached ADU will be a one-bedroom apartment.
 - e. The applicant is proposing two (2) parking spots to serve the detached ADU.
 - f. The proposal is to construct a 790 square-foot ADU on site that shall be permanently affixed to the ground by footings and foundation.
 - g. No additional dwelling or housing units exist on site or are proposed.
 - h. A home occupation is not planned nor proposed to be operated in the detached ADU.
 - i. The detached ADU must comply with BFHD standards as per the Conditions of Approval.
 - j. The detached ADU and proposed single family dwelling comply with Fire Marshal standards.
 - k. The detached ADU will be a first-floor unit.
 - l. The landowners will reside in the existing single-family dwelling and maintain residency for at least six (6) months out of the year.
 - m. The detached ADU complies with applicable building, fire, critical area, shoreline, and zoning requirements.
 - n. The detached ADU complies with the Benton County critical area ordinance, Shoreline Master Program, and zoning regulations.
17. The application for CUP 2026-013 is consistent with requirements in BCC 11.42.020 (c)(2)(i) as the ADU will be located within a standalone structure.
18. The application for CUP 2026-013 is consistent with requirements in BCC 11.42.020(c)(2)(ii):
- a. The proposed ADU is located east of the primary single-family dwelling.
 - b. The door layout of the structure is adequate for its location and situation, subject to compliance with the Findings of Fact and Conditions of Approval.
19. The proposed detached ADU is compatible with other uses in the surrounding area and is no more incompatible than any other outright permitted uses in the applicable zoning district.
20. The proposed detached ADU will not materially endanger the health, safety, and welfare of the surrounding community to an extent greater than that associated with any other permitted uses in the applicable zoning district.
21. The pedestrian and vehicular traffic caused by the proposed detached ADU will not conflict with existing and anticipated traffic in the neighborhood to an extent greater than that associated with any other permitted uses in the applicable zoning district.
22. The proposed detached ADU will be supported by adequate service facilities and would not adversely affect public services to the surrounding area.

23. The proposed detached ADU will not hinder or discourage the development of permitted uses on neighboring properties in the applicable zoning district because of the location, size or height of the buildings, structures, walls, or required fences or screening vegetation to a greater extent than other permitted uses in the applicable zoning district.

SUGGESTED CONDITIONS OF APPROVAL:

1. The activities on the site shall comply with the submitted site plan and materials submitted for this application.
2. The applicant shall provide written consent to the Planning Division from the legal landowner (if different from applicant) granting permission for the operation of the conditional use prior to issuance of the CUP permit.
3. Either the detached ADU or the single-family dwelling shall be occupied by a landowner(s) as their primary residence. The landowner shall maintain residency at least six (6) months out of the year and at no time receive rent for or otherwise allow others to occupy the landowner(s) unit when absent the rest of the year.
4. The County will provide an ADU agreement to the applicant. The applicant shall sign the agreement before a Notary Public and record the document with the Benton County Auditor's Office prior to the Conditional Use Permit being issued. The recording fee shall be paid by the applicant. The document will include a statement that the accessory dwelling unit may not be sold as a separate residence until such time as the accessory dwelling is located as the sole residence on a legally subdivided parcel.
5. All required development permits shall be obtained prior to occupying the Accessory Dwelling Unit. This includes approval of permits required by the following, as applicable:
 - a. Benton County Building Division
 - b. Benton County Fire Marshal; for fire and safety regulations
 - c. Benton Franklin Health District
 - d. Benton County Public Works Department; for road approach permits
 - e. Benton County Planning Division
 - f. Benton REA

TIME TO COMPLETE CONDITIONS OF APPROVAL:

The applicant shall have one year to meet all the Conditions of Approval.

If all conditions of approval have not been met and the Planning Division does not issue the Conditional Use Permit within one (1) year from the time the Hearings Examiner has conditionally approved the Conditional Use Permit, the Hearings Examiner may declare its approval null and void at a regular Hearings Examiner meeting. Prior to doing so, the applicant shall be notified in writing at the applicant's last known address at least twelve (12) days in advance of the upcoming Hearings Examiner meeting.

TRANSFERABILITY:

This Conditional Use Permit is transferable by the holder.

Should the legal landowner of the parcel change at any time during the life of this Conditional Use Permit the new property owner must provide their written request to the Planning Division for the continuation or termination of the CUP.

Should a new applicant wish to continue operating the CUP, the new applicant must update the Conditional Use Permit application, accept the Conditions of Approval in writing, submit written consent from the legal landowner (if different from applicant) and be approved by the Planning Manager prior to transfer of the permit being allowed.

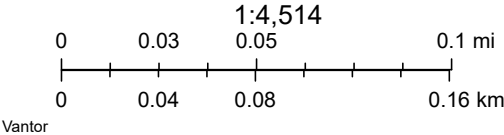
VIOLATIONS OF CONDITIONS OF APPROVAL:

The Applicant shall continue to meet all conditions of this Conditional Use Permit while CUP 2026-013 is in effect.

Any violation of the conditions of approval will be processed in accordance with BCC Title 11, Chapter 11.43 Administration and Disposition of Infractions. If the Conditional Use Permit has been issued and violations exist, the Hearings Examiner may revoke the permit after an open record hearing with notice as set forth in BCC 11.50.050(b), as amended. This condition does not foreclose the County's use of other enforcement mechanisms.



6/30/2026, 1:05:53 PM



Community Development Department
102206 East Wiser Parkway
Kennewick, WA 99338



Planning Division
(509) 786-5612
Planning.department@co.benton.wa.us

CONDITIONAL USE PERMIT APPLICATION

File No. BP#40093

CUP 2026-013

RECEIVED

JUN 30 2026

Benton County
Planning Division

APPLICANT INFORMATION

Please check the box indicating primary contact person for this application

☒ **Name of Applicant/Agent:** WILLIAM J. McNEAL
Mailing Address (with City, State & zip): 113418 N. HARRINGTON RD. WEST RICHLAND, WA 99353
Phone #1: (509) 378-1447 Phone #2: (509) 947-0518
Email Address(es): wilmamcneal@msn.com
Signature: [Signature] Date: 6/30/26

☐ **Name of Property Owner(s) (if different):** CHARLES D. & JENNIFER J. McNEAL
Mailing Address (with City, State & zip): 113422 N. HARRINGTON RD. WEST RICHLAND, WA 99353
Phone #1: (509) 366-6879 Phone #2: _____
Email Address(es): mcnealendofthetrail@gmail.com
XSignature: [Signature] Date: 6/30/2026
XSignature: [Signature] Date: 6-30-2026

*If there are additional owners please copy this section, sign, and attach to the application

If the property is owned by a corporation, trust, partnership or LLC please complete the entity signature block below showing that the person signing has the authority to sign on behalf of the company.

ENTITY SIGNATURE BLOCK

Applicant/Legal Owner name: _____

Applicant/Legal Owner Contact Information: _____

Officer name: _____ Title: _____

Signature: _____ Date: _____

THE ABOVE SIGNED OFFICER OF (name of entity) _____ WARRANTS AND REPRESENTS THAT ALL NECESSARY LEGAL AND CORPORATE ACTIONS HAVE BEEN DULY UNDERTAKEN TO PERMIT (name of applicant) _____ TO SUBMIT THIS APPLICATION AND THAT THE ABOVE SIGNED OFFICER HAS BEEN DULY AUTHORIZED AND INSTRUCTED TO EXECUTE THIS APPLICATION.

Any information submitted to the Benton County Planning Division is subject to public records disclosure law for the State of Washington (RCW Chapter 42.17) and all other applicable law that may require the release of the documents to the public.

PARCEL INFORMATION

1. Subject property address (including city): 113418 N. HARRINGTON RD WEST RICHLAND
2. Parcel number(s): 1-0407 - 401 - 1746 - 007
3. Total Acreage: 5.12
4. Access: ☐ County Road ☐ State Road/Highway ☒ Private Road
5. Utilities:
- Power:** ☐ Benton PUD ☒ Benton REA ☐ Other: _____
- Sewer:** ☒ Septic Tank ☐ City Sewer ☐ Other: _____
- Water:** ☒ Individual well(s) ☐ One well serving 2-4 lots ☐ One well serving 5+ lots
- ☐ City System Provider: _____
- ☐ Private System Provider name and address: _____
- Gas:** ☒ No ☐ Yes Provider name: _____
- Irrigation:** ☐ No ☒ Yes Provider name: BEND IN THE RIVER
- Dept Ecology Water Rights IRRIGATION GROUP
Certificate #54-83869-J (wm)
6. Current use(s) on property: RESIDENTIAL
7. What are you proposing to do that requires a Conditional Use Permit? BUILD A SHOP
WITH AN ADU

For the following proposed uses, please attach the appropriate addendum form:

Business Use, Detached Accessory Dwelling Unit, Child Care Facility (Type B), Bed & Breakfast, Mineral Extraction (Commercial Sand & Gravel), Commercial Kennel, Winery.

8. Additional comments or information: _____
- _____
- _____

If further explanation is needed for any of the questions above, please attach additional pages.

(FOR STAFF USE ONLY) Access: Y N

Application Complete: Y N

Critical Areas: N Y: _____

Zoning: _____

Reviewed by: _____

Date: _____

Any information submitted to the Benton County Planning Division is subject to public records disclosure law for the State of Washington (RCW Chapter 42.17) and all other applicable law that may require the release of the documents to the public.



CONDITIONAL USE PERMIT APPLICATION ADDENDUM DETACHED ACCESSORY DWELLING UNIT

File No. 40093

Applicant Name: WILLIAM J. McNEAL

1. Number of Accessory Dwelling Units currently on the property: NONE
2. Is there a single family dwelling currently on the property? ☒ Yes ☐ No
3. What is the square footage of the main home? 1976 ft²
4. What is the square footage of the proposed Accessory Dwelling Unit? 790 ft²
5. How many bedrooms will be in the Accessory Dwelling Unit? (1) ONE
6. Does the landowner currently have any other land use permits? NO

Please describe the purpose and reason for the Accessory Dwelling Unit:

ADU WILL BE ATTACHED TO A SHOP AND WILL BE USED AS A SPARE BEDROOM FOR COMPANY, POTENTIAL HOUSING FOR OUR AGING PARENTS, AND POTENTIAL HOUSING FOR OUR CHILDREN WHEN THEY ARE OLDER. CURRENT RESIDENCE HAS 4 FAMILY MEMBERS AND 3 BEDROOMS.

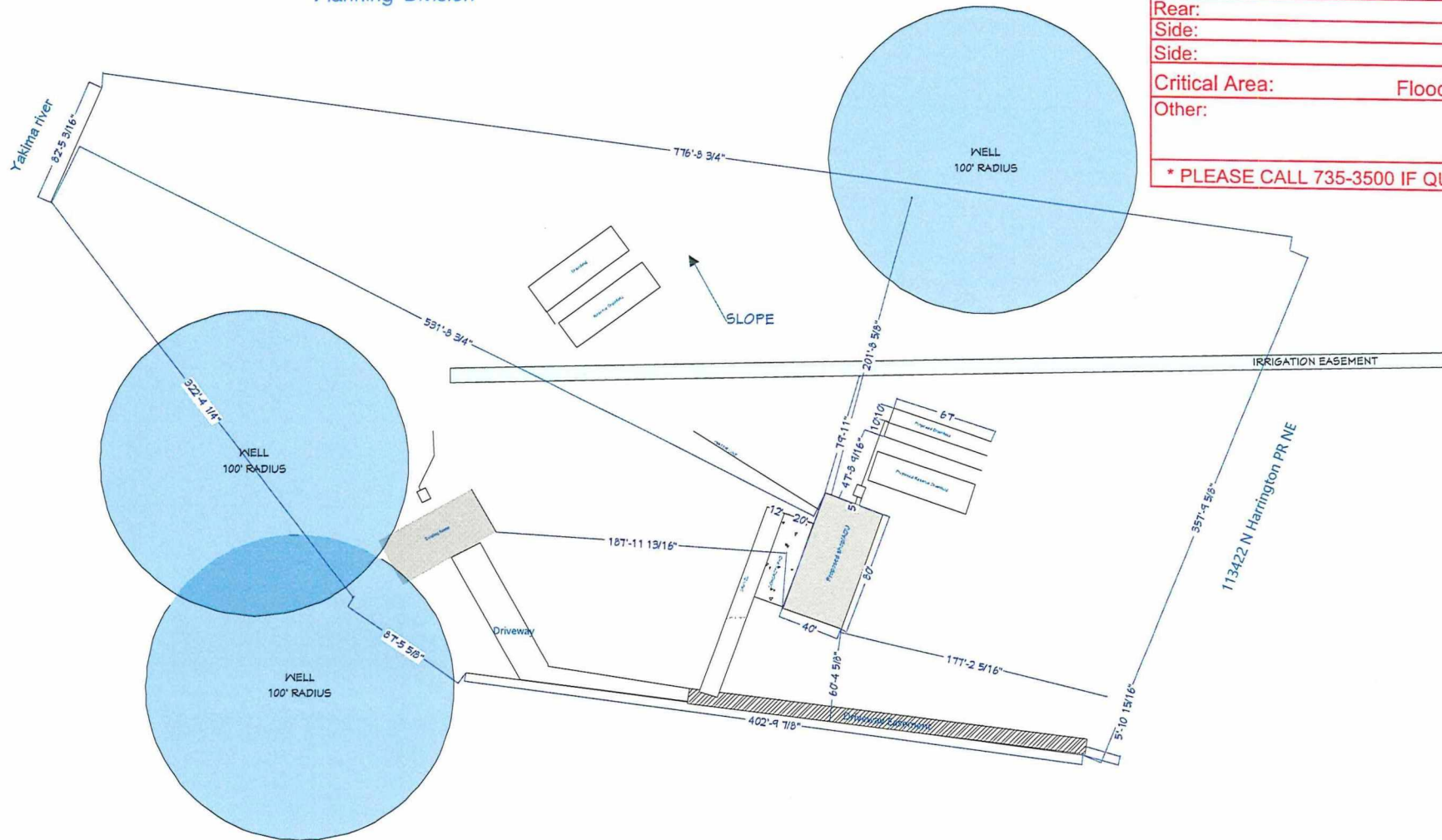
Please provide a site plan that includes the following:

- Outer boundaries and dimensions of the property including access points
- All existing and planned improvements (including accessory buildings, septic, wells, drainfields, etc)
- Location of roads, easements, etc.
- Distance (in feet) from the ADU to the edges of the parcel and to the main house
- Where parking will be for the main home and the ADU
- All entries/exits for the ADU
- Dimensions and use of each room in the ADU

Benton County
Planning Division

HEM 1.4

NAME: MCNEAL	
Structure Type: ADU	
Application #: 40093	
Parcel #: 1-0407-401-1746-007	
Zone:	
Required Setbacks	
Front:	
Rear:	
Side:	
Side:	
Critical Area:	Flood:
Other:	
* PLEASE CALL 735-3500 IF QUESTIONS*	

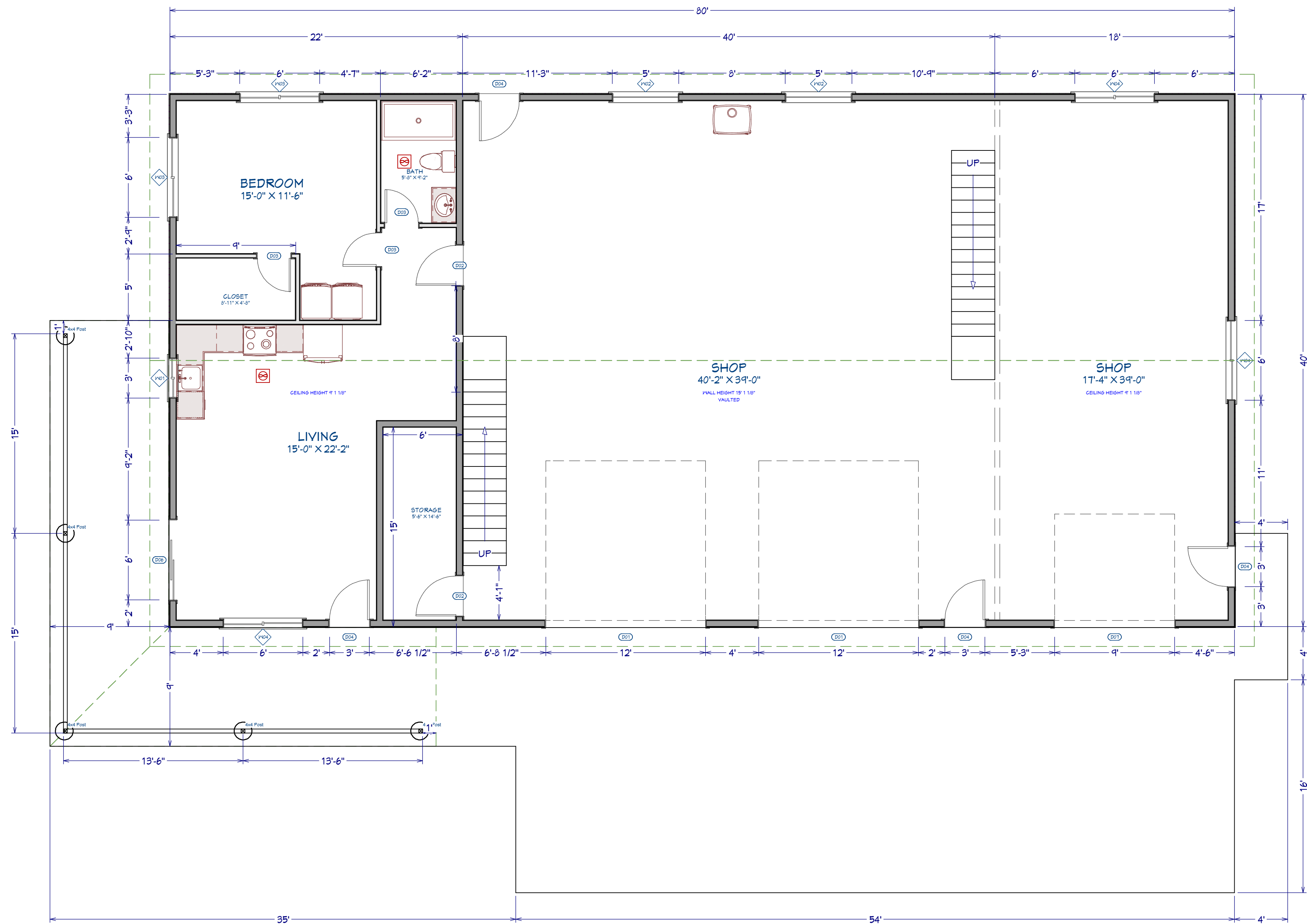


SCALE
1" = 100'

Parcel # 104074011746007

Adjacent properties are grass and trees

5/28/2026



NOTES:

-CENTER WALL HEIGHT TO BE 15' 1 1/8", SIDES TO BE 9' 1 1/8"

MAIN FLOOR PLAN

3/16" = 1'

DOOR SCHEDULE					
NUMBER	QTY	WIDTH	HEIGHT	FIRE	
D01	2	144 "	144 "		
D02	4	36 "	80 "	YES	
D03	3	30 "	80 "		
D04	4	36 "	80 "		
D06	1	72 "	80 "		
D07	1	108 "	96 "		

WINDOW SCHEDULE					
NUMBER	QTY	WIDTH	HEIGHT	EGRESS	DESCRIPTION
W01	1	36 "	36 "		LEFT SLIDING
W02	2	60 "	30 "		FIXED GLASS
W03	2	72 "	48 "	YES	LEFT SLIDING
W04	5	72 "	48 "		LEFT SLIDING

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:

FLOOR PLAN

PROJECT DESCRIPTION:

McNeal Shop
West Richland, WA

DRAWINGS PROVIDED BY:

DATE:

6/23/2026

SCALE:

SHEET:

A-1

Community Development Department

102206 E Wiser Parkway
Kennewick, WA 99338



Planning Division

(509) 786-5612

Planning.department@co.benton.wa.us

HEM 1.5

July 1, 2026

William McNeal
113418 N Harrington Rd
West Richland, WA 99353

Email: wilmamcneal@msn.com

RE: Written Determination of Completeness
File Number: CUP 2026-013

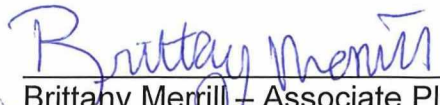
Dear Mr. McNeal,

This office is in receipt of your project permit application for a Conditional Use Permit for a detached Accessory Dwelling Unit. We have determined that the required materials have been submitted and the application is complete. A file number has been assigned (CUP 2026-013) and the review process will now begin.

Although this office has determined that your application is complete, more clarification or information may be needed from you as we go through the review process. Additional information and/or permits may be required from other agencies including, but not limited to, the Benton County Building Division, the Benton-Franklin Health District, and the Washington State Department of Health.

If you have any questions regarding this matter, do not hesitate to contact this office.

Sincerely,


Brittany Merrill – Associate Planner
Benton County Planning Division

cc: mcnealendofthetrail@gmail.com

Community Development Department

102206 E Wiser Parkway
Kennewick, WA 99338



Planning Division

(509) 786-5612

Planning.department@co.benton.wa.us

HEM 1.6

July 1, 2026

Benton County Building Division
Benton County Code Enforcement
Benton County Fire District #4
Benton County Fire Marshal
Benton County Public Works Department
Benton County Rural Water Supply Coordinator
Benton-Franklin Health District
Benton REA
City of West Richland

RE: Agency review of a Conditional Use Permit application
File #: CUP 2026-013
Parcel #: 1-0407-401-1746-007
Applicant: William McNeal

Attached is a Conditional Use Permit application for your agency's review.

The applicant is proposing to construct a 790 sq. ft. detached accessory dwelling unit within a shop on a parcel with an existing 1,976 sq. ft. single family residence. The project is located in the West Richland area of unincorporated Benton County within the Rural Lands 5 Acre Zoning District. Parcel number 1-0407-401-1746-007.

PLEASE SUBMIT YOUR COMMENTS to Planning.department@co.benton.wa.us by **July 16th, 2026**. Please reference file number **CUP 2026-013** in all correspondence.

If you have any questions or need more time to review the application, please contact the Planning Division at (509) 786-5612 or to the email above.

Thank you,

Benton County Planning Division

From: Rural Water Supply Program
Sent: Wednesday, July 1, 2026 3:53 PM
To: Planning Department
Subject: RE: Agency Review - CUP 2026-013 McNeal (ADU)

Good afternoon,

This property is located within Benton County's Rural Water Supply Program which requires the new dwelling unit to obtain a water mitigation certificate or provide evidence of a valid domestic water right for the new dwelling unit. Additionally, the new dwelling unit will require a water meter to be installed to monitor water usage for compliance with the Rural Water Supply Program.

Please contact Brittany Merrill at 509-786-5612 with the Planning Division for more information.

Thank you,



Brittany Merrill
Associate Planner
Community Development Dept.
Planning Division
102206 E. Wiser Parkway
Kennewick WA 99338
Phone: (509)786-5612 Ex. 3007
Brittany.Merrill@co.benton.wa.us

NOTICE OF PUBLIC DISCLOSURE: This e-mail account is public domain. Any correspondence from or to this email account may be a public record. Accordingly, this email, in whole or in part, may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.

From: Planning Department <Planning.Department@co.benton.wa.us>
Sent: Wednesday, July 1, 2026 3:36 PM
To: Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Troy Taylor <Troy.Taylor@co.benton.wa.us>; Code Enforcement <code.enforcement@co.benton.wa.us>; pcarlyle@bcfd4.org; Gary Tiplady <Gary.Tiplady@co.benton.wa.us>; Cristina Woods <Cristina.Woods@co.benton.wa.us>; Shane Elledge <Richard.Elledge@co.benton.wa.us>; Dylan Krantz <Dylan.Krantz@co.benton.wa.us>; Carrie Hoburg <Carrie.Hoburg@co.benton.wa.us>; Rural Water Supply Program <Rural.Water@co.benton.wa.us>; erin.hockaday@bfhd.wa.gov; Jodeer@bfhd.wa.gov; deana.chiodo@bfhd.wa.gov; ccooke@bentonrea.org; jabrown@bentonrea.org; emendenhall@westrichland.org
Cc: Brittany Merrill <Brittany.Merrill@co.benton.wa.us>
Subject: Agency Review - CUP 2026-013 McNeal (ADU)

From: Britton Booker <Britton.Booker@bfhd.wa.gov>
Sent: Thursday, July 2, 2026 11:59 AM
To: Planning Department
Subject: [EXTERNAL] Fw: Agency Review - CUP 2026-013 McNeal (ADU)
Attachments: #28180 - New System - Shop-ADU - Revised.pdf

Good morning,

BFHD has no issue with construction of the ADU. A septic permit has already been issued for the project. Please see attached Septic Permit #28180.

Thank you.

Britton Booker
Environmental Health Specialist I
Land Use, Sewage and Water Section

Benton-Franklin Health District

7102 W. Okanogan Place
Kennewick, WA 99336
Office: 509-460-4335

From: Planning Department <Planning.Department@co.benton.wa.us>
Sent: Wednesday, July 1, 2026 3:36 PM
To: Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Troy Taylor <Troy.Taylor@co.benton.wa.us>; Code Enforcement <code.enforcement@co.benton.wa.us>; pcarlyle@bcfd4.org; Gary Tiplady <Gary.Tiplady@co.benton.wa.us>; Cristina Woods <Cristina.Woods@co.benton.wa.us>; Shane Elledge <Richard.Elledge@co.benton.wa.us>; Dylan Krantz <Dylan.Krantz@co.benton.wa.us>; Carrie Hoburg <Carrie.Hoburg@co.benton.wa.us>; Rural Water Supply Program <Rural.Water@co.benton.wa.us>; Erin Hockaday <erin.hockaday@bfhd.wa.gov>; JoDee Peyton <Jodeer@bfhd.wa.gov>; Deana Chiodo <deana.chiodo@bfhd.wa.gov>; ccooke@bentonrea.org; jabrown@bentonrea.org; emendenhall@westrichland.org
Cc: Brittany Merrill <Brittany.Merrill@co.benton.wa.us>
Subject: Agency Review - CUP 2026-013 McNeal (ADU)

Good afternoon,

Attached you will find the necessary application materials for William McNeal who is requesting a Conditional Use Permit to construct a 790 sq. ft. detached accessory dwelling unit within a shop on a parcel with an existing 1,976 sq. ft. single family residence located at 113418 N Harrington Rd in West Richland.

Please review and provide any comments by **July 16, 2026.**

Have a wonderful evening,



BENTON-FRANKLIN HEALTH DISTRICT
7102 W OKANOGAN PLACE KENNEWICK, WA 99336

Sewage Disposal System Construction Permit

Owner:
CHARLES MCNEAL
113422 N Harrington Rd
West Richland WA 99353

Permit Number: 28180 - Shop / ADU
Date Permit Issued: 05/26/2026
Date Permit Expires: 05/26/2027
County: Benton

Location Information

Property Address
113418 N Harrington Rd

Subdivision/Legal:
SHORT PLAT 1746

City: West Richland

Block:
Lot: 3

Parcel Number: 1-0407-101-1746-007

This system shall be installed by a licensed installer and be inspected and approved by the Benton-Franklin Health District before being covered. This permit shall expire one year from the date of issuance.

This permit has been issued based upon presently known site conditions and the information contained on the permit application. Any construction taking place on said property must be as indicated on the permit or revocation of this permit may result. This permit is subject to all applicable zoning laws, and it is the permittee's responsibility to comply with said laws prior to system installation. All construction taking place shall be in compliance with Benton-Franklin Health District Rules and Regulations No. 2.

General Information

Type of Structure: Accessory Dwelling Unit / Shop

Number of Bedrooms: 2

Designed by: Home Owner

Average Daily Flow: 180

Type of System: Conventional Gravity

Maximum Daily Flow: 240

Treatment Level: E

Pretreatment Information

Septic Tank Size: 1000 gal.
Depth of Burial: 0 inches
Outlet Baffle Filter:
Pump Chamber Size: gal.
Dose Volume: gal.
Dose Height: inches

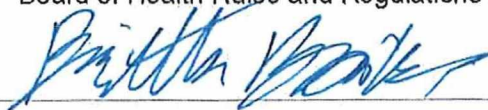
Drainfield Information

Drainfield size: 600 sf.
Drainlines length: 67 feet
Drainlines number: 3
Maximum trench depth: 36 inches
Aggregate depth: 12 inches
Distribution: Distribution Box

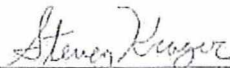
Conditions

- Follow approved plot plan, maintain all setbacks.
- All tank lids, including but not limited to septic tanks, pump chambers, and pump basins must have access from surface grade.
- All distribution boxes must have access from surface grade.
- Observation ports are required at the end of all laterals.
- All septic system components must maintain a minimum ten foot (10') setback from any pressurized water supply line.
- There must be at least one capped cleanout between outlet of the sewer line from the structure and the septic tank as well as every fifty feet (50') and prior to turns.
- Maintain 100' minimum from subsurface sewage disposal system to all wells.
- Maintain 50' minimum from septic tank to all wells.
- Maintain positive drainage away from the drainfield.
- Divert roof drains and surface water from drainfield area.
- Approval of the system plans, requirements for site modification, and permit issuance is not to be construed as permission by this department to trespass or alter neighboring properties.
- At such time as a failure to the system occurs, all sewage generating activities must cease until such time as appropriate repairs can be made (i.e. additional site modifications and/or installation of the replacement area.)
- The sewage disposal system must be installed by a septic installer licensed within the Benton-Franklin Health District.

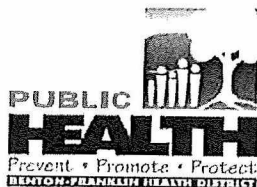
This permit to install an on-site sewage system is granted in accordance with Benton-Franklin District Board of Health Rules and Regulations No. 2



Britton Booker
Environmental Health Specialist/Technician



Steven Krager, MD, MPH
District Health Officer



Benton Franklin Health District

7102 W. Okanogan Place
Kennewick WA 99336
(509)460-4205

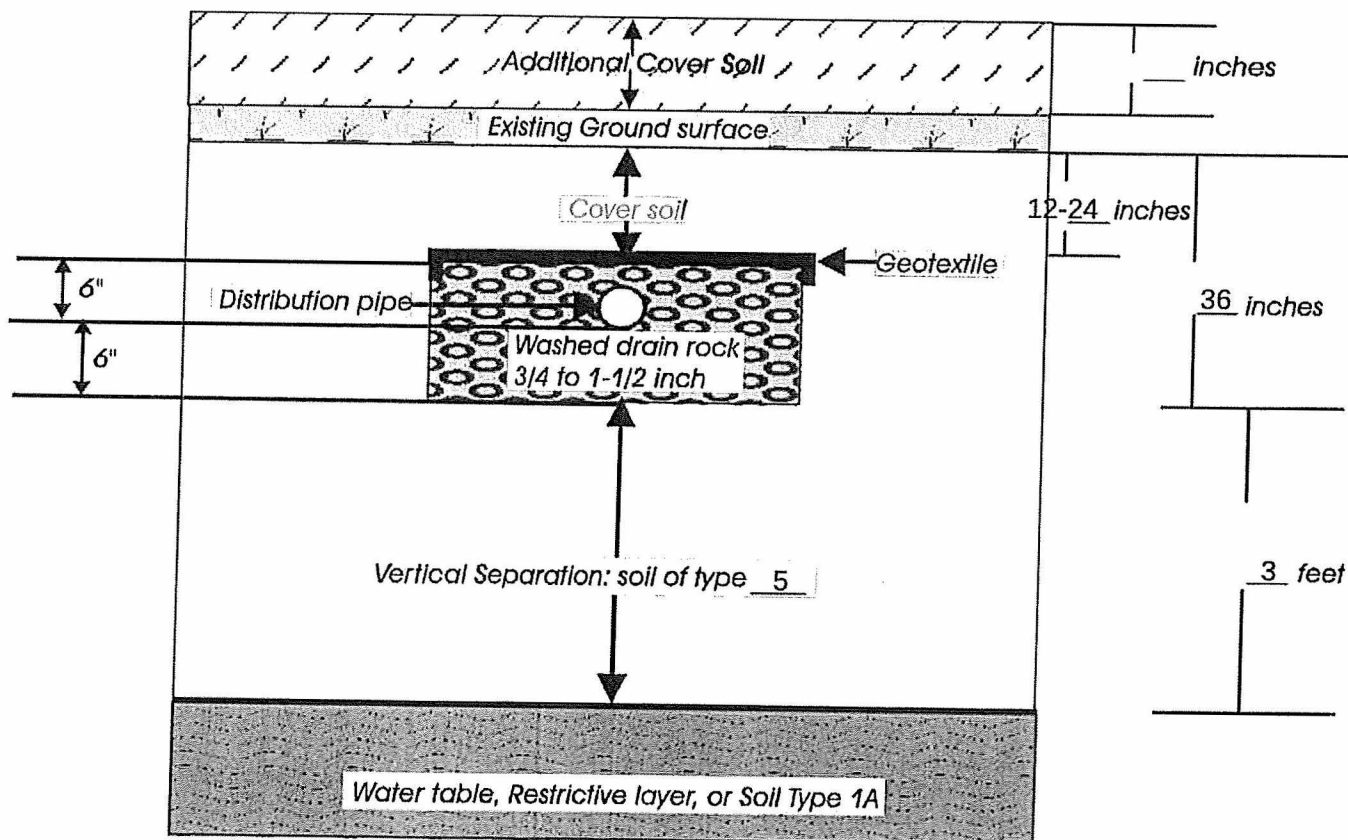
Water Supply: SFW

Parcel ID#: 1-0407-101-1746-007

Property Owner: CHARLES MCNEAL

Permit #: 28180

DRAINFIELD CROSS-SECTION



Comments:

Environmental Health
7102 W. Okanogan Place
Kennewick WA 99336
Phone: (509) 460-4205

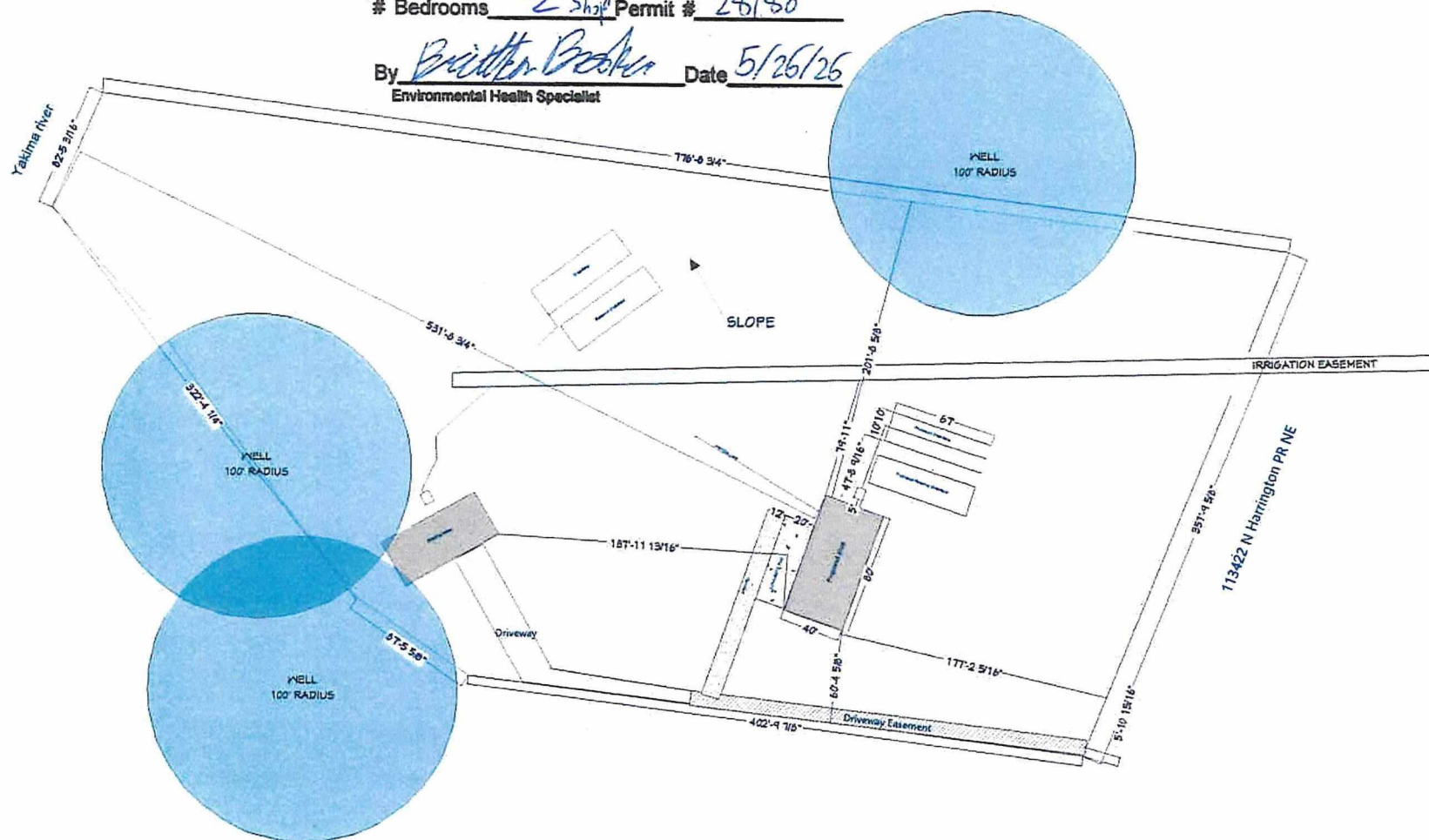
Pasco Office
412 W. Clark Street
Pasco WA 99301
Phone: (509) 547-9737

These plans have been reviewed and approved in accordance with BFHD's R&R#2

Absorption area 600 sq. ft.

Bedrooms 2 Shop Permit # 28/80

By Britter Becker Date 5/26/26
Environmental Health Specialist



SCALE
1" = 100'

Parcel # 104074011746007

Adjacent properties are grass and trees

5/22/2026

From: Troy Taylor
Sent: Wednesday, July 8, 2026 10:08 AM
To: Planning Department
Subject: RE: Agency Review - CUP 2026-013 McNeal (ADU)

Building- comply with all applicable current Benton County and fire codes.

From: Planning Department <Planning.Department@co.benton.wa.us>
Sent: Wednesday, July 1, 2026 3:36 PM
To: Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Troy Taylor <Troy.Taylor@co.benton.wa.us>; Code Enforcement <code.enforcement@co.benton.wa.us>; pcarlyle@bcfd4.org; Gary Tiplady <Gary.Tiplady@co.benton.wa.us>; Cristina Woods <Cristina.Woods@co.benton.wa.us>; Shane Elledge <Richard.Elledge@co.benton.wa.us>; Dylan Krantz <Dylan.Krantz@co.benton.wa.us>; Carrie Hoburg <Carrie.Hoburg@co.benton.wa.us>; Rural Water Supply Program <Rural.Water@co.benton.wa.us>; erin.hockaday@bfhd.wa.gov; Jodeer@bfhd.wa.gov; deana.chiodo@bfhd.wa.gov; ccooke@bentonrea.org; jabrown@bentonrea.org; emendenhall@westrichland.org
Cc: Brittany Merrill <Brittany.Merrill@co.benton.wa.us>
Subject: Agency Review - CUP 2026-013 McNeal (ADU)

Good afternoon,

Attached you will find the necessary application materials for William McNeal who is requesting a Conditional Use Permit to construct a 790 sq. ft. detached accessory dwelling unit within a shop on a parcel with an existing 1,976 sq. ft. single family residence located at 113418 N Harrington Rd in West Richland.

Please review and provide any comments by **July 16, 2026.**

Have a wonderful evening,

From: Shane Elledge
Sent: Monday, July 13, 2026 3:53 PM
To: Planning Department
Subject: RE: Agency Review - CUP 2026-013 McNeal (ADU)

Good afternoon,

Public Works has no comments.

Thank you.



R. Shane Elledge, LSIT • *Engineering Associate*
Benton County Public Works
102206 Wiser Parkway , Kennewick WA, 99338
(509) 786-5611 Ext: 5531

From: Planning Department <Planning.Department@co.benton.wa.us>
Sent: Wednesday, July 1, 2026 3:36 PM
To: Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Troy Taylor <Troy.Taylor@co.benton.wa.us>; Code Enforcement <code.enforcement@co.benton.wa.us>; pcarlyle@bcfd4.org; Gary Tiplady <Gary.Tiplady@co.benton.wa.us>; Cristina Woods <Cristina.Woods@co.benton.wa.us>; Shane Elledge <Richard.Elledge@co.benton.wa.us>; Dylan Krantz <Dylan.Krantz@co.benton.wa.us>; Carrie Hoburg <Carrie.Hoburg@co.benton.wa.us>; Rural Water Supply Program <Rural.Water@co.benton.wa.us>; erin.hockaday@bfhd.wa.gov; Jodeer@bfhd.wa.gov; deana.chiodo@bfhd.wa.gov; ccooke@bentonrea.org; jabrown@bentonrea.org; emendenhall@westrichland.org
Cc: Brittany Merrill <Brittany.Merrill@co.benton.wa.us>
Subject: Agency Review - CUP 2026-013 McNeal (ADU)

Good afternoon,

Attached you will find the necessary application materials for William McNeal who is requesting a Conditional Use Permit to construct a 790 sq. ft. detached accessory dwelling unit within a shop on a parcel with an existing 1,976 sq. ft. single family residence located at 113418 N Harrington Rd in West Richland.

Please review and provide any comments by **July 16, 2026.**

Have a wonderful evening,



HEM 1.11

NOTICE OF OPEN RECORD HEARINGS

NOTICE IS HEREBY GIVEN that the following applications have been proposed to the Hearings Examiner for Benton County, Washington. An open public record hearing for the below stated applications will be held on **August 21, 2026**, at 10 a.m. via in person and virtual meeting format in the Commissioners Room on the third floor of the Courthouse, 620 Market Street, Prosser WA. To find information on attendance options, please visit <https://tinyurl.com/BCHearingExaminerPublicNotice>.

CONDITIONAL USE PERMIT – CUP 2026-012 The applicant, Travis Mullins, is proposing to construct an 800 sq. ft. detached accessory dwelling unit on a parcel with an existing 2,210 sq. ft. single family residence. The project is located at 217205 E Finley, Kennewick, WA 99336.

CONDITIONAL USE PERMIT – CUP 2026-013 The applicant, William McNeal, is proposing to construct a 790 sq. ft. detached accessory dwelling unit within a shop on a parcel with an existing 1,976 sq. ft. single family residence. The project is located at 113418 N Harrington Rd, West Richland, WA 99353.

CONDITIONAL USE PERMIT – CUP 2026-0014 The applicant, Michael Cook, is proposing to construct an 800 sq. ft. detached accessory dwelling unit on a parcel with an existing 12,428 sq. ft. single family residence. The project is located at 15602 N Hinerling Rd, Prosser, WA 99350.

Questions can be directed to the Planning Division at 509-786-5612 or at planning.department@co.benton.wa.us. Written comments regarding the above applications must be received by **August 18, 2026** via email or submitted to the Planning Division office at the Public Services Building, 102206 E Wiser Parkway, Kennewick, WA 99338. Any information submitted to Benton County is subject to the public records disclosure laws for the State of Washington (RCW Chapter 42.17) and all other laws that may require the release of the documents to the public.

No individual with a disability shall be denied the benefit of participating in such meetings. If you wish to use auxiliary aids or require assistance to comment at a public meeting, please contact the Benton County Planning Division at least ten days prior to the meeting date to make arrangements for special needs.

Dated this July 31, 2026

PUBLICATION DATE: August 5, 2026

SUSAN E. DRUMMOND
Benton County Hearings Examiner

Andrea Watts – Planning Supervisor
Community Development Department

Jill James

HEM 1.12

From: Andrea Watts
Sent: Monday, August 17, 2026 2:04 PM
To: Marissa and Will MCNEAL
Cc: mcnealendofthetrail@gmail.com; Planning Department; Brittany Merrill
Subject: RE: CUP 2026-013 - Hearings Examiner Packet

Good afternoon,

Thank you for the clarification on your application and I understand your concern. The address of the landowners should be 113422 Harrington Rd so we will update our file and inform the Hearings Examiner.

Additionally, regarding your concern about the landowner living on the adjacent property, we do not think this requires more attention. The reason being that per "*RCW 36.70A.681 Accessory dwelling units—Limitations on local regulation*" we are limited in what we can enforce when it comes to the subject of owner occupancy. We still have to make the finding within the staff memo due to the way our County Code is written but enforcing owner occupancy is not something we can legally do in your situation.

Regards,



Andrea Watts

Planning Supervisor

Benton County Community Development Department
Planning Division
102206 E. Wiser Pkwy, Kennewick, WA 99338
Andrea.watts@co.benton.wa.us
(509) 786-5612

From: Planning Department <Planning.Department@co.benton.wa.us>
Sent: Monday, August 17, 2026 1:16 PM
To: Marissa and Will MCNEAL <wilmamcneal@msn.com>; Brittany Merrill <Brittany.Merrill@co.benton.wa.us>; Andrea Watts <Andrea.Watts@co.benton.wa.us>
Cc: mcnealendofthetrail@gmail.com; Planning Department <Planning.Department@co.benton.wa.us>
Subject: RE: CUP 2026-013 - Hearings Examiner Packet

Hi William,

Thank you for your email. I'm looping in your assigned Planner and our Planning Supervisor. One of them will be in touch soon to answer your question.

We'll be in touch on Wednesday with instructions on how to attend either online/in-person if you'd like to attend.

Best,

Jill James

From: Marissa and Will MCNEAL <wilmamcneal@msn.com>
Sent: Monday, August 17, 2026 12:52 PM
To: Planning Department
Cc: mcnealendofthetrail@gmail.com
Subject: [EXTERNAL] Re: CUP 2026-013 - Hearings Examiner Packet

HEM 1.13

Jill,

Thank you for the information. We appreciate the Planning Department's recommendation for approval of the CUP.

We would like to seek confirmation/clarification on the suggested condition of approval #3, requiring the landowners to occupy the property as their primary residence. I am the applicant and resident of more than ten years at 113418 Harrington Rd, property. My parents are the landowners of the subject property and live next door at 113422 Harrington Rd, adjacent to the subject property. This information was included with the original permit application, but the Findings of Fact do not appear to accurately reflect that. I understand the intent of the condition and believe our circumstances meet that, but want to ensure this acceptable ahead of going before the Hearings Examiner.

In short, the property owner currently lives in the residence on the adjacent lot. If or when the property owner no longer resides on the adjacent lot or in the proposed ADU, the subject property will be ceded to the applicant who does reside in the residence on the subject lot.

Is something that will need further attention, or does this meet the intent of the suggested conditions?

Thank you,
William McNeal
509-378-1447

Sent from my iPhone

On Aug 14, 2026, at 8:21 AM, Planning Department
<Planning.Department@co.benton.wa.us> wrote:

Good afternoon Mr. McNeal,

Attached you will find the agenda and packet for your project (CUP 2026-013), which is going before the Hearings Examiner next Friday, August 21st at 10am in the Prosser Courthouse. We will reach out next Wednesday with directions on attending in person, as well as electronically, if you would like to attend.