

EXHIBIT LIST FOR CUP 2014-003
APPLICANT: ADAM/MARIA MILANEZ

The Exhibit Numbers are located in the top right hand corner of each document.

BOAM – Board of Adjustment Record Exhibits

BOAR – Board of Adjustment Memo Exhibits

BOAH 1 - Documents submitted during the hearing

BOARD OF ADJUSTMENT STAFF MEMO EXHIBIT LIST			
BOAM 1 INCLUDES	EXHIBIT #	DOCUMENT NAME	DATE
	BOAM 1.1	Staff Memo	June 27, 2014
	BOAM 1.2	Notice of Open Record Hearing	June 19, 2014
	BOAM 1.3	Notice of Application	June 5, 2014
	BOAM 1.4	Determination of Nonsignificance	June 23, 2014
	BOAM 1.5	Benton County Code Enforcement	June 6, 2014
	BOAM 1.6	Benton County Sheriff	June 6, 2014
	BOAM 1.7	Washington State Dept. Transportation	June 9, 2014
	BOAM 1.8	Sunnyside Valley Irrigation District	June 12, 2014
	BOAM 1.9	Benton County Fire Marshal	June 18, 2014
	BOAM 1.10	Benton Franklin Health District	June 17, 2014
	BOAM 1.11	Department of Ecology	June 19, 2014
	BOAM 1.12	Benton County Public Works Dept.	June 20, 2014
	BOAM 1.13	Benton County Sheriff	June 24, 2014
	BOAM 1.14	Site Map	June 6, 2014
	BOAM 1.15	Aerial Map	June 1, 2014
	BOAM 1.16 to BOAM 1.19	Pictures of the site taken by Benton County Code Enforcement	May 29, 2014
BOARD OF ADJUSTMENT RECORD EXHIBIT LIST			
BOAR 1 INCLUDES	EXHIBIT #	DOCUMENT NAME	DATE
	BOAR 1.1	Conditional Use Permit Application	June 2, 2014
	BOAR 1.2	Environmental Checklist	May 29, 2014
	BOAR 1.3 to BOAR 1.6	Pictures of the site	June 2, 2014
	BOAR 1.7	Site Map submitted by applicant	June 2, 2014
	BOAR 1.8	Letter from Gary Heslop	June 5, 2014
BOARD OF ADJUSTMENT HEARING EXHIBIT LIST JULY 10, 2014			
BOAH 1 INCLUDES	EXHIBIT #	DOCUMENT NAME	DATE
	BOAH 1.1		

Benton County Planning Department

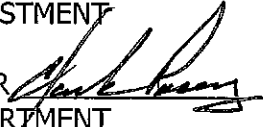
Planning Annex, P.O. Box 910, 1002 Dudley Avenue, Prosser WA 99350, Phone: (509) 786-5612 or (509) 736-3086, Fax (509) 786-5629

DATE: JUNE 26, 2014

BOAM 1.1

MEETING DATE: JULY 10, 2014

TO: BENTON COUNTY BOARD OF ADJUSTMENT

FROM: CLARK A. POSEY, SENIOR PLANNER 
BENTON COUNTY PLANNING DEPARTMENT

RE: CONDITIONAL USE PERMIT – CUP 2014-003

APPLICANTS/
PROPERTY OWNERS: ADAM & MARIA MILANEZ
16302 N. BONE ROAD
PROSSER, WA 99350-9243

PARCEL NUMBER: 1-2994-200-0011-002

SPECIFIC REQUEST: The applicants are seeking a Conditional Use Permit for the operation of an event center for weddings, reunions, anniversaries, birthday parties, etc. (Wine Country Gardens). The events are to be conducted on a 4.77 acre parcel of land. The property is in the Rural Lands 5 Zoning District. This property is located in an area of single-family residential homes and large pastures and grape fields. Two existing buildings are presently being used on the property: (1) 800 sq. ft. kitchen, restroom and bride's room and (2) the other building a 4,200 sq. ft. covered outside patio with an outdoor refreshment area, band area and dance floor.

LOCATION: The property is at 16302 N. Bone Road - Prosser, WA 99350 in the East Half of the Northeast Quarter of the Southeast Quarter of the Northwest Quarter in Section 29, Township 9 North, Range 24 East, W.M.

ZONING & COMPREHENSIVE PLAN DESIGNATION: The subject and surrounding properties are designated as Rural Lands 5.

STATE ENVIRONMENTAL POLICY ACT: A Determination of Non-Significance was issued on June 23, 2014 relative to the facts submitted to the Planning Department on this action. The Environmental Assessment was processed under the requirements of the Washington State Environmental Policy Act. Environmental Impact Statement is not required.

PUBLIC NOTICE:

The application for CUP 2014-003/EA 2014-019 was submitted to the Benton County Planning Department on June 2, 2014. The application was declared complete for processing and routing for comments on June 4, 2014. The Notice of Application for Environmental Review was mailed out to property owners within 300 ft. of the subject property on June 6, 2014 and reviewing agencies.

The notice for the Benton County Board of Adjustment Open Record Hearing for application CUP 2014-003 was published on Wednesday, June 25, 2014 in the Tri-City Herald and mailed to property owners of record within 300 feet of the outer boundaries of the parcel. The Open Record Hearing is scheduled for July 10, 2014.

APPLICABLE DEVELOPMENT REGULATIONS

BENTON COUNTY CODE SECTION 11.16A.050: USES REQUIRING A CONDITIONAL USE PERMIT.

The following uses may be permitted on a single parcel of record within the Rural Lands Five Acre District (RL-5) if the Benton County Board of Adjustment issues a CUP after a public hearing as provided in BCC 11.52.090:

BENTON COUNTY CODE SECTION 11.16A.050(o):

As a Conditional Use Permit in the Rural Lands 5 Zoning District a reception facility with a capacity not to exceed two hundred (200) attendees may be allowed.

BENTON COUNTY CODE SECTION 11.52.090(a):

Conditional Use/Special Permit General Standards. The conditional use permit application process allows the Board of Adjustment 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 Board of Adjustment to ensure 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 11.52.089.

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/Special Permit may be transferred by a holder thereof after written notice to the Board of Adjustment; 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 BCC 11.52.070.

BENTON COUNTY CODE SECTION 11.52.090(d):

Conditional Use/Special Permit Granted or Denied. The Benton County Board of Adjustment will consider the proposed Conditional Use Permit application at an open record hearing. A Conditional Use Permit shall be granted only if the Board of Adjustment can make findings of fact based on the evidence presented sufficient to allow the Board of Adjustment 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 applicant zoning district as a result of 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.

If reasonable conditions cannot be imposed so as to allow the Board of Adjustment to make the conclusions required above, the conditional use permit application shall be denied.

BENTON COUNTY CODE SECTION 6A.15.040 PUBLIC NUISANCE NOISE-UNLAWFUL:

It is unlawful for any person to make, continue, or cause to be made or continued or to allow to originate from his or her personal or real property any public nuisance noise which:

(a) Is plainly audible within any dwelling unit which is not the source of the sound or is generated within two hundred (200) feet of any dwelling; and,

(b) Either annoys, disturbs, injures or endangers the health, comfort, repose, peace or safety of others.

(c) Benton County Code Section 6A.15.050(p) provides that sounds created by un-amplified human voices from 6:00 a.m. to 10:00 p.m. are exempt from the provisions of Benton County Code 6A.15 and are not considered public nuisance noises.

AGENCY COMMENTS

a. **Benton County Public Works Department:** The proposed CUP is located on a County Road. Commercial access onto Bone Road must be constructed to have a paved apron constructed to BCC Standard Plan 96-05.

b. **Benton Franklin Health District:** See Exhibit No. BOAM 1.10

c. **Department of Ecology:** See Exhibit No. BOAM 1.11

d. **Fire Marshal:** See Exhibit No. BOAM 1.9

e. **Building Department:** The Building will require a Change of Use Permit for the

event center. In addition, any structures that have been constructed or are involved with the event center would require building permits.

f. Sunnyside Valley Irrigation District (SVID): See Exhibit No. BOAM 1.8

g. Benton Public Utility District (PUD): No comments.

h. Benton County Sheriff's Office: The Sheriff's Office had some concerns over a previous event that took place at the facility where a fight did break out and law enforcement had to be called. No other problems have been reported. See Exhibit Nos. BOAM 1.6 and BOAM 1.13

i. Benton County Code Enforcement: See Exhibit No. BOAM 1.5 and BOAM 1.16 to BOAM 1.19

j. Washington State Department of Transportation: No comments with regards to this proposal. Exhibit No. BOAM 1.7

PLANNING DEPARTMENT DISCUSSION

1. This application is for an Event Center for weddings, receptions, reunions, birthdays etc. (Wine Country Gardens). The events are to be conducted on a 4.77 acre parcel of land. The property is in the Rural Lands 5 Zoning District. This property is located in an area of single-family residential homes and large pastures and grape fields. Two existing buildings are presently on the property: (1) 800 sq. ft. kitchen, restroom and brides' room and (2) the other building is a 4,200 sq. ft. covered outside patio with an outdoor refreshment area and dance floor.

2. The applicants will have 100 on-site parking spaces in a gravel parking lot. The application provides that the maximum persons attending an event would be 200, which is consistent with the maximum allowed by BCC 11.160.050(0).

3. The applicant's property has a graveled parking area, with its own separate approach onto Bone Road.

4. Benton County Code Section 6A.15.050(p) provides that sounds created by normal un-amplified human voices from 6:00 a.m. to 10:00 p.m. are exempt from the provisions of Benton County Code 6A.15 and are not considered public nuisance noises.

5. The septic system was designed and installed as a single-family residential system: not for a commercial operation for up to 200 patrons. Additionally, the business must be served by an approved public water supply in accordance with WAC 246.291. The septic and drain field area must be improved to meet current health regulations.

6. In addition to considering the impacts of the proposed use, the Board must also consider any evidence presented regarding any similar impacts of uses allowed outright in this zone, and if such evidence is received, compare those impacts to those of the proposed use.

7. If negative impacts are identified, the Board must try to identify reasonable conditions that would mitigate those impacts sufficiently to allow the Board to make the findings necessary to grant the permit. The applicants may be asked to identify reasonable conditions, but the Board may independently identify conditions. Further, an applicants' disagreement with a particular condition should not dissuade the Board from granting the permit with such condition(s), as opposed to outright denial, if the Board is able to conclude that the condition(s) is/are reasonable in their judgment.

PLANNING STAFF FINDINGS OF FACT

The applicants have hosted a few functions prior to the application permitting process. The application was submitted in response to a Benton County Code Enforcement inquiry:

The following findings of fact are based on comments received up to the date of this staff memo dated June 26, 2014. Any comments received after the completion of this staff memo or submitted during the advertised public hearing of CUP 2014-003 will need to be considered by the Board of Adjustment and may be added to the findings as set forth below. The Board may decide to adopt these findings as their own or amend/add to these Findings of Fact to the proposed listed conditions after holding the open public hearing.

Based on the information received to date the Planning Staff makes the following findings:

1. The applicants/property owners are Adam & Maria Milanez.
2. The property is located at 16302 N. Bone Road. Prosser, WA 99350 in the South Half of the South Half of the Northeast Quarter and a portion of the East Half of the Northeast Quarter all in Section 29, Township 9 North, Range 24 East W.M.
3. Conditional Use Permit Application CUP 2014-003 is an application for an Event Center for meetings, weddings, reunions, and birthday parties etc. (Wine Country Gardens). The events are to be conducted on a 4.77 acre parcel of land. The property is in the Rural Lands 5 Zoning District.
4. The proposed use for CUP 2014-003 is allowable by Conditional Use Permit as stated in BCC Section 11.16A.050(o) if approved by the Benton County Board of Adjustment.
5. The application for CUP 2014-003 was submitted to Benton County Planning Department on June 2, 2014. The application was declared complete for processing on June 4, 2014. The agency review letter was mailed out on June 6, 2014.
6. The notice for the Benton County Board of Adjustment Open Record Hearing for application CUP 13-02 was published on Wednesday, June 25, 2014 in the Tri-City Herald and mailed to property owners of record within 300 feet of the outer boundaries of the parcel on June 23, 2014. The Open Record Hearing is scheduled for July 10, 2014.
7. The proposed use would add at least 200 trips per event on county maintained Bone Road.

8. The applicants have not submitted any evidence that the impacts of the event center would be greater than any outright permitted use in the Rural Lands 5 Zoning District.
9. The applicants are providing 100 on-site parking spaces in a graveled parking lot
10. Currently, the septic system on the property was designed and installed for a three bedroom home and not for a commercial event operation. An approved on-site septic system must be installed and approved by the Benton/Franklin County Health Department before operation of the event center.
11. The facility must be served by an approved public water supply in accordance with WAC 246.291, and the Washington State Department of Health.
12. The renting party would be responsible to obtain a banquet license or whatever license would be required from the State of Washington if alcohol is to be served at any event. (This is State law not an action enforced by the county).

CONDITIONS OF APPROVAL

If the Board of Adjustment decides to approve this Conditional Use Permit Application CUP 2014-003 based on the information presented at the public hearing and after making such findings that support that decision, the Planning Department would recommend that the following conditions be reviewed and considered by the Board of Adjustment:

1. Applicants shall not conduct any of the activities within the scope of Conditional Permit CUP 2014-003 until the applicants are in compliance with all the Conditions set forth herein. The applicants shall notify the Benton County Planning Department in writing when the conditions set forth herein have been completed. The Planning Department shall not issue the conditional use permit until those conditions have been met. The Conditional Use Permit shall not become effective until issued by the Planning Department.
2. If the conditions of approval have not been met and the Planning Department does not issue the conditional use permit within one (1) year from the time the Board of Adjustment conditionally approved the conditional use permit, the Board of Adjustment may declare its approval null and void at a regular Board of Adjustment meeting. Prior to doing so, the applicants shall be notified in writing at the applicants' last known address at least twelve (12) days in advance of the upcoming Board of Adjustment meeting.
3. Per Benton County Code, Section 11.16.050(o). Use shall be limited to an event facility with a capacity not to exceed two hundred (200) attendees.
4. That the applicants provide written verification to the Benton County Planning Department that all requirements of the Benton Franklin Health District for the use of an on-site septic system has been approved prior to operation. The applicants shall continue to meet all such requirements while Conditional Use Permit CUP 2014-003 is in effect.

5. The drain field and replacement areas must remain unencumbered and not used for parking or storing of any vehicles or equipment.
6. That the applicants provide written verification to the Benton County Planning Department that all requirements of the Washington State Department of Ecology for a Group B Public Water Supply System has been completed and approved. The applicants shall continue to meet all such requirements of the Department of Ecology while Conditional Use Permit CUP 2014-003 is in effect.
7. That the applicants provide written verification to the Benton County Planning Department that all building permits required of the Benton County Building Department have been obtained and any additional buildings are permitted and will meet current building code standards. The applicants shall continue to meet all such requirements while Conditional Use Permit CUP 2014-003 is in effect.
8. Applicants are subject to Benton County Code Section 6A.15.050(p) provides that sounds created prior to 6:00 a.m. or after 10:00 p.m. are to be considered a public noise nuisance. Amplified music must be contained within an enclosed building. The applicants shall continue to meet such requirements while Conditional Use Permit CUP 2014-003 is in effect.
9. If food is to be prepared on site, the applicants must obtain a Food Service Sanitation Permit per Washington Administrative Code (WAC 256-215) issued by the Benton-Franklin Health District.
10. That the applicants are to provide a parking plan showing where the parking will take place. Parking is limited to 100 (one hundred) cars. No additional parking will be allowed along the public right-of-way. No parking shall be allowed on adjoining properties not under the ownership of the parent parcel. The applicants shall continue to meet all such requirements while Conditional Use Permit CUP 2014-003 is in effect.
11. The applicants need to maintain an emergency response and designated fire lane open and unobstructed at all times during an event at the facility. This plan is to be coordinated and approved by the Benton County Fire Marshal, Benton County Fire District #3 and the Benton County Sheriff's Office. The applicants shall continue to meet all such requirements while Conditional Use Permit CUP 2014-003 is in effect.
12. That the approval of this conditional use permit does not in any way give the applicant approval for on-site distribution or consumption of alcoholic beverages. The rules and regulations of the Washington State Liquor Control Board must be followed. Appropriate permits or licenses must be obtained for any alcohol consumption on the premises. The applicants shall continue to meet all such requirements while Conditional Use Permit CUP 2014-003 is in effect.
13. Owners/operators shall be responsible to obtain and comply with any applicable federal, state, and local laws, and must obtain all necessary permits and approvals prior to operation.

14. That any waste created in association with the business as a result of this conditional use permit must be disposed of off-site in a timely manner and in compliance with all local, state and/or federal regulations. The applicant shall continue to meet all such requirements while Conditional Use Permit CUP 13-06 is in effect.

15. A parking attendant located at the entrance and exit of the event center and Bone Road will be required to facilitate the traffic entering and leaving the property in an orderly manner and the applicants shall provide to the Benton County Sheriff's Office a security/crowd control plan outlining how crowd control and security will be implemented during events. Suggested is to have at least one (1) security/crowd control person for every one-hundred (100) attendees. The applicants shall continue to meet this requirement while Conditional Use Permit CUP # 2014-003 is in effect.

Benton County Planning Department

Planning Annex, P.O. Box 910, 1002 Dudley Avenue, Prosser WA 99350, Phone: (509) 786-5612 or (509) 736-3086, Fax (509) 786-5629

NOTICE OF OPEN RECORD HEARING(S)

NOTICE IS HEREBY GIVEN that the following application(s) has been proposed to the Benton County Board of Adjustment, Benton County, Washington.

CONDITIONAL USE PERMIT – CUP 2014-003/EA 2014-019: The applicants are seeking a Conditional Use Permit for the operation of an event center for weddings, reunions, anniversaries, birthday parties, etc. (Wine Country Gardens). The events are to be conducted on a 4.77 acre parcel of land. The property is in the Rural Lands 5 Zoning District. This property is located in an area of single-family residential homes and large pastures and grape fields. Two existing buildings are presently on the property: (1) 800 sq. ft. kitchen, restroom and brides' room and (2) the other building a 4,200 sq. ft. covered outside patio with an outdoor refreshment area and dance floor. The application was deemed complete for processing on June 4, 2014.

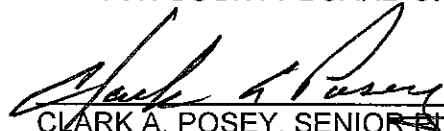
LOCATION: The property is at 16302 N. Bone Road - Prosser, WA 99350 in the East half of the Northeast quarter of the Southeast Quarter of the Northwest Quarter in Section 29, Township 9 North, Range 24 East W.M. Applicants: Adam/Maria Milanez

NOTICE IS GIVEN that said application(s) will be considered by the Board of Adjustment of Benton County, Washington at the public hearing(s) on **Thursday, July 10, 2014 beginning at the hour of 7 p.m. in the Planning Annex – 1002 Dudley Avenue – Prosser, WA 99350.** All concerned persons may appear and present any support for or objections to the application(s) or provide written testimony to the Board of Adjustment in care of the Planning Department on or before the date of the hearing(s). More information concerning these actions can be obtained by contacting Clark A. Posey, Senior Planner at the Benton County Planning Department, 1002 Dudley Avenue, P O Box 910, Prosser, WA 99350 or by calling 736-3086 (Tri-Cities) or 786-5612 (Prosser).

It is Benton County's policy that no qualified individual with a disability shall, by reason of such disability be excluded from participation in or be denied the benefits of its services, programs, or activities or be subjected to discrimination. If you wish to use auxiliary aids or require assistance to comment at this public meeting, please download and submit the Accommodation Request Form 48 hours prior to the date of the meeting. The form is located on the Benton County website which is www.co.benton.wa.us under the Personnel Department or contact the Benton County Planning Department at the numbers noted above for assistance. **NOTE: ANY INFORMATION SUBMITTED TO BENTON COUNTY IS SUBJECT TO THE 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.** It is suggested that if you plan on attending the hearing that you call the Benton County Planning Department the afternoon of the hearing by 4 p.m. to confirm that the hearing will be conducted as scheduled.

Dated this 19th day of June, 2014.

BRENT CHIGBROW, Chairman
BENTON COUNTY BOARD OF ADJUSTMENT



CLARK A. POSEY, SENIOR PLANNER
BENTON COUNTY PLANNING DEPARTMENT

PUBLISH: Wednesday, June 25, 2014

Benton County Planning Department

Planning Annex, P.O. Box 910, 1002 Dudley Avenue, Prosser WA 99350, Phone: (509) 786-5612 or (509) 736-3086, Fax (509) 786-5629

BOAM 1.3

NOTICE OF APPLICATION

NOTICE IS HEREBY GIVEN that there has been proposed to the Benton County Planning Department the following application:

EA 2014-019/CUP 2014-003 - The applicants are requesting a conditional use permit for the operation of an event center. The application was deemed complete for processing June 4, 2014. The site is located at 16302 North Bone Road – Prosser WA in the East Half of the Northeast Quarter of the Southeast Quarter of the Northwest Quarter in Section 29, Township 9 North, Range 24 East, W.M. Applicants: Adam/Maria Milanez.

NOTICE IS GIVEN that said proposal has been reviewed under the requirements of the State Environmental Policy Act. The Benton County Planning Department expects to issue a Determination of Non-Significance (DNS) with respect to this proposal and its environmental impacts utilizing the optional DNS process set forth in WAC 197-11-355. A copy of the subsequent threshold determination for this proposal may be obtained from the Benton County Planning Department.

NOTICE IS GIVEN that all concerned persons will have fourteen (14) days from the date of publication of this notice to comment in writing on these actions. This comment period may be the only opportunity to comment on the environmental impacts of this proposal. Comments should be submitted to the Benton County Planning Department, P.O. Box 910, Prosser, WA 99350 or by email to planning.department@co.benton.wa.us. Any information submitted to Benton County is subject to the 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.

Contact Clark Posey – Senior Planner at the Benton County Planning Dept. P.O. Box 910, Prosser, WA, or by calling Prosser - 786-5612 or Tri-Cities - 736-3086, to obtain more information concerning these actions.

Dated at Prosser, Washington on this 5th day of June, 2014.


CLARK A. POSEY, SENIOR PLANNER
BENTON COUNTY PLANNING DEPARTMENT

PUBLISH ON MONDAY, JUNE 9, 2014

DETERMINATION OF NONSIGNIFICANCE**BOAM 1.4**

Description of proposal: The applicants are seeking a Conditional Use Permit for the operation of an event center for weddings, reunions, anniversaries, birthday parties, etc. (Wine Country Gardens). The events are to be conducted on a 4.77 acre parcel of land. The property is in the Rural Lands 5 Zoning District. This property is located in an area of single-family residential homes and large pastures and grape fields. Two existing buildings are presently on the property: (1) 800 sq. ft. kitchen, restroom and brides' room and (2) the other building a 4,200 sq. ft. covered outside patio with an outdoor refreshment area and dance floor.

Proponent Adam/Maria Milanez
16302 N Bone Road
Prosser, WA 99350

File No. EA 2014-019

Location of proposal: The property is at 16302 N. Bone Road - Prosser, WA 99350 in the East Half of the Northeast Quarter of the Southeast Quarter of the Northwest Quarter in Section 29, Township 9 North, Range 24 East W.M.

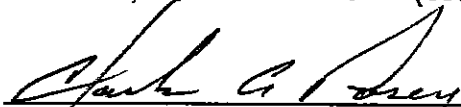
Lead agency **BENTON COUNTY**

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

THERE IS NO COMMENT PERIOD FOR THIS DNS DETERMINATION

Responsible Official **MICHAEL E. SHUTTLEWORTH, PLANNING MANAGER**
Benton County Planning Dept.
Post Office Box 910 PHONE: (509) 786-5612
Prosser, WA 99350-0910 (509) 736-3086

Date June 23, 2014


CLARK A. POSEY, SENIOR PLANNER

☒ There is no agency appeal.

DISTRIBUTION:

Benton County Building Office/Benton County Code Enforcement
Department of Natural Resources
Benton Clean Air Authority
Benton County Engineer
Benton-Franklin Dist. Health Department
Department of Transportation
Washington State Department of Health
Department of Ecology - Olympia Yakima
Fire District No. 3
Benton County Fire Marshal
Dept. of Fish and Wildlife
Dept. of Reclamation
Dept. of Archeological/Historic Preservation
Bureau of Land Management
Futurewise
Natural Resources Conservation District
Dept. of Agriculture
Corps of Engineers
SVID

Carel Hiatt

From: Dale Wilson
Sent: Friday, June 06, 2014 3:30 PM
To: Planning Department
Subject: RE: Conditional Use Permit - CUP 2014-003 Utility Review

Part of the conditions for approval need to include that the property owners seek the required Building Department permits for the change in use since the garage is being utilized as restrooms, kitchen, and bride's room. The other structure used for the dance/band area might also require a change in use permit as it is no longer being used as a storage garage as originally permitted.

Once all the permits are obtained and required inspections are authorized the code enforcement case would be closed.

Dale Wilson
Benton County
Code Enforcement Officer
(509)222-2301
dale.wilson@co.benton.wa.us

From: Planning Department
Sent: Friday, June 06, 2014 3:26 PM
To: Jeff Liner; Dale Wilson; Carlos Trevino; Steven Keane; Clay Vannoy; Benton-Franklin Dist. Health Dept.; Fire District No. 3 ; Wash. St. Dept. of Health; Wash. St. Dept. of Health; Washington State Dept. of Health ; Dale Wilson; Ken Williams; Michelle Johnson; Rick Hall; Rod Worthington; Steve Brown; Tomi Chalk; Benton PUD - Klander; Benton PUD - Sunford; Benton PUD - Vosahlo; BENTON, PUD - Smith; Sunnyside Valley Irrigation District; Sunnyside Valley Irrigation District
Subject: Conditional Use Permit - CUP 2014-003 Utility Review

Please review the attached documentation and submit any comments within a seven day period. If additional time is needed or there are questions with regards to this application, please contact the Benton County Planning Department. The pictures submitted by the applicant are a bit dark, so if you need a hard copy of these documents, please let the Planning Department know, thank you.

Thank you

Benton County Planning Department
P O Box 910
Prosser, WA 99350
Tel: 509-786-5612 – Prosser
Tel: 736-3086 – Tri-Cities
Fax: 509-786-5629

RECEIVED

JUN - 6 2014

Benton County
Planning Department

Carel Hiatt

From: Carlos Trevino
Sent: Friday, June 06, 2014 4:10 PM
To: Planning Department; Jeff Liner; Dale Wilson; Steven Keane; Clay Vannoy; Benton-Franklin Dist. Health Dept.; Fire District No. 3 ; Wash. St. Dept. of Health; Wash. St. Dept. of Health; Washington State Dept. of Health ; Dale Wilson; Ken Williams; Michelle Johnson; Rick Hall; Rod Worthington; Steve Brown; Tomi Chalk; Benton PUD - Klander; Benton PUD - Sunford; Benton PUD - Vosahlo; BENTON, PUD - Smith; Sunnyside Valley Irrigation District; Sunnyside Valley Irrigation District
Subject: RE: Conditional Use Permit - CUP 2014-003 Utility Review

My only concern is related to the disturbance that occurred a couple of weekends ago that I have already documented and sent to Clark Posey. The venue was way over capacity (several hundred people) and a large fight broke out in the parking lot. There was only two security guards that could not control the situation. We required assistance from other law enforcement agencies to bring the situation under control.

I have concerns that similar problems will continue if the capacity is not controlled and there is insufficient security present. I am not opposed to the issuance of the permit, but I think the owner should be aware of our concern and that future similar problems will be reported to the Planning Department.

From: Planning Department
Sent: Friday, June 06, 2014 15:26
To: Jeff Liner; Dale Wilson; Carlos Trevino; Steven Keane; Clay Vannoy; Benton-Franklin Dist. Health Dept.; Fire District No. 3 ; Wash. St. Dept. of Health; Wash. St. Dept. of Health; Washington State Dept. of Health ; Dale Wilson; Ken Williams; Michelle Johnson; Rick Hall; Rod Worthington; Steve Brown; Tomi Chalk; Benton PUD - Klander; Benton PUD - Sunford; Benton PUD - Vosahlo; BENTON, PUD - Smith; Sunnyside Valley Irrigation District; Sunnyside Valley Irrigation District
Subject: Conditional Use Permit - CUP 2014-003 Utility Review

Please review the attached documentation and submit any comments within a seven day period. If additional time is needed or there are questions with regards to this application, please contact the Benton County Planning Department. The pictures submitted by the applicant are a bit dark, so if you need a hard copy of these documents, please let the Planning Department know, thank you.

Thank you

Benton County Planning Department
P O Box 910
Prosser, WA 99350
Tel: 509-786-5612 – Prosser
Tel: 736-3086 – Tri-Cities
Fax: 509-786-5629

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JUN - 6 2014

Benton County
Planning Department

Clark Posey

From: Holmstrom, Rick <HolmstR@wsdot.wa.gov>
Sent: Monday, June 09, 2014 8:50 AM
To: Clark Posey
Cc: Gonseth, Paul
Subject: Milanez
Attachments: Notice of Application for EA 2014-019 - Adam/Maria Milanez

Clark-WSDOT has not comments or concerns for this proposal.

rick

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JUN - 9 2014

Benton County
Planning Department

June 12, 2014

Clark A. Posey, Senior Planner
Benton County Planning/Building Department
Planning Annex
P.O. Box 910
Prosser, WA 99350

Re: File No. **EA 2014-019 / CUP 2014-003**
Parcel: **1-2994-200-0011-002**
Landowners: **Adam Milanez and Maria Milanez**

Dear Mr. Erickson:

This office has reviewed the proposed project. Sunnyside Valley Irrigation District (SVID) has the following comments:

1. SVID does have a facility, 50.35AA, within the parcel for development. This facility runs along the eastern boundary of the above referenced parcel. As long as the proposed development is not within the eastern 35 feet of the parcel, it will not affect our facility. Please contact the District for specific details and location of our facilities if any development work is to be within the eastern 35 feet of the parcel.
2. Runoff and/or crossings into or across any SVID facility will not be allowed unless it is approved through the permitting process.
3. Buildings, permanent structures, or trees will not be allowed within SVID easements or right-of-way.
4. Obstructions, shrubbery, and landscaping will not be allowed within SVID easements or right-of-way without permits.

Thank you for the opportunity to comment on this proposed project. If you have any questions, please feel free to contact Tinker Kouyian at (509) 837-6980 or Kouyiant@SVID.org.

Sincerely,



Ron C. Cowin, P.E.
Assistant Manager – Engineering

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JUN 16 2014

Benton County
Planning Department

Benton County Fire Marshal's Comments
Planning Department's Referral Forms

BOAM 1.9

TO: Clark Posey

EA 14-19 & CUP 14-03

Date Received 6-6-14

Date Returned 6-18-14

Applicant's Comments: Adan Milanez, 16302 N. Bone Rd., Prosser 99350 proposes to operate an outdoor event center called Wine Country Gardens at their home. Activities will be held under a covered patio.

Fire Marshal's Comments: None at this time.

Should the Milanezs decide to enclose the patio a building permit will be required, and the building will be required to meet the adopted Building and Fire Codes at that time. This may very well require the installation of a fire sprinkler system.

Requirements: None at this time.

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JUN 18 2014

Benton County
Planning Department

Clark Posey

From: Shawn Brown <shawnb@bfhd.wa.gov>
Sent: Tuesday, June 17, 2014 5:23 PM
To: Clark Posey
Cc: Carel Hiatt
Subject: CUP 2014-003 Milanez

RECEIVED

JUN 18 2014

**Benton County
Planning Department**

Dear Mr. Posey:

This office has reviewed our database and determined that this property was approved for a single family residence containing a maximum of three bedrooms. The home is served by an alternative-type septic system, a Mound system, and is also served by a single family well. Prior to this office granting approval for the utilization of a wedding facility the following requirements must be met:

1. The well serving this property must be approved as a public water supply. Because of the increased setback requirements to a public water supply, any septic system components currently within the wells 100' radius must be moved so that it is at least 100' away from the well.
2. The proposed wedding facility must be served by an on-site septic system that has been permitted, inspected and approved by this office. Due to the temporary, part-time nature of a wedding facility it has been determined that a holding tank may be used to service the facility.
3. The applicant will need to contact this office to determine whether their proposal will require the issuance of a food permit. If it is determined that this will be a requirement, then the applicant must apply for and be granted a food permit for the proposed wedding facility prior to the issuance of a septic system permit.

Please contact me with any questions, thank you.

Shawn Brown
Environmental Health Specialist II
(509)460-4320
Benton-Franklin Health Department
7102 W. Okanogan Place Kennewick, WA

IMPORTANT: *Email coming & going from our agency is not protected, thus client information can not be shared in this format. Please use voicemail or fax for client communication. The contents of this email and any attachments are confidential. They are intended for the named recipient(s) only. If you have received this email in error, please notify the system manager or the sender immediately and do not disclose the contents to anyone or make copies thereof.*



BOAM 1.11

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

June 19, 2014

Clark Posey
Benton County Planning
P.O. Box 910
Prosser, WA 99350

Re: EA 2014-019

Dear Mr. Posey:

Thank you for the opportunity to comment during the optional determination of nonsignificance process for the operation of an event center, proposed by Adam and Maria Milanez. We have reviewed the documents and have the following comments.

WASTE 2 RESOURCES

The applicant should consider designing and constructing the facility so opportunities to recycle are at least as convenient as waste disposal. Space should be provided inside and outside the facility to accommodate equipment and containers for processing and storage of recyclables. Materials such as paper, glass, aluminum and other metals, corrugated containers, and plastics should be recycled. For more information contact Trent Hurlbut at (509) 575-2782 or thur461@ecy.wa.gov.

Sincerely,

Gwen Clear
Environmental Review Coordinator
Central Regional Office
(509) 575-2012

3151

RECEIVED

JUN 23 2014

**Benton County
Planning Department**



Clark Posey

From: Jeff Liner
Sent: Friday, June 20, 2014 1:53 PM
To: Planning Department
Subject: RE: Notice of Application for EA 2014-019 - Adam/Maria Milanez

My one comment is that they need to pave the approach in accordance with Standard Detail 96-05 Multi-Use Approach

Thanks,

Jeff Liner

Engineer II

Benton County Public Works

509-786-5611 Local

509-736-3084 Tri Cities

RECEIVED

JUN 19 2014

**Benton County
Planning Department**

From: Planning Department
Sent: Friday, June 06, 2014 1:23 PM
To: Dale Wilson; Dept. of Natural Resources ; Dept. of Natural Resources; Dept. of Natural Resources; Dept. of Natural Resources; Jeff Liner; Benton-Franklin Dist. Health Dept.; Dept. of Transportation, TDM Coordinator Planning Supervisor; Dept. of Transportation Paul Gonseth; gcle461@ecy.wa.gov; Department of Ecology; Department of Ecology - SEPA Unit; Fire District No. 3 ; Department of Fish/Wildlife Hayes; Dept. of Fish and Wildlife, Eric Bertrand; Bureau of Land Management; Dept Historic/Archeology; Department of Agriculture; Natural Resources Conservation Service; Carlos Trevino; Clay Vannoy; Steven Keane; Dale Wilson; Ken Williams; Michelle Johnson; Rick Hall; Rod Worthington; Steve Brown; Tomi Chalk; Department of Natural Resources; Dept. Natural Resources; Dept. of Natural Resources; Benton Clean Air Authority (robin.priddy@bentoncleanair.org); BENTON CLEAN AIR QUALITY (alex.sligar@bentoncleanair.org); rob.rodger@bentoncleanair.org; tyler.thompson@bentoncleanair.org; Wash. St. Dept. of Health; Wash. St. Dept. of Health; Washington State Dept. of Health ; Dept. of Ecology, Donna Bunten; Shannon Wilson; US Corps of Engineers (cenww-re@usace.army.mil); US Corps of Engineers (tim.r.erkel@usace.army.mil); BUREAU, RECLAMATION; cgarner (cgarner@usbr.gov); chelberg (chelberg@usbr.gov); tmccoy (tmccoy@usbr.gov); Dept. of Archeological/Historic Preservation; Futurewise; Futurewise ; Futurewise
Subject: Notice of Application for EA 2014-019 - Adam/Maria Milanez

Attached to this email is a copy of the Environmental Checklist and reviewing maps/pictures of the site. Please review this document and submit any comments within the 14 day comment period. This Notice of Application will be published in the Tri-City Herald on Monday, June 6, 2014. If you have questions with regards to these documents, please contact Clark A. Posey, Senior Planner at clark.posey@co.benton.wa.us or by phone at 509-786-5612.

Thank you.

Benton County Planning Department
P O Box 910
Prosser, WA 99350
Tel: 509-786-5612 – Prosser
Tel: 736-3086 – Tri-Cities
Fax: 509-786-5629

Clark Posey

From: Carlos Trevino
Sent: Tuesday, June 24, 2014 2:56 PM
To: Clark Posey
Subject: RE: 16302 N Bone Rd- Prosser

JUN 24 2014

Benton County
Planning Department

The patrol deputies the night of June 14th reported that there were no problems. The only incident is the one that I have already sent to you regarding the fight in the parking lot.

From: Clark Posey
Sent: Tuesday, June 24, 2014 14:54
To: Carlos Trevino
Subject: RE: 16302 N Bone Rd- Prosser

Sgt. Carlos Trevino,

I'm in the middle of typing a Staff Report for the application of the Event Center at 16302 N Bone Rd .(Milanez)
I was curious if there were any problems on the 14th of June (wedding) or anything else that may have gone on in the past.

Zoning does allow an activity like this in this zone Rural Lands 5 as long as all the conditions placed by the BC Board of Adjustment are met.

We will limit the patrons to 200.

Benton County does not have Business Licenses, Businesses are by Conditional Use.

I would appreciate any other input or comments you may have.

Thank you,

Clark

From: Carlos Trevino
Sent: Tuesday, May 27, 2014 3:37 PM
To: Clark Posey
Subject: 16302 N Bone Rd- Prosser

Hi Clark,

Reference our earlier conversation, we responded to a large fight this past Saturday night at 16302 N Bone Rd. This location is a new event center to rent for receptions, parties, etc. This evening there were several hundred people in attendance. There were two private security guards present. After the scene was under control, I spoke to Adan Castillo Milanez, 09-16-74, 832-1969.

Milanez told me that he is the owner of the property and that he had recently built and opened the location for host events through private parties. He told me that this night he rented out the center for a reception. I asked him if he had a business license and he said that his wife called to find out about one, but it sounded like they told her they did not

need one. I asked him if the renter had a banquet permit from the liquor control board (alcohol was present). He said that he did not know.

This evening there were several hundred people in attendance with only two private security guards who were unable to control the melee in the parking lot. One individual suffered several head injuries as a result of the fight.

We will advise if we continue to have problems at the venue for the board's review.

Sgt. Carlos Trevino
Benton County Sheriff's Office
Gang Enforcement Team (GET)
7122 W Okanogan Place, Bldg #B
Kennewick, WA 99336
(509) 735-6555 ext 3839
(509) 727-8788- Cellular

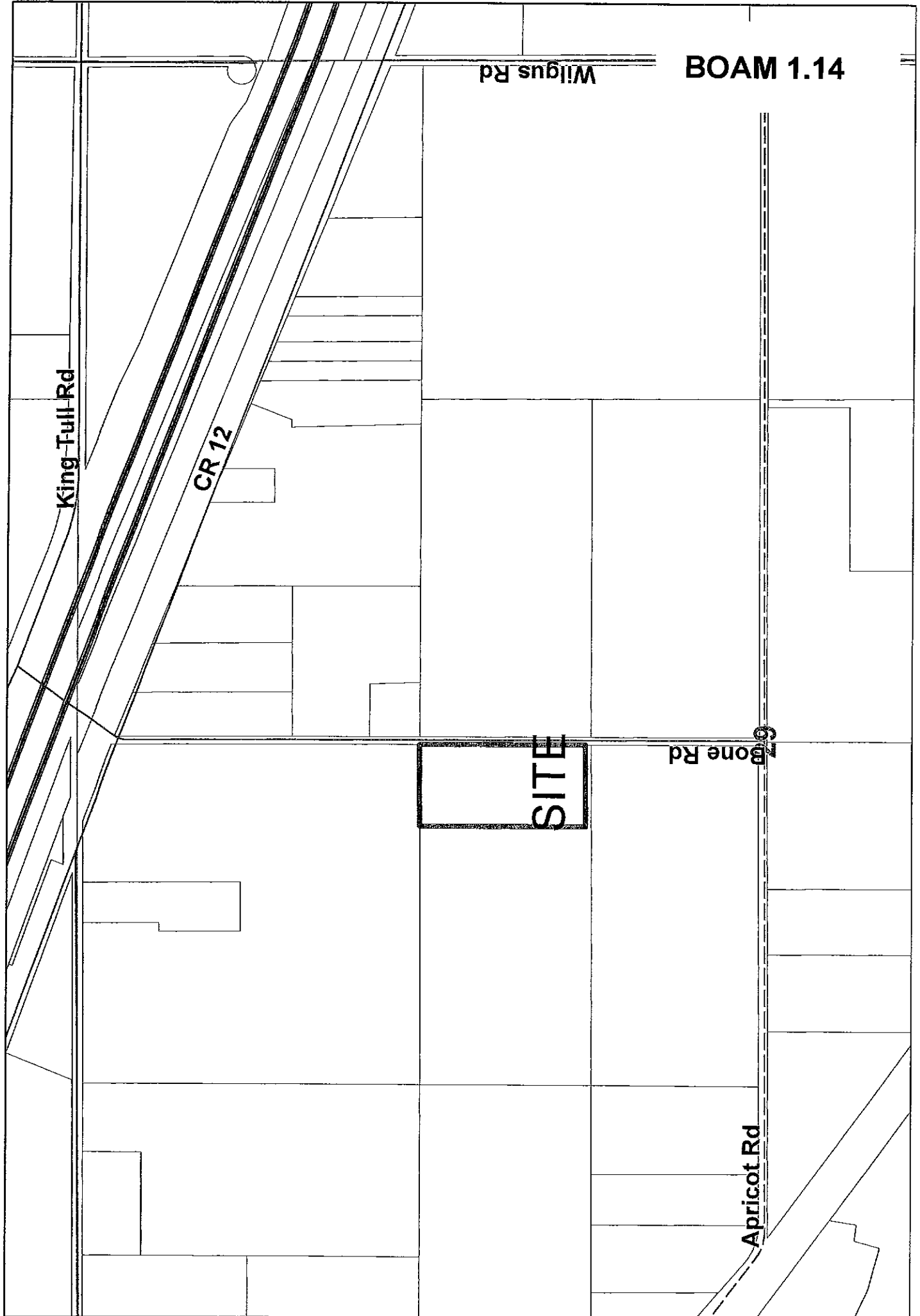




BENTON COUNTY
PLANNING
DEPARTMENT

SECTION 29, TOWNSHIP 9 NORTH, RANGE 24 EAST, W.M.
CUP # 2014-003 & EA # 2014-009
ADAM & MARIA MILANEZ 1-2994-200-0011-002
MAP PRINTED: JUNE 6, 2014

Benton County does not warrant, guarantee, or
accept liability for accuracy of the information shown
herein. This information is a product of the Benton County
Geographic Information Systems and is prepared
for presentation purposes only.





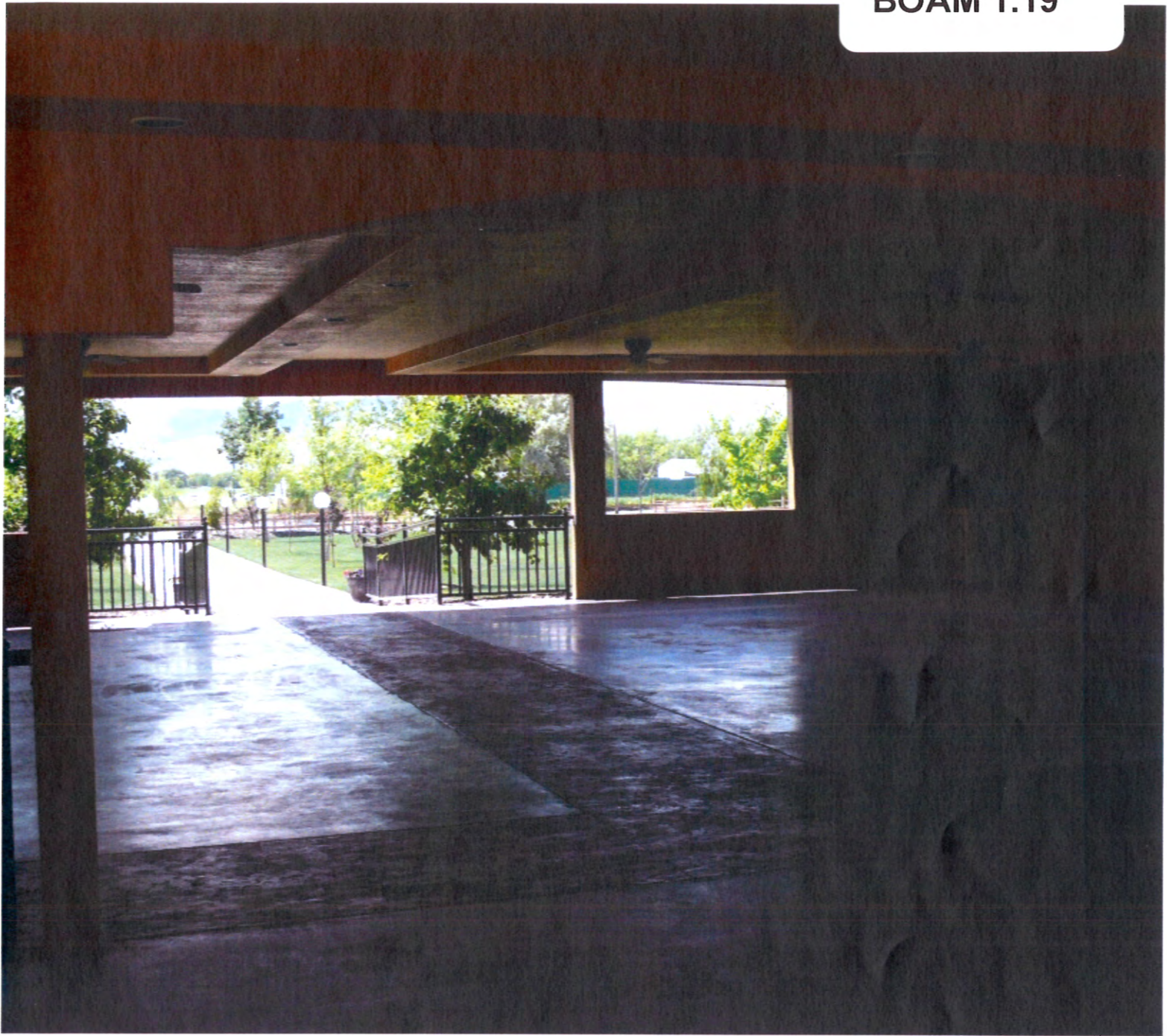
BOAM 1.15

BONE ROAD









BOAR 1.1

BENTON COUNTY PLANNING DEPARTMENT CONDITIONAL USE/SPECIAL PERMIT APPLICATION

FILE NO. CEP 2014-009
EA 2014-009 019

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JUN 2 2014

Benton County

Planning Department

1. Applicant Name Adam Milanez
Applicant Address: 16302 Nth Bone Rd. Prosser wa. 99350
Telephone number: Home (509) 832-1969 Work Same
2. Legal owners name: Adam Milanez
Legal Owners address: 16302 Nth Bone Rd. Prosser wa. 99350
Telephone number: Home (509) 832-1969 Work Same
3. Parcel Number or Legal description of property for which permit is for: 129942000011002 (SEE ATTACHED ASSESSOR SHEET)
4. If you are amending a previous conditional use/special use permit - please list the file number(s): N/A
5. The Conditional Use/Special Permit is requested to conduct the following use: **Please be as specific and detailed as possible. Use additional paper if necessary.**
QUINCINERAS And Wedding Reception
6. The property will be served by:
WATER: Well ☒ Private System _____ City System _____
SEWER: Septic Tank ☒ City Sewer _____
POWER: PUD ☒ REA _____
PHONE: Yes _____ No ☒ Name of Utility N/A
GAS: Yes _____ No ☒ Name of Utility N/A
CABLE: Yes _____ No ☒ Name of Utility N/A
IRRIGATION: Yes ☒ No _____ Name of Utility SunnySide Irrigation
PRIVATE IRR. Yes _____ No ☒
7. Total acres of property: 4.77 Zoning Classification of Property: RURAL Residential
Comprehensive Plan Designation Rural Lands 5
8. Describe existing structures and/or uses currently existing on your property, such as well, septic residential dwelling, garage, etc.: 4200 sq Ft Steel Built building located south of the residence.
9. Describe existing structures and present land uses in the surrounding area of your property:
Agricultural use (Concord Grapes) / Rural Residential

10. Please answer the following questions. **PLEASE BE SPECIFIC - USE ADDITIONAL PAPER IF NECESSARY.**

- a. Is there a residence on site? Yes X No _____
- b. Does at least one of the proprietors of the business own or lease the property where the business and the residence are located? Yes X No _____
- c. Does at least one of the proprietors live in said residence? Yes X No. _____
- d. List the number of non-resident employees. None
- e. What is the **total** square footage of the detached building to be used for the business? 4200 sq ft
- f. What is the **total** square footage that will be used for the business activity? 4200 sq ft.
- g. Is only one detached building to be used for the business activity? Yes _____ No X 2 Buildings
- h. Are any signs going to be used with the business activity? Yes _____ No X
If Yes, give the number, height and sizes of the sign(s) include a drawing of the sign to be used. _____
- i. State the number of vehicles marked to identify the business to be stored on site. None
- j. List the number of off street parking spots 100 with open areas
- k. What County Road does the site access off of? Bone Rd.
- L. List the preferred office hours for the presence of customer/clients and non-resident employees. Days of the week N/A
Hours of Operation N/A - Contact via Cell phone

11. Applicant shall attach a site plan of the property, drawn to a scale of one inch equals fifty feet (1"=50') or one inch equal 100 feet (1"=100') unless otherwise specifically approved by the Planning Department, showing the following information.

- A. Dimensions of the property.
- B. Location and size of the proposed use, number of parking spaces, etc., complete with distances between buildings and all property lines.
- C. Location and size of existing structures, complete with distances, buildings and all property lines.
- D. All streets, roads, easements, and rights-of-way located on or adjacent to this property. (Label structures and roadways)
- E. Label and Show a floor plan for the structure to be used for the Business Activity.

COMMENTS OR PERTINENT INFORMATION:

I certify that the information given above is true and complete.

Signature Block for individuals only.

Adam Milanez
Applicant's Signature

Adam Milanez
Print Name

5-20-14
Date

Adam Milanez
Signature of Legal Owners

Adam Milanez
Print Name

5-30-14
Date

Manannalau 3
Signature of Person with additional
ownership interest

Maria Milanez
Print Name

5-30-2014
Date

If the applicant is a corporation/partnership/LLC etc. please use the following signature block.

Applicant: N.A.

By: _____
(print name) (Title)

Signature: _____
(Signature) (Title)

The above signed officer of _____ warrants and represents that all necessary legal and corporate actions have been duly undertaken to permit _____ (name of entity) to submit this application and that the above signed officer has been duly authorized and instructed to execute this application.

(ALL persons with an ownership interest in the property on which the land use action is proposed must sign the application other than interests exclusively limited to ownership of the parcel's mineral rights.)

Any information submitted to the Benton County Planning Department 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.

Note: The Conditional Use/Special Permit Application fee of \$250.00 and the \$100.00 applicant fee for the SEPA checklist, if required, must be submitted with the application. These fees are non-refundable. Please make your check payable to the Benton County Treasurer. There are no guarantees that your application will be approved.

5/23/11

FOR OFFICIAL USE ONLY:

Critical Area Review Completed by Chuck A. Passey on 6-4-2014

Application approved for processing by Chuck A. Passey on 6-4-2014

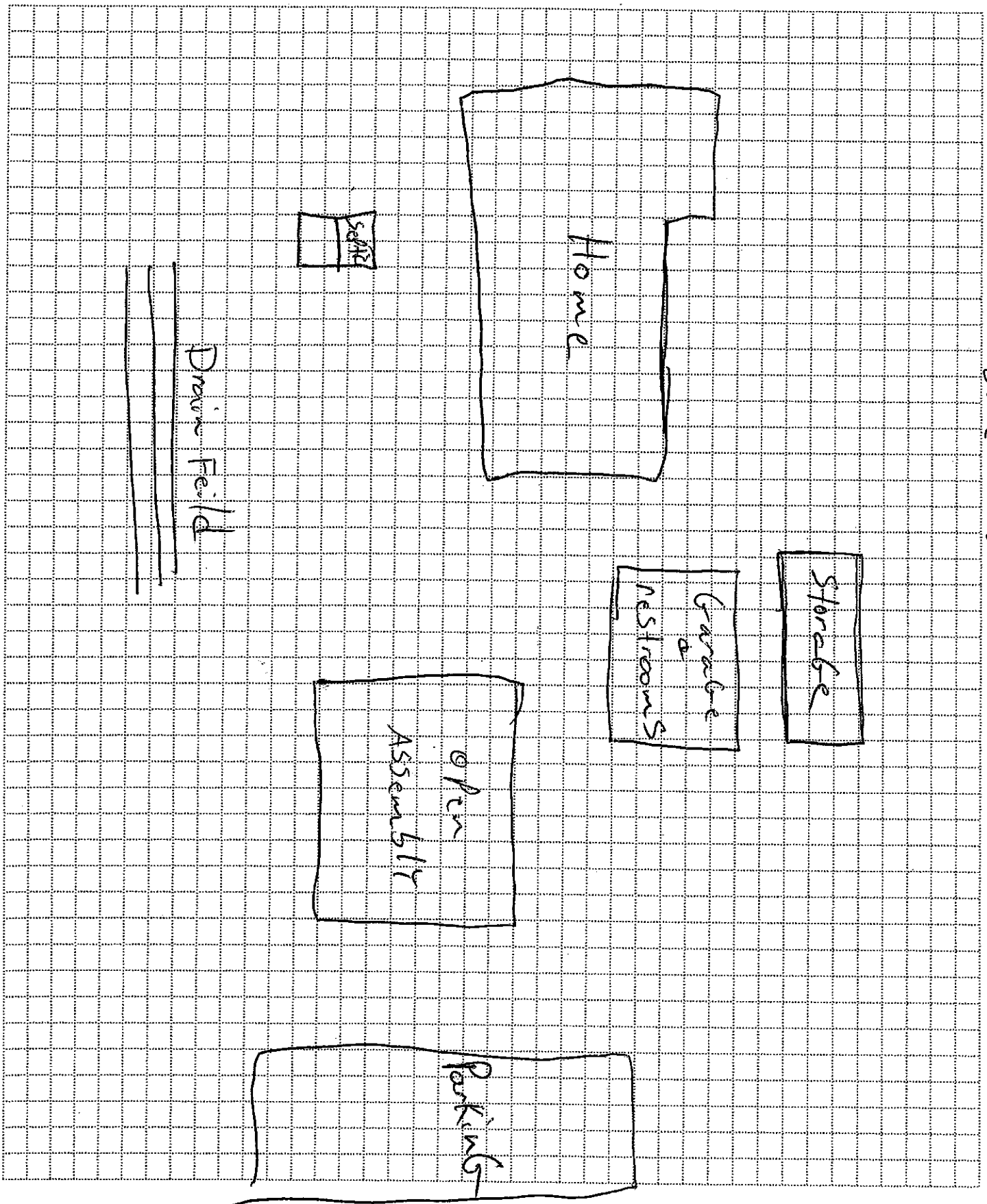
Zoning R2.5 Comp Plan Designation _____

SITE PLAN FOR _____

Scale 1" = 50' or 1" = 100'

Please specify

PLEASE INDICATE NORTH



Bone Rd.

EA 2014-009

A. background

1. Name of proposed project, if applicable: Adan Milanez D.B.A. wine country gardens

2. Name of applicant: Adan Milanez

3. Address and phone number of applicant and contact person:

16302 10 Bone Rd
Prosser, WA 99350

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JUN 2 2014

4. Date checklist prepared: 5-30-2014

5. Agency requesting checklist:

Benton County Planning

Benton County
Planning Department

6. Proposed timing or schedule (including phasing, if applicable):

It's complete and ready to open with right permits

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

no

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

N/A

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

N/A

10. List any government approvals or permits that will be needed for your proposal, if known.

He. County Permits

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

116302 116 Bone Road

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other

b. What is the steepest slope on the site (approximate percent slope)?

N/A

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

N/A

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

N/A

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

N/A

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

N/A

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

N/A

2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

N/A

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

N/A

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

3. Water

a. Surface Water:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

N/A

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

N/A

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

N/A

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

N/A

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

N/A

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

N/A

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

Yes, well water will be used for drinking & other purposes, bathroom usage, cleaning. 100 gallons per event. One event per weekend during summer seasonal months. All water will go to holding tank. - well is ran with submersible 1 horse power pump. Contact with BEC HD already. well is 10 years old.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other well sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

1500.00 Gallon Holding tank for septic system
it will service only bathrooms + kitchen for one
structure

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

No foreseen storm water runoff problems - if
any excess water from weather it would not flow on
to other waters so all storm water will be retained
on site

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

NO

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

NO

- d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

Vegetation + gravel in all areas of property.

4. Plants

- a. Check the types of vegetation found on the site:

☒ deciduous tree: alder, maple, aspen, other
☒ evergreen tree: fir, cedar, pine, other
☒ shrubs
☒ grass
☐ pasture
☐ crop or grain
☐ Orchards, vineyards or other permanent crops.
☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
☐ water plants: water lily, eelgrass, milfoil, other
☐ other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

N/A

c. List threatened and endangered species known to be on or near the site.

N/A

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

N/A

e. List all noxious weeds and invasive species known to be on or near the site.

N/A

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include:

birds: hawk, heron, eagle, songbirds, other: _____

mammals: deer, bear, elk, beaver, other: _____

fish: bass, salmon, trout, herring, shellfish, other: _____

N/A

b. List any threatened and endangered species known to be on or near the site.

N/A

c. Is the site part of a migration route? If so, explain.

N/A

d. Proposed measures to preserve or enhance wildlife, if any:

N/A

e. List any invasive animal species known to be on or near the site.

N/A

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

electric - lighting

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

NO

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

NONE

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

N/A

- 1) Describe any known or possible contamination at the site from present or past uses.

N/A

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

NONE

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

N/A

- 4) Describe special emergency services that might be required.

N/A

- 5) Proposed measures to reduce or control environmental health hazards, if any:

NONE

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

NONE

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)?
Indicate what hours noise would come from the site.

music from 12:00 am to 10:00 pm Short term

- 3) Proposed measures to reduce or control noise impacts, if any:

spoken to neighbors & ok'd it with them.

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Homes + Farms adjacent to proposed site
proposed site is already established as a family gathering site.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

NO

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

NO

c. Describe any structures on the site.

open air patio (covered) Bathroom + kitchen facilities

d. Will any structures be demolished? If so, what?

NO

e. What is the current zoning classification of the site?

residential

f. What is the current comprehensive plan designation of the site?

~~residential~~ RURAL LANDS 5

g. If applicable, what is the current shoreline master program designation of the site?

NONE

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

NO

i. Approximately how many people would reside or work in the completed project?

RESIDENCE ON SITE FOR OWNERS
NO ONE would reside in the completed project. 2 to 4
people working during an event.

j. Approximately how many people would the completed project displace?

NONE

k. Proposed measures to avoid or reduce displacement impacts, if any:

NONE

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

consulting Burton County Planning Department

- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

Have discussed all measures needed to comply with
farmer who owns adjacent grapes.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

NONE

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

NONE

- c. Proposed measures to reduce or control housing impacts, if any:

NONE

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

18 feet - wood

- b. What views in the immediate vicinity would be altered or obstructed?

NONE

- c. Proposed measures to reduce or control aesthetic impacts, if any:

NONE

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

LED - no glare produced - evening / night

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

NO

- c. What existing off-site sources of light or glare may affect your proposal?

NONE

- d. Proposed measures to reduce or control light and glare impacts, if any:

NONE

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

NONE

- b. Would the proposed project displace any existing recreational uses? If so, describe.

NONE

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

NONE

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

NONE

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

NONE

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

NONE

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

NONE

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

access will be from an existing entrance + exit off of Bone Rd.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

NO

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

parking for 100 cars is existing

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

NO

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

NO

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

passenger vehicles Saturday and Sunday 1 in the afternoon
until midnight 10:00 P.M.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

ND

h. Proposed measures to reduce or control transportation impacts, if any:

NONE

15. Public services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

ND

b. Proposed measures to reduce or control direct impacts on public services, if any.

NONE - Security will be on premises during all events.

16. Utilities

a. Circle utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

utility needed are already in place

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:

Adam Milanez

Name of signee

Adam Milanez

Position and Agency/Organization

Owner

Date Submitted:

5-29-14

D. supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Proposed measures to avoid or reduce such increases are:

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

3. How would the proposal be likely to deplete energy or natural resources?

Proposed measures to protect or conserve energy and natural resources are:

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness,

wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Proposed measures to protect such resources or to avoid or reduce impacts are:

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Proposed measures to avoid or reduce shoreline and land use impacts are:

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Proposed measures to reduce or respond to such demand(s) are:

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

ESA LISTED SALMONIDS CHECKLIST

The Listed Salmonids Checklist is provided in order that the county may initially identify a project's potential impacts (if any) on salmonids that have been listed as "threatened" or "endangered" under the Federal Endangered Species Act (ESA). A salmonid is any fish species that spends part of its life cycle in the ocean and returns to fresh water. Potential project impacts that may result in a "taking" of listed salmonids must be avoided, or mitigated to insignificant levels. Generally, under ESA, a "taking" is broadly defined as any action that causes the death of, or harm to, the listed species. Such actions include those that affect the environment in ways that interfere with or reduce the level of reproduction of the species.

If ESA listed species are present or ever were present in the watershed where your project will be located, your project has the potential for affecting them, and you need to comply with the ESA. The questions in this section will help determine if the ESA listing will impact your project. The Fish Program Manager at the appropriate Department of Fish and Wildlife (DFW) regional office can provide information for the following two questions. Please contact the Dept. of Fish and Wildlife at 1701 S. 24th, Yakima WA 98902-5720, Phone No. 509-575-2740.

1. Are ~~ESA~~ listed salmonids currently present in the watershed in which your project will be?
YES ☐ NO ☒
Please Describe.

2. Has there ever been an ESA listed salmonid stock present in this watershed?
YES ☐ NO ☐
Please Describe.

If you answered "yes" to either of the above questions, you should complete the remainder of this checklist.

PROJECT SPECIFIC: The questions in this section are specific to the project and vicinity.

- A1. Name of watershed _____
- A2. Name of nearest waterbody _____
- A3. What is the distance from this project to the nearest body of water?

Often a buffer between the project and a stream can reduce the chance of a negative impact to fish.

A4. What is the current land use between the project and the potentially affected water body (parking lots, farmland, etc.)

A5. Is the project above a:

Natural permanent barrier (waterfall)	YES _____	NO _____
Natural temporary barrier (beaver pond)	YES _____	NO _____
Man-made barrier (culvert, dam)	YES _____	NO _____
Other (explain)		

A6 If yes, are there any resident salmonid populations above the blockage?
YES _____ NO _____ Don't Know _____

A7. What percentage of the project will be impervious surface (including pavement & roof area)?

FISH MIGRATION: The following questions will help determine if this project could interfere with migration of adult and juvenile fish. Both increases and decreases in water flows can affect fish migration.

B1. Does the project require the withdrawal of

a. Surface water? Yes _____ No _____
Amount _____
Name of surface water body _____

b. Ground water? Yes _____ No _____
Amount _____
From Where _____
Depth of well _____

B2. Will any water be rerouted? YES _____ NO _____
If yes, will this require a channel change?

B3. Will there be retention ponds? YES _____ NO _____
If yes, will this be an infiltration pond or a surface discharge to either a municipal storm water system or a surface water body?

If to a surface water discharge, please give the name of the waterbody.

B4. Will this project require the building of new roads? Increased road mileage may affect the timing of water reaching a stream and may, thus, impact fish habitat.

B5. Are culverts proposed as part of this project? Yes _____ No _____

B6. Will topography changes affect the duration/direction of runoff flows?
Yes _____ No _____

If yes describe the changes.

B7. Will the project involve any reduction of the floodway or floodplain by filling or other partial blockage of flows? Yes _____ No _____

If yes, how will the loss of flood storage be mitigated by your project?

WATER QUALITY: The following questions will help determine if this project could adversely impact water quality. Such impacts can cause problems for listed species. Water quality can be made worse by runoff from impervious surfaces, altering water temperature, discharging contaminants, etc.

C1. Do you know of any problems with water quality in any of the streams within this watershed? YES _____ NO _____

If yes please describe.

C2. Will your project either reduce or increase shade along or over a waterbody?
YES _____ NO _____ Removal of shading vegetation or the building of structures such as docks or floats often result in a change in shade.

C3. Will the project increase nutrient loading or have the potential to increase nutrient loading or contaminants (fertilizers, other waste discharges, or runoff) to the waterbody?

YES____ NO____

C4. Will turbidity be increased because of construction of the project or during operation of the project? In-water or near water work will often increase turbidity. YES____ NO____

C5. Will your project require long term maintenance, i.e., bridge cleaning, highway salting, chemical sprays for vegetation management, clearing of parking lots?

YES____ NO____

Please Describe.

Vegetation: The following questions are designed to determine if the project will affect riparian vegetation, thereby, adversely impacting salmon.

D1. Will the project involve the removal of any vegetation from the stream banks?

YES____ NO____

If yes, please describe the existing conditions and the amount and type of vegetation to be removed.

D2. If any vegetation is removed, do you plan to re-plant? YES____ NO____

If yes, what types of plants will you use?

FOR OFFICIAL USE ONLY:

Critical Area Review Completed by Clark Pasay on 6-4-2014

Application approved for processing by Clark Pasay on 6-4-2014

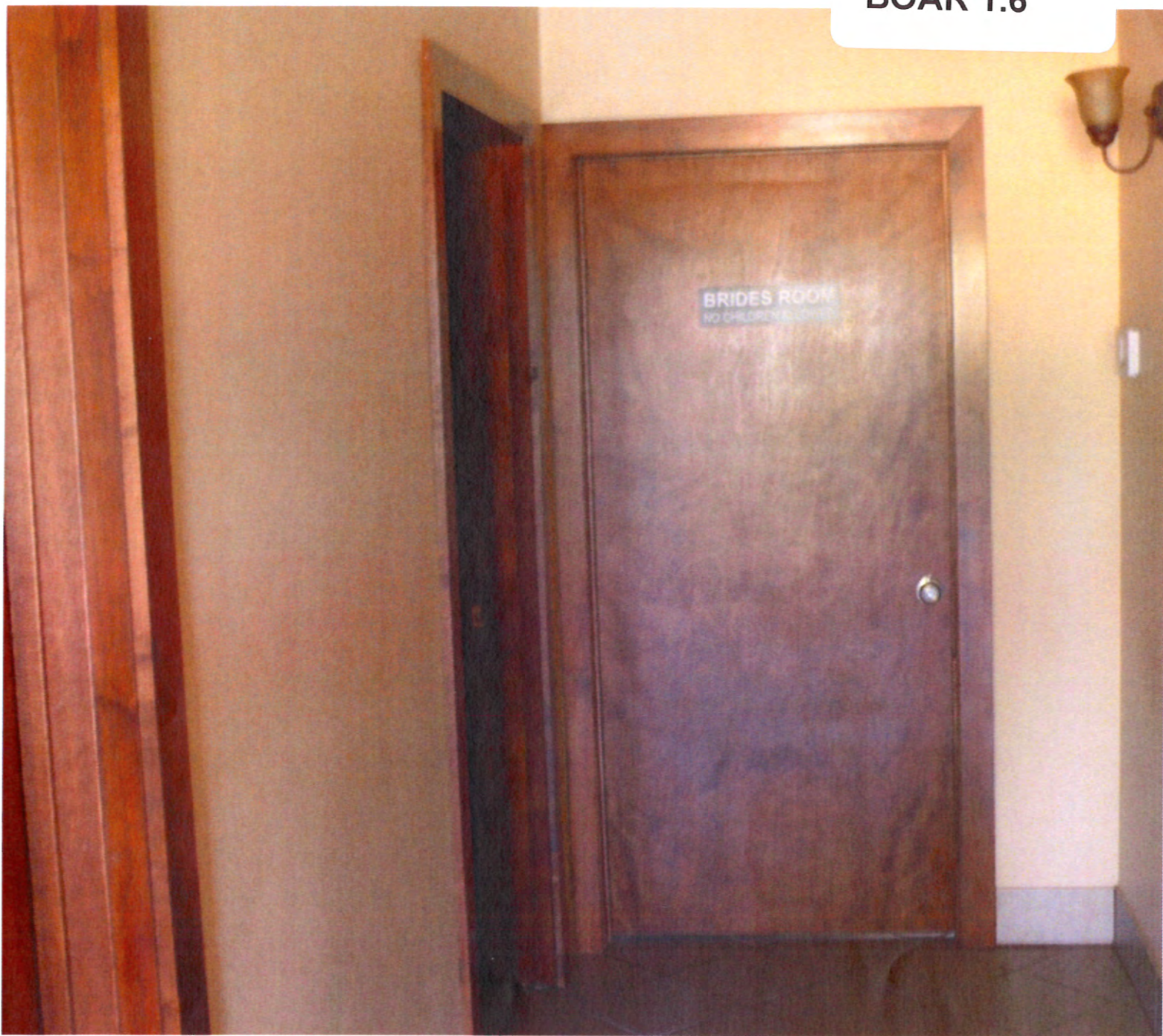
Zoning and Comp Plan Designation RL 5

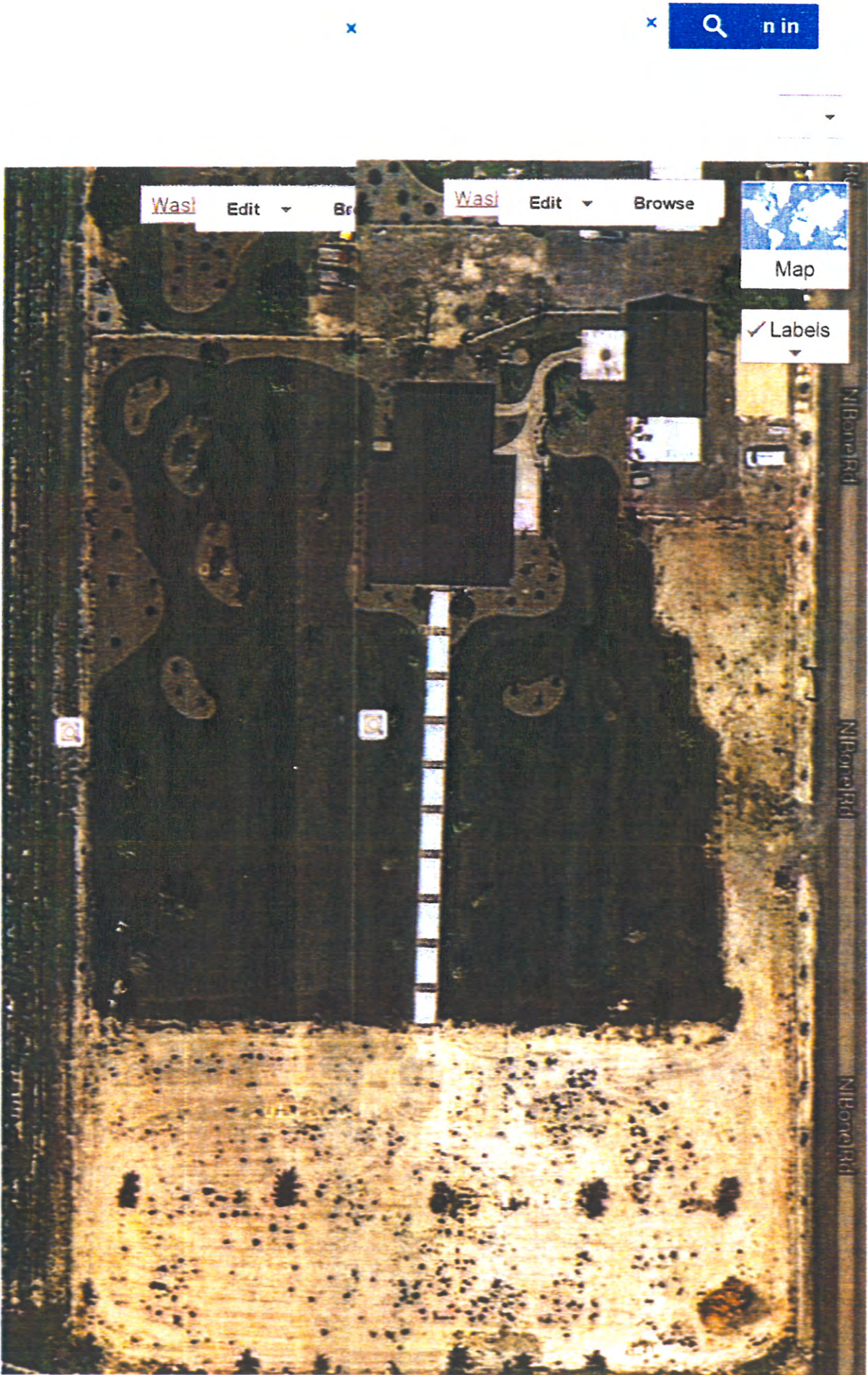




BOAR 1.5









Gary Heslop

Certified Public Accountant

BOAR 1.8

This letter is in reference to Adam and Maria Milanez.

I have been their accountant for 10 years. During this period the Milanez have operated electrical contracting business in the Lower Valley. In my opinion the Milanez' are very successful business owners. They are successful because of their desire to be professional in all aspects of the lives personally and in business. I expect that they will continue this successful way of operating, when they operating the new venture you are reviewing.

I was also an officer for the Prosser Chamber of Commerce for 14 years and President for 2 years, 2004 & 2005. During these years we had numerous requests for a facility like the one the Milanez' have built and now wants to make available to the public. During my tenure, there were very few places we could recommend. This will be a real asset to the area for private and public functions. I would expect that after receiving the require permits, the Milanez' will operate this facility as they have operated their other business, in a very professional and responsible manner.

I would hope the county and/or any other agency work with the Milanez' to getting this business facility available for use.

Gary Heslop

Gary R Heslop CPA

6/5/14