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HEM 1.1

MEMO DATE: April 9, 2019

HEARING DATE: APRIL 15, 2019

TO: BENTON COUNTY HEARINGS EXAMINER

FROM: BENTON COUNTY PLANNING DEPARTMENT

RE: CONDITIONAL USE PERMIT CUP 2018-011
THE HILLSIDE BARN

PROPERTY OWNER: TYLER TAPANI
66704 E. 99 PR SE
BENTON CITY, WA 99320

SPECIFIC REQUEST:

The applicant is applying for a conditional use permit for an Event Facility for weddings, birthday parties, dances, bazaars, etc. Parcel # 1-1597-300-0002-000.

BACKGROUND:

Site Location: The 6.01 acres site is located South of I-82 at 29911 E. Jacobs RD, Benton City, WA 99320 in Section 15 in Township 9 North, Range 27 East, W.M.

Land Use: The site is currently developed with a 4,200 sq. ft. building and associated meeting rooms and would include a non-commercial kitchen/catering area.

Zoning: The site and surrounding properties are zoned RL-5.

BCC 11.11.060(n) For an Event Center/Reception facility with a capacity not to exceed two hundred (200) attendees a Conditional Use Permit is required through the Hearings Examiner of Benton County, after a public hearing.

Comprehensive Plan Designation: Site and surrounding areas are designated Rural Remote and GMA Ag.

State Environmental Policy Act: This application required a SEPA Environmental Checklist under the requirements of the Washington State Environmental Policy Act, WAC 197-11-800(13). A DNS was issued under WAC 197.11.340(2) on March 26, 2019 based on the submitted information submitted for EA 2019-004. Conditions of the DNS are attached to this staff memo and are added to this Conditional Use Permit as required Conditions of Approval if this permit is granted by the Hearings Examiner.

11.11.060 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 a conditional use permit is issued by the Hearings Examiner after notice and public hearing as provided by BCC 11.50.040.

- (a) A school.
- (b) A community clubhouse, grange hall, senior center and/or other non-profit organizational hall.
- (c) A storage yard owned and operated by a utility.
- (d) A sand or gravel pit, stone quarry and similar use for the development of natural resources extracted on-site.

- (e) Bed and Breakfast Facility, subject to the provisions in BCC 11.42.030.
- (f) Kennel, commercial.
- (g) Home occupation involving the display and/or sale of products on the premises; provided, a home occupation permit is also required under Chapter 11.49 BCC.
- (h) On-site hazardous waste treatment and/or hazardous waste storage facilities as an accessory use to an allowed or conditionally permitted use; provided, that such facilities must comply with the state siting criteria adopted in RCW 70.105.210, as currently in effect or as hereafter amended.
- (i) Child Day Care Facility, Type B, subject to the provisions of BCC 11.42.060.
- (j) Wineries/Breweries/Distilleries not otherwise allowed under BCC 11.11.030. (over 3000 sq. ft.)
- (k) Cemetery, columbarium, and/or mausoleum. (l) Sewage treatment facility for industrial and/or domestic waste.
- (m) Rodeo facilities.
- (n) **Reception facility with a capacity not to exceed two hundred (200) attendees.**
- (o) A Park.
- (p) A golf course.
- (q) Recreational Vehicle Park.
- (r) A public transit center.
- (s) Airport/Heliport.
- (t) Church, if not otherwise allowed under BCC 11.11.030.

(u) **Business activities, other than those set forth above, that are compatible with the principal uses and purpose of the underlying zone and the surrounding land uses may be conducted from within an approved accessory building detached from all dwelling units if the following criteria as well as any other conditions required by the Hearings Examiner are satisfied:**

- (1) The business activity must take place on a parcel of land that is 2.0 acres or greater in size.
- (2) There must be a residence on site, and at least one (1) of the proprietors of the business must be the owner or lessee of the property where the business and the residence are located and must reside in said residence.
- (3) No more than four (4) non-resident persons, whether they work on site or not, may be employed by or be partners in the business.
- (4) The business activity, including all storage space, shall not occupy more than two thousand (2,000) square feet of total floor area within the detached accessory building.
- (5) Only one (1) approved detached accessory building on a parcel may be used for business activities. If more than one (1) business will be conducted within an approved detached accessory building, then a separate application must be submitted for each business activity, provided that the total area used by all business activities shall not exceed that permitted by BCC 11.11.060(u)(4).
- (6) No more than two (2) non-illuminating signs, with a maximum area of four (4) square feet each, shall be permitted in connection with the business activity. The posting of such signs is limited to the parcel on which the approved detached accessory building is located. On-street (inside the road right-of-way) sign posting and sign posting which interferes with the line-of-site for road intersections are prohibited.
- (7) Not more than three (3) vehicles marked to identify the business may be on the parcel at any one time. No other onsite outside storage of vehicles, equipment and/or supplies is allowed in connection with the business activity. This prohibition applies to, but is not limited to: lumber, plasterboard, pipe, paint, inoperable vehicles, and heavy equipment that are related to the business.
- (8) The property owner and the proprietor(s) of the business shall comply with all requirements of the Benton County Building Department, the Benton County Fire Marshal, the Benton-Franklin Health District, and all other local, state and federal regulations pertinent to the business activity pursued. The requirements of or permission granted by the Hearings Examiner shall not be construed as an exemption from such regulations.

(9) Adequate off-street parking, as determined by the Hearings Examiner, must be provided.

(10) Any waste created as a result of the business activity must be disposed of off-site in compliance with all local, state and/or federal regulations.

(11) The presence of customers/clients and non-resident employees at the location of the business activity shall be limited to the days and hours of operation as determined by the Hearings Examiner.

(12) The business activity does not require a marijuana processor or retailer license from the Washington State Liquor Control Board.

(v) Commercial stables and/or riding academies.

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.
- (b) **Conditional Use Application Required—Non-Refundable Application Fee.** The Planning Department shall provide application forms for conditional use permits and prescribe the type of information to be provided in the application. No application shall be processed unless it complies with the requirements of this section. A completed application for a conditional use permit shall be filed with the Planning Department accompanied by a non-refundable fee as set by resolution of the Board of County Commissioners.
- (c) **Conditional Use Application-Site Plan Required.** The Planning Department shall require the applicant to submit an application and a site plan as part of the application whenever such a permit is required for that use under the applicable zoning district. The application and site plan shall contain the following information:
- (1) Identify the proposed use and associated facilities, together with the names, addresses and telephone numbers of the owner or owners of record of the land and of the applicant, and, if applicable, the names, addresses and telephone numbers of the architect, planner, designer, and/or engineer;
 - (2) The proposed use or uses of the land and buildings; and,
 - (3) A site plan drawing or drawings at a scale of not less than one inch equals fifty feet (1"=50'), unless an alternate scale is approved by the Planning Administrator. The site plan drawing(s) shall include the following:
 - (i) Location of all existing and proposed structures, including, but not limited to, buildings, fences, culverts, bridges, roads and streets;
 - (ii) Boundaries, dimensions and square footage of the parcel or parcels involved;
 - (iii) All setback lines;
 - (iv) All areas, if any, to be preserved as buffers or to be dedicated to a public, private or community use, or for open space under the provisions of this title;
 - (v) All existing and proposed easements;
 - (vi) Location of all utility structures and lines;
 - (vii) All means of vehicular and pedestrian ingress and egress to and from the site and the size and location of driveways;

- (viii) Location and design of off-street parking areas showing their size and locations of internal circulation and parking spaces;
 - (ix) Location of all loading/unloading areas, including, but not limited to, loading platforms and loading docks where trucks will load or unload;
 - (x) Topographic maps, when the Planning Administrator deems the maps necessary for adequate review, which delineate existing and proposed contours, at intervals of two (2) feet and show the location of existing lakes, streams, and storm water drainage systems from existing and proposed structures, together with an estimate of existing maximum storm runoff, and any other information deemed pertinent for adequate review.
 - (xi) Identification of all special districts, such as fire, school, sewer, drainage improvements, and irrigation districts, in which the proposed use would be located; and,
 - (xii) The proposed number of square feet of paved or covered surfaces, whether covered by buildings, driveways, parking lots or any other structure covering land.
- (d) **Conditional Use-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 as a result 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 so as to allow the Hearings Examiner to make the conclusions required above, the conditional use application shall be denied.

11.50.050 PROCEDURES—VARIANCE AND CONDITIONAL USE PERMITS.

- (a) **Variance or Conditional Use —Application—Urban Growth Area— Notice to City.** When a proposal requiring review under BCC 11.50.030 or BCC 11.50.040 is submitted with respect to a parcel within or partially within an Urban Growth Area, as designated on the Benton County Comprehensive Plan map, the Planning Department shall refer the variance or conditional use permit application to the respective city for comment. The Hearings Examiner shall consider comments from such city unless the respective city fails to supply comments to the Hearings Examiner prior to, or at the open record hearing. In such case, the Hearings Examiner will assume that the city intends to make no comment.
- (b) **Variance or Conditional Use Permit—Application—Open Record Hearing—Notice Required.** The Hearings Examiner will hold an open record hearing consistent with Title 17 BCC (Permit Review Process) on all variance and conditional use permit applications. The notice of such open record hearing shall be given as follows:
 - (1) The Planning Department 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.

(c) **Variance or Conditional Use Permit—Application—Approval or Denial—Decision Final.**

- (1) Following the conclusion of an open record hearing on a variance or conditional use permit application, the Hearings Examiner shall approve, approve with conditions, or deny the requested variance or conditional use permit. If the Hearings Examiner grants a variance or a conditional use permit, he or she shall also recite the conditions and limitations that are imposed. The decision shall be in writing and shall include the Hearings Examiner's conclusions and the findings of fact supporting such conclusions. Upon receipt of a written request from an applicant stating the reasons for requesting the reconsideration, it is within the discretion of the Hearings Examiner to re-open the open record hearing on any matter prior to the adoption of such written decision; provided, written notice of such request and any hearing to consider the request must be given to all persons providing evidence to the Planning Department for submittal to the Hearings Examiner or who provided evidence at a hearing on such matter.
- (2) Each conditional use permit approved by the Hearings Examiner shall specify the location, nature and extent of the conditional use, together with all conditions that are imposed to ensure the proposed use is consistent with all applicable state laws, the Benton County Code, the Benton County Comprehensive Plan and any other information deemed necessary for the issuance of the permit.
- (3) The written decision of the Hearings Examiner on an application for a variance or conditional use permit shall be final. There are no administrative appeals on applications for variances or conditional use permits. Judicial appeals of the Hearings Examiner's decision on variances or conditional use permits must be made in accordance with state law.

- (d) **Variance or Conditional Use Permit—Application—Conditions of Approval—Noncompliance—Permit Issuance or Non-Issuance.** Any conditions imposed by the Hearings Examiner that must be met prior to issuance of a variance or Conditional Use Permit shall be so specified. In such case, the Planning Department shall not issue a variance or Conditional Use Permit until those specified conditions of approval, as set by the Hearings Examiner, have been met. No variance or Conditional Use Permit shall become effective until issued by the Planning Department. If such specified conditions have not been met and the Planning Department does not issue the variance or Conditional Use Permit within one (1) year from the time the Hearings Examiner conditionally approved the variance or Conditional Use Permit, the Hearings Examiner may declare its approval null and void. 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. If the Hearings Examiner finds that the conditions have not been met, it shall adopt a written decision and findings of fact to support that decision.

- (e) **Variance or Conditional Use Permit—Violations and Penalties— Permit Revocation.** Any person who violates any term or condition of a variance or Conditional Use Permit shall be considered in violation of this title and shall be subject to the penalties prescribed in Chapter 11.43 BCC. If the variance or Conditional Use Permit has been issued by the Planning Department 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).

FINDINGS OF FACT:

Based on the application and information received, the planning staff makes the following findings.

1. The applicant/property owner is Tyler Tapani, 66704 E. 99 PR SE Benton City, WA 99320.
2. The site contains 6.01 acres and is located South of I-82 at 29911 E. Jacobs RD, Benton City, WA 99320 in Section 15 in Township 9 North, Range 27 East, W.M.
3. The application for CUP 2018-011 was submitted to Benton County on November 20, 2018 and declared complete on March 1, 2019.
4. This Conditional Use Permit, CUP 2018-011, did require that a Notice of Application be published, an Environmental Assessment was made under State of Washington SEPA Checklist as required under RCW 43.21C.030. A Determination of Non-Significance (DNS) was issued on March 26, 2019. Applicant is proposing 75 vehicle parking spaces with ADA required parking.
5. The notice for the Benton County Hearings Examiner Open Record Hearing for application CUP 2018-011 was published on April 3, 2019 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 April 15, 2019.
6. The Washington State Department of Transportation had the following comments:
"I-82 is an existing facility. The proponent should be aware that they are proposing development in an area with traffic noise. They should also expect that traffic noise may continue to grow in the future, and as an essential public facility, I-82 may need to be expanded to accommodate future traffic growth. If the proponent is concerned with traffic noise affecting this development, it is the developer's responsibility to dampen or deflect any traffic noise for it."

(WSDOT) also stated that the any outdoor advertising or motorist signing that is proposed for this project will need to comply with state criteria for signage contact, Trevor McCain (509) 705-7782 for questions, and "Any proposed lighting should be directed down, towards the site and away from I-82. Contact Jacob Prilucik (509) 577-1635 for any additional questions."
9. The applicant has requested one 4x8 foot sign for the business. This sign must meet Benton County and State of Washington Department of Transportation requirements.
10. The Benton-Franklin Health District commented that they had no objections provided that:
 - The site is served by an approved class B public water supply in accordance with WAC 246-291, and;
 - The site must be served by an on-site sewage disposal system that is permitted, installed and approved in accordance with Benton Franklin Health District Rules and Regulations, and Washington State Department of Ecology requirements for potable water.
11. Benton County Fire Marshal comment: Upon receipt of a building permit and the plans for a change of occupancy the amount of required on-site fire flow will need to be determined. The conversion must meet the current building standards for a Class A Occupancy Building. This will most likely require the building to be protected by an approved fire sprinkler system.
12. The applicant has only requested hours of operation Monday thru Saturday 7:00 to 10:00 p.m. Additional hours may be needed for cleanup and preparation, hours may need to be expanded to 7:00 a.m. to 10:00 p.m.

DISPOSITION OF THE APPLICANT'S REQUEST:

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 as a result 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 so as to allow the Hearings Examiner to make the conclusions required above, the conditional use application shall be denied.

If the Hearings Examiner approves Conditional Use Permit application CUP 2018-011, based on the information presented at the public hearing and after making such findings that support that decision, the Planning Department recommends that the following Conditions of Approval be added:

CONDITIONS OF APPROVAL:

1. The applicant shall not conduct any of the activities within the scope of Conditional Use Permit CUP 2018-011 until the applicant is in compliance with all conditions set forth herein. The applicant 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 Hearings Examiner conditionally approved this 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.
3. The applicant must obtain the appropriate building permits. The applicant must submit written documentation that all the required permits and approvals have been obtained from the Benton County Building Department. The applicant shall meet this requirement for any additional buildings that may be constructed on site while Conditional Use Permit CUP 2018-011 is in effect.
4. The applicant must comply with all requirements included in the Benton Franklin Health District letter dated March 22, 2019. The applicant shall continue to meet all such requirements while Conditional Use Permit CUP 2018-011 is in effect.
5. The applicant must indicate on his building site plan the area where parking will be designated. At least one parking stall must be constructed to meet current ADA (Americans with Disabilities Act) standards

for parking. The applicant shall continue to meet all such parking requirements while Conditional Use Permit CUP 2018-011 is in effect.

6. A paved commercial approach approved by the Benton County Public Works Department must be permitted and installed prior to operating or using the Event Center if CUP 2018-011 is approved by the Hearings Examiner.
7. No more than one (1) non-illuminating 4' x 8' sign will be allowed, no additional signage shall be permitted without a Conditional Use Permit for the additional signage. The applicant shall continue to meet all such requirements while Conditional Permit CUP 2018-011 is in effect. Applicant must also meet Washington State Department of Transportation's requirements that any outdoor advertising or motorist signing that is proposed for this project will need to comply with additional State criteria for signage.
8. Outside storage of any supplies is not allowed. The applicant shall contain said materials behind an enclosure as to not create an attractive nuisance for trespassers to enter onto the property. Applicant is to continue to meet all such requirements while Conditional Use Permit CUP 2018-011 is in effect.
9. The property owner and the proprietor(s) of the business shall comply with all requirements of the Benton County Building Department, the Benton County Fire Marshal, the Benton-Franklin Health District, and all other local, state and federal regulations pertinent to the activity pursued. The requirements of, or permission granted by, the Hearings Examiner shall not be construed as an exemption from such regulations. The applicant shall continue to meet all such requirements while Conditional Use Permit CUP 2018-011 is in effect.
10. Any waste created as a result of this Event Center Conditional Use Permit must be disposed of off-site weekly and/or in compliance with all local, state and/or federal regulations.
11. Parking shall be limited to seventy-five (75) spaces and shall include ADA compliant parking consistent with Benton County Building Department regulations.
12. Permit will be limited to a maximum of two-hundred (200) attendees per event.

RECEIVED

JAN 31 2019

BENTON COUNTY PLANNING DEPARTMENT
CONDITIONAL USE APPLICATION
FILE NO. CUP 2018-011

Revised Application

Benton Co. Planning Dept.

1. Applicant Name Tyler Tapani
Applicant Address: 1404

Telephone number: Home 509.572.8795 Work 509.440.3273

2. Legal owners name: Tyler Tapani
Legal Owners address: 1404 E 99 Pr se

Benton City WA 99320
Telephone number: Home 509.572.8795 Work 509.440.3273

If you wish to be contacted by email please list your email address:
Tyler@TTapConstruction.com

3. Parcel Number or Legal description of property for which permit is for:
115973000002000

4. If you are amending a previous conditional use/special use permit please list the file number(s):
~~CUP 2015-002~~

5. The Conditional Use Permit is requested to conduct the following use: **Please be as specific and detailed as possible. Use additional paper if necessary.** winery
WITH RECEPTION CAPABILITIES. ALSO WOULD LIKE TO
DO A PUMPKIN PATCH, BAZAAR SALES CRAFT 2
WEEKENDS PER YEAR - BIRTHDAY PARTIES LARGE FAMILY
GET TOGETHERS. HOLIDAY DANCES, NOT PROVIDING FOOD OR LIC KITCHEN

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 Benton REP
GAS: Yes _____ No Name of Utility _____
CABLE: Yes _____ No Name of Utility _____
IRRIGATION: Yes _____ No Name of Utility _____
PRIVATE IRR. Yes _____ No

7. Total acres of property: 10.37 Zoning Classification of Property: Rural Lands
Comprehensive Plan Designation _____

8. Describe existing structures and/or uses currently existing on your property, such as well, septic residential dwelling, garage, etc.: Existing Building open with
4 Rooms. STANDARD SEPTIC GARAGE PARKING 39 PARKING
SPACES WITH A ADA PARKING SPOT

9. Describe existing structures and present land uses in the surrounding area of your property:
apple orchard, open sage

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

- a. Is there a residence on site? Yes _____ No X
- 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 ~~X~~
- c. Does at least one of the proprietors live in said residence? Yes _____ No. X
- d. List the number of non-resident employees. 2
- e. What is the **total** square footage of the detached building to be used for the business? 4200
- f. What is the **total** square footage that will be used for the business activity?
76x60 = 4200
- g. Is only one detached building to be used for the business activity? Yes X No _____
- h. Are any signs going to be used with the business activity? Yes X No _____
If yes, give the number, height and sizes of the sign(s) include a drawing of the sign to be used. No LARGER than 4x8 in size
- i. State the number of vehicles marked to identify the business to be stored on site.
N/A
- j. List the number of off street parking spots N/A
- k. What County Road does the site access off of? Jacobs Rd.
- l. List the preferred office hours for the presence of customer/clients and non-resident employees. Days of the week Monday through Saturday
Hours of Operation ~~10AM-6PM~~ 7-10 pm

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:

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.

Signature Block for individuals only.

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

[Signature]
Applicant's Signature

Tyler Tapani
Print Name

11/16/18
Date

Eva Tapani
Signature of Legal Owners

Eva Tapani
Print Name

11/16/18
Date

Signature of Person with additional ownership interest

Print Name

Date

If the applicant or legal owner is a corporation/partnership/LLC etc. please use the following signature block. Please copy this page if there is more than one corporation/partnership/LLC signature required.

Applicant or Legal Owner: _____

By: _____
(print name) (Title)

Signature: _____
(Signature) (Title)

The above signed officer of _____ (name of entity) warrants and represents that all necessary legal and corporate actions have been duly undertaken to permit _____ 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.)

Note: The Conditional Use/Special Permit Application fee of \$630.00 and the \$300.00 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.

FOR OFFICIAL USE ONLY:
Critical Area Review Completed by: _____ on _____
Application approved for processing by: _____ on _____
Zoning _____ Comp Plan Designation _____

The Hillside Barn will provide high quality customer service for wedding and events such as receptions, reunions, business meetings and birthday parties. It will provide wedding decor and backdrops for photo shoots, including the barn, fences, and antique truck and of course the beautiful surrounding hills and valleys. The venue will be able to accommodate 200 guests with parking for 75 vehicles. Clients will be able to choose to have their event indoors or outside on a grass area. Projection for the Hillside Barn is to host 40 events in a calendar year with the owners overseeing each event. A few times a year we will have events such as a bazaar & agricultural stand.

The location of the venue is in the Benton City area with no immediate neighboring residences. What makes The Hillside Barn unique is that we will offer a few packages to choose from including Rustic decor, Shabby Chic decor and Traditional decor. Catering will be offered by local outside sources such as Country Gentleman's and Fat Olives.

To ensure a successful business, area competition has been analyzed. Pricing, variety of service offerings as well as availability are the competition's key categories that were assessed. The Hillside's focus is on building a world-class team of employees who will give the venue the extra spark of success to set it apart from others.

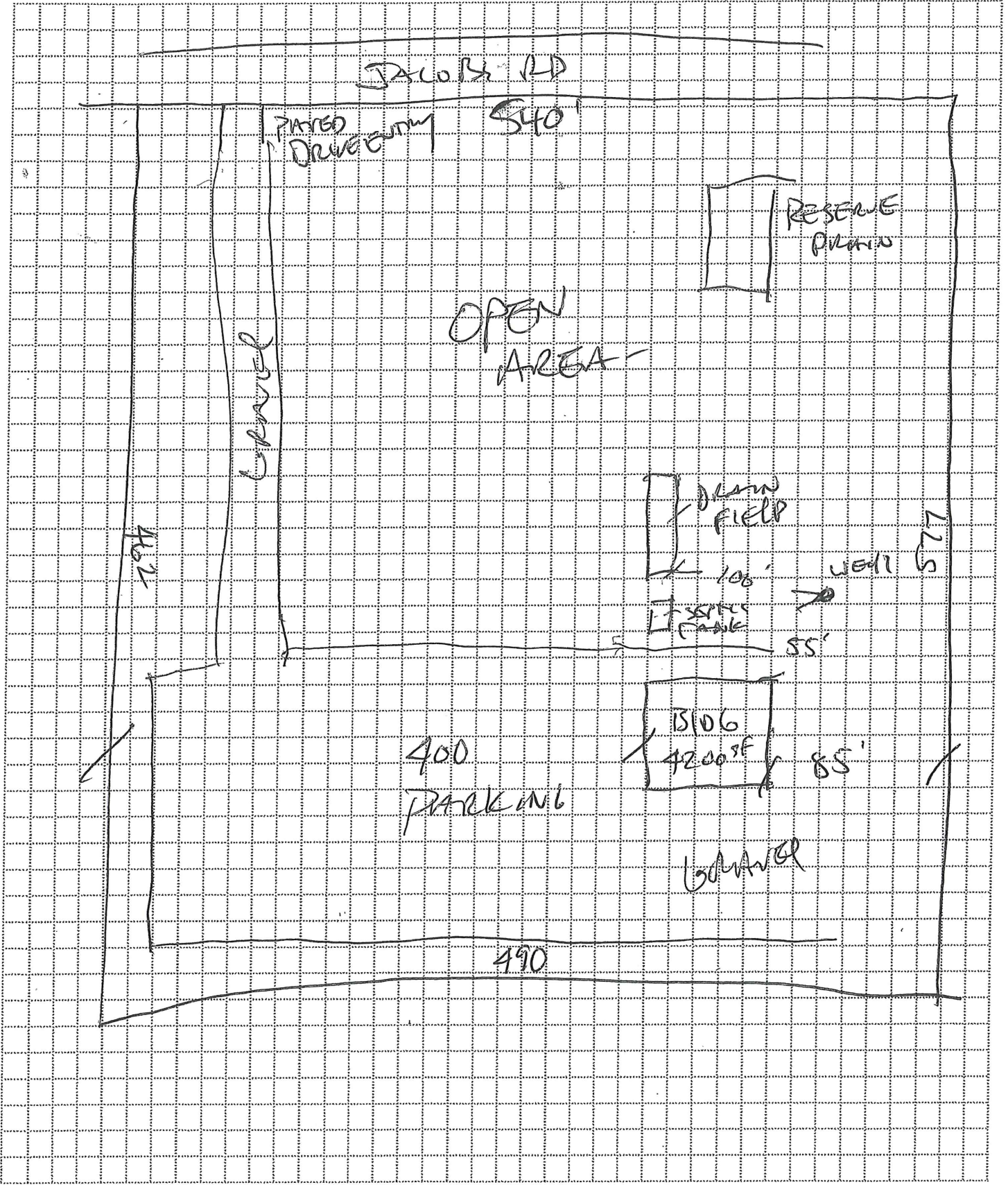
SITE PLAN FOR Tyler Twp

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

Please specify

PLEASE INDICATE NORTH

EXISTING



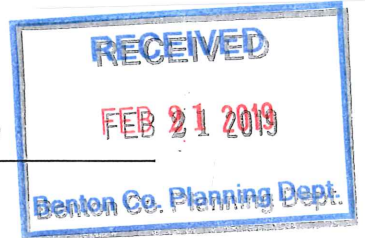
Hillside Barn

Write a description for your map.

Legend

- Exterior Road
- kml_5
- Roads





A. Background

1. Name of proposed project, if applicable: THE HILLSIDE BARN
2. Name of applicant: TYLER TAPANI
3. Address and phone number of applicant and contact person:
6670 4 E 99TH BENTON CITY WA 99320
TYLER TAPANI 509-440-3273
4. Date checklist prepared: 2/12/19
5. Agency requesting checklist: BENTON COUNTY
6. Proposed timing or schedule (including phasing, if applicable):
IMMEDIATE
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
RENOVATION INTERIOR OF EXISTING STRUCTURE
MODIFICATIONS TO PARKING AREA
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.
NONE KNOWN AT THIS TIME
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.
PENDING CONDITIONAL USE
10. List any government approvals or permits that will be needed for your proposal, if known.
INTERIOR RENOVATION PERMIT
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.)
PROPOSING TO MAKE EXISTING 4200 STRUCTURE
INTO AN EVENT CENTER. 1/2 ACRE OF GRASS
PARKING LOT FOR VEHICLES AND REMAINING
SITE NATURAL VEGETATION

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.

2911 E JACOBS RD BENTON CITY WA 99320
SEE ATTACHED MAP.

RL-5 1-1597-300-0002-000

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)?

2%

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.

SANDY SILTY LOAM. MINIMAL MATERIAL
MOVING. SURFACE GRADING

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

NO

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.

MINIMAL GRADING TO FLATTEN LANDSCAPE AREA
PARKING IS ESTABLISHED

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

SITE IS CURRENTLY STABLE WITH VEGETATION
ANY AREA GRADED WILL BE RESEED

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

1/8 ~~to~~ 5% WITH
ONE BUILDING AREA GRAVEL PARKING.

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

Grass / gravel for parking

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.

Heat Pump, Normal Dirt Equipment
Emissions during construction

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:

N/A

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.

NONE

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.

NONE

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.

NO FILL OR DREDGE MATERIAL

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

NONE

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

NO

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.

NO

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 CURRENTLY A WELL SERVES EXISTING STRUCTURES.
WELL IS APPROX 300' DEEP, 5000 GALS PER DAY

2) Describe waste material that will be discharged into the ground from septic tanks or other 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.

DOMESTIC SEWAGE, STANDARD SEPTIC SYSTEM
SERVING 2 BATHROOMS, SERVING 4200 SF.
SERVING UP TO 200 PEOPLE PER EVENT.

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.

STORM WATER WILL DRAIN THROUGH EXISTING
NATURAL GRASSES TO EXISTING ROADSIDE DITCH

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

ONLY THROUGH EXISTING SEPTIC SYSTEM

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:

FILTER THROUGH PLANTED GRASSES

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 SAGE BRUSH

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

1 ACRES

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

NONE

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

PROPOSED TREES AT ENTRANCE PLANTED
GRASS MAINTAIN EXISTING NATIVE GRASS

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

NONE

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 _____

WOOD PECKERS

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

NONE

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

~~YES~~ NONE KNOWN

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

KEEP AS MUCH NATURAL COVERS

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

NONE KNOWN

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.

ELECTRICAL 3 PHASE HEATING & LIGHTS

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:

SPRAY FOAM IN EXISTING STRUCTURE

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.

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

NONE AT THIS TIME

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.

NONE PLANNED

4) Describe special emergency services that might be required.

MEDICAL

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)?

EXISTING FREEWAY CAR NOISE

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.

CONSTRUCTION TRAFFIC, MUSIC 7-10 pm

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

LESS NOISE WINDOWS OF BUILDING

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.

EXISTING SHOP BUILDING / PARKING - SURROUNDING IS AGRICULTURAL

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.

EXISTING BUILDING 70 X 70 OPEN FLOOR PLAN



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

NO

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

R.L.S

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

RURAL LANDS

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?

2-5

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:

BEAUTIFY THE GROUNDS. MAINTAIN
CURRENT STRUCTURE ON SITE

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

NOT CURRENTLY FARMABLE. NO
TREES ARE ON THE SITE.

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:

NO HOMES CURRENTLY PLANNED

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?

27 FEET EXISTING BUILDING/WOOD SIDING

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?

LIGHTING - NIGHT TIME

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

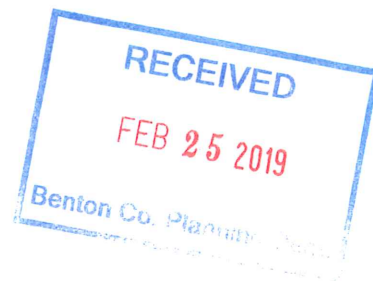
NO

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:

LIGHT POSITIONING IF NEEDED



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.

NO

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? If so, specifically describe.

NO

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 KNOWN

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.

LEAVING AS MUCH GROUND AS POSSIBLE
IN NATIVE SITE

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.

SEE ATTACHED MAP

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 TRANSIT KNOWN IN AREA

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

EXISTING PARKING IS SUFFICIENT FOR 75-100 VEHICLES

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 - PRIVATE AREA OFF EXISTING PUBLIC ROAD

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?

WEEKENDS 75-100 VEHICLE TRIPS MINIMAL TRUCKS
BASED ON EVENTS ONLY

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.

NO

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

NO

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.

FIRE PROTECTION AND POLICE PROTECTION ONLY
ON A PER CALL BASIS

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

NONE

16. Utilities

a. Circle utilities currently available at the site:


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

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.

EAST A/C BENTON PUD. BDI GARBAGE

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: 

Name of signee TYLER TAPANI

Position and Agency/Organization MANAGER LAND OWNER

Date Submitted: 2/18/19

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?

INCREASE IN PERIODIC NOISE NO ADDITIONAL
DISCHARGE OR RELEASE OF TOXINS

Proposed measures to avoid or reduce such increases are:

HAVE NOISE ACTIVITIES Indoors

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

WE WILL BE PLANTING ADDITIONAL BUSHES.

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

CONSERVE EXISTING NATIVE PLANTS & GRASSES

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

NONE OTHER THAN NORMAL ELECTRICAL
USES

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

ENERGY EFFICIENT LIGHTING. SPRAY ON
FOAM

- 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?

NONE KNOWN

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

PLACES IS A VERY RURAL AREA

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?

NONE

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

NONE NO WATERS BODIES

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

NEED MORE ELECTRICAL / EMERGENCY SERVICES
ROADS WILL BE MORE TRAVELLED / USED

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

HAVE A GENERAL ROUTE PLANNED FOR
EMERGENCY

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

NONE KNOWN

CA - SEE COMMENT LETTER 2/28/2019
Approved to PROCESS - YES 2/28/2019
Rural Lands 5 *efmk*

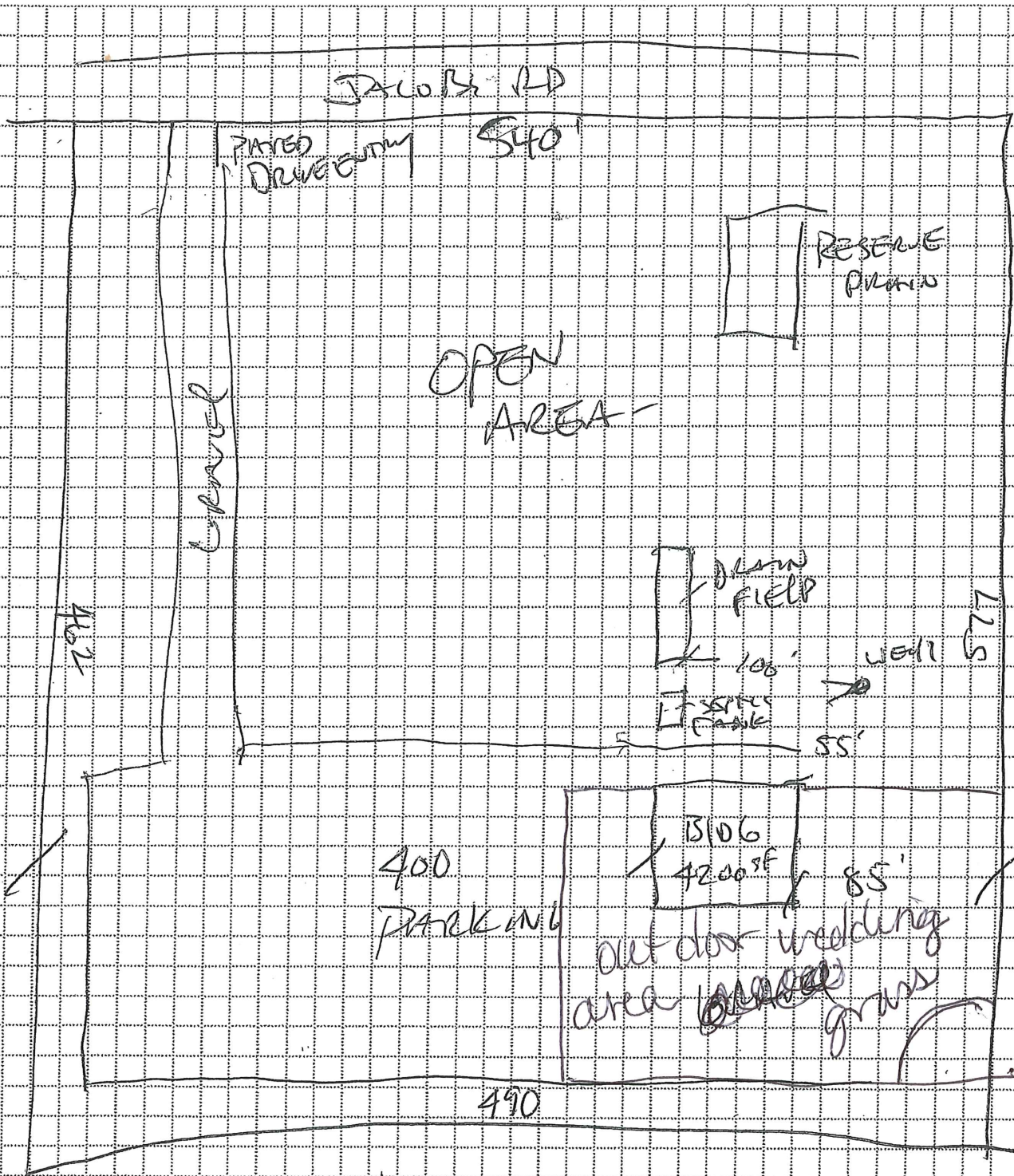
SITE PLAN FOR Tyler Trahan

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

Please specify

PLEASE INDICATE NORTH

EXISTING

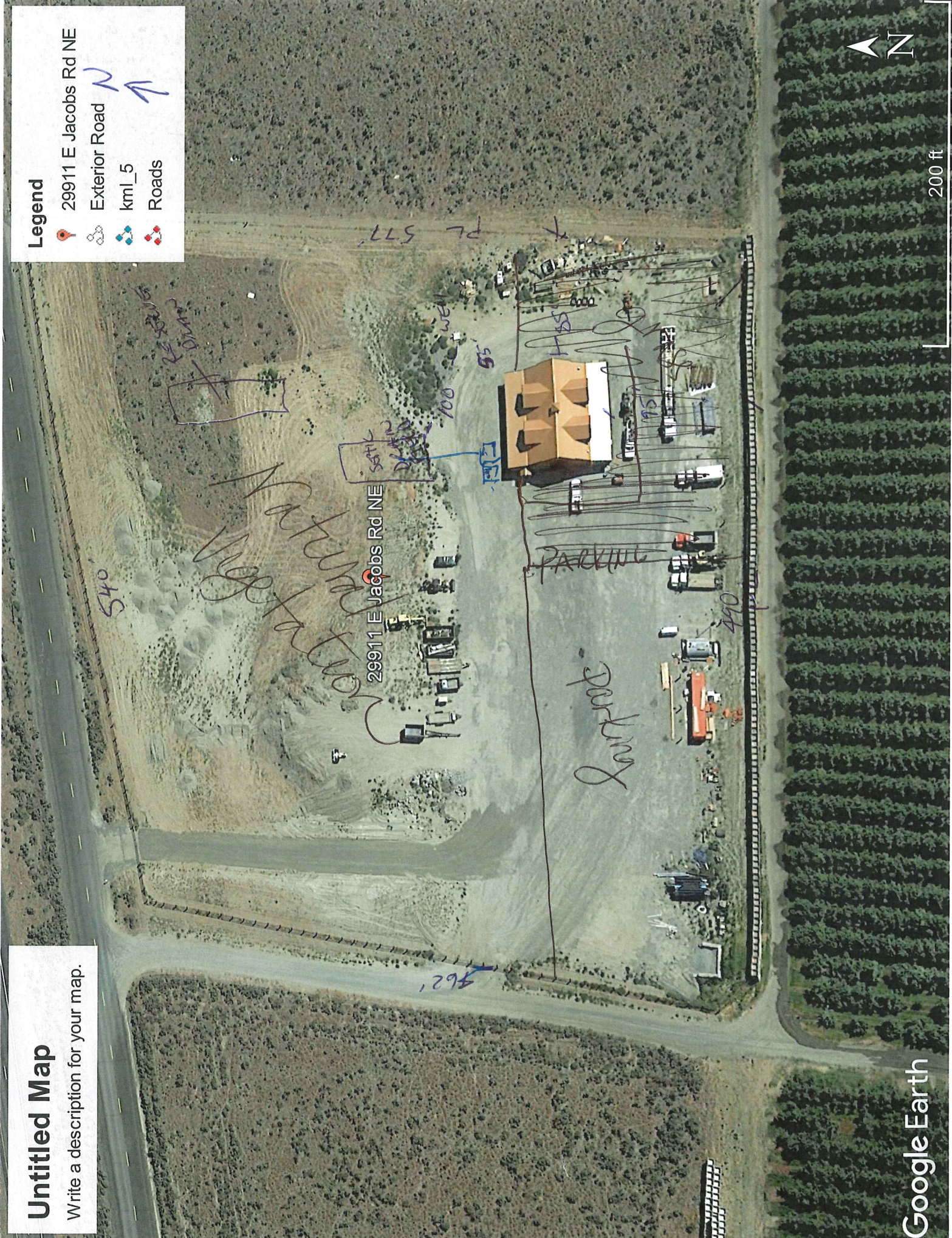


Untitled Map

Write a description for your map.











Legend

- 29911 E Jacobs Rd NE
- Exterior Road
- kml_5
- Roads



Untitled Map
 Write a description for your map.

Legend

-  29911 E Jacobs Rd NE
-  Exterior Road
-  Feature 1
-  Feature 2
-  Goose Hill
-  Kiona
-  km1_5
-  Portrait Cellars
-  Roads
-  The Catch Pen



April Brown

From: Dale Wilson
Sent: Tuesday, March 05, 2019 11:36 AM
To: Planning Department
Subject: RE: Agency review of Conditional Use Permit application (CUP 2018-011)

Tapani still has some outstanding Code Enforcement violations regarding the non-permitted alterations made to the building that still need to be corrected.

1. Plumbing needs to be permitted and approval on all required inspections.
2. The offices that were constructed inside need to be permitted and approval on all required inspections, or they may be disassembled and inspected by the Building Department with a special inspection permit to ensure the structure is placed back to its original permitted condition.



Dale Wilson, Code Enforcement Officer
Benton County Washington
(509) 222-2301

From: Planning Department
Sent: Tuesday, March 05, 2019 10:15 AM
To: Benton Franklin Health District - Rick Dawson <rickd@bfhd.wa.gov>; Fire District #4 <wwhealan@bcfd4.org>; Dale Wilson <Dale.Wilson@co.benton.wa.us>; KID Review (development@kid.org) <development@kid.org>; Cristina Woods <Cristina.Woods@co.benton.wa.us>; Jeff Liner <Jeff.Liner@co.benton.wa.us>; Tavis Hatfield <Tavis.Hatfield@co.benton.wa.us>; Jenelle Schadler <Jenelle.Schadler@co.benton.wa.us>; Ken Williams <Ken.Williams@co.benton.wa.us>; Michelle Johnson <Michelle.Johnson@co.benton.wa.us>; Rod Worthington <Rod.Worthington@co.benton.wa.us>; Steve Brown <Steve.Brown@co.benton.wa.us>; Troy Taylor <Troy.Taylor@co.benton.wa.us>; Benton PUD - Brenda Webb <webbb@bentonpud.org>; Benton PUD - Chad Brooks <brooksc@bentonpud.org>; Benton PUD - Roxanne Weller <wellerr@bentonpud.org>; Benton PUD - Shanna Everson <eversons@bentonpud.org>; Benton PUD - Tina Archey <archeyt@bentonpud.org>; Benton PUD Jeff Vosahlo <vosahloj@bentonpud.org>; Benton PUD-Mike Irving <irvingm@bentonpud.org>
Subject: Agency review of Conditional Use Permit application (CUP 2018-011)

Please see the attached agency review packet for Conditional Use Permit application submitted by Tyler Tapani to utilize an existing 4,200 sq ft building as an event center in Benton City.

Please have all comments back to our office by March 12, 2019.

Thank you!



April Brown,
Office Assistant III
Benton County Planning Department
PO Box 910 Prosser WA 99350
(509) 786-5612
[Website](#)

April Brown

From: Shanna Everson <eversons@bentonpud.org>
Sent: Tuesday, March 05, 2019 10:55 AM
To: Planning Department
Subject: RE: [E] Agency review of Conditional Use Permit application (CUP 2018-011)

No comment from BPUD.

Shanna Everson
Distribution Design Tech 1
509-585-5367



From: Planning Department [mailto:Planning.Department@co.benton.wa.us]
Sent: Tuesday, March 05, 2019 10:15 AM
To: Benton Franklin Health District - Rick Dawson; Fire District #4; Dale Wilson; KID Review (development@kid.org); Cristina Woods; Jeff Liner; Tavis Hatfield; Jenelle Schadler; Ken Williams; Michelle Johnson; Rod Worthington; Steve Brown; Troy Taylor; Brenda Webb; Chad Brooks; Roxanne Weller; Shanna Everson; Tina Archey; Jeff Vosahlo; Mike Irving
Subject: [E] Agency review of Conditional Use Permit application (CUP 2018-011)

Please see the attached agency review packet for Conditional Use Permit application submitted by Tyler Tapani to utilize an existing 4,200 sq ft building as an event center in Benton City.

Please have all comments back to our office by March 12, 2019.

Thank you!



April Brown,
Office Assistant III
Benton County Planning Department
PO Box 910 Prosser WA 99350
(509) 786-5612
[Website](#)

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Caution: This email originated from outside of Benton PUD. Do not click links or open attachments unless you recognize the sender and know the content is safe

RECEIVED
MAR 07 2019
Benton Co. Planning

April Brown

From: Rebecca Hiles <rhiles@kid.org>
Sent: Thursday, March 07, 2019 1:21 PM
To: Planning Department
Subject: RE: Agency review of Conditional Use Permit application (CUP 2018-011)

HEM 1.5

April,

KID has no comments on this CUP.

Rebecca S. Hiles, E.I.T.
Staff Engineer

Kennewick Irrigation District
2015 S. Ely Street
Kennewick, WA 99337
[509-460-5442](tel:509-460-5442) [Direct Line]
[509-586-6012](tel:509-586-6012) ext. 138 [Business Line]
[509-586-9111](tel:509-586-9111) [Customer Service]
<mailto:rhiles@kid.org>



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From: Planning Department <Planning.Department@co.benton.wa.us>
Sent: Tuesday, March 5, 2019 10:15 AM
To: Benton Franklin Health District - Rick Dawson <rickd@bfhd.wa.gov>; Fire District #4 <wwhealan@bcfd4.org>; Dale Wilson <Dale.Wilson@co.benton.wa.us>; Development <development@kid.org>; Cristina Woods <Cristina.Woods@co.benton.wa.us>; Jeff Liner <Jeff.Liner@co.benton.wa.us>; Tavis Hatfield <Tavis.Hatfield@co.benton.wa.us>; Jenelle Schadler <Jenelle.Schadler@co.benton.wa.us>; Ken Williams <Ken.Williams@co.benton.wa.us>; Michelle Johnson <Michelle.Johnson@co.benton.wa.us>; Rod Worthington <Rod.Worthington@co.benton.wa.us>; Steve Brown <Steve.Brown@co.benton.wa.us>; Troy Taylor <Troy.Taylor@co.benton.wa.us>; Benton PUD - Brenda Webb <webbb@bentonpud.org>; Benton PUD - Chad Brooks <brooksc@bentonpud.org>; Benton PUD - Roxanne Weller <wellerr@bentonpud.org>; Benton PUD - Shanna Everson <eversons@bentonpud.org>; Benton PUD - Tina Archey <archeyt@bentonpud.org>; Benton PUD Jeff Vosahlo <vosahloj@bentonpud.org>; Benton PUD-Mike Irving <irvingm@bentonpud.org>
Subject: Agency review of Conditional Use Permit application (CUP 2018-011)

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Please have all comments back to our office by March 12, 2019.

Thank you!



April Brown,
Office Assistant III
Benton County Planning Department
PO Box 910 Prosser WA 99350
(509) 786-5612
[Website](#)

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Planning Department
P.O. Box 910
1002 Dudley Avenue
Prosser, WA 99350



Phone (509) 786-5612
Fax (509) 786-5629
planning.department@co.benton.wa.us
co.benton.wa.us

HEM 1.6

DETERMINATION OF NONSIGNIFICANCE

File Number: EA 2019-004

Description of proposal: Utilize an existing 4200ft² structure as an event center in Rural Lands 5 acre zone.

Proponent: Tyler Tapani

Location: The site is located at 2911 East Jacobs Road in Benton City in Section 15, Township 9 North, Range 27 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: Jerrod MacPherson
Position/Title: Benton County Planning Manager
Address: P.O. Box 910, Prosser WA 99350
Email: planning.department@co.benton.wa.us
Phone/Fax: (509)786-5612/(509) 786-5629

Date: 3/26/2019 **Signature:** 
Clark A. Posey, Assistant Planning Manager

THERE IS NO AGENCY APPEAL

DISTRIBUTION:

- | | |
|---------------------------------------------------|----------------------------------------------|
| Applicant | Department of Ecology (Olympia) |
| Benton Clean Air Authority | Department of Ecology (Yakima) |
| Benton County Building Department | Department of Fish and Wildlife |
| Benton County Fire Marshal | Department of Health |
| Benton County Roads Department | Department of Natural Resources (Ellensburg) |
| Benton Franklin Health District | Department of Natural Resources (Olympia) |
| Bureau of Land Management | Department of Transportation |
| Bureau of Reclamation | Environmental Review, Inc. |
| Kennewick Irrigation District | Fire District # 4 |
| Department of Archaeology & Historic Preservation | Futurewise |
| | News Media |

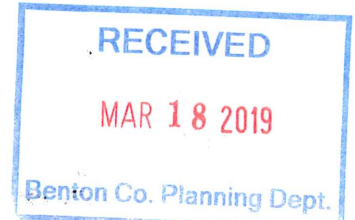


STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

March 18, 2019

Clark Posey
Benton County Planning
PO Box 910
Prosser, WA 99350



Re: EA 2019-04, CUP 2018-011

Dear Clark Posey:

Thank you for the opportunity to comment during the optional determination of nonsignificance process for The Hillside Barn project, proposed by Tyler Tapani. We have reviewed the documents and have the following comments.

WATER RESOURCES

The checklist noted that the proponent is working to get Group A Water System approval, however, there were no water rights specific to the parcel/address provided. Group A water use typically does not fall under permit exempt limits. In Washington State, prospective water users must obtain authorization from the Department of Ecology before diverting surface water or withdrawing ground water, with one exception. Ground water withdrawals of up to 5,000 gallons per day used for single or group domestic supply, industrial purposes, stock watering or for the irrigation of up to one-half acre of lawn and garden are exempt from the permitting process.

If the water is from a permitted source such as city water, water association, or an irrigation or reclamation district, then the water purveyor is responsible for ensuring that the proposed use(s) are within the limitations of its water rights. If the proposal's actions are different than the existing water right (source, purpose, the place of use, or period of use), then it is subject to approval from the Department of Ecology pursuant to Sections 90.03.380 RCW and 90.44.100 RCW.

If you have any questions or would like to respond to these Water Resources comments, please contact Jolee Ramos at (509) 454-4173 or email at jolee.ramos@ecy.wa.gov.

Sincerely,

Gwen Clear
Environmental Review Coordinator
Central Regional Office
(509) 575-2012
crosepacoordinator@ecy.wa.gov

201901147





**Washington State
Department of Transportation**

South Central Region
2809 Rudkin Road
Union Gap, WA 98903-1648
509-577-1600 / FAX: 509-577-1603
TTY: 1-800-833-6388
www.wsdot.wa.gov

March 14, 2019

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



Attention: April Brown, Planning Department

Subject: EA 2019-004/CUP 2018-011 – The Hillside Barn

We have reviewed the proposed project and have the following comments.

- I-82 is an existing facility. The proponent should be aware that they are proposing development in an area with traffic noise. They should also expect that traffic noise may continue to grow into the future, and, as an essential public facility, I-82 may need to be expanded to accommodate future traffic growth. If the proponent is concerned with traffic noise affecting this development, it is the developer's responsibility to dampen or deflect any traffic noise for it.
- Any outdoor advertising or motorist signing considered for this project will need to comply with state criteria. Please contact Trevor McCain of the WSDOT Headquarters Traffic Office for specifics. He can be reached at (360) 705-7282.
- Any proposed lighting should be directed down towards the site, and away from I-82.

Thank you for the opportunity to review and comment on this proposal. If you have any questions regarding our comments, please contact Jacob Prilucik at (509) 577-1635.

Sincerely,

Paul Gonseth, P.E.
Planning Engineer

PG: jjp/sjr

cc: SR 82, File #5
Kara Shute, Area 3 Maintenance Superintendent

Building Department/Fire Marshal
5600 W Canal Dr., Ste. C Box 105-A
Kennewick, WA 99336
Phone (509) 735-3500 Fax (509) 736-2732
From Prosser 786-5622



**Steve Brown,
Manager**

TO: Clark Posey, Assistant Planning Manager

EA 19-004 & CU 18-11

Date Received 3-5-19

Date Returned 3-13-19

Applicant's Comments: Tyler Tapani, 66704 E. 99 PRSE, Benton city, 99320, proposes to convert an existing building, on parcel 1-1597-300-0002-000 into an event center.

Fire Marshal's Comments:

Upon receipt of the building permit and plans, the amount of required on-site fire flow will be determined. The conversion will require the building to be brought up to meet today's Building Code Standards for an A-Occupancy, which will most likely require the building to be protected by an approved fire sprinkler system.



BENTON CLEAN AIR AGENCY

March 7, 2019

Re: EA 2019-004

April Brown
PO Box 910
Prosser, WA 99350

Applicant/Proponent:
The HillSide Barn
Attn: Tyler Thpani
29911 E Jacobs Rd
Benton City, WA 99320



Dear Ms. Brown:

It has come to our attention that you are reviewing a proposal for the above-named applicant in which a business will be renovated in Benton City, WA. We would like to take this opportunity to provide information to ensure that the applicant follows proper procedure for renovating a building within Benton County.

Prior to any renovation, the contractor or property owner must have a good faith survey performed by an AHERA certified inspector to determine the presence of asbestos. If asbestos is detected, it must be properly abated before the building is renovated. Additionally, a complete Notification of Demolition or Renovation must be submitted with our office. This form can be found and submitted on our website, www.bentoncleanair.org. This form must be submitted potentially up to ten (10) business days, depending on the work being performed, prior to the abatement and/or renovation taking place and all abatement work must be performed by a certified abatement contractor. The Notification of Demolition or Renovation must be submitted regardless of the presence of asbestos.

Thank you for the opportunity to comment on this proposal. If you have any questions, or would like further information on this subject, please contact us at (509) 783-1304.

Sincerely,

John Lyle
Inspector

Planning Department
P.O. Box 910
1002 Dudley Avenue
Prosser, WA 99350



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NOTICE OF OPEN RECORD HEARING

NOTICE IS HEREBY GIVEN that the following application has been proposed to the Benton County Hearings Examiner, Benton County, Washington.

CUP 2018-011: The applicant, Tyler Tapani, is requesting to utilize an existing 4200 ft² building at 29911 East Jacobs Road in Benton City as an event facility for weddings, birthdays, dances, etc. The date of the written determination of completeness on this action is March 1, 2019. The 6.01 acres site is located South of I-82 on Jacobs Road in Section 15, Township 9 North, Range 27 East, W.M.

NOTICE IS ALSO GIVEN that said proposal was reviewed under the requirements of the State Environmental Policy Act and a Determination of Non-Significance (DNS) was issued on March 26, 2019. A copy of the environmental checklist and the threshold determination for this proposal may be obtained from the Benton County Planning Department. Any comments regarding this determination and its environmental impacts can be made before the Hearings Examiner at the time and place indicated above or in writing to the Benton County Planning Department by 4 p.m. on Friday, April 12, 2019.

NOTICE IS GIVEN that said application will be considered by the Benton County Hearings Examiner at the public hearing on Monday, April 15, 2019 at 10:00 a.m. in the Planning Annex Hearing Room at 1002 Dudley Avenue, Prosser WA 99350. All concerned persons may appear and present any support for or objections to the application or provide written testimony to the Hearings Examiner in care of the Planning Department on or before the date of the hearing. More information concerning the action can be obtained by contacting Clark A. Posey, Assistant Planning Manager at the Benton County Planning Department, 1002 Dudley Avenue/P.O. Box 910, Prosser, WA 99350 (509) 786-5612. 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 by 8:30 a.m. the morning of the hearing to confirm that the hearing will be conducted as scheduled.

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 Request for Reasonable Accommodation Form 48 hours prior to the date of the meeting. The form is located on the Benton County website (<https://tinyurl.com/RRAform>) or you may contact the Benton County Planning Department for assistance.

Dated this March 29, 2019

SUSAN E. DRUMMOND
Benton County Hearings Examiner
CLARK A. POSEY, Assistant Planning Manager
Benton County Planning Department

PUBLISH: April 3, 2019