

Planning Department

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Prosser Office: 620 Market Street, 1st Floor

Kennewick Office: 102206 East Wiser Parkway

**STAFF REPORT TO THE
BENTON COUNTY HEARINGS EXAMINER
Recker: Accessory Dwelling Unit**

HEM 1.1

FILE NO: CUP 2020-014

HEARING DATE: November 16, 2020

APPLICANTS/OWNERS: Stephen & Darlene Recker, 6503 S Coulee Vista Drive, Kennewick, WA 99338

LOCATION: General Location: The property is located south of Interstate 82 and north of E. Reata Road approximately 1 mile east of Dallas Road.
Address: 6503 S Coulee Vista Drive, Kennewick, WA 99338
Legal: The Ridge at Reata West Phase One, Lot 8.
Parcel Number: 1-0588-402-0000-008

PROPERTY SIZE: Approximately 0.91 acres

AREA TO BE USED: 800 square feet

LAND USE: Residential

ZONING: Rural Land 1 Acre

COMPREHENSIVE PLAN DESIGNATION: Rural Transition

RECOMMENDATION:

Planning Department recommends approval of the application request, subject to the suggested Findings of Fact and Conditions of Approval outlined in this Staff Report.

APPLICATION DESCRIPTION:

The applicant is requesting a Conditional Use Permit to construct an 800 sq. ft. Accessory Dwelling Unit (ADU) adjacent to an existing detached garage on a lot with an existing single-family dwelling at 6503 S. Coulee Vista Drive in Benton County.

The property is approximately 0.91 acres in size and is zoned Rural Lands 1 District.

The proposed detached ADU will be accessory to an owner-occupied single-family home, will be limited to 800 sq. ft. in size based on the size of the main home and contain no more than one (1) bedroom as directed in the Benton County Code.

The site consists of a single-family 2600 sq. ft. home, and a 1672 sq. ft. detached garage. The ADU is proposed to be 16' x 50' and located north of the existing detached garage.

PUBLIC NOTICE:

1. The application for CUP 2020-014 was submitted to the Benton County Planning Department on September 14, 2020
2. The application was declared complete for processing on September 22, 2020.
3. The application documents were distributed to reviewing agencies on September 22, 2020.
4. The Benton County Hearings Examiner Notice of Open Record Hearing for application CUP 2020-014 was published on November 4, 2020 in the Prosser Record Bulletin.
5. The Notice was mailed to property owners of record within 300 feet of the outer boundaries of the parcel on November 4, 2020.
6. The Open Record Hearing is scheduled for November 16, 2020.

APPLICABLE STANDARDS/ORDINANCES:

1. *Revised Code of Washington*
RCW 36.70A.390, Accessory Apartments
Any local government, as defined in RCW 43.63A.215, that is planning under this chapter shall comply with RCW 43.63A.215(3).

RCW 43.63A.215(3)

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

2. *Benton County Comprehensive Plan*
3.3.2.3 Rural Land Use Designations
Rural Transition is designated to areas that are in close proximity to UGAs and have experienced steady growth in the last decade. The intent of the Rural Transition designation is to enable rural residential living in conjunction with providing a transition area between the rural and urban environments, and potentially suitable for future inclusion into UGAs. Maximum allowable density in this land use category is 1 Du/acre.

Benton County Comprehensive Plan

Section 2.7 Housing

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

Policy 7: Consider accessory dwelling units as an affordable housing option and look for flexible and innovative ways of integrating accessory dwelling units into single family residential zones.

Section 6.4.2 Housing Types

Accessory Dwelling Units. The zoning code permits the establishment of additional living quarters

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

3. *Benton County Code*, Chapter 11.03 Definitions.
11.03.010 DEFINITIONS.

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

4. *Benton County Code*, Chapter 11.42 General Use Regulations

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

- (a) All accessory dwelling units authorized herein shall meet the following minimum criteria:
- (1) One (1) accessory dwelling unit is allowed per parcel/lot.
 - (2) A single-family dwelling must be located on the parcel/lot where the accessory dwelling unit is to be located.
 - (3) The accessory dwelling unit shall not exceed 40% of the total square footage of the single-family home or 800 square feet in size, whichever is smallest.
 - (4) The accessory dwelling unit shall consist of no more than one (1) bedroom.
 - (5) The accessory dwelling unit shall provide two (2) off-street parking spots.
 - (6) An accessory dwelling unit shall be constructed on the site and permanently affixed to the ground by footings and foundation. A recreational vehicle (RV), mobile home, manufactured home, or factory assembled structure is not to be permitted as an accessory dwelling unit.
 - (7) The accessory dwelling unit is not allowed on a lot/parcel that has a duplex, multi-family dwelling, a temporary dwelling permit (see BCC 11.42.110), a multiple detached dwelling permit (see BCC 11.42.080) or two (2) or more single-family dwellings.
 - (8) The accessory dwelling unit is not allowed to be used in the operation of a home occupation.
 - (9) The accessory dwelling unit shall both meet and comply with Benton Franklin Health District standards.
 - (10) The accessory dwelling unit shall meet and comply with Benton County Fire Marshal requirements for access.
 - (11) The accessory dwelling unit may be permitted as either a ground floor or 2nd floor unit.;
 - (12) Either the accessory dwelling unit or the single-family dwelling shall be occupied by a landowner(s) as his/her primary residence. The landowner shall maintain residency at least six (6) months out of the year and at no time receive rent for, or otherwise allow to occupy the landowner(s) unit when absent the rest of the year.
 - (13) If the accessory dwelling unit is connected to the single-family dwelling through a breezeway or similar means, the accessory dwelling unit shall be considered detached and compliance with subsection (c) below is required.

- (14) The accessory dwelling unit shall comply with the applicable building, fire, critical area, shoreline, and zoning requirements of Title 3, 11, and 15 of Benton County Code.
 - (15) The accessory unit shall not be considered as a dwelling unit when calculating density.
- (c) An accessory dwelling unit detached from the single-family dwelling shall comply with the following:
- (1) All detached accessory dwelling units require approval of a conditional use permit (see Chapter 11.50 BCC).
 - (2) A detached accessory dwelling unit shall comply with the following minimum design standards.
 - (i) The detached accessory dwelling unit may be constructed within an existing outbuilding or be a stand alone structure, where the dwelling unit does not share a common wall with the primary single-family dwelling. If the accessory dwelling unit is connected to the single-family dwelling through a breezeway or similar means, the accessory dwelling unit shall be considered detached. 11.42.030 11-180 (BCC 12/20/18)
 - (ii) An outside entrance to the accessory dwelling unit is required and be placed at the side or rear of the building, when possible, to maintain appearance and character of an accessory use.

5. *Benton County Code*, Chapter 11.50.040 Conditional Use.

11.50.040 (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.

11.50.040 (d) CONDITIONAL USE PERMIT- PERMIT GRANTED OR DENIED. A conditional use permit shall be granted only if the Hearings Examiner can make findings of fact based on the evidence presented sufficient to allow the Hearings Examiner to conclude that, as conditioned, the proposed use:

- (1) Is compatible with other uses in the surrounding area or is no more incompatible than are any other outright permitted uses in the applicable zoning district;
- (2) Will not materially endanger the health, safety, and welfare of the surrounding community to an extent greater than that associated with any other permitted uses in the applicable zoning district;
- (3) Would not cause the pedestrian and vehicular traffic associated with the use to conflict

- with existing and anticipated traffic in the neighborhood to an extent greater than that associated with any other permitted uses in the applicable zoning district;
- (4) Will be supported by adequate service facilities and would not adversely affect public services to the surrounding area; and
 - (5) Would not hinder or discourage the development of permitted uses on neighboring properties in the applicable zoning district 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.

AGENCY COMMENTS:

1. The application documents were distributed to the following reviewing agencies on September 22, 2020.
 - a. Benton PUD
 - b. Benton-Franklin Health District
 - c. Benton County Building Department
 - d. Benton County Fire District #1
 - e. Benton County Fire Marshal
 - f. Benton County Code Enforcement
 - g. Benton County Public Works Department
2. Agency comments were received from:
 - a. Benton PUD (response received: "no comment")
 - b. Benton County Public Works (response received: "That address already has a paved approach, they do not seem to be proposing a new access to the County Road, so Public Works has no comments.")
3. Benton County Planning Department
The following are general comments and discussion points from the Planning Department:
 - a. The lot is zoned Rural Lands Five Acre (RL-1) District.
 - b. The lot is designated Rural Transition by the Benton County Comprehensive Plan.
 - c. Surrounding Land Uses: Similar in nature to the applicant's property, the adjoining properties on all sides involve single-family homes with residential accessory uses.
 - d. SEPA: A proposal for a single ADU is exempt from a State Environmental Policy Act checklist and review.
 - e. Upon completion of a review of BCC Title 15 and the Benton County Critical Area Maps, no designated critical areas have been identified. A critical area report is not required for the processing of a conditional use permit for the proposed activity at this location.

FINDINGS OF FACT AND CONDITIONS OF APPROVAL:

The following Findings of Fact and Conditions of Approval are based on comments received up to the date of this staff memo. Any comments received after the completion of this staff memo or submitted during the advertised public hearing for CUP 2020-014 will need to be considered by the Hearings Examiner and may be added to the suggested Findings of Fact and Conditions of Approval as set forth below. The Hearings

Examiner may decide to adopt these as their own or amend/add to these Findings of Fact and Conditions of Approval after holding the open public hearing.

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

SUGGESTED FINDINGS OF FACT

The County makes the following Findings of Fact:

1. The applicant requests to construct an 800 sq. ft. Accessory Dwelling Unit (ADU) adjacent an existing detached garage on a lot with an existing single-family dwelling at 6503 S Coulee Vista Drive in Benton County.
2. The applicants and owners are Stephen & Darlene Recker, mailing address is 6503 S Coulee Vista Drive, Kennewick, WA 99338.
3. The property is located south of Interstate 82 and north of E. Reata Road approximately 1 mile east of Dallas Road. (Parcel Number 1-0588-402-0000-008).
4. The property is approximately 0.91 acres in size and is zoned Rural Lands 1 Acre (RL-1) District.
5. The proposed detached ADU will be accessory to an owner-occupied single-family home, will be limited to 800 sq. ft. in size, and contain no more than one (1) bedroom as directed in the Benton County Code.
6. The site consists of a single-family 2600 sq. ft. home, and a 1672 sq. ft. detached garage. The ADU is proposed to be 16' x 50' in size and located north of the existing detached garage.
7. Public notice and application requirements have been completed for the conditional use permit request as follows:
 - a. The application for CUP 2020-014 was submitted to the Benton County Planning Department on September 14, 2020.
 - b. The application was declared complete for processing on September 22, 2020.
 - c. The application documents were distributed to reviewing agencies on September 22, 2020.
 - d. The Benton County Hearings Examiner Notice of Open Record Hearing for application CUP 2020-014 was published on November 4, 2020 in the Prosser Record Bulletin.
 - e. The Notice was mailed to property owners of record within 300 feet of the outer boundaries of the parcel on November 4, 2020.
 - f. The Open Record Hearing is scheduled for November 16, 2020.
8. The proposed detached ADU is allowable by Conditional Use Permit if approved by the Benton County Hearings Examiner.
9. The detached ADU must comply with Benton County Building Department standards and requirements, as per the Conditions of Approval.
10. The application for CUP 2020-014 is consistent with the Growth Management Act, RCW 36.70A, including RCW 36.70A.390.
11. The application for CUP 2020-014 is consistent with RCW 43.63A.215 (3) *Accessory apartments*.
12. The application for CUP 2020-014 is consistent with the goals and policies of the Benton County

Comprehensive Plan.

13. The application for CUP 2020-014 is consistent with the requirements included in the Benton County Zoning Code.
14. The application for CUP 2020-014 is consistent with the requirements in Benton County Code (BCC), Title 11 Zoning, Chapter 11.42 General Provisions, Section(s) 11.42.020 (a) Accessory Dwelling Units (ADU), as follows:
 - (1) *One (1) accessory dwelling unit is allowed per parcel/lot.*
 - a. One (1) detached ADU is proposed for the subject property.
 - (2) *A single-family dwelling must be located on the parcel/lot where the accessory dwelling unit is to be located.*
 - a. A single-family dwelling is located on the parcel/lot where the detached ADU is to be located.
 - (3) *The accessory dwelling unit shall not exceed 40% of the total square footage of the single-family home or 800 square feet in size, whichever is smallest.*
 - a. The single-family home is approximately 2600 square feet.
 - b. Forty percent 40% of 2600 square feet is 1040 square feet. With this, the detached ADU shall be no greater in size than 800 square feet.
 - c. The applicant is proposing approximately 800 square feet in the application request.
 - (4) *The accessory dwelling unit shall consist of no more than one (1) bedroom.*
 - a. The detached ADU will have one (1) bedroom.
 - (5) *The accessory dwelling unit shall provide two (2) off-street parking spots.*
 - a. The applicant is proposing two (2) parking spots to serve the detached ADU.
 - (6) *An accessory dwelling unit shall be constructed on the site and permanently affixed to the ground by footings and foundation. A recreational vehicle (RV), mobile home, manufactured home, or factory assembled structure is not to be permitted as an accessory dwelling unit.*
 - a. The proposal is to construct an 800 sq. ft. ADU.
 - b. The proposed ADU would be 16' x 50'.
 - (7) *The accessory dwelling unit is not allowed on a lot/parcel that has a duplex, multi-family dwelling, a temporary dwelling permit (see BCC 11.42.110), a multiple detached dwelling permit (see BCC 11.42.080) or two (2) or more single-family dwellings.*
 - a. The lot/parcel is improved with a home and detached accessory buildings.
 - b. No additional dwelling or housing units exist or are proposed.
 - (8) *The accessory dwelling unit is not allowed to be used in the operation of a home occupation.*
 - a. A home occupation is not planned nor proposed to be operated in the detached ADU.
 - (9) *The accessory dwelling unit shall both meet and comply with Benton Franklin Health District standards.*
 - a. The detached ADU must comply with BFHD standards as per the Conditions of Approval.
 - (10) *The accessory dwelling unit shall meet and comply with Benton County Fire Marshal*

requirements for access.

- a. The detached ADU complies with Fire Marshal standards.
- (11) *The accessory dwelling unit may be permitted as either a ground floor or 2nd floor unit.*
 - a. The detached ADU will be a ground floor unit.
 - (12) *Either the accessory dwelling unit or the single-family dwelling shall be occupied by the landowner(s) as their primary residence. The landowner shall maintain residency in the primary house at least six (6) months out of the year and at no time receive rent for, or otherwise allow anyone to occupy the landowner(s) unit when absent the rest of the year.*
 - a. At the time of application, the parents of the owner of the property plan to reside in the ADU as their primary dwelling and the owner will reside in the existing single-family dwelling.
 - (13) *If the accessory dwelling unit is connected to the single-family dwelling through a breezeway or similar means, the accessory dwelling unit shall be considered detached and compliance with the applicable portions of the Benton County Code for detached ADU's is required.*
 - a. This standard is not applicable to the submitted application.
 - (14) *The accessory dwelling unit shall comply with the applicable building, fire, critical area, shoreline, and zoning requirements of Title 3, 11, and 15 of the Benton County Code.*
 - a. The detached ADU complies with building department requirements, fire marshal requirements.
 - b. The detached ADU complies with Benton County critical area, shoreline master program, and zoning regulations.
15. The application for CUP 2020-014 is consistent with requirements in Benton County Code (BCC), Title 11 (Zoning), Chapter 11.42 General Provisions, Section 11.42.020 (c)(2)(i) which states "The detached ADU may be constructed within an existing outbuilding" or be a stand-alone structure, "where the dwelling unit does not share a common wall with the primary single-family dwelling."
- a. The applicant plans to construct an 800 sq. ft. ADU adjacent an existing 1672 sq. ft shop.
16. The application for CUP 2020-014 is consistent with requirements in Benton County Code (BCC), Title 11 (Zoning), Chapter 11.42 General Provisions, Section 11.42.020(c)(2)(ii) which states "An outside entrance to the accessory dwelling unit is required and be placed at the side or rear of the building, when possible, to maintain appearance and character of an accessory use."
- a. The detached ADU is proposed to be placed north of the Shop, which is north of the Single-Family Home. The placement of the home will make the accessory building will be difficult to see from S Coulee Vista Dr.
 - b. The County believes the proposed door layout of the structure is adequate for its location and situation, subject to compliance with the findings of fact and conditions of approval.
17. The application is consistent with requirements in Benton County Code (BCC), Title 11 Zoning, Chapter 11.42 General Provisions, Section(s) 11.42.020 (d) which states "the applicant shall record the permit issued for the accessory dwelling unit with the Benton County Auditor's Office. The recording fee shall be paid by the applicant for the accessory dwelling unit. The permit shall include a statement that the accessory dwelling may not be sold as a separate residence until such time as the accessory dwelling is located as the sole residence on a legally subdivided parcel".
- a. The County will provide the applicant an ADU agreement/permit to be signed, notarized and recorded by the applicant with the Benton County Auditor's Office.

18. The application is consistent with the requirements in Benton County Code (BCC), Title 11 (Zoning), Chapter 11.50.040 (d) which state the Findings of Fact the Hearings Examiner must make in order to grant the request.

Specific to this permit application, the County finds:

- a. The proposed detached ADU is compatible with other uses in the surrounding area and is no more incompatible than are any other outright permitted uses in the applicable zoning district;
- b. The proposed detached ADU will not materially endanger the health, safety, and welfare of the surrounding community to an extent greater than that associated with any other permitted uses in the applicable zoning district;
- c. The proposed detached ADU's pedestrian and vehicular traffic will not conflict with existing and anticipated traffic in the neighborhood to an extent greater than that associated with any other permitted uses in the applicable zoning district;
- d. The proposed detached ADU will be supported by adequate service facilities and would not adversely affect public services to the surrounding area; and
- e. The proposed detached ADU will 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.

SUGGESTED CONDITIONS OF APPROVAL:

If the Hearings Examiner decides to approve Conditional Use Permit request CUP 2020-014 then the following are suggested conditions recommended by the Planning Department:

Any conditions imposed by the Hearings Examiner shall be completed prior to the Planning Department issuing the Conditional Use Permit. The applicant shall notify the Benton County Planning Department in writing when the conditions set forth herein have been completed. The Conditional Use Permit shall not become effective until issued by the Planning Department.

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 has conditionally approved the Conditional Use Permit, the Hearings Examiner may declare its approval null and void at a regular Hearings Examiner meeting. Prior to doing so, the applicant shall be notified in writing at the applicant's last known address at least twelve (12) days in advance of the upcoming Hearings Examiner meeting.

Conditions of Approval:

1. All required development permits shall be obtained prior to occupancy of the detached ADU. This includes approval of permits required by the following, as applicable:
 - a. Benton County Building Department; for building permits
 - b. Benton County Fire Marshal; for fire and safety regulations
2. Either the detached ADU or the single-family dwelling shall be occupied by a landowner(s) as his/her primary residence. The landowner shall maintain residency at least six (6) months out of the year and at no time receive rent for, or otherwise allow others to occupy the landowner(s) unit when absent the rest of the year.
3. One (1) ADU is allowed per parcel/lot.
4. The detached ADU shall not exceed 800 square feet in size.
5. The detached ADU shall not have more than one (1) bedroom.

6. The detached ADU shall be occupied by not more than one (1) household as living accommodations.
7. The detached ADU is not allowed to be used in the operation of a home occupation.
8. The detached ADU must be located on the same lot as a single-family dwelling.
9. Benton Franklin Health District requires:
 - 1) the accessory dwelling is served by a single family well or an approved public water supply in accordance with WAC 246-291; and
 - 2). The accessory dwelling will be served by an on-site sewage disposal system that is permitted, installed, and approved in accordance with Benton-Franklin District Board of Health Rules and Regulations No. 2, as per 9/11/2020 BFHD email.
10. Two (2) off street parking spaces shall be provided to serve the detached ADU.
11. A duplex, multi-family dwelling, Temporary Dwelling permit, Multiple Detached Dwelling permit, or two (2) or more single-family dwellings are not to be permitted on a lot/parcel with an ADU.
12. The applicant shall apply for a road approach permit from the Benton County Public Works Department and meet all requirements of that department.
13. The County will provide an ADU agreement to the applicant. The applicant shall sign the agreement before a Notary Public and record the document with the Benton County Auditor's Office. The recording fee shall be paid by the applicant. The document will include a statement that the Accessory Dwelling Unit may not be sold as a separate residence until such time as the accessory dwelling is located as the sole residence on a legally subdivided parcel.
14. Any violation of the conditions of approval will be processed in accordance with BCC Title 11, Chapter 11.43 Administration and Disposition of Infractions. If the Conditional Use Permit has been issued and violations exist, the Hearings Examiner may revoke the permit after an open record hearing with notice as set forth in BCC 11.50.050(b), as amended. This condition does not foreclose the County's use to other enforcement mechanisms.

The permit holder shall continue to meet all conditions of approval while CUP 2020-014 is in effect.

HEM 1.2



CUP 2020-014 Vicinity Map (Recker)
created by Benton County Planning Dept.

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



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CONDITIONAL USE PERMIT
APPLICATION

File No. CUP 2020-014

RECEIVED

SEP 14 2020

APPLICANT INFORMATION

Please check the box indicating primary contact person for this application

Benton Co. Planning Dept.

Applicant/Agent: Stephen & Darlene RECKER

Mailing Address: 6503 S. Coulee VISTA DR. City: KENNEWICK

State: WA ZIP: 99338 Phone: 509-531-8505 Work: _____

Email Address: RECKERBUILDS@AOL.COM

Signature: [Signature] Date: 5/26/20

Property Owner(s) (if different): SAME

Mailing Address: _____ City: _____

State: _____ ZIP: _____ Phone: _____ Work: _____

Email Address: _____

Signature: _____ Date: _____

Signature: _____ Date: _____

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

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

ENTITY SIGNATURE BLOCK

If the applicant or legal owner of the property is a corporation, partnership, trust or LLC use the following signature block.

Applicant/Legal Owner: _____

Officer name: N/A

Title: _____

Signature: _____ Date: _____

THE ABOVE SIGNED OFFICER OF _____ (name of entity)

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

Any information submitted to the Benton County Planning 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.

PARCEL INFORMATION

1. Subject property address: 6503 S. Coulee Vista Dr.

City: Kennewick State: WA ZIP: 99338

2. Parcel number: 1-0588-402-0000-008 3. Acreage: .90

4. Access: County Road State Road/Highway Private Road

5. Utilities: Power: Benton PUD Benton REA

Sewer: Septic Tank City Sewer: (Provider) _____

Water: Individual Wells One well serving 2-4 lots One well serving 5+ lots

Private System (Provider & Address) SUMMIT VIEW WATER WORKS
P.O. Box 7224 Kennewick, WA 99336

City System (Provider) _____

Gas: No Yes: (Provider) PROPANE TANK

Cable: No Yes: (Provider) _____

Phone: No Yes: (Provider) Frontier

Irrigation: No Private District: (Provider) SUMMIT VIEW WATER WORKS.

6. Present use of property: SINGLE FAMILY RESIDENCE

7. What is the proposed use? Single family with mother-in-law dwelling for elderly parents.

8. Will only one detached building to be used for the proposed use? Yes No

9. Will the project be conducted entirely inside of a building? Yes No
If no, explain what outdoor activities would occur: N/A

10. What is the total area, including storage that will be used? N/A

11. Does one of the business proprietors own/lease the property where the proposed business is located? Yes No N/A

12. Is there a residence on site? Yes No
a) Does one of the proprietors live in the residence on site? Yes No

13. Total number of employees (who do not live on site)? N/A

14. Proposed days and hours of operation (including employee hours)?

Days: N/A Hours: _____

a) Will the operation be seasonal? Months of operation: _____

15. Will you have a sign? Yes No

If yes, please answer the following and **attach a drawing** of the proposed signage

a) Number of sign(s)? _____

b) Height of sign(s)? N/A

c) Dimensions of sign(s)? _____

d) Location of sign(s)? _____

e) Will the sign(s) be illuminated? Yes No

16. How many vehicles will be labeled to identify the proposed use? N/A

17. How many parking spaces will be provided? Existing: _____ Proposed: _____ Surface Type: _____

18. What is the name of the access road to the property? _____

a) Is the road a: County Road State Highway Private Road

b) Is the road constructed out of: Pavement Gravel

19. Is any outdoor lighting proposed? Yes No

a) Where will it be located? _____

20. Are you proposing any site screening and/or fencing?

Yes (if yes, please show on site plan map) No

a) What type and where will it be located? BLOCK FENCE AROUND PERIMETER

21. Additional comments or information: OF PROPERTY

IF FURTHER EXPLANATION IS NEEDED FOR ANY OF THE QUESTIONS PLEASE ATTACH ADDITIONAL PAGES.

(FOR STAFF USE ONLY)

Application Complete: Y N

Critical Areas: N Y: _____

Zoning: _____

Reviewed by: _____

Date: _____

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

CONDITIONAL USE PERMIT APPLICATION ADDENDUM DETACHED ACCESSORY DWELLING UNIT

File No. CUP 2020-014

Applicant Name: STEPHEN RECKER

1. Number of Accessory Dwelling Units currently on the property: 0
2. Is there a single family dwelling currently on the property? Yes No
3. What is the square footage of the main home? 2600 Sq Ft
4. What is the square footage of the proposed accessory dwelling unit? 800
5. How many bedrooms will be in the Accessory Dwelling Unit? 1
6. Does the landowner currently have any other land use permits? NO

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

IN LAW APARTMENT 1-BED ROOM, 1-BATHROOM
1-KITCHEN 1-LIVING ROOM

Please provide a site plan that includes the following:

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

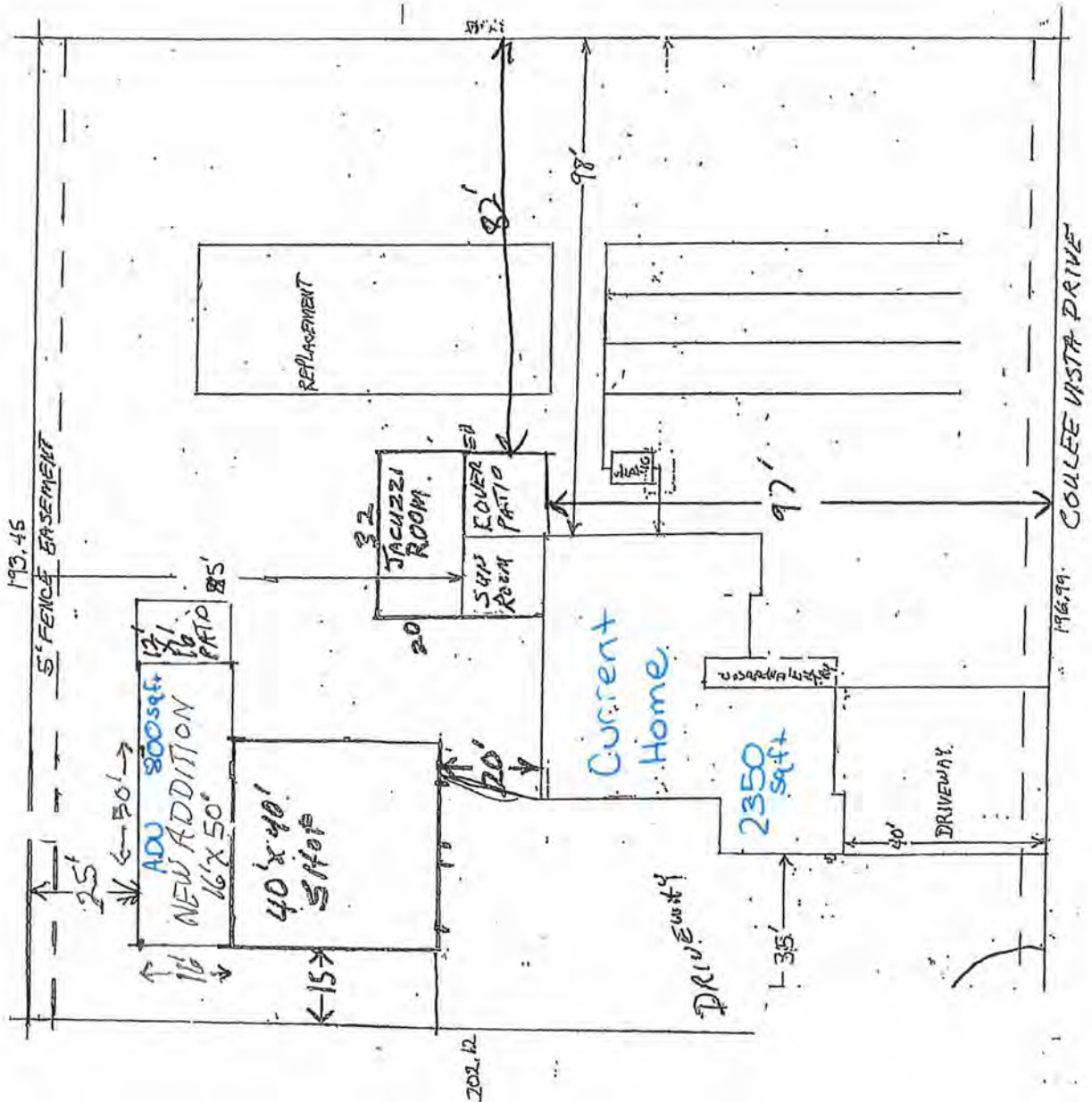
Any information submitted to the Benton County Planning Department is subject to public records disclosure law for the State of Washington (RCW Chapter 42.17) and all other applicable law that may require the release of the documents to the public.



Becker

STRUCTURE TYPE - DRA
APPLICATION # - 33726
PARCEL # - 0588-402-000-008
ZONE -
REQUIRED SETBACKS*
FRONT -
SIDE -
SIDE -
REAR -
OTHER -
OTHER -
PLEASE CALL 735-3600 IF QUESTIONS

6503 COULLEE VISTA DRIVE
LOT 8 THE PINNACLES AT BEATTY WEST
SCALE # = 20'
LOT SIZE - 39456 SQ. FT.
TAX ID # 1-0588-402-000-008



Planning Department

(509) 786-5612
P.O. Box 910
Prosser, WA 99350



www.co.benton.wa.us

planning.department@co.benton.wa.us

Prosser Office: 620 Market Street, 1st Floor
Kennewick Office: 102206 East Wiser Parkway

9/22/2020

HEM 1.4

Stephen and Darlene Recker
6503 S. Coulee Vista Dr.
Kennewick, WA 99338

Sent via email to reckerbuilds@aol.com

RE: Written Determination of Completeness
File Number: CUP 2020-014

Dear Applicant,

This office is in receipt of your project permit application for a Conditional Use Permit to allow you to build an detached Accessory Dwelling Unit at 6503 S. Coulee Vista Dr. The Planning Department has determined that the required materials have been submitted and the application is complete. A file number has been assigned (CUP 2020-014) and the review process will now begin.

Although this office has determined that your application is complete, more clarification or information may be needed from you during the review process. If additional information is required, it will need to be submitted to our office before the item can be heard at the hearing before the Hearings Examiner. Prior to any hearing on your project, you will receive a public hearing notice and a staff memo.

Additional information and/or permits may be required from other agencies including, but not limited to, the Benton County Building Department, the Benton-Franklin Health District, the Benton County Public Works Department or the Washington State Department of Health.

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

Sincerely,

A handwritten signature in cursive script that reads "Brian Malley".

Brian Malley, Associate Planner
Benton County Planning Department

Planning Department
(509) 786-5612
P.O. Box 910
Prosser, WA 99350



www.co.benton.wa.us
planning.department@co.benton.wa.us
Prosser Office: 620 Market Street, 1st Floor
Kennewick Office: 102206 East Wiser Parkway

9/22/2020

HEM 1.5

Benton County Public Works Department
Benton Franklin Health District
Benton County Fire District 1
Benton County Building Department
Benton County Fire Marshal
Benton County Code Enforcement
Benton PUD

RE: Agency review of Conditional Use Permit application
File #: CUP 2020-014

Attached is a Conditional Use Permit application from Stephen and Darlene Recker for your agency's review. The Reckers are requesting to add an Accessory Dwelling Unit to their property at 6503 S. Coulee Vista Drive in Kennewick.

PLEASE SUBMIT YOUR COMMENTS to planning.department@co.benton.wa.us by October 6, 2020. Please reference file number **CUP 2020-014** in all correspondence.

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

Thank you!
Benton County Planning Department

From: Deana Chiodo <deanac@bfhd.wa.gov>
Sent: Friday, September 11, 2020 11:36 AM
To: Planning Department
Cc: reckerbuilds@aol.com
Subject: [EXTERNAL] 6503 Coulee Vista

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April,

I just spoke with Steve Recker. He is wanting to do a 800 sqft Mother-in-law attached to his existing shop. He would need to apply for an Alteration to his existing onsite sewage system which would need to be installed, inspected and approved according to Benton-Franklin Board of Health Rules and Regulations No.2 prior to approval.

Please let me know if you have any questions or concerns, thank you.

Deana Chiodo
Environmental Health Specialist II

Benton-Franklin Health District
7102 W. Okanogan Place,
Kennewick, WA 99336
p: 509.460.4316
www.bfhd.wa.gov Deanac@bfhd.wa.gov



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From: Clark Posey
Sent: Wednesday, September 23, 2020 3:59 PM
To: Planning Department
Cc: lonnie@bentonone.org
Subject: RE: CUP for Accessory Dwelling Unit Agency review request (CUP 2020-014)

The following are the comments from the Benton County Fire Marshal on the CUP for the Accessory Dwelling Unit # 2020-014.

This accessory dwelling is not intended to be attached to the existing house or located within the existing home, as code would allow. **11.09.050 (d)&(e)**

Site plan shows the proposed accessory dwelling unit to be attached to the backside of an accessory shop.

11.09.050 USES SUBJECT TO PLANNING ADMINISTRATOR REVIEW AND APPROVAL.

(d) Accessory dwelling unit (**within or attached to a single family home**), subject to the provisions of BCC 11.42.020.

(e) Uses subject to Planning Administrator review and approval, specified in BCC 11.09.050 (b)(c)(d).

As Fire Marshal, I have the following comments;

This is going to be very difficult for Fire Department to get equipment i.e. hoses and personnel, or Ambulance Services (more likely) to get to this additional living area behind the other structures and vehicles.

Code also requires two parking spaces per ADU, this would add additional congestion to this situation.

11.42.020 ACCESSORY DWELLING UNITS (ADU). (a) (5)

(5) The accessory dwelling unit shall provide two (2) off street parking spots.

This area has busy roads already and is in the process of adding 2 more sub-divisions that will add to the congestion.

The property is already non-conforming at .91 Acre and not the required 1 Acre. And is not located in the UGAR, the freeway runs through future development most likely stopping any future UGAR expansions or City annexations.

Once we allow one, we set precedence for others to follow.

There is 100 plus single family residential homes located in this area now, with like I mentioned, 2 more sub-divisions are currently being developed.

11.09.080 PROPERTY DEVELOPMENT STANDARDS--GENERAL STANDARDS.

- (a) Minimum parcel size. Except as otherwise set forth herein, the minimum parcel size that may be created in the RL-1 District is one (1) acre; provided, the Benton-Franklin Health District may require a larger parcel size as necessary to meet on-site sanitary 11.09.090 11-59 (BCC 06/20/19) well and sewer provisions. In order to meet maximum density objectives, duplexes may only be located on parcels of at least two (2) acres; provided, that the

Benton-Franklin Health District may require a larger parcel size as necessary to meet on-site sanitary well and sewer provisions.

Thank you for the opportunity to comment,

Clark A. Posey
Benton County Fire Marshal

From: Planning Department <Planning.Department@co.benton.wa.us>

Sent: Tuesday, September 22, 2020 2:49 PM

To: Benton Franklin Health District - Rick Dawson <rickd@bfhd.wa.gov>; Fire District #1 - Billie <billie@bentonone.org>; lonnie@bentonone.org; Fire District # 1 - Scott <scott@bentonone.org>; Fire District #1 - Staff <staff@bentonone.org>; Clark Posey <Clark.Posey@co.benton.wa.us>; Dale Wilson <Dale.Wilson@co.benton.wa.us>; Brian Bell <Brian.Bell@co.benton.wa.us>; Jenelle Schadler <Jenelle.Schadler@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>; Cristina Woods <Cristina.Woods@co.benton.wa.us>; Jeff Liner <Jeff.Liner@co.benton.wa.us>; Jordyn Reimer <Jordyn.Reimer@co.benton.wa.us>; Tavis Hatfield <Tavis.Hatfield@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 Glines (glinest@bentonpud.org) <glinest@bentonpud.org>; Benton PUD Jeff Vosahlo <vosahloj@bentonpud.org>; Benton PUD-Mike Irving <irvingm@bentonpud.org>

Subject: CUP for Accessory Dwelling Unit Agency review request (CUP 2020-014)

Please see the attached agency review request for CUP 2020-014



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

The Planning Department has TWO OFFICES to serve you! I am usually in the Kennewick office (102206 East Wiser Parkway Kennewick, WA 99338). Our office in Prosser has moved to the First Floor of the Courthouse (620 Market Street, Prosser).

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From: Cristina Woods
Sent: Monday, September 28, 2020 1:49 PM
To: Planning Department
Subject: RE: CUP for Accessory Dwelling Unit Agency review request (CUP 2020-014)

Good afternoon

That address already has a paved approach, they do not seem to be proposing a new access to the County Road, so Public Works has no comments.

Thank you

Cristina I. Woods

*Engineering Tech III
Benton County Public Works
102206 Wiser Parkway
Kennewick WA99338
509-786-5611*

From: Planning Department <Planning.Department@co.benton.wa.us>
Sent: Tuesday, September 22, 2020 2:49 PM
To: Benton Franklin Health District - Rick Dawson <rickd@bfhd.wa.gov>; Fire District #1 - Billie <billie@bentonone.org>; lonnie@bentonone.org; Fire District # 1 - Scott <scott@bentonone.org>; Fire District #1 - Staff <staff@bentonone.org>; Clark Posey <Clark.Posey@co.benton.wa.us>; Dale Wilson <Dale.Wilson@co.benton.wa.us>; Brian Bell <Brian.Bell@co.benton.wa.us>; Jenelle Schadler <Jenelle.Schadler@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>; Cristina Woods <Cristina.Woods@co.benton.wa.us>; Jeff Liner <Jeff.Liner@co.benton.wa.us>; Jordyn Reimer <Jordyn.Reimer@co.benton.wa.us>; Tavis Hatfield <Tavis.Hatfield@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 Glines <glinest@bentonpud.org> <glinest@bentonpud.org>; Benton PUD Jeff Vosahlo <vosahloj@bentonpud.org>; Benton PUD-Mike Irving <irvingm@bentonpud.org>
Subject: CUP for Accessory Dwelling Unit Agency review request (CUP 2020-014)

Please see the attached agency review request for CUP 2020-014



April Brown, Permit Technician
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From: Shanna Everson <eversons@bentonpud.org>
Sent: Tuesday, September 22, 2020 4:08 PM
To: Planning Department
Subject: [EXTERNAL] RE: [E] CUP for Accessory Dwelling Unit Agency review request (CUP 2020-014)

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No comment. Looks fine.

Thanks,

Shanna Everson
Distribution Design Tech 1
509-585-5367



From: Planning Department <Planning.Department@co.benton.wa.us>
Sent: Tuesday, September 22, 2020 2:49 PM
To: Benton Franklin Health District - Rick Dawson <rickd@bfhd.wa.gov>; Fire District #1 - Billie <billie@bentonone.org>; Lonnie@bentonone.org; Fire District # 1 - Scott <scott@bentonone.org>; Fire District #1 - Staff <staff@bentonone.org>; Clark Posey <Clark.Posey@co.benton.wa.us>; Dale Wilson <Dale.Wilson@co.benton.wa.us>; Brian Bell <Brian.Bell@co.benton.wa.us>; Jenelle Schadler <Jenelle.Schadler@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>; Cristina Woods <Cristina.Woods@co.benton.wa.us>; Jeff Liner <Jeff.Liner@co.benton.wa.us>; Jordyn Reimer <Jordyn.Reimer@co.benton.wa.us>; Tavis Hatfield <Tavis.Hatfield@co.benton.wa.us>; Brenda Webb <webbb@bentonpud.org>; Chad Brooks <brooksc@bentonpud.org>; Roxanne Weller <wellerr@bentonpud.org>; Shanna Everson <eversons@bentonpud.org>; Tina Glines <glinest@bentonpud.org>; Jeff Vosahlo <vosahloj@bentonpud.org>; Mike Irving <irvingm@bentonpud.org>
Subject: [E] CUP for Accessory Dwelling Unit Agency review request (CUP 2020-014)

Please see the attached agency review request for CUP 2020-014



April Brown, Permit Technician
Benton County Planning Department
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Planning Department
 (509) 786-5612
 P.O. Box 910
 Prosser, WA 99350



planning.department@co.benton.wa.us
 Prosser Office: 620 Market Street, 1st Floor
 Kennewick Office: 102206 East Wiser Parkway

NOTICE OF OPEN RECORD HEARINGS

NOTICE IS HEREBY GIVEN that the following applications have been proposed to the Benton County Hearings Examiner for Benton County, Washington.

VAR 2020-001 Applicant: Donald Clark

The applicant is seeking a reduction of the 20' side yard setback to a 10' setback for a new shop. The Variance is being requested due to setback requirements, easements and the parcel size. The site is located at 180002 Robertson Road in Grandview, WA. Benton County Parcel No. 1-1894-202-0000-004

CUP 2020-014 Applicants: Stephen & Darlene Recker

The applicants are requesting permission to construct a detached Accessory Dwelling Unit on .91 acres in the Rural Lands 1 zoning. The site is located at 6503 Coulee Vista Drive in Kennewick, WA. Benton County Parcel No. 1-0588-402-0000-008

CUP 2020-015 Applicant: Brian R. Wilson

The applicant is requesting permission to construct a detached Accessory Dwelling Unit on 7.49 acres in the Rural Lands 5 zoning. The site is located at 56615 NW Roza PR in Benton City, WA. Benton County Parcel No. 1-0296-201-1696-001

NOTICE IS GIVEN that said the Benton County Hearings Examiner will hold an open record public hearing for the above stated applications on Monday, November 16, 2020 at 10:00 am.

Due to the ongoing and unprecedented COVID-19 emergency, participation in this meeting will only be offered virtually. All concerned persons may virtually appear and present any support for or objection to an application or provide written testimony to the Hearings Examiner in care of the Planning Department on or before the date of the hearings. Written testimony may be submitted to: Benton County Planning Department PO Box 910 Prosser, WA 99350. Any information submitted to Benton County is subject to the public records disclosure laws for the State of Washington (RCW Chapter 42.17) and all other laws that may require the release of the documents to the public.

To find information on virtual attendance options which include streaming video, Webex video conferencing and telephone, please visit: www.tinyurl.com/BCPublicNotice

If you wish to provide comments on any of the actions before the Hearings Examiner, we ask that you please fill out our online form (found at <https://tinyurl.com/testifyform>) and submit your request to our office. **You must submit a request form to participate for each hearing that you wish to attend.** If you prefer to make the request by phone, please call our office at (509) 786-5612 and we can add you to the list for providing testimony. At the meeting the names of those wishing to testify will be called out and at that time you will be able to present your comments/concerns regarding the specific agenda item. We do ask that participants please limit background noise or mute their line to prevent any unnecessary interruption to the meeting.

If you have questions regarding any of the land use proposals listed or have questions about submitting comments or attending a virtual hearing, please contact the Planning Department at 509-786-5612 or visit our office at 102206 E. Wiser Parkway, Kennewick, WA 99338.

Dated this 30th day of October 2020

SUSAN E. DRUMMOND
 Benton County Hearings Examiner

GREG J. WENDT, Planning Manager
 Benton County Planning Department

PUBLICATION DATE: November 4, 2020