

**EXHIBIT LIST FOR CUP 2022-001**

McCullough, DBR Custom Meats

<b>Hearings Examiner Staff Memo Exhibit List - March 18, 2022</b>		
HEM 1.1	Staff Memo	
HEM 1.2	Vicinity map created by Benton County Planning Division	
HEM 1.3	Application with statement, site plan and photos of truck/building	February 8, 2022
HEM 1.4	Email from WA State Dept of Agriculture	February 8, 2022
HEM 1.5	Email from Benton Franklin Health District	February 8, 2022
HEM 1.6	Written Determination of Completeness	February 10, 2022
HEM 1.7	Agency review request	February 10, 2022
HEM 1.8	Comment from Benton County Code Enforcement	February 11, 2022
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<b>Exhibits Submitted <span style="color: red;">During Hearing</span> or while record remained open</b>		
HEH 1.1		
HEH 1.2		
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**STAFF REPORT TO THE BENTON COUNTY HEARINGS EXAMINER**  
**Caitlinn & Sean McCullough**  
**Custom Meat Processing Facility**

**HEM 1.1**

**FILE NO:** CUP 2022-001

**HEARING DATE:** March 18, 2022

**APPLICANT:** Caitlinn & Sean McCullough, 47921 S Fremont St, Kennewick, WA 99337

**OWNER:** Caitlinn & Sean McCullough

**LOCATION:** General Location: The property is located approximately 400 feet south of the intersection of Fremont Street and E 479 PR SE in Kennewick, Washington.  
Situs Address: 47921 S Fremont St, Kennewick, WA 99337  
Legal: Lot 4 of Short Plat 0902, Section 32, Township 8, Range 30, Quarter NE, W.M.  
Parcel Number: 1-3280-101-0902-004

**PROPERTY SIZE:** Approximately 2.24 acres

**AREA TO BE USED:** Approximately 1,080 sq. ft. accessory building, with 10 associated parking stalls.

**LAND USE:** Residential

**ZONING:** Rural Lands Five (5) Acre District

**COMPREHENSIVE PLAN DESIGNATION:** Rural Remote

**RECOMMENDATION:**

The Planning Division recommends approval of the application request, subject to the suggested thirteen (13) Findings of Fact and six (6) Conditions of Approval as outlined in this Staff Report.

**APPLICATION DESCRIPTION:**

The applicants are requesting a Conditional Use Permit to operate a custom meat processing facility within an accessory building that is currently being constructed. The completed accessory building to be utilized for the business activity will be 1,080 sq. ft. and attached to an existing 1,440 sq. ft. accessory building.

The property is approximately 2.24 acres in size and located in the Rural Lands Five (5) Acre District (RL-5) zoning district located approximately 400 feet south of the intersection of Fremont Street and E 479 PR SE in Kennewick, Washington. Access to Fremont Street will be via a 40 ft. access easement recorded under Auditor File Number 803230.

The site is currently utilized for residential uses and includes a 2,174 sq. ft. single family dwelling, and three accessory buildings that are 1,440 sq. ft., 360 sq. feet, and 650 sq. ft. in size. The proposal includes improvements typically associated with business activities including a parking area, a 1,080 square foot shop, and one non-illuminated sign to be a maximum of four sq. ft.

The applicants have indicated that as the business grows there will be no more than four non-resident employees in total. Business hours are anticipated to be 7-6 p.m. daily throughout the year. There may be up to three vehicles marked to identify the custom meat processing business and include a mobile slaughtering unit.

The application for CUP 2022-001 was submitted to the Benton County Planning Division on February 8, 2022.

The application for CUP 2022-001 was declared complete for processing on February 10, 2022.

The application documents for CUP 2022-001 were distributed to reviewing agencies on February 10, 2022.

The Benton County Hearings Examiner Notice of Open Record Hearing was published on March 2, 2022 in the Prosser Record Bulletin.

The Notice of Hearing was mailed to property owners of record within 300 feet of the outer boundaries of the parcel on March 2, 2022.

The Open Record Hearing is scheduled for March 18, 2022.

#### **APPLICABLE STANDARDS/ORDINANCES:**

1. *Benton County Comprehensive Plan*  
3.3.2.3 Rural Land Use Designations  
Rural Commercial encompasses all commercial lands in Benton County. This includes general commercial uses and commercial areas primarily along Interstate 82. The purpose of this land use is to provide retail goods and services to regional trade areas, serve highway travelers, and provide convenience services to residents. Uses include motels, truck stops, service stations, restaurants, and fast food.
2. *Benton County Code (BCC)*  
Title 11 Zoning  
Chapter 11.03 Definitions  
Section 11.03.010 (33): Business Activity  
Business activity means the production or sale of goods, or the sale of services that is clearly incidental and secondary to the use of the property for residential purposes and that complies with the criteria set forth in this title.
3. *Benton County Code (BCC)*  
Title 11 Zoning  
Chapter 11.11 Rural Lands Five Acre District (RL-5)  
Section 11.11.060 Uses Requiring a Conditional Use Permit  
(w) 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(w)(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.

#### 4. *Benton County Code (BCC)*

##### Title 11 Zoning

##### Chapter 11.50 Variance and Conditional Use

##### Section 11.50.040 Conditional Use - 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.

Section 11.50.040 (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.

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

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

**PUBLIC NOTICE:**

The public notice requirements for this application as per BCC 11.50.050(b) are as follows:

1. The Planning Division shall provide written notification for an open record hearing, subject to the rules and regulations set forth in RCW 36.70. Written notice shall be mailed at least twelve (12) days in advance of the open record hearing to the applicant and the owner of the parcel(s) to which the proposed variance or conditional use permit would apply, and to all owners of real property, as shown in the records of the Benton County Assessor, located within a distance of three hundred (300) feet of any portion of the applicable parcel, provided that if the owner of the parcel for which the proposed variance or conditional use permit is requested owns another parcel or parcels adjacent the parcel at issue, notification shall be mailed to owners of real property located within three hundred (300) feet of any portion of such adjacent parcels as well. Failure to receive the notice shall not invalidate any proceedings or decision in connection with the proposed variance or conditional use permit. Notices addressed to the last known owner of record as shown on the County Assessor's records shall be deemed proper notice to the owner of such property; and,
2. By publication of a legal notice in a newspaper of general circulation in the County at least ten (10) days prior to the open record hearing date.

**AGENCY COMMENTS:**

1. The application documents were distributed to the following reviewing agencies on February 10, 2022:
  - a. Benton County Building Division
  - b. Benton County Code Enforcement
  - c. Benton County Fire District #1
  - d. Benton County Fire Marshal
  - e. Benton County Public Works Department
  - f. Benton-Franklin Health District
  - g. Benton PUD
  - h. Kennewick Irrigation District
  - i. Washington State Department of Transportation
2. The following comments were received from the Kennewick Irrigation District:
  - a. This parcel is within the Kennewick Irrigation District (KID) boundaries and is considered irrigable lands; therefore, the Kennewick Irrigation District assess them.
  - b. Please note that permanent structures are not allowed within irrigation easements.
  - c. Please protect all existing irrigation facilities.
  - d. Please contact Chris Sittman at 509-873-1123 or [csittman@kid.org](mailto:csittman@kid.org) with any questions.
3. The following comments were received from Benton Franklin Health District:
  - a. The Benton Franklin Health District has completed a cursory review of the project and has the following conditions and concerns:
    1. The business must be served by an approved public water supply in accordance with WAC 246-291 and Benton-Franklin District Board of Health Rules and Regulations No. 7.
    2. The meat processing facility must be served by an on-site sewage system that is designed, permitted and installed to treat and dispose of wastewater from this proposed operation. It should be noted that wastewater from this commercial operation may be considered industrial wastewater thus requiring permitting through the

Washington Department of Ecology.

3. The applicants plan calls for waste to be taken to the Pasco Landfill. It should be noted that there is no currently permitted landfill in Franklin County with the Pasco Sanitary Landfill having closed many years ago. The site must identify an appropriate method for managing solid waste.
  - b. Please contact Rick Dawson at 509-460-4313 or [rickd@bfhd.wa.gov](mailto:rickd@bfhd.wa.gov) with any questions.
4. The following comment was received from Benton County Code Enforcement:
  - a. There is an active code enforcement case on this property. A stop work order has been placed on the accessory structure intended to be utilized for the meat processing facility. No work shall be conducted on the structure until such required building permit is obtained.
  - b. Please contact Officer Dale Wilson at (509) 222-2301 or [Dale.Wilson@co.benton.wa.us](mailto:Dale.Wilson@co.benton.wa.us) with any questions.
5. The following comment was received from Washington State Department of Agriculture:
  - a. Upon approval of the Condition Use Permit the applicant will need to obtain a WSDA Custom Meat Facility license from the WSDA prior to the operation of the business.
  - b. Please contact Cajsha White at (509) 378-2962 or [CWhite@agr.wa.gov](mailto:CWhite@agr.wa.gov) with any questions.
6. Benton County Planning Division:

The following are general comments and discussion points from the Benton County Planning Division:

  - a. Requirements for signage are detailed within *Benton County Code (BCC) Chapter 3.06 Uniform Sign Code*.
  - b. Prior to issuance of any development permits, the applicant will complete coordination with Benton Franklin Health District, with respect to determining sufficient area for septic system needs, and WSDA to obtain a Custom Meat Facility license.
  - c. Upon completion of a review of BCC Title 15 and the Benton County Critical Area Maps, there are Geologically Hazardous Areas (Combined Erosion Hazard & Steep Slopes 15%) on the parcel but not within the designated project area. A critical area report is not necessary for the use or proposed building.

#### **FINDINGS OF FACT AND CONDITIONS OF APPROVAL:**

The following suggested 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 public hearing for this application will need to be considered by the Hearings Examiner and may be added to the Findings of Fact and Conditions of Approval. 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, the Planning Staff recommends approval with the following Findings of Fact and Conditions of Approval:

#### **SUGGESTED FINDINGS OF FACT:**

1. The applicants are Caitlinn & Sean McCullough, 47921 S Fremont St., Kennewick, WA 99337.
2. The applicants are requesting a Conditional Use Permit to operate a custom meat processing facility on approximately 2.24 acres in the Rural Lands Five Acre District (RL-5).
3. The property is located in unincorporated Benton County, approximately 400 feet south of the

intersection of Fremont Street and E 479 PR SE.

4. The property is zoned Rural Lands Five Acre District (RL-5).
5. The property is currently a residential use.
6. The application for CUP 2022-001 meets the intent and standards of the Benton County Comprehensive Plan.
7. The application for CUP 2022-001 meets the definition, requirements and standards of the Benton County Code, Title 11.
8. Surrounding land uses are similar in nature to the applicant's current residential use of the property: Rural Remote uses found directly adjacent, with residential uses in nearby proximity.
9. There are Geologically Hazardous Areas (Combined Erosion Hazard & Steep Slopes 15%) on the parcel but not within the designated project area. A critical area report is not necessary for the use or proposed building.
10. Public notice requirements have been met for CUP 2022-001.
11. Agency comments were received from:
  - a. Kennewick Irrigation District
  - b. Benton Franklin Health District
  - c. Benton County Code Enforcement
  - d. Washington State Department of Agriculture
12. There were no comments received from the public.
13. The Benton Franklin Health District has completed a cursory review of the proposal and has no objections provided:
  - a. The business must be served by an approved public water supply in accordance with WAC 246-291 and Benton-Franklin District Board of Health Rules and Regulations No. 7.
  - b. The meat processing facility must be served by an on-site sewage system that is designed, permitted and installed to treat and dispose of wastewater from this proposed operation. It should be noted that wastewater from this commercial operation may be considered industrial wastewater thus requiring permitting through the Washington Department of Ecology.
  - c. The applicants' plan calls for waste to be taken to the Pasco Landfill. It should be noted that there is no currently permitted landfill in Franklin County with the Pasco Sanitary Landfill having closed many years ago. The site must identify an appropriate method for managing solid waste.

#### **SUGGESTED CONDITIONS OF APPROVAL:**

1. The ongoing activities on the site shall comply with the submitted site plan and materials submitted for this application.
2. All required development permits/approvals shall be obtained prior to issuance of the Conditional Use Permit. This includes approval of permits required by the following agencies, as applicable:
  - a. Benton County Building Division
  - b. Benton County Public Works
  - c. Benton County Planning Division

- d. Benton Franklin Health District
3. The applicant will meet and comply with *Benton County Code 3.06 Sign Code*. Off-site signage will not be permitted.
4. Vehicle parking associated with the activities on the property shall be accommodated on the site. No vehicle parking is allowed in the County right of way.
5. The business shall comply with *Benton County Code Title 11* for the life of the conditional use.
6. Future construction or activities associated with this business operation require review under the Benton County Zoning Ordinance. Applicants shall contact the Planning Division prior to any construction or changes in activities on site.

**Time to Complete Conditions of Approval:**

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

If the conditions of approval have not been met and the Planning Division does not issue the Conditional Use Permit within one (1) year from the date of this decision, the Hearings Examiner may declare it 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 of the upcoming Hearings Examiner meeting.

**Transferability**

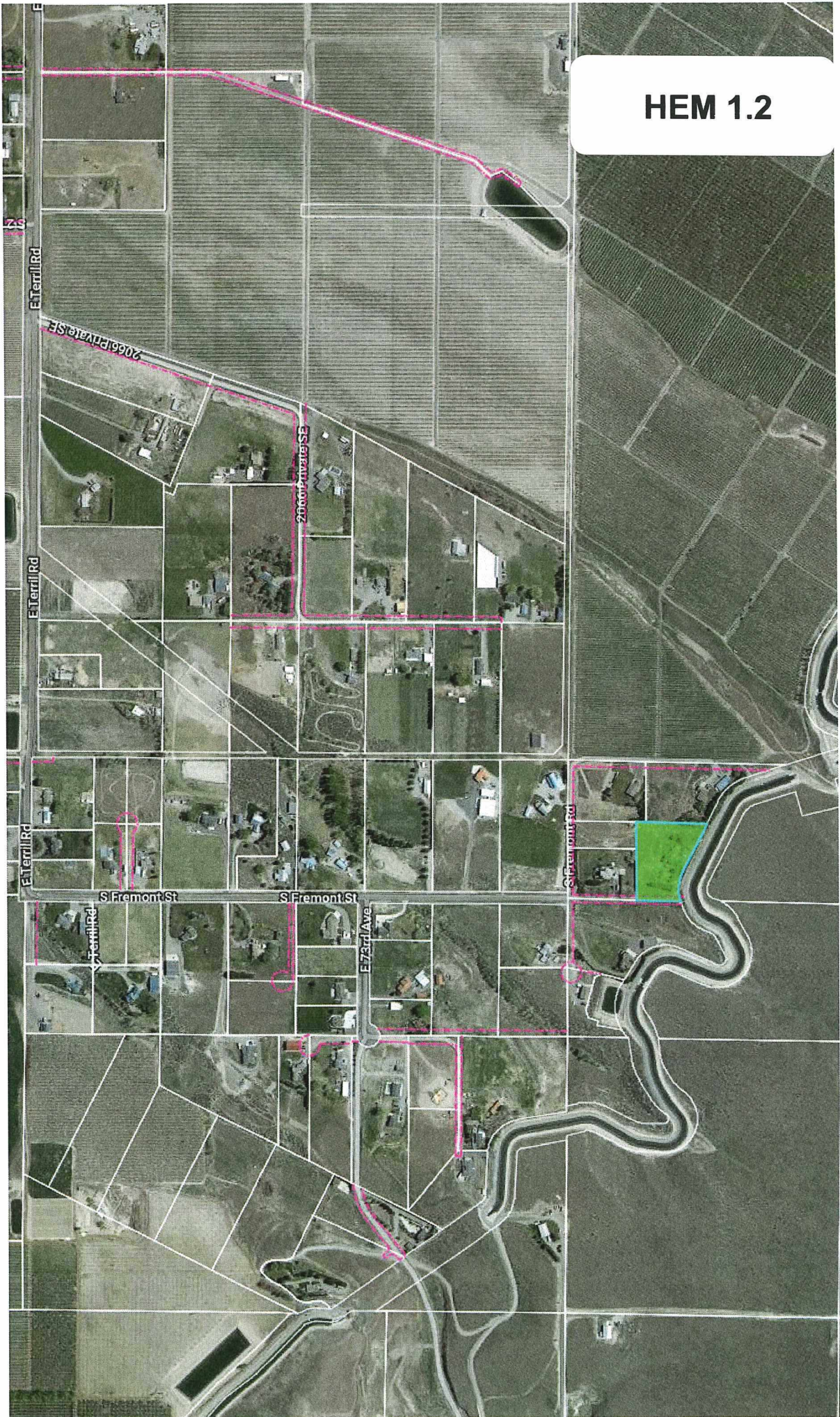
This Conditional Use Permit is transferrable by a holder. If a new property owner wishes to have a custom meat processing facility, the new owner must update the Conditional Use Permit application, accept the Conditions of Approval, and be approved by the Planning Manager prior to transfer of the permit being allowed.

**Violations of Conditions of Approval:**

The Applicant shall continue to meet all conditions of this Conditional Use Permit while CUP 2022-001 is in effect.

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

# HEM 1.2



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 Wisner Parkway

RECEIVED  
FEB 08 2022

# CONDITIONAL USE PERMIT APPLICATION

File No. UP2022-001

Benton Co. Planning Dept.

## HEM 1.3

### APPLICANT INFORMATION

Please check the box indicating primary contact person for this appli

**Name of Applicant/Agent:** Cait Linn McCullough & Sean McCullough  
Mailing Address: 47921 S Fremont Rd City: Kennewick State: WA ZIP: 99337  
Phone #1: 509 380 3635 Phone #2: 509 554 8898  
Email Address(es): mccullough-cn@yahoo.com  
Signature: [Signature] Date: 1/12/2022

**Name of Property Owner(s) (if different):** \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
Phone #1: \_\_\_\_\_ Phone #2: \_\_\_\_\_  
Email Address(es): \_\_\_\_\_  
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**  
**Applicant/Legal Owner name:** \_\_\_\_\_  
Officer name: \_\_\_\_\_ Title: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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

Any information submitted to the Benton County Planning 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

4. Subject property address including city: 47921 S Fremont Rd Kennewick WA 99337

5. Parcel #(s): 1 - 3280 - 101 - 0902 - 004 - - - - -

6. Acreage: 2.24

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

8. Utilities:

**Power:**  Benton PUD  Benton REA  Other: \_\_\_\_\_

**Sewer:**  Septic Tank  City Sewer  Other: \_\_\_\_\_

**Water:**  Individual well(s)  One well serving 2-4 lots  One well serving 5+ lots  
 City System Provider: \_\_\_\_\_  
 Private System Provider name and address: \_\_\_\_\_

**Gas:**  No  Yes Provider name: \_\_\_\_\_

**Irrigation:**  No  Yes Provider name: KID

9. Current use(s) on property: Residential

10. What are you proposing to do that requires a Conditional Use Permit? Custom Meat Cutting Shop

**For the following proposed uses, please attach the appropriate addendum form:**  
Business Use, Detached Accessory Dwelling Unit, Child Care Facility (Type B), Bed & Breakfast, Mineral Extraction (Commercial Sand & Gravel), Commercial Kennel, Winery.

11. Additional comments or information: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

(FOR STAFF USE ONLY)

Application Complete: Y N

Critical Areas: N Y: \_\_\_\_\_ Zoning: \_\_\_\_\_

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_

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.



## CONDITIONAL USE PERMIT APPLICATION ADDENDUM BUSINESS ACTIVITIES/USE

File No. \_\_\_\_\_ Applicant Name: Caitlinn McCullough

1. Type of business you wish to operate on the property: Custom cut Meat Shop
2. Is there a single-family dwelling currently on the property?  Yes  No  
If yes, please list the names of those living in the home. Sean McCullough  
Caitlinn McCullough Berkley McCullough Reven McCullough
3. Who are the proprietors of the business? Caitlinn McCullough
4. Where on the property will the business be conducted? Shop
5. Square footage of the accessory building where the business will be conducted 1080
6. Does the landowner currently have any other land use permits? NO
7. Size and type of signage to be used: \_\_\_\_\_
8. Estimated number of visitors to the property on a daily & weekly basis: 4 to 5 Daily 20 to 25 weekly
9. Number of employees who do not live on site: 0
10. Number of off-street parking spaces available: 10
11. Hours of operation for the business: 7 AM to 6 PM
12. Do you plan to have outdoor lighting, site screening or fencing?  Yes  No  
If yes, please describe where it will be, what kind, etc. Light on outside of Shop

**Additional Information:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Please provide a site plan that includes the following:**

- Outer boundaries and dimensions of the property including access points
- All existing and planned improvements (including accessory buildings, septic, wells, drainfields, etc)
- Location of roads, easements, etc.
- Where parking will be for the main home and the business

## DBR Custom Meats

The following information is provided for the proposed business to be located at 47921 S. Fremont Road Kennewick, WA 99337.

DBR Custom Meats is owned by Caitlenn McCullough and operated by Sean McCullough. It is intended to provide another option for custom meat processing. There is a shortage of facilities in the area and with the loss of the Prosser facility the shortage has become more severe. This Conditional Use Permit provides an opportunity to expand the current agricultural related custom meat processing business in order to accommodate local ranches and farms.

The processing building will be approximately 1080 square foot pole building with up to 10 parking spaces for customers.

I currently operate a mobile slaughter business using a refrigerated truck, this CUP will allow for an expansion of that business to start processing carcasses in a new building on my property rather than only processing at customers' locations. I will bring in carcasses directly from farms, ranches or other licensed mobile slaughtering businesses. The carcasses will be refrigerated for up to 14 days before processing {Cutting and wrapping} and then the customer will come and pick up the meat.

Minimal environmental impact is expected due to project.

Disposal of animal waste products will be by drums taken to Pasco landfill every other day of processing.

Operation of business will increase well usage and on-site septic usage by ~30 gallons per day.

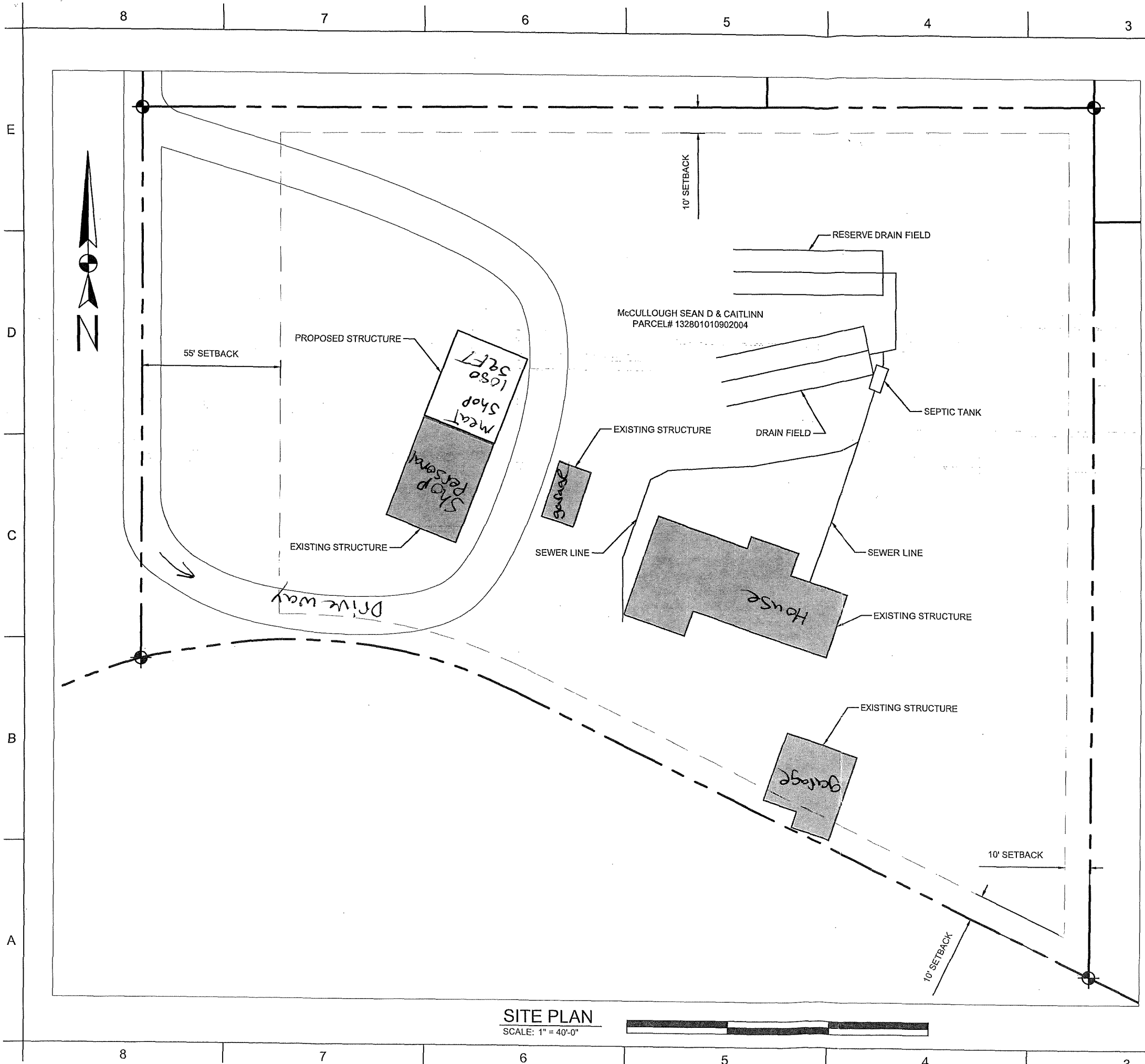
2-4 cars of customers are expected daily.

No other environmental impact to the earth, water or air are expected, including from noise, water, traffic, waste disposal

In accordance with Rural Lands five acre District 11.11.060 zoning the following is provided:

- 1.) The parcel size is 2.24 acres.
- 2.) There is a primary residence with 3 garages owned and occupied by Sean and Caitlenn McCullough currently on the property site.
- 3.) Initially Sean and Caitlenn will work at the business. In the future no more than four non-resident employees maybe hired as the business grows.
- 4.) The proposed business will occupy a newly constructed 1080 square foot detached accessory building.
- 5.) Only the newly constructed detached accessory building will be used for the business, and it will be the only business operating on site.
- 6.) Only one non-illuminated sign a maximum of 4 square feet located on the property will be installed, to identify the business and parking area.
- 7.) There may be 2-3 vehicles from DBR custom slaughtering which is a separate mobile slaughtering business parked at location.
- 8.) The business and owners will comply with requirements of the Building Department, Fire Marshal, Health District, and other local, state and federal regulations pertinent to the business activity.
- 9.) Adequate off-street parking is provided for the expected number of customers and staff at the location.
- 10.) Waste created will be disposed of off-site in compliance with local, state and federal regulations.
- 11.) The expected hours of operation are 0700-1800 daily.
- 12.) The business requires no licensing from Washington State Liquor Control Board.

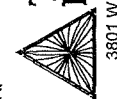


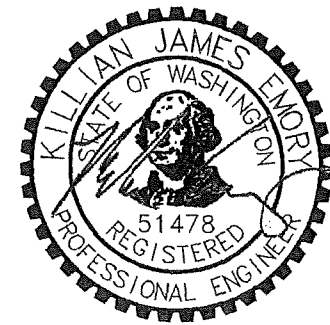


**SITE PLAN**  
SCALE: 1" = 40'-0"

**ASSESSOR INFO:**  
 OWNER: McCULLOUGH SEAN D & CAITLINN  
 PARCEL #: 132801010902004  
 LEGAL DESCRIPTION: SHORT PLAT 902, LOT 4; EASEMENT 7/5/81  
 LAND SIZE: 2.24 ACRES  
 SITE PLAN NOT TO BE CONSIDERED A SURVEY AND IS NOT A LEGAL RECORD.

DRAFTER	A GONZALEZ	01/20/2022
DRAFT CHK	J PARK	01/27/2022
ENGINEER	Z COLLINS	02/02/2022
ENG CHK	K EMORY	02/03/2022
SHEET SIZE	11"x17"	REV #
		0

DESIGNER:		 <b>TRI-CITY ENGINEERS</b> 3801 W VAN GIESEN ST WEST RICHLAND, WA 99363 509-210-1010	
OWNER/PROJECT LOCATION:		SEAN McCULLOUGH 47921 S FREMONT RD KENNEWICK, WA 99337	

  
 Digital Signature Authentication Code: 2/3/2022, 5:58:12 pm

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SHEET TITLE:	SITE PLAN
SHEET NUMBER:	S-6

**From:** White, Cajsha (AGR) <CWhite@agr.wa.gov>  
**Sent:** Tuesday, February 8, 2022 10:11 AM  
**To:** April Brown  
**Cc:** Moeller, Caitlin (AGR)  
**Subject:** RE: [EXTERNAL] DBR Custom Slaughtering

Hi April,

Sean is correct. We do not process his application until he has the facility in place and ready and all applicable county requirements have been met. We are most definitely aware of his operation and currently do not see any issues or concerns that would preclude him from obtaining a WSDA Custom Meat Facility license. As long as he meets all county requirements at the location, we will issue his license once his license application is received and a licensing inspection is conducted. He will be issued an inspection report that acts as a license until he receives the official printed license via email. So, in other words he is approved by us as soon as his licensing inspection has passed.

I am not aware of any other agencies requiring initial approval of this type of operation. If he plans to have a retail counter at the facility selling USDA inspected and cut meat, he will need to go through BFHD for that licensing. Sean is aware of this requirement and does not intend to operate a retail counter at this time.

Please consider this email written notification of WSDA's awareness of Sean McCullough's intention to obtain and operate his custom meat shop under the WSDA Custom Meat Facility license. Caitlin Moeller will be the operations routine inspector. I have cc'd her on this email for her awareness. Please let us know if there is anything else you need.

Best,  
Cajsha

**Cajsha White** | EW Region Manager  
Food Safety | Washington State Department of Agriculture  
Cell: 509.378.2962 | Main Food Safety: 360.902.1876

**From:** April Brown <April.Brown@co.benton.wa.us>  
**Sent:** Tuesday, February 8, 2022 9:57 AM  
**To:** White, Cajsha (AGR) <CWhite@agr.wa.gov>  
**Subject:** RE: [EXTERNAL] DBR Custom Slaughtering

External Email

Hi Cajsha,

Thank you for the email. Our normal process is for applicants to have all approvals in hand before they apply for a Conditional Use Permit. Mr. McCullough reports that you can't process his request until he's been approved for a CUP through our office.

I was hoping for something from you that says you are aware of his operation and do not see anything that immediately precludes him from operating as he plans. I will then take his application, process it and send you the application as a "reviewing agency" so you can see everything he's applying for and comment if there are

any issues. Then, if he's approved, we would make one of the conditions of approval that he finishes he licensing requirements with WSDA.

Additionally, do you know of any other approvals an operation like this would need to have? Any agencies that should be informed/consulted during our review? I really appreciate your time on this, this is not a "normal" application for me so I just want to make sure I'm not flying blind. 😊

Thank you again!

April L. Brown  
Permit Technician, Planning Division  
Benton County Community Development Department  
(509) 786-5612  
Website: [co.benton.wa.us](http://co.benton.wa.us)  
Kennewick Office: 102206 East Wiser Parkway  
Prosser Office: 620 Market Street (Prosser Courthouse, 1<sup>st</sup> Floor)

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**From:** White, Cajsha (AGR) <[CWhite@agr.wa.gov](mailto:CWhite@agr.wa.gov)>  
**Sent:** Tuesday, February 8, 2022 9:39 AM  
**To:** April Brown <[April.Brown@co.benton.wa.us](mailto:April.Brown@co.benton.wa.us)>  
**Subject:** [EXTERNAL] DBR Custom Slaughtering



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Hi April,  
I received a call from Sean McCullough this morning saying that Benton County needs a letter from WSDA regarding their intent to become a custom meat shop? Sean has been working with WSDA on licensing requirements and intends to apply for a license once his

facility is ready. We will license his facility once we receive his application.  
Please let me know what you need from WSDA Food Safety to move his process along.

Best,  
Cajsha

**Cajsha White** | EW Region Manager  
Food Safety | Washington State Department of Agriculture  
Cell: 509.378.2962 | Main Food Safety: 360.902.1876



Washington  
State Department of  
Agriculture

**Food Safety  
and Consumer  
Services Division**

**From:** JoDee Peyton <Jodeer@bfhd.wa.gov>  
**Sent:** Tuesday, February 8, 2022 4:15 PM  
**To:** Rick Dawson; April Brown; Rebecca Warrington  
**Subject:** [EXTERNAL] RE: Question re: animal slaughter business

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I have spoken with Mr. McClullough about what he needs from us in order to move forward with his meat cutting business. Firstly, he needs an appropriate septic system designed to handle the type of waste water from a meat cutting business. I have sent him the application for this as well as given him the names of some engineers. He would also need to have a public water supply, and I have sent him the paperwork for that as well.

There is some confusion as to timing of the granting of his conditional use permit being granted. Does he have to have the permit and water system approval before getting the CU?

Please feel free to contact me with any concerns or questions.

**JoDee A. Peyton, EHS II, Lead**  
Environmental Health Specialist  
Land Use, Sewage and Water Section

**Benton-Franklin Health District**  
7102 W. Okanogan Place  
Kennewick, WA 99336  
p: 509.460.4318  
[www.bfhd.wa.gov](http://www.bfhd.wa.gov) [jodeer@bfhd.wa.gov](mailto:jodeer@bfhd.wa.gov)



Follow us on   

**From:** Rick Dawson <Rickd@bfhd.wa.gov>  
**Sent:** Tuesday, February 8, 2022 3:31 PM  
**To:** April Brown <April.Brown@co.benton.wa.us>; Rebecca Warrington <rebeccaw@bfhd.wa.gov>; JoDee Peyton <Jodeer@bfhd.wa.gov>  
**Subject:** RE: Question re: animal slaughter business

This type of operation would not require a permit from our food safety section but would create other issues with waste water and solid waste management perspective. So long answer to short question is yes they would need review from BFHD just not the food program.

**James R.(Rick) Dawson**  
Sr. Manager – Surveillance & Investigation

**Benton-Franklin Health District**  
7102 W. Okanogan Place,  
Kennewick, WA 99336  
p: 509.460.4313

f: 509.585.1537  
Pronouns; he/him  
[www.bfhd.wa.gov](http://www.bfhd.wa.gov) [rickd@bfhd.wa.gov](mailto:rickd@bfhd.wa.gov)



Follow us on   

**From:** April Brown <[April.Brown@co.benton.wa.us](mailto:April.Brown@co.benton.wa.us)>  
**Sent:** Tuesday, February 8, 2022 3:04 PM  
**To:** Rick Dawson <[Rickd@bfhd.wa.gov](mailto:Rickd@bfhd.wa.gov)>; Rebecca Warrington <[rebeccaw@bfhd.wa.gov](mailto:rebeccaw@bfhd.wa.gov)>; JoDee Peyton <[Jodeer@bfhd.wa.gov](mailto:Jodeer@bfhd.wa.gov)>  
**Subject:** Question re: animal slaughter business

Hi!  
I have a question.

I have a Conditional Use Permit application in for an animal processing/meat cutting business at 47921 S Fremont Rd in Kennewick. I had the applicant, Sean McCullough, call BFHD and he says he was told that BFHD wouldn't have anything to say about the business since he wasn't doing retail sales (they referred him to the WSDA, who we are working with).

Mr. McCullough states that he will be bringing in animal carcasses to his shop, refrigerating them and then cutting/wrapping and sending the meat with the customer.

He plans to have up to 4 customers on site each day and may someday add up to 4 employees if the business is profitable. He does not intend to put a bathroom in the shop for the business.

Does this sound like an application that would require a full review from your office? If so, I want him to have that time to complete that review and can put his application on hold so he can coordinate with your office.

Thank you for any help and/or guidance you may have,

April L. Brown  
Permit Technician, Planning Division  
Benton County Community Development Department  
(509) 786-5612  
Website: [co.benton.wa.us](http://co.benton.wa.us)  
Kennewick Office: 102206 East Wiser Parkway  
Prosser Office: 620 Market Street (Prosser Courthouse, 1<sup>st</sup> Floor)

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**Community Development Department**

Prosser Office: 620 Market Street, 1<sup>st</sup> Floor  
Kennewick Office: 102206 East Wiser Parkway  
[www.co.benton.wa.us](http://www.co.benton.wa.us)



**Planning Division**

(509) 786-5612  
P.O. Box 910, Prosser, WA 99350  
[planning\\_department@co.benton.wa.us](mailto:planning_department@co.benton.wa.us)

**HEM 1.6**

February 10, 2022

Caitlinn & Sean McCullough  
[mccullough\\_cn@yahoo.com](mailto:mccullough_cn@yahoo.com)  
47921 S Fremont  
Kennewick, WA 99337

Via US Mail and Email

RE: Written Determination of Completeness  
File Numbers: CUP 2022-001

Dear Applicant,

This office is in receipt of your project permit application for a Conditional Use Permit to allow you to operate a custom meat cutting shop at 47921 S Fremont Rd in Kennewick, Washington. The Planning Division has determined that the required materials have been submitted and the application is complete. A file number has been assigned (CUP 2022-001) 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. Prior to the Open Record Hearing on your project, you will receive a public hearing notice and a staff memo. If additional information is required, it will need to be submitted to our office before the item can be heard by the Hearings Examiner.

Additional information and/or permits may be required from other agencies including, but not limited to, the Benton County Building Division, the Benton-Franklin Health District, 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,

Michelle L. Cooke, Planning Manager  
Benton County Community Development Dept.

**Community Development Department**

Prosser Office: 620 Market Street, 1<sup>st</sup> Floor  
Kennewick Office: 102206 East Wiser Parkway  
[www.co.benton.wa.us](http://www.co.benton.wa.us)



**Planning Division**

(509) 786-5612  
P.O. Box 910, Prosser, WA 99350  
[planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us)

February 10, 2022

**HEM 1.7**

Benton County Building Division  
Benton County Code Enforcement  
Benton County Fire District #1  
Benton County Fire Marshal  
Benton County Public Works Department  
Benton-Franklin Health District  
Benton PUD  
Kennewick Irrigation District  
Washington State Department of Agriculture

**RE:** Agency review of Conditional Use Permit application  
**File #:** CUP 2022-001  
**Parcel #:** 1-3280-101-0902-004  
**Applicant:** Sean & Caitlinn McCullough

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

The applicant has applied to operate a custom meat cutting business at 47921 S Fremont PR SE in Kennewick, Washington 99337

PLEASE SUBMIT YOUR COMMENTS regarding the Conditional Use Permit by email to [planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us) by February 24, 2022.

Please reference file number **CUP 2022-001** in all correspondence.

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

Thank you!  
Benton County Planning Division

**From:** Dale Wilson  
**Sent:** Friday, February 11, 2022 6:42 AM  
**To:** Planning Department; Clark Posey; Benton Franklin Health District - Rick Dawson; Kennewick Irrigation District - Application and SEPA Review (development@kid.org); SEPA Review - Washington Dept of Health; cmoeller@agr.wa.gov; cwhite@agr.wa.gov; Brad O'Brien; Brian Bell; Daniel Gonzalez; Elizabeth Koerner; Jessica Harris; Michelle Johnson; Troy Taylor; Cristina Woods; Jeff Liner; Jordyn Reimer; Tavis Hatfield; Douglas D'Hondt; Matt Mahoney; Benton PUD - Brenda Webb; Benton PUD - Chad Brooks; Benton PUD - Nancy Lang; Benton PUD - R Dunn; Benton PUD - Rick Sunford; Benton PUD - Shanna Everson; Benton PUD - Tina Glines (glinest@bentonpud.org); Benton PUD Jeff Vosahlo; lonnie@bentonone.org; Fire District # 1 - Scott; Fire District #1 - Billie ; Fire District #1 - Staff  
**Subject:** RE: Conditional Use Permit Agency review - Custom Meat processing in Kennewick

Currently there is an active code enforcement case with the owners due to a complaint about their mobile slaughter truck. Complainant thought they were doing business at the location of slaughtering other peoples cows, it was determined that all slaughtering for others occurs on other people's property.

I also observed the construction of the addition to the accessory structure, which I determined was not permitted and therefore a stop work order was issued to the owners.

Since this order they have been working on permitting the structure and seeding approval for a commercial operation.

No further work shall be conducted on the structure until such required building permit is obtained.



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

**From:** Planning Department <Planning.Department@co.benton.wa.us>  
**Sent:** Thursday, February 10, 2022 4:55 PM  
**To:** Dale Wilson <Dale.Wilson@co.benton.wa.us>; Clark Posey <Clark.Posey@co.benton.wa.us>; Benton Franklin Health District - Rick Dawson <rickd@bfhd.wa.gov>; Kennewick Irrigation District - Application and SEPA Review (development@kid.org) <development@kid.org>; SEPA Review - Washington Dept of Health <SEPA.reviewteam@doh.wa.gov>; cmoeller@agr.wa.gov; cwhite@agr.wa.gov; Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Brian Bell <Brian.Bell@co.benton.wa.us>; Daniel Gonzalez <Daniel.Gonzalez@co.benton.wa.us>; Elizabeth Koerner <Elizabeth.Koerner@co.benton.wa.us>; Jessica Harris <Jessica.Harris@co.benton.wa.us>; Michelle Johnson <Michelle.Johnson@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>; Douglas D'Hondt <Douglas.DHondt@co.benton.wa.us>; Matt Mahoney <Matt.Mahoney@co.benton.wa.us>; Benton PUD - Brenda Webb <webbb@bentonpud.org>; Benton PUD - Chad Brooks <brooksc@bentonpud.org>; Benton PUD - Nancy Lang <langn@bentonpud.org>; Benton PUD - R Dunn <dunnr@bentonpud.org>; Benton PUD - Rick Sunford <sunfordr@bentonpud.org>; Benton PUD - Shanna Everson

**From:** Chad Brooks <brooksc@bentonpud.org>  
**Sent:** Monday, February 14, 2022 8:10 AM  
**To:** Planning Department  
**Subject:** [EXTERNAL] RE: [E] Conditional Use Permit Agency review - Custom Meat processing in Kennewick

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No comments.

Chad Brooks  
Distribution Design Tech II  
Benton PUD  
Email: [brooksc@bentonpud.org](mailto:brooksc@bentonpud.org)  
Main # (509)582-2175  
Direct # (509)582-1233



**From:** Planning Department <Planning.Department@co.benton.wa.us>  
**Sent:** Thursday, February 10, 2022 4:55 PM  
**To:** Dale Wilson <Dale.Wilson@co.benton.wa.us>; Clark Posey <Clark.Posey@co.benton.wa.us>; Benton Franklin Health District - Rick Dawson <rickd@bfhd.wa.gov>; Kennewick Irrigation District - Application and SEPA Review (development@kid.org) <development@kid.org>; SEPA Review - Washington Dept of Health <SEPA.reviewteam@doh.wa.gov>; cmoeller@agr.wa.gov; cwhite@agr.wa.gov; Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Brian Bell <Brian.Bell@co.benton.wa.us>; Daniel Gonzalez <Daniel.Gonzalez@co.benton.wa.us>; Elizabeth Koerner <Elizabeth.Koerner@co.benton.wa.us>; Jessica Harris <Jessica.Harris@co.benton.wa.us>; Michelle Johnson <Michelle.Johnson@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>; Douglas D'Hondt <Douglas.DHondt@co.benton.wa.us>; Matt Mahoney <Matt.Mahoney@co.benton.wa.us>; Brenda Webb <webbb@bentonpud.org>; Chad Brooks <brooksc@bentonpud.org>; Nancy Lang <langn@bentonpud.org>; Rick Dunn <dunnr@bentonpud.org>; Rick Sunford <sunfordr@bentonpud.org>; Shanna Everson <eversons@bentonpud.org>; Tina Glines <glinest@bentonpud.org>; Jeff Vosahlo <vosahloj@bentonpud.org>; lonnie@bentonone.org; Fire District # 1 - Scott <scott@bentonone.org>; Fire District #1 - Billie <billie@bentonone.org>; Fire District #1 - Staff <staff@bentonone.org>  
**Subject:** [E] Conditional Use Permit Agency review - Custom Meat processing in Kennewick

[EXTERNAL EMAIL]

Attached are materials provided for a Conditional Use Permit application to operate a custom meat processing facility at 47921 S Fremont PR in Kennewick.

**From:** Cristina Woods  
**Sent:** Monday, February 14, 2022 2:55 PM  
**To:** Planning Department  
**Subject:** RE: Conditional Use Permit Agency review - Custom Meat processing in Kennewick

Good afternoon

Public Works has no comments.

Thank you



Cristina Woods, MS • *Engineering Associate II*  
Benton County Public Works  
102206 Wiser Parkway , Kennewick WA, 99338  
[cristina.woods@co.benton.wa.us](mailto:cristina.woods@co.benton.wa.us)  
(509) 786-5611

**From:** Planning Department <Planning.Department@co.benton.wa.us>  
**Sent:** Thursday, February 10, 2022 4:55 PM  
**To:** Dale Wilson <Dale.Wilson@co.benton.wa.us>; Clark Posey <Clark.Posey@co.benton.wa.us>; Benton Franklin Health District - Rick Dawson <rickd@bfhd.wa.gov>; Kennewick Irrigation District - Application and SEPA Review (development@kid.org) <development@kid.org>; SEPA Review - Washington Dept of Health <SEPA.reviewteam@doh.wa.gov>; cmoeller@agr.wa.gov; cwhite@agr.wa.gov; Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Brian Bell <Brian.Bell@co.benton.wa.us>; Daniel Gonzalez <Daniel.Gonzalez@co.benton.wa.us>; Elizabeth Koerner <Elizabeth.Koerner@co.benton.wa.us>; Jessica Harris <Jessica.Harris@co.benton.wa.us>; Michelle Johnson <Michelle.Johnson@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>; Douglas D'Hondt <Douglas.DHondt@co.benton.wa.us>; Matt Mahoney <Matt.Mahoney@co.benton.wa.us>; Benton PUD - Brenda Webb <webbb@bentonpud.org>; Benton PUD - Chad Brooks <brooksc@bentonpud.org>; Benton PUD - Nancy Lang <langn@bentonpud.org>; Benton PUD - R Dunn <dunnr@bentonpud.org>; Benton PUD - Rick Sunford <sunfordr@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>; lonnie@bentonone.org; Fire District # 1 - Scott <scott@bentonone.org>; Fire District #1 - Billie <billie@bentonone.org>; Fire District #1 - Staff <staff@bentonone.org>  
**Subject:** Conditional Use Permit Agency review - Custom Meat processing in Kennewick

Attached are materials provided for a Conditional Use Permit application to operate a custom meat processing facility at 47921 S Fremont PR in Kennewick.

Please have all comments to our office no later than February 24<sup>th</sup>, 2022.

Thank you!



2015 South Ely Street  
Kennewick, WA 99337  
Customer Service 509-586-9111  
Business 509-586-6012  
FAX 509-586-7663  
[www.kid.org](http://www.kid.org)

February 15, 2022

April L. Brown  
Permit Technician, Planning Division  
**Benton County Community Development Department**  
102206 East Wiser Parkway  
Kennewick, WA 99338

**HEM 1.11**

Subject: Review Comments for CUP-2022-0003

Dear Mrs. Brown:

The Kennewick Irrigation District has received your Conditional Use Permit Application, submitted by the **Caitlinn & Sean McCullough** to operate a custom meat cutting/processing shop, located at 47921 S Fremont Rd, Kennewick, WA 99337.

1. This parcel is within the Kennewick Irrigation District (KID) boundaries and considered irrigable lands; therefore, the Kennewick Irrigation District assess them.
2. Please note that permanent structures are not allowed within irrigation easements.
3. Please protect all existing irrigation facilities.

If you have any questions regarding these comments, please contact me at the address/phone number listed above.

Sincerely,

Chris D. Sittman  
CAD Specialist

cc: LB\correspondence\File 32-8-30  
Applicant via mail – Caitlinn & Sean McCullough, 47921 S Fremont Rd, Kennewick, WA 99337

**Andrea Watts**

---

**From:** Rick Dawson <Rickd@bfhd.wa.gov>  
**Sent:** Friday, February 25, 2022 11:54 AM  
**To:** Andrea Watts; JoDee Peyton; Clark Posey  
**Cc:** Rebecca Warrington  
**Subject:** [EXTERNAL] RE: Conditional Use Permit Agency review - Custom Meat processing in Kennewick

**HEM 1.12**

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Andrea,

This office has review the above referenced project and have the following conditions and concerns:

1. The business must be served by an approved public water supply in accordance with WAC 246-291 and Benton-Franklin District Board of Health Rules and Regulations No. 7.
2. The meat processing facility must be served by an on-site sewage system that is designed, permitted and installed to treat and dispose of wastewater from this proposed operation. It should be noted that wastewater from this commercial operation may be considered industrial wastewater thus requiring permitting through the Washington Department of Ecology.
3. The applicants plan calls for waste to be taken to the Pasco Landfill. It should be noted that there is no currently permitted landfill in Franklin County with the Pasco Sanitary Landfill having closed many years ago. The site must identify an appropriate method for managing solid waste.

If you have any questions please feel free to contact me at the number listed below.

**James R.(Rick) Dawson**  
Sr. Manager – Surveillance & Investigation  
**Benton-Franklin Health District**  
7102 W. Okanogan Place,  
Kennewick, WA 99336  
p: 509.460.4313  
f: 509.585.1537  
Pronouns; he/him  
[www.bfhd.wa.gov](http://www.bfhd.wa.gov) [rickd@bfhd.wa.gov](mailto:rickd@bfhd.wa.gov)



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**From:** Andrea Watts <Andrea.Watts@co.benton.wa.us>  
**Sent:** Friday, February 25, 2022 11:14 AM  
**To:** Rick Dawson <Rickd@bfhd.wa.gov>; JoDee Peyton <Jodeer@bfhd.wa.gov>; Clark Posey <Clark.Posey@co.benton.wa.us>  
**Subject:** FW: Conditional Use Permit Agency review - Custom Meat processing in Kennewick

Good morning,

Our comment period is up for this CUP but I believe you guys will have requirements. Would you mind taking a look and getting me any comments/concerns as soon as you are able?

Thank you!



Andrea Watts  
Associate Planner  
Benton County Community Development Department - Planning Division  
[Andrea.watts@co.benton.wa.us](mailto:Andrea.watts@co.benton.wa.us)  
(509) 786-5612

**From:** Planning Department <[Planning.Department@co.benton.wa.us](mailto:Planning.Department@co.benton.wa.us)>

**Sent:** Thursday, February 10, 2022 4:55 PM

**To:** Dale Wilson <[Dale.Wilson@co.benton.wa.us](mailto:Dale.Wilson@co.benton.wa.us)>; Clark Posey <[Clark.Posey@co.benton.wa.us](mailto:Clark.Posey@co.benton.wa.us)>; Benton Franklin Health District - Rick Dawson <[rickd@bfhd.wa.gov](mailto:rickd@bfhd.wa.gov)>; Development <[development@kid.org](mailto:development@kid.org)>; SEPA Review - Washington Dept of Health <[SEPA.reviewteam@doh.wa.gov](mailto:SEPA.reviewteam@doh.wa.gov)>; [cmoeller@agr.wa.gov](mailto:cmoeller@agr.wa.gov); [cwhite@agr.wa.gov](mailto:cwhite@agr.wa.gov); Brad O'Brien <[Brad.Obrien@co.benton.wa.us](mailto:Brad.Obrien@co.benton.wa.us)>; Brian Bell <[Brian.Bell@co.benton.wa.us](mailto:Brian.Bell@co.benton.wa.us)>; Daniel Gonzalez <[Daniel.Gonzalez@co.benton.wa.us](mailto:Daniel.Gonzalez@co.benton.wa.us)>; Elizabeth Koerner <[Elizabeth.Koerner@co.benton.wa.us](mailto:Elizabeth.Koerner@co.benton.wa.us)>; Jessica Harris <[Jessica.Harris@co.benton.wa.us](mailto:Jessica.Harris@co.benton.wa.us)>; Michelle Johnson <[Michelle.Johnson@co.benton.wa.us](mailto:Michelle.Johnson@co.benton.wa.us)>; Troy Taylor <[Troy.Taylor@co.benton.wa.us](mailto:Troy.Taylor@co.benton.wa.us)>; Cristina Woods <[Cristina.Woods@co.benton.wa.us](mailto:Cristina.Woods@co.benton.wa.us)>; Jeff Liner <[Jeff.Liner@co.benton.wa.us](mailto:Jeff.Liner@co.benton.wa.us)>; Jordyn Reimer <[Jordyn.Reimer@co.benton.wa.us](mailto:Jordyn.Reimer@co.benton.wa.us)>; Tavis Hatfield <[Tavis.Hatfield@co.benton.wa.us](mailto:Tavis.Hatfield@co.benton.wa.us)>; Douglas D'Hondt <[Douglas.DHondt@co.benton.wa.us](mailto:Douglas.DHondt@co.benton.wa.us)>; Matt Mahoney <[Matt.Mahoney@co.benton.wa.us](mailto:Matt.Mahoney@co.benton.wa.us)>; Benton PUD - Brenda Webb <[webbb@bentonpud.org](mailto:webbb@bentonpud.org)>; Benton PUD - Chad Brooks <[brooksc@bentonpud.org](mailto:brooksc@bentonpud.org)>; Benton PUD - Nancy Lang <[langn@bentonpud.org](mailto:langn@bentonpud.org)>; Benton PUD - R Dunn <[dunnr@bentonpud.org](mailto:dunnr@bentonpud.org)>; Benton PUD - Rick Sunford <[sunfordr@bentonpud.org](mailto:sunfordr@bentonpud.org)>; Benton PUD - Shanna Everson <[eversons@bentonpud.org](mailto:eversons@bentonpud.org)>; Benton PUD - Tina Glines <[glinest@bentonpud.org](mailto:glinest@bentonpud.org)> <[glinest@bentonpud.org](mailto:glinest@bentonpud.org)>; Benton PUD Jeff Vosahlo <[vosahloj@bentonpud.org](mailto:vosahloj@bentonpud.org)>; lonnie@bentonone.org; Fire District # 1 - Scott <[scott@bentonone.org](mailto:scott@bentonone.org)>; Fire District #1 - Billie <[billie@bentonone.org](mailto:billie@bentonone.org)>; Fire District #1 - Staff <[staff@bentonone.org](mailto:staff@bentonone.org)>

**Subject:** Conditional Use Permit Agency review - Custom Meat processing in Kennewick

---

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Attached are materials provided for a Conditional Use Permit application to operate a custom meat processing facility at 47921 S Fremont PR in Kennewick.

Please have all comments to our office no later than February 24<sup>th</sup>, 2022.

Thank you!

**Community Development Department**

Prosser Office: 620 Market Street, 1<sup>st</sup> Floor  
Kennewick Office: 102206 East Wiser Parkway  
[www.co.benton.wa.us](http://www.co.benton.wa.us)



**Planning Division**

(509) 786-5612  
P.O. Box 910, Prosser, WA 99350  
[planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us)

**NOTICE OF OPEN RECORD HEARINGS**

**HEM 1.13**

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

**CONDITIONAL USE PERMIT CUP 2021-011, APPLICANT: Prosser School District**

The applicant has applied to replace temporary modular classrooms and modernize the existing buildings of Whitstran Elementary School at 102101 Foisy Road, Prosser, WA 99350. Parcel #: 1-2995-400-0001-000

**CONDITIONAL USE PERMIT CUP 2022-001, APPLICANTS: Sean McCullough**

The applicant has applied to operate a custom meat cutting business at 47921 S Fremont PR SE, Kennewick, WA 99337. Parcel #: 1-3280-101-0902-004

NOTICE IS GIVEN that the Benton County Hearings Examiner will hold an open record public hearing for the above stated application. This hearing will be held in-person and virtually/telephonically.

**DATE OF HEARING:**

Friday, March 18, 2022 at 10:00 am

**LOCATION OF HEARING:**

Planning Hearing Room, Benton County Courthouse,  
1<sup>st</sup> Floor, 620 Market Street, Prosser, WA 99350

(The Planning Hearing Room can only be accessed via the Main Street (east) side of the building.)

**To find information on attendance & testimony options, directions to the meeting room and to review documentation for the application, please visit <https://tinyurl.com/BCpublicnotice>**

Anyone may participate in the hearings and present testimony or comments on an application. Persons may appear in person or virtually/telephonically during the hearing or provide written testimony to the Hearings Examiner (care of the Planning Division) on or before the date of the hearing. Written comments can be emailed to [planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us), dropped off at one of the Planning Division offices or mailed to: Benton County Community Development Department-Planning Division, ATTN: Hearings Examiner, P.O. 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.

If you wish to provide testimony during the hearing (in person or virtually), we ask that you inform the Planning Division before the meeting. You can do that by filling out our online Request to Testify form at <https://tinyurl.com/testifyform> or by contacting our office to be added to the list. **You must submit a request for each hearing in which you wish to participate.** We ask that participants who will be attending virtually please limit background noise and/or mute their line to prevent interruptions of the meeting.

If you have questions regarding any of the actions before the Hearings Examiner or the hearing process, please contact the Planning Division at (509) 786-5612, [planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us) or at one of our offices: 102206 E. Wiser Parkway, Kennewick, WA 99338 or 620 Market Street, First Floor, Prosser, WA 99350.

Dated this 25<sup>th</sup> day of February 2022

SUSAN E. DRUMMOND

Benton County Hearings Examiner

MICHELLE L. COOKE, Planning Manager

Community Development Department

PUBLICATION DATE: March 2, 2022

**Andrea Watts**

**HEM 1.14**

**From:** JoDee Peyton <Jodeer@bfhd.wa.gov>  
**Sent:** Thursday, March 10, 2022 3:05 PM  
**To:** Andrea Watts  
**Cc:** Rebecca Warrington; Rick Dawson  
**Subject:** [EXTERNAL] RE: CUP 2022-001 McCullough Shared well question  
**Attachments:** 22564E - S Fremont Water System.bmp

**EXTERNAL EMAIL WARNING!!!:** This email originated from outside of Benton County. **DO NOT** click links or open attachments unless you recognize the sender and know the content is safe.

Andrea,

I did a review of our water system records and I do find that the South Fremont Water System, Public Water System ID# 22564 E does exist and appears to supply water to 47921 S Fremont Rd. I have attached "Declaration of Easement & Interest in Well" which I found in our records which indicates that the use is to be for "domestic water supply purposes." I don't know if this is what the neighbor is referring to? If there is another agreement out there, we don't have record of it.

In addition, this system is approved for 4 connections, all of which are in use. The water system would have to be upgraded to 5 connections (4 residential and 1 commercial).

Please feel free to contact me with any concerns or questions.

**JoDee A. Peyton, EHS II, Lead**  
Environmental Health Specialist  
Land Use, Sewage and Water Section

**Benton-Franklin Health District**  
7102 W. Okanogan Place  
Kennewick, WA 99336  
p: 509.460.4318  
[www.bfhd.wa.gov](http://www.bfhd.wa.gov) [jodeer@bfhd.wa.gov](mailto:jodeer@bfhd.wa.gov)



Follow us on   

**From:** Andrea Watts <Andrea.Watts@co.benton.wa.us>  
**Sent:** Thursday, March 10, 2022 2:26 PM  
**To:** JoDee Peyton <Jodeer@bfhd.wa.gov>  
**Subject:** CUP 2022-001 McCullough Shared well question

Hi JoDee,

We received a comment about the McCullough CUP for the Meat Processing Facility from a neighbor and I wanted to get your opinion.

Apparently the neighbor called saying he was going to testify at the hearing that they and the applicant are on a shared well and there is some sort of agreement (unclear what kind of agreement or if it is legally binding) that there is to be no business activities allowed in association with this well. Is that something that you have record of? If not, is the "worst case" scenario for this being that they will have to drill a new private well for the business, or would they have already had to do that?

I wish I had more information for you but let me know what ya think!

Best,



**Andrea Watts**

*Associate Planner*

Benton County Community Development Department - Planning Division

[Andrea.watts@co.benton.wa.us](mailto:Andrea.watts@co.benton.wa.us)

(509) 786-5612

**\*\*This email was sent from outside the BFHD Network\*\***

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CC  
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INDEXED BY

DECLARATION OF EASEMENT & INTEREST IN WELL CHECKED BY

This grant made this 2nd day of July, 1981,  
by and between DOUGLAS E. ENSOR & PATTI A. ENSOR, husband and wife,  
and

WHEREAS, Douglas E. Ensor and Patti A. Ensor are the owners of  
certain tract of land described as follows: to-wit:

The east half of the northeast quarter of the northeast  
quarter of Section 32, Township 8 North, Range 30 East,  
W.M., Benton County, Washington, lying north of the north  
line of the Kennewick Irrigation District Canal right-of-  
way; that said land has been short platted as Short Plat  
902, records of Benton County, Washington, and

WHEREAS, the grantors own and operate a well and water works  
supplying water for public use located on said real estate, to-wit:

approximately 310.0 feet south and 310.0 feet west of the  
northeast corner of Section 32, Township 8 North, Range  
30 East, W.M., Benton County, Washington,

and grantors are required to keep the water supplied from said well free  
from impurities which might be injurious to the public health.

It is the purpose of these grants and covenants to prevent certain  
practices hereinafter enumerated in the use of said grantors land  
which might contaminate said water supply.

WHEREAS, the grantors agree and covenant that said grantors,  
their heirs, successors and assigns will not construct, maintain or  
suffer to be constructed or maintained upon the said land of the  
grantors and within 100 feet of the well herein described, so long  
as the same is operated to furnish water for public consumption, any  
of the following, cesspools, sewers; privies, septic tanks, drainfields,  
manure piles, garbage of any kind or description, barns, chicken houses,  
rabbit hutches, pigpens, or other enclosures or structures for the  
keeping or maintenance of fowls or animals or storage of liquid or  
dry chemicals, herbicides, or insecticides, and

WHEREAS, said well and water works is to be used by the owners  
of four (4) lots in said short plat; that each of said owners is to  
have an undivided twenty-five percent (25%) ownership in and to said  
ground water well for domestic water supply purposes.

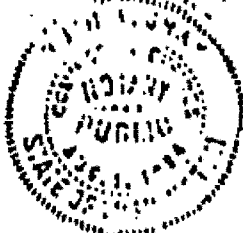
KNOW ALL MEN BY THESE PRESENTS: That we, Douglas E. Ensor and  
Patti A. Ensor, husband and wife, do hereby grant, sell, and convey  
as a portion of each of the lots, Lot number 1, containing 2.91 acres,  
Lot number 2, containing 2.57 acres, Lot number 3, containing 2.81  
acres, and Lot number 4, containing 2.24 acres, and undivided twenty-  
five percent (25%) interest in and to said well, casing, pumps, and the  
right to take twenty-five percent (25%) of the water from said well  
and to convey such water for domestic purposes to each tract of land, by a

pipe, and hereby grant to the owners of each of said parcels the use and purpose of storing and conveying such water as aforesaid, an easement on, in, over, and across said land, more fully described on the attached Exhibit "A".

This conveyance is made on the condition that the Grantees (owners and future owners of the lots, their heirs, and assigns), shall bear all expenses connected with the operation of said pump motor and accessory equipment in proportion to the amount of water used by each to the total used and keeping the same in repair shall bear twenty-five percent (25%) of all the expenses connected with the maintenance and repair of said well and all things accessory thereto necessary in common use; that each owner shall be responsible for the line to serve the respective parcels of property.

This conveyance is also made on condition that the Grantees, their heirs, and assigns, shall keep and maintain the pipes and equipment in good order serving each parcel so that there will be no leakage or seepage therefrom, or any affects that may cause injury to the land and premises of the Grantors and/or other owners; this conveyance shall run with the land and each owner shall have the right to convey the same as a portion and as a part of said lot. In the event of nonpayment of expenses necessary to operate and maintain said common water system, then, and in that event, the remaining owners may make said payments and are granted a lien upon that portion of the premises not paying his or its share; that said lien shall be foreclosed as a mortgage pursuant to the laws of the State of Washington, and suit may be brought in the name of the owners of the premises that were required to pay said expenses for the nonpaying owner. In addition to the unpaid amount the owner shall be required to pay all costs of collection including reasonable Attorney fees.

IN WITNESS WHEREOF WE have hereunto set forth our hands and seals the day and year first above-written.



GRANTORS:

BY Douglas E. Ensor  
Douglas E. Ensor

BY Patti A. Ensor  
PATTI A. ENSOR

STATE OF WASHINGTON }

County of Benton }

ss.

On this day personally appeared before me DOUGLAS E. ENSOR & PATTI A. ENSOR, husband and wife, to me known to be the individuals described in and who executed the within and foregoing instrument and acknowledged that they signed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 1st day of July, 1981.

[Signature]  
Notary Public in and for the State of Washington, residing at Kennewick.

## Andrea Watts

---

**From:** JoDee Peyton <Jodeer@bfhd.wa.gov>  
**Sent:** Thursday, March 10, 2022 3:05 PM  
**To:** Andrea Watts  
**Subject:** [EXTERNAL] RE: CUP 2022-001 McCullough Shared well question

**EXTERNAL EMAIL WARNING!!!:** This email originated from outside of Benton County. **DO NOT** click links or open attachments unless you recognize the sender and know the content is safe.

And yes, they could drill a new well and make it a public water supply.

Please feel free to contact me with any concerns or questions.

**JoDee A. Peyton, EHS II, Lead**  
Environmental Health Specialist  
Land Use, Sewage and Water Section

**Benton-Franklin Health District**  
7102 W. Okanogan Place  
Kennewick, WA 99336  
p: 509.460.4318  
[www.bfhd.wa.gov](http://www.bfhd.wa.gov) [jodeer@bfhd.wa.gov](mailto:jodeer@bfhd.wa.gov)



Follow us on   

---

**From:** Andrea Watts <Andrea.Watts@co.benton.wa.us>  
**Sent:** Thursday, March 10, 2022 2:26 PM  
**To:** JoDee Peyton <Jodeer@bfhd.wa.gov>  
**Subject:** CUP 2022-001 McCullough Shared well question

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Apparently the neighbor called saying he was going to testify at the hearing that they and the applicant are on a shared well and there is some sort of agreement (unclear what kind of agreement or if it is legally binding) that there is to be no business activities allowed in association with this well. Is that something that you have record of? If not, is the "worst case" scenario for this being that they will have to drill a new private well for the business, or would they have already had to do that?

I wish I had more information for you but let me know what ya think!

Best,

Notice

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CONDITIONAL USE PERMIT CUP 2021-011 (RCW Chapter 42.17) and all other laws that may require the release of the documents to the public.

If you wish to provide testimony during the hearing (in person or virtually), we ask that you inform the Planning Division before the meeting. You can do that by filling out our online Request to Testify form at

https://tinyurl.com/testifyform or by contacting our office to be added to the list. You must submit a request for each hearing in which you wish to participate. We ask that participants who will be attending virtually please limit background noise and/or mute their line to prevent interruptions of the meeting.

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Dated this 25th day of February 2022

SUSAN E. DRUMMOND Benton County Hearings Examiner

MICHELLE L. COOKE, Planning Manager

Community Development Department

Published: Prosser Record-Bulletin

Published: March 2, 2022

AFFIDAVIT OF PUBLICATION

STATE OF WASHINGTON } ss. County of Benton

Jacob Hatch

, being first duly sworn on oath, deposes and says that he is the

Production Designer

of the PROSSER RECORD-BULLETIN, weekly newspaper. That said newspaper is a legal newspaper and has been approved as a legal newspaper by order of the Superior Court in the county in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published in the English language continually as a weekly newspaper in Prosser, Benton County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of said newspaper. That

annexed is a true copy of Notice of Open Record Hearings: CUP 2021-011 and CUP 2022-001

as it was published in regular issues (and not in supplement form) of said newspaper once a week for a period of 1 consecutive weeks

commencing March 2, 2022

ending March 2, 2022

both dates inclusive and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee

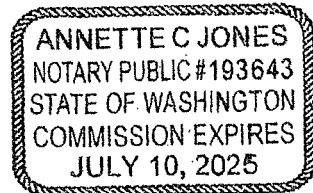
charged for the foregoing publication is the sum of \$267.75, which amount has been paid in full.

Subscribed and sworn to before me this 2nd

day of March, 2022

Annette C. Jones

Notary Public in and for the State of Washington, residing at Prosser, Washington





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