

**EXHIBIT LIST FOR CUP 2022-007
Gale Rew for Amoedo & Sosa - ADU**

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Community Development Department

Prosser Office: 620 Market Street, 1st Floor
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Planning Division

(509) 786-5612
P.O. Box 910, Prosser, WA 99350
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**STAFF REPORT TO THE
BENTON COUNTY HEARINGS EXAMINER
Gale Rew Construction for Jose Amoedo and Alexandra Sosa
Detached Accessory Dwelling Unit**

FILE NO: CUP 2022-007

HEARING DATE: June 17, 2022

APPLICANTS: Gale Rew Construction, Bonnie George, PO Box 969, Richland, WA 99354

OWNERS: Jose Amoedo & Alexandra Sosa, 20427 NE 64th Pl, Redmond, WA 98053

LOCATION: General Location: The property is located approximately 1 mile west of Prosser City Limits, south of SR 22 on the south side of W Richards Rd, in unincorporated Benton County, Washington.
Address: 160701 W Richards Rd, Prosser, WA 99350
Legal: Section 17, Township 8 North, Range 24: The East 380 feet of the Northeast Quarter, of the Northeast Quarter, of the Northeast Quarter, North of the canal right-of-way. Except roads.
Parcel Number: 1-1784-100-0001-000

PROPERTY SIZE: Approximately 4.00 acres

AREA TO BE USED: Not to exceed 800 square feet

LAND USE: Residential

ZONING: Rural Lands Five-Acre District (RL-5)

COMPREHENSIVE PLAN DESIGNATION: Rural Remote

RECOMMENDATION:

The Planning Division recommends approval of the application request, subject to the suggested twenty-two (22) Findings of Fact and five (5) Conditions of Approval as outlined in this staff report.

APPLICATION DESCRIPTION:

The applicant is requesting to remodel an existing accessory building (currently 330 square feet) to create a 590 square foot detached Accessory Dwelling Unit with a 102 square foot covered porch south of the existing single-family dwelling on the parcel. The existing 2,842 square foot single family dwelling unit on the property will remain as the primary residence at 160701 W Richards Rd, Prosser, WA 99350.

The property is approximately 4.00 acres in size and is zoned Rural Lands Five Acre District (RL-5). The site currently consists of a 2,842 sq. ft. single-family dwelling, a 672 sq. ft. detached garage, a 400 sq. ft. barn, a 330 sq. ft. accessory building and a 272 sq. ft. accessory building.

The application for CUP 2022-007 was submitted to the Benton County Planning Division on May 5, 2022.

The application was declared complete for processing on May 6, 2022.

The application documents were distributed to reviewing agencies on May 9, 2022.

The Benton County Hearings Examiner Notice of Open Record Hearing for application CUP 2022-007 was published on June 1, 2022 in the Prosser Record Bulletin.

The Notice was mailed to property owners of record within 300 feet of the outer boundaries of the parcel on June 3, 2022.

The Open Record Hearing is scheduled for June 17, 2022.

APPLICABLE STANDARDS/ORDINANCES:

1. *Revised Code of Washington*
RCW 36.70A.400, GROWTH MANAGEMENT—PLANNING BY SELECTED COUNTIES AND CITIES
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) Accessory apartments—Development and placement—Local governments

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

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

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

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 along 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.

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 May 9, 2022.
 - a. Benton County Public Works Department
 - b. Benton-Franklin Health District
 - c. Benton County Fire District #3
 - d. Benton County Building Division
 - e. Benton County Fire Marshal
 - f. Benton County Code Enforcement

- g. Benton REA
- h. Sunnyside Valley Irrigation District

2. The following comments were received from the Benton Franklin Health Department (BFHD):

- a. The on-site sewage disposal system proposed Accessory Dwelling Unit at the address 160701 W Richards Rd, Prosser, Washington was approved on April 5, 2022 based upon the following conditions:
 - i. Follow approved plot plan and maintain all setbacks.
 - ii. Maintain 100-foot minimum from subsurface sewage disposal system to all wells.
 - iii. Maintain 50-foot minimum from septic tank to all wells.
 - iv. Maintain positive drainage away from the drainfield.
 - v. Drainfield lines may be shifted slightly to follow the contours of the slope.
 - vi. Approval of the system plans, requirements for site modification, and permit issuance is not to be construed as permission by this department to trespass or alter neighboring properties.
 - i. At such time as a failure to the system occurs, all sewage generating activities must cease until such time as appropriate repairs can be made (i.e., additional site modifications and/or installation of the replacement area.)
 - ii. Prior to approval of this system the existing septic tank shall be decommissioned in accordance with Benton-Franklin District Board of Health Rules and Regulations No. 2.
- b. For more information, please contact JoDee Peyton at 509-460-4318 or Jodeer@bfhd.wa.gov.

3. The following comments were received from the Sunnyside Valley Irrigation District (SVID):

- a. There are SVID laterals bordering the parcel on the east and south.
- b. The proposed project will not impact SVID facilities.
- c. For more information contact Diane Weber at (509) 837-6980 or weberd@svid.org.

4. Benton County Planning Division Comments:

- a. The following are general comments and discussion points from the Planning Division:
 - i. The lot is zoned Rural Lands Five Acre (RL-5) District.
 - ii. The lot is designated Rural Remote by the Benton County Comprehensive Plan.
 - iii. Surrounding land uses: The properties adjoining the subject property predominantly have single-family homes with residential accessory uses, however, there is a 3.62-acre undeveloped parcel located across W Richards Road to the North.
 - iv. SEPA: A proposal for a single ADU is exempt from a State Environmental Policy Act checklist and review.
 - v. 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 2022-007 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 is requesting to remodel an existing accessory building (currently 330 square feet) to create a 590 square foot detached Accessory Dwelling Unit with a 102 square foot covered porch south of the existing single-family dwelling on the parcel. The existing 2,842 square foot single family dwelling unit on the property will remain as the primary residence at 160701 W Richards Rd, Prosser, WA 99350.
2. The applicant is Gale Rew Construction, PO Box 969, Richland, WA 99354.
3. The property owners are Jose Amoedo and Alexandra Sosa, 20427 NE 64th Pl, Redmond, WA 98053.
4. The property is approximately 1 mile west of Prosser City Limits, south of SR 22 on the south side of W Richards Rd, in unincorporated Benton County, Washington. (Parcel No. 1-1784-100-0001-000).
5. The property is approximately 4.00 acres in size and is zoned Rural Lands Five-Acre (RL-5) District.
6. The proposed detached ADU will be accessory to a 2,842 sq. ft. owner-occupied single-family dwelling.
7. The site currently consists of a 2,842 sq. ft. single-family dwelling, a 672 sq. ft. detached garage, a 400 sq. ft. barn, a 330 sq. ft. accessory building, and a 272 sq. ft. accessory building.
8. Public notice and application requirements have been met per BCC 11.50 Variance and Conditional Use.
9. The proposed detached ADU is allowable by Conditional Use Permit if approved by the Benton County Hearings Examiner.
10. The detached ADU complies with Benton County Building Division standards and requirements.
11. The application for CUP 2022-007 is consistent with the Growth Management Act, RCW 36.70A, including RCW 36.70A.390.
12. The application for CUP 2022-007 is consistent with RCW 43.63A.215 (3) *Accessory apartments*.
13. The application for CUP 2022-007 is consistent with the goals and policies of the Benton County Comprehensive Plan.
14. The application for CUP 2022-007 is consistent with the requirements of the Benton County Zoning Code.

15. The application for CUP 2022-007 is consistent with the requirements of BCC 11.42.020 (a) Accessory Dwelling Units (ADU):
 - a. One (1) detached ADU is proposed for the subject property.
 - b. A single-family dwelling is located on the parcel/lot where the detached ADU is to be located.
 - c. The existing single-family dwelling is 2,822 square feet. Forty percent 40% of 2,842 square feet is 1,137 square feet. The applicant is proposing approximately 590 square feet in the application.
 - d. The detached ADU will have one (1) bedroom.
 - e. The applicant is proposing two (2) parking spots to serve the detached ADU.
 - f. The proposal is to remodel and construct an addition to an existing accessory building to create a 590 square foot ADU on the site with the existing 2,842 square foot primary single-family dwelling.
 - g. No additional dwelling or housing units exist or are proposed.
 - h. A home occupation is not planned nor proposed to be operated in the detached ADU.
 - i. The detached ADU must comply with BFHD standards as per the Conditions of Approval.
 - j. The detached ADU and proposed single family dwelling comply with Fire Marshal standards.
 - k. The detached ADU will be a ground floor unit.
 - l. At the time of application, family member(s) of the owner plan to reside in the ADU and the owner will reside in the proposed single-family dwelling.
 - m. The detached ADU complies with Building Division requirements and Fire Marshal requirements.
 - n. The detached ADU complies with the Benton County critical area ordinance, Shoreline Master Program, and zoning regulations.
16. The application for CUP 2022-007 is consistent with requirements in BCC 11.42.020 (c)(2)(i) as the ADU will be in a detached accessory building.
17. The application for CUP 2022-007 is consistent with requirements in BCC 11.42.020(c)(2)(ii):
 - a. The proposed ADU is south of the existing single-family dwelling. The distance from W Richardson Road as well as the orientation ADU will make it difficult to see from the street.
 - b. The door layout of the structure is adequate for its location and situation, subject to compliance with the Findings of Fact and Conditions of Approval.
18. 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.
19. 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.
20. The pedestrian and vehicular traffic caused by the proposed detached ADU will not conflict with existing and anticipated traffic in the neighborhood to an extent greater than that associated with any other permitted uses in the applicable zoning district.
21. The proposed detached ADU will be supported by adequate service facilities and would not adversely affect public services to the surrounding area.

22. 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

1. The activities on the site shall comply with the submitted site plan and materials submitted for this application.
2. Either the detached ADU or the single-family dwelling shall be occupied by a landowner(s) as their primary residence. The landowner shall maintain residency at least six (6) months out of the year and at no time receive rent for, or otherwise allow others to occupy the landowner(s) unit when absent the rest of the year.
3. The County will provide an ADU agreement to the applicant. The applicant shall sign the agreement before a Notary Public and record the document with the Benton County Auditor's Office prior to the Conditional Use Permit being issued. The recording fee shall be paid by the applicant. The document will include a statement that the Accessory Dwelling Unit may not be sold as a separate residence until such time as the accessory dwelling is located as the sole residence on a legally subdivided parcel.
4. All required development permits shall be obtained prior to occupancy of the single-family dwelling. This includes approval of permits required by the following, as applicable:
 - a. Benton County Building Division; for building permits.
 - b. Benton County Fire Marshal; for fire and safety regulations.
5. The Benton Franklin Health District requires all necessary development permits be obtained and associated improvements completed prior to occupancy of the single-family dwelling. Please contact JoDee Peyton with BFHD at 509-460-4318 or Jodeer@bfhd.wa.gov for more information.

Time to Complete Conditions of Approval:

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

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

Transferability

This Conditional Use Permit is transferrable by the holder. If a new property owner wishes to continue to have the Accessory Dwelling Unit, the new owner must update the Conditional Use Permit application, accept the Conditions of Approval in writing, 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 2022-007 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

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CONDITIONAL USE PERMIT APPLICATION

File No. CUP 2022-007

RECEIVED

MAY 05 2022

Benton Co. Planning Dept.

APPLICANT INFORMATION

Please check the box indicating primary contact person for this application

Name of Applicant/Agent: Gale Rew Construction/Bonnie George
Mailing Address: P O Box 969 City: Richland State: WA ZIP: 99354
Phone #1: 509 943 5171 Phone #2: 917-538-1422 Amylynne
Email Address(es): office@galerew.com
Signature: [Signature] Date: 5-4-2022

Name of Property Owner(s) (if different): Jose Amoedo & Alex Sosa
Mailing Address: 20427 NE 64th PL City: Redmond State: WA ZIP: 98053
Phone #1: 310 940 8422 Phone #2: 425-406-0004
Email Address(es): alexdsosa@msn.com / jose.amoedo@msn.com
Signature: [Signature] Date: 4/29/2022
Signature: Alexandra Sosa Date: 4/29/2022

*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 Jose AMOEDO & ALEXANDRA SOSA, Trustees of the Jose Amoedo & Alexandra Sosa Living Trust dated July 10, 2004
Applicant/Legal Owner name: Alexandra Sosa Living Trust dated July 10, 2004
Officer name: JOSE AMOEDO Title: TRUSTEE
Signature: [Signature] Date: 4/29/2022

THE ABOVE SIGNED OFFICER OF (name of entity) Jose Amoedo & Alexandra Sosa, Trustees of the Jose Amoedo & Alexandra Sosa Living Trust dated July 10, 2004 WARRANTS AND REPRESENTS THAT ALL NECESSARY LEGAL AND CORPORATE ACTIONS HAVE BEEN DULY UNDERTAKEN TO PERMIT (name of applicant) Gale Rew Construction/Bonnie George 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: 160701 W Richardson Rd Prosser

5. Parcel #(s): 1-1784-100-0001-000 - - - - -

6. Acreage: 4

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: Sunnyside Valley Irrigation District

9. Current use(s) on property: Residential

10. What are you proposing to do that requires a Conditional Use Permit? _____
ADU addition w/ covered patio

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) *not in Area For ADU Application Complete: Y N
Critical Areas: N Areas of Slope Zoning: RL-5
Reviewed by: Titus M'Endryer Date: 5/6/22

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**CONDITIONAL USE PERMIT APPLICATION ADDENDUM
DETACHED ACCESSORY DWELLING UNIT**

File No. _____

Applicant Name: Jose Amoedo & Alex Sosa

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? 2842 sq' (1085 sq' BELOW GRADE)
4. What is the square footage of the proposed accessory dwelling unit? 590 sq' + 102 sq' COVERED *Pole*
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:

OCCASIONAL USE FOR FAMILY VISITORS

Please provide a site plan that includes the following:

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

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planning.department@co.benton.wa.us

HEM 1.4

May 6, 2022

Jose Amoedo and Alexandra Sosa
20427 NE 64th PI
Redmond, WA 98053

Via email to: joseamoedo@msn.com
& alex.sosa@msn.com

RE: Written Determination of Completeness
File Number: CUP 2022-007

Dear Applicant,

This office is in receipt of your project permit application for a Conditional Use Permit to allow you to remodel an existing Accessory Building to create a detached Accessory Dwelling Unit at 160701 W Richards Rd, West of Prosser, 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 2022-007) 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 blue ink that reads "Peter McEnderfer".

Peter McEnderfer, Associate Planner
Benton County Community Development Dept.
Planning Division

CC: Bonnie George at Gale Rew Construction; office@galerew.com

Community Development Department

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



Planning Division

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

May 9, 2022

HEM 1.5

Benton County Public Works Department
Benton-Franklin Health District
Benton County Fire District #3
Benton County Building Division
Benton County Fire Marshal
Benton County Code Enforcement
Benton REA
Sunnyside Valley Irrigation District

RE: Agency review of Conditional Use Permit application
File #: CUP 2022-007
Parcel # 1-1784-100-0001-000
Applicant: Gale Rew Construction on behalf of Jose Amoedo & Alex Sosa

Attached is a Conditional Use Permit – Accessory Dwelling Unit application for your agency's review.

The applicant is requesting to remodel an existing Accessory Building to create a 692 square foot detached Accessory Dwelling Unit.

The existing 2,842 square foot single family dwelling that is also on the property will remain.

PLEASE SUBMIT YOUR COMMENTS to planning.department@co.benton.wa.us by May 23, 2022. Please reference file number **CUP 2022-007** 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

April Brown

From: Dale Wilson
Sent: Monday, May 9, 2022 3:27 PM
To: Planning Department
Subject: RE: Agency review request - CUP (Accessory Dwelling Unit) 2022-007

There is currently no code enforcement action regarding the owners or the property.

I have no objections.



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

From: Planning Department <Planning.Department@co.benton.wa.us>
Sent: Monday, May 9, 2022 11:59 AM
To: Clark Posey <Clark.Posey@co.benton.wa.us>; Dale Wilson <Dale.Wilson@co.benton.wa.us>; Fire District #3 - Gayle Carrasco - Administrator (gcarrasco@westbentonfirerescue.org) <gcarrasco@westbentonfirerescue.org>; Fire District #3 - Chief Charles Damron (cdamron@westbentonfirerescue.org) <cdamron@westbentonfirerescue.org>; Benton Franklin Health District - Rick Dawson <rickd@bfhd.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 REA - Chris Cooke <CCooke@bentonrea.org>; Benton REA - Derek Miller <dmliller@bentonrea.org>; Benton REA - Nick Pryor <NPryor@bentonrea.org>; Rigo Diosdado (diosdador@svid.org) <diosdador@svid.org>; Sunnyside Valley Irrigation Dist. - Diane Weber <weberd@svid.org>; Sunnyside Valley Irrigation Dist. - Ron Cowin <cowinr@svid.org>; Sunnyside Valley Irrigation District - Roy Pasicaran Annexations <pasicaranr@svid.org>
Subject: Agency review request - CUP (Accessory Dwelling Unit) 2022-007

Please see the attached information for your review and comment.

Please have any comments back to our office no later than 5pm on May 25, 2022.

Thank you!

April L. Brown



Permit Technician, Planning Division
Benton County Community Development Department
(509) 786-5612
Website: co.benton.wa.us
Kennewick Office: 102206 East Wiser Parkway
Prosser Office: 620 Market Street (Prosser Courthouse, 1st Floor)

April Brown

From: Chris Cooke <ccooke@bentonrea.org>
Sent: Tuesday, May 10, 2022 7:02 AM
To: Planning Department
Cc: Nick Pryor; Derek Miller
Subject: [EXTERNAL] RE: Agency review request - CUP (Accessory Dwelling Unit) 2022-007

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.

Good morning planning department,

BREA has no comments regarding the Sousa CUP 2022-007.

Good day.

Chris Cooke

Staking Technician, Benton REA

ccooke@bentonrea.org

402 7th Street / PO Box 1150

Prosser, WA 99350



(509) 786-8252 Office ext:2305

(509) 439-1558 Cell

(509) 786-2231 Fax

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

Sent: Monday, May 9, 2022 11:59 AM

To: Clark Posey <Clark.Posey@co.benton.wa.us>; Dale Wilson <Dale.Wilson@co.benton.wa.us>; Fire District #3 - Gayle Carrasco - Administrator (gcarrasco@westbentonfirerescue.org) <gcarrasco@westbentonfirerescue.org>; Fire District #3 - Chief Charles Damron (cdamron@westbentonfirerescue.org) <cdamron@westbentonfirerescue.org>; Benton Franklin Health District - Rick Dawson <rickd@bfhd.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>; Chris Cooke <ccooke@bentonrea.org>; Derek Miller <dmliller@bentonrea.org>; Nick Pryor <NPryor@bentonrea.org>; Rigo Diosdado (diosdador@svid.org) <diosdador@svid.org>; Sunnyside Valley Irrigation Dist. - Diane Weber <weberd@svid.org>; Sunnyside Valley Irrigation Dist. - Ron Cowin <cowinr@svid.org>; Sunnyside Valley Irrigation District - Roy Pasicaran Annexations <pasicaranr@svid.org>

Subject: Agency review request - CUP (Accessory Dwelling Unit) 2022-007

Please see the attached information for your review and comment.

Please have any comments back to our office no later than 5pm on May 25, 2022.

Thank you!

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

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April Brown

From: Cristina Woods
Sent: Tuesday, May 10, 2022 11:36 AM
To: Planning Department
Subject: RE: Agency review request - CUP (Accessory Dwelling Unit) 2022-007

Good morning

Public Works has no comments for the CUP
They may be required to obtain a road approach permit during construction.

Thank you



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

From: Planning Department <Planning.Department@co.benton.wa.us>
Sent: Monday, May 9, 2022 11:59 AM
To: Clark Posey <Clark.Posey@co.benton.wa.us>; Dale Wilson <Dale.Wilson@co.benton.wa.us>; Fire District #3 - Gayle Carrasco - Administrator (gcarrasco@westbentonfirerescue.org) <gcarrasco@westbentonfirerescue.org>; Fire District #3 - Chief Charles Damron (cdamron@westbentonfirerescue.org) <cdamron@westbentonfirerescue.org>; Benton Franklin Health District - Rick Dawson <rickd@bfhd.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 REA - Chris Cooke <CCooke@bentonrea.org>; Benton REA - Derek Miller <dmiller@bentonrea.org>; Benton REA - Nick Pryor <NPryor@bentonrea.org>; Rigo Diosdado (diosdador@svid.org) <diosdador@svid.org>; Sunnyside Valley Irrigation Dist. - Diane Weber <weberd@svid.org>; Sunnyside Valley Irrigation Dist. - Ron Cowin <cowinr@svid.org>; Sunnyside Valley Irrigation District - Roy Pasicaran Annexations <pasicaranr@svid.org>
Subject: Agency review request - CUP (Accessory Dwelling Unit) 2022-007

Please see the attached information for your review and comment.

Please have any comments back to our office no later than 5pm on May 25, 2022.

Thank you!

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

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May 12, 2022

Benton County Planning Department
PO Box 910
Prosser, WA 99350

RECEIVED

MAY 18 2022

Benton Co. Planning Division

File #: CUP 2022-007

Applicant: Gale Rew Construction on behalf of Jose Amoedo & Alex Sosa

Tax Parcel: 1-1784-100-0001-000

To whom it may concern,

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

- There are SVID laterals bordering the parcel on the east and south. The proposed project will not impact SVID's facilities.

Thank you for the opportunity to comment. If you have any questions, please contact Diane Weber at (509) 837-6980 or weberd@svid.org.

Sincerely,



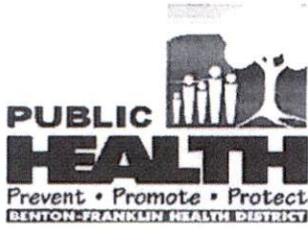
Ron Cowin, P.E.
Assistant Manager – Engineering

RECEIVED

MAY 25 2022

Benton Co. Planning Dept.

HEM 1.10



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

Sewage Disposal System Construction
Permit

Owner: Amoedo, Jose & Sosa, Alexandra
20427 S 64 Place
Redmond, WA
98053

Permit Number: 26300
Date Permit Issued: April 05, 2022
Date Permit Expires: April 05, 2023
County: Benton

Location Information

Property Address	160701 W Richards Rd	Subdivision/Legal:	S17 TS8N R24
City:	Prosser	Block:	
Parcel Number:	1-1784-100-0001-000	Lot:	

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

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

General Information

Type of Structure:	Single Family	Number of Bedrooms:	2
Designed by:	Homeowner	Average Daily Flow:	180
Type of System:	Conventional Gravity	Maximum Daily Flow:	240
Treatment Level:	E		

Pretreatment Information

Septic Tank Size: 1000 gal.
Depth of Burial: 0-6 inches
Outlet Baffle Filter: No
Pump Chamber Size:
Dose Volume:
Reserve Volume:

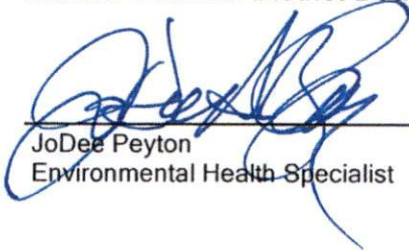
Drainfield Information

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

Conditions

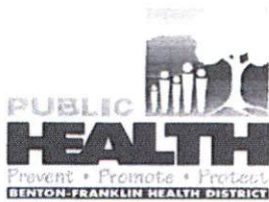
- Follow approved plot plan, maintain all setbacks.
- Maintain 100' minimum from subsurface sewage disposal system to all wells.
- Maintain 50' minimum from septic tank to all wells.
- Maintain positive drainage away from the drainfield.
- Drainfield lines may be shifted slightly to follow the contours of the slope.
- Approval of the system plans, requirements for site modification, and permit issuance is not to be construed as permission by this department to trespass or alter neighboring properties.
- At such time as a failure to the system occurs, all sewage generating activities must cease until such time as appropriate repairs can be made (i.e. additional site modifications and/or installation of the replacement area.)
- Prior to approval of this system the existing septic tank shall be decommissioned in accordance with Benton-Franklin District Board of Health Rules and Regulations No. 2.

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



JoDee Peyton
Environmental Health Specialist

Amy Person M.D.
District Health Officer

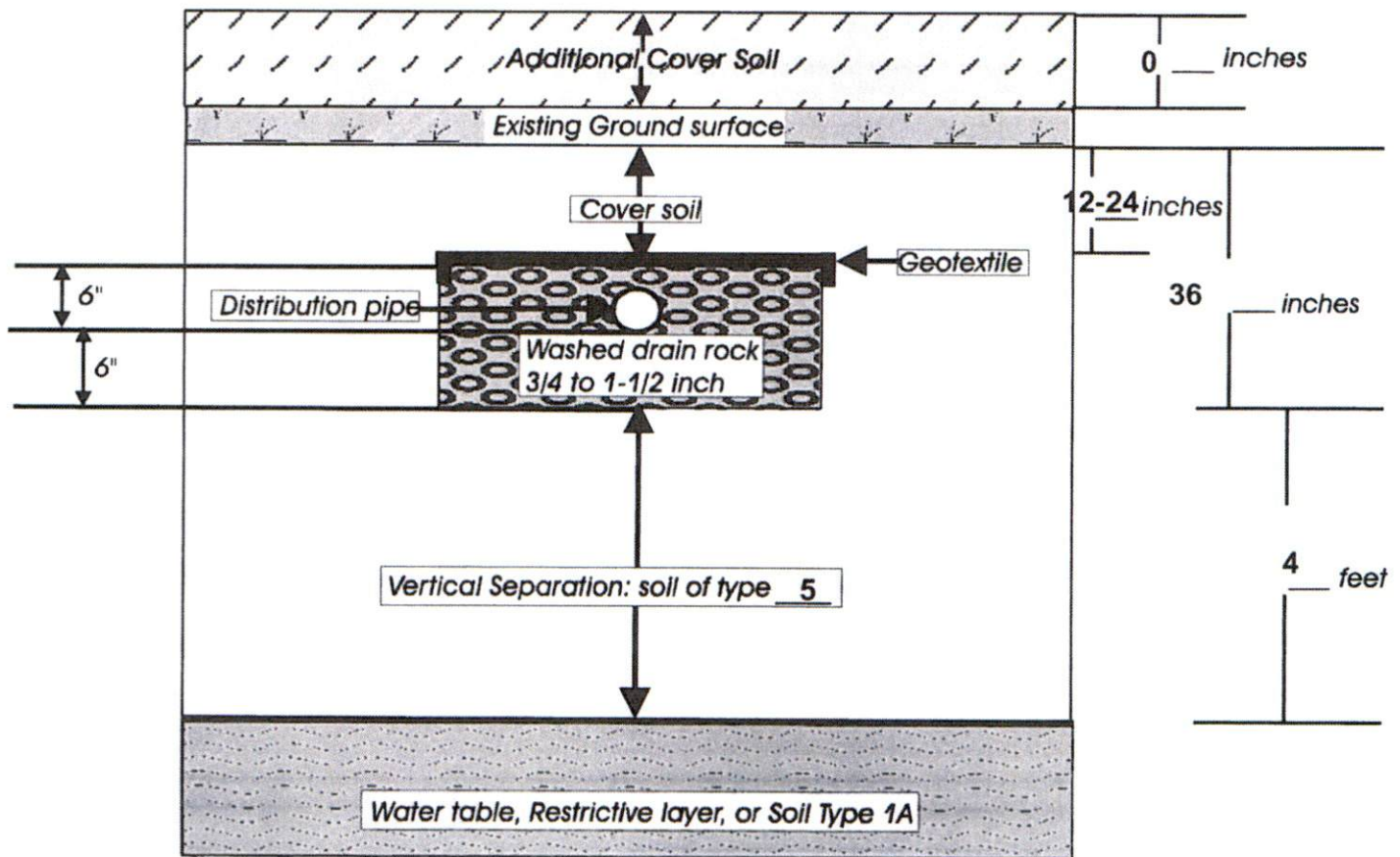


Benton Franklin Health District

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

Water Supply: Single Family Well
Parcel ID#: 1-1784-100-0001-000
Property Owner: Jose Amoedo & Alexandra Sosa
Permit #: 26300

DRAINFIELD CROSS-SECTION



Comments:

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

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

SITE PLAN

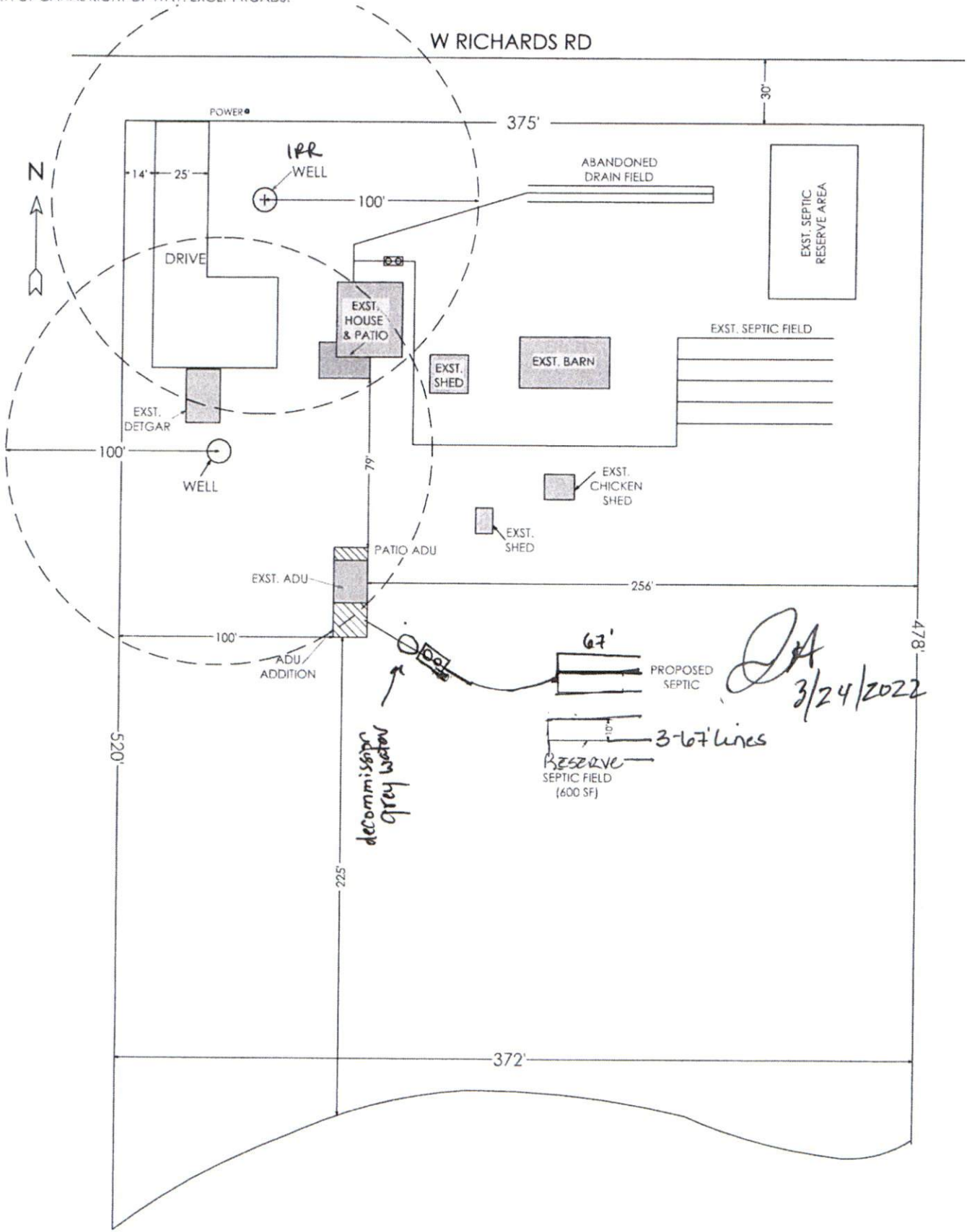
SOSA ADU ADDITION

LEGAL DESCRIPTION: SECTION 17 TOWNSHIP 8 NORTH
RANGE 24; THE EAST 380 FEET OF THE NORTHEAST QUARTER
OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER
NORTH OF CANAL RIGHT OF WAY, EXCEPT ROADS.

ADDRESS: 160701 W RICHARDS RD
PROSSER, WA 99350
PARCEL #: 117841000001000

MINIMUM SETBACKS:
FRONT: 25'
SIDE: 10'
REAR: 25'

PROPERTY SIZE: 4 ACRES
SCALE: 1" = 60'
ZONED: RL-5



Community Development Department

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



Planning Division

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

HEM 1.11

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.

CONDITIONAL USE PERMIT -- CUP 2022-007, APPLICANT: GALE REW FOR AMOEDO/SOSA

The applicant is requesting to remodel an existing accessory building at 160701 West Richardson Rd in Prosser, WA to create a 692 square foot detached Accessory Dwelling Unit. The existing 2,842 square foot single family dwelling that is also on the property will remain.

CONDITIONAL USE PERMIT -- CUP 2022-008, APPLICANT: TRI-CITY ROCK PRODUCTS

The applicant is requesting to amend the Conditions of Approval for CUP 2016-007 to allow crushing activities to occur 8-10 weeks per year, 24 hours a day, Monday – Saturday. The applicants are currently allowed to operate from 7:00 a.m. to 5:00 p.m. Monday through Friday.

NOTICE IS GIVEN that the Benton County Hearings Examiner will hold an open record public hearing for each of the above stated applications. The hearings will be held in-person and virtually/telephonically via Webex.

DATE OF HEARING: Friday, June 17, 2022 at 10:00 am
LOCATION OF HEARING: Planning Hearing Room, Benton County Courthouse, 1st 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 or 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 a 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, P.O. Box 910 Prosser, WA 99350, 102206 E. Wisner Parkway, Kennewick, WA 99338 or 620 Market Street, First Floor, Prosser, WA 99350.

Dated this 27th day of May 2022

PUBLICATION DATE: June 1, 2022

SUSAN E. DRUMMOND
Benton County Hearings Examiner

MICHELLE L. COOKE, Planning Manager
Community Development Department