

**EXHIBIT LIST FOR CUP 2023-002**  
**Nathan Wright - ADU**

<b>Hearings Examiner Staff Memo Exhibit List - March 17, 2023 hearing</b>		
HEM 1.1	Staff Memo	February 28, 2023
HEM 1.2	Vicinity map	February 13, 2023
HEM 1.3	Application	February 3, 2023
HEM 1.4	Site Plan	February 3, 2023
HEM 1.5	Floorplan layout	February 3, 2023
HEM 1.6	Written Determination of Completeness	February 7, 2023
HEM 1.7	Agency review request	February 9, 2023
HEM 1.8	Comment from Benton Kennewick Irrigation District	February 15, 2023
HEM 1.9	Comment from Benton County Public Works	February 15, 2023
HEM 1.10	Notice of Open Record Hearings	February 24, 2023
<b>Exhibits Submitted <span style="color: red;">During Hearing</span> or while record remained open</b>		
HEH 1.1		
HEH 1.2		
HEH 1.3		
HEH 1.4		
HEH 1.5		
HEH 1.6		
HEH 1.7		
HEH 1.8		
HEH 1.9		
HEH 1.10		

**Community Development Department**

Prosser Office: 620 Market Street, 1<sup>st</sup> Floor  
Kennewick Office: 102206 East Wisser 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)

**STAFF REPORT TO THE  
BENTON COUNTY HEARINGS EXAMINER  
Nathan Wright  
Detached Accessory Dwelling Unit**

**HEM 1.1**

**FILE NO:** CUP 2023-002

**MEMO DATE:** February 28, 2023

**HEARING DATE:** March 17, 2023

**OWNER/APPLICANT:** Nathan Wright, 42212 E Ridge Crest Loop Benton City, WA 99320

**LOCATION:** General Location: The property is located approximately 0.28 miles northeast of the intersection of Red Mountain Rd. and E Ridge Crest Loop NE in the Benton City area of unincorporated Benton County, Washington.

Address: 42212 E Ridge Crest Loop Benton City, WA 99320

Abbreviated Legal: Block 2 Lot 6 of Red Mountain Ranchettes No. 2, Section 02, Township 09 N, Range 27 E W.M.

Parcel Number: 1-0297-303-0002-006

**PROPERTY SIZE:** Approximately 2.66 Acresx

**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 proposing to construct a 500 sq foot Accessory Dwelling Unit (ADU). The ADU is to be located northwest of the existing single-family dwelling on parcel. The intended purpose of the ADU is for future a dwelling unit for the applicant’s in-laws. (HEM 1.3)

The application and floor plan submitted indicates a total living space of 500 square feet, but it has since been determined that the living space is actually 475 square feet in total. (HEM 1.4 and 1.5)

The property is approximately 2.66 acres in size and is zoned Rural Lands Five Acre District (RL-5). The site is currently used for residential purposes with an existing 3,792 square foot single family dwelling and 1,200 square foot accessory building.

The application for CUP 2023-002 was submitted to the Benton County Planning Division on February 3, 2023. (HEM 1.3)

The application was declared complete for processing on February 7, 2023. (HEM 1.6)

The application documents were distributed to reviewing agencies on February 9, 2023. (HEM 1.7)

The Benton County Hearings Examiner Notice of Open Record Hearing for application CUP 2023-002 was published on March 1, 2023, in the Prosser Record Bulletin. (HEM 1.10)

The Notice was mailed to property owners of record within 300 feet of the outer boundaries of the parcel on February 27, 2023.

The Open Record Hearing is scheduled for March 17, 2023.

### **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 2<sup>nd</sup> 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.
- (b) 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.
    - (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 February 9, 2023.
  - a. Benton County Public Works Department
  - b. Benton-Franklin Health District
  - c. Benton County Fire District #4
  - d. Benton County Building Division
  - e. Benton County Fire Marshal
  - f. Benton County Code Enforcement
  - g. Benton REA
  - h. Kennewick Irrigation District
  - i. City of West Richland
2. The following comments were received from the Benton County Public Works Department: **(HEM 1.9)**
  - a. The applicant has already applied for a road approach permit 2023-005. No further comments.
  - b. For more information, please contact Cristina Woods at 509-786-5611 [cristina.woods@co.benton.wa.us](mailto:cristina.woods@co.benton.wa.us).
3. The following are general comments and discussion points from the Benton County Planning Division:
  - a. The lot is zoned Rural Lands Five Acre (RL-5) District.
  - b. The lot is designated Rural Remote by the Benton County Comprehensive Plan.
  - c. Surrounding land uses: The subject parcel and adjoining parcels are predominantly residential in use with single-family homes and residential accessory uses.
  - d. SEPA: A proposal for a single ADU is exempt from a State Environmental Policy Act checklist and review.
  - e. Upon completion of a review of BCC Title 15 and the Benton County Critical

Area Maps, no designated critical areas have been identified. A critical area report is not required for the processing of a conditional use permit for the proposed activity at this location.

- f. This project is located within the Benton County Rural Water Supply Program area and thus the applicant must apply for and obtain a mitigation certificate for the accessory dwelling unit prior to CUP issuance.

### **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 2023-002 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 proposing to build a 475 square foot detached Accessory Dwelling Unit. The ADU is located northeast of the existing 3,792 square foot single-family dwelling unit.
2. The applicant/property owner is Nathan Wright, 42212 E Ridge Crest Loop Benton City, WA 99320.
3. The property is located approximately 0.28 miles northeast of the intersection of Red Mountain Rd. and E Ridge Crest Loop in the Benton City area of unincorporated Benton County, Washington (Parcel Number 1-0297-303-0002-006).
4. The property is approximately 2.66 acres in size and is zoned Rural Lands Five-Acre (RL-5) District.
5. The detached ADU is accessory to a 3,792 square foot owner-occupied single-family dwelling.
6. The site currently consists of a 3,792 square foot single-family dwelling and a 1,200 square accessory building.
7. The property is within the Benton County Rural Water Supply Program area and thus the applicant must apply for and obtain a mitigation certificate for the accessory dwelling unit.
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 2023-002 is consistent with the Growth Management Act, RCW 36.70A, including RCW 36.70A.390.
12. The application for CUP 2023-002 is consistent with RCW 43.63A.215 (3) *Accessory apartments*.
13. The application for CUP 2023-002 is consistent with the goals and policies of the Benton County Comprehensive Plan.
14. The application for CUP 2023-002 is consistent with the requirements of the Benton County Zoning Code.
15. The application for CUP 2023-002 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 3,792 square feet. Forty percent 40% of 3,792 square feet is 1,516 square feet. The applicant is proposing approximately 475 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 construct a 475 square foot accessory dwelling unit on the site with the existing 3,792 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 is an upper floor unit.
  - l. At the time of application, the owners plan to reside in the existing single family dwelling and use the ADU as a residence for family members.
  - 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 2023-002 is consistent with requirements in BCC 11.42.020 (c)(2)(i) as the ADU is in a detached accessory building.

17. The application for CUP 2023-002 is consistent with requirements in BCC 11.42.020(c)(2)(ii):
  - a. The ADU is proposed to be located northwest of the existing single-family dwelling. The distance from E Ridge Crest Loop 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 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.
  - c) Benton Franklin Health District
  - d) Benton County Rural Water Supply Program
5. The applicant shall obtain a mitigation certificate and install a water meter for the ADU prior to CUP issuance.

**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 2023-002 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.





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

CONDITIONAL USE PERMIT APPLICATION

RECEIVED

File No. CUP 2023-002

FEB 3 2023

APPLICANT INFORMATION

Benton Co. Planning Dept.

Please check the box indicating primary contact person for this application

Name of Applicant/Agent: Nathan Wright  
Mailing Address (with City, State & zip): 42212 E Ridgecrest Loop NE, Benton City WA 99320  
Phone #1: 509-405-9903 Phone #2: \_\_\_\_\_  
Email Address(es): wrightindeed@gmail.com  
Signature: Nathan Wright Date: 02/03/23

Name of Property Owner(s) (if different): Nathan Wright & Gabriela Cruz  
Mailing Address (with City, State & zip): 42212 E Ridgecrest Loop NE, Benton City WA 99320  
Phone #1: 509-405-9903 Phone #2: 305-542-2937  
Email Address(es): wrightindeed@gmail.com; gbcruz88@gmail.com  
Signature: Nathan Wright Date: ~~02/03/23~~ 02/03/23  
Signature: Gabriela Cruz Date: 02/03/23

\*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 Division 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): 42212 E Ridgecrest Loop NE, Benton City WA 99320

5. Parcel number(s): 10297303000206

6. Total Acreage: 2.66

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: N/A

9. Current use(s) on property: Residential, whereas owner resides

10. What are you proposing to do that requires a Conditional Use Permit? Build A detached 500 sq feet ADU or Mother-In-Law Suite

**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: Detached ADU Addendum Included

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

(FOR STAFF USE ONLY) Access: Y N Application Complete: Y N  
Critical Areas: N Y: \_\_\_\_\_ Zoning: \_\_\_\_\_  
Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_

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CONDITIONAL USE PERMIT APPLICATION ADDENDUM **RECEIVED**

DETACHED ACCESSORY DWELLING UNIT

FEB 3 2023

File No. CUP 2023-002

Benton Co. Planning Dept.

Applicant Name: Nathan Wright

1. Number of Accessory Dwelling Units currently on the property: None Currently
2. Is there a single family dwelling currently on the property?  Yes  No
3. What is the square footage of the main home? 4500 Square feet
4. What is the square footage of the proposed Accessory Dwelling Unit? 500 Square feet
5. How many bedrooms will be in the Accessory Dwelling Unit? 1 Bedroom
6. Does the landowner currently have any other land use permits? No

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

The purpose is to provide a separate living space  
for future use by In-Laws  
The reason is so family can be close, while allowing  
private living space  
BP# 37173

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

Any information submitted to the Benton County Planning Division 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.



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

**Sewage Disposal System Construction**  
**Permit**

**Owner:** Wright, Nathan  
 42212 E Ridge Crest Loop  
 , WA  
 99320

**Permit Number:** 26681  
**Date Permit Issued:** January 09, 2023  
**Date Permit Expires:** January 09, 2024  
**County:** Benton

**Location Information**

**Property Address** 42212 E Ridge Crest Loop **Subdivision/Legal:** S2, T9, R27, Red  
**Block:** Mtn Ranchettes  
**City:** Benton City **Lot:** 2  
**Parcel Number:** 1-0297-303-0002-006 **Lot:** 6

**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**

<b>Type of Structure:</b> Single Family	<b>Number of Bedrooms:</b> 5 with ADU
<b>Designed by:</b> PE	<b>Average Daily Flow:</b> 450
<b>Type of System:</b> Conventional Gravity	<b>Maximum Daily Flow:</b> 600
<b>Treatment Level:</b> E	

**Pretreatment Information**

**Septic Tank Size:** 1500 gal.  
**Depth of Burial:** Lids to surface.  
**Outlet Baffle Filter:** No  
**Pump Chamber Size:** N/A  
**Dose Volume:** N/A  
**Reserve Volume:** N/A

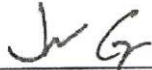
**Drainfield Information**

**Drainfield size:** 828 sq ft  
**Drainlines length:** 69 feet  
**Drainlines number:** 4  
**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.
- All components of the sewage system must be installed in accordance with the engineers plans stamped approved by the Benton-Franklin Health District.
- 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.)
- The sewage disposal system must be installed by a septic installer licensed within the Benton-Franklin Health District.
- 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.



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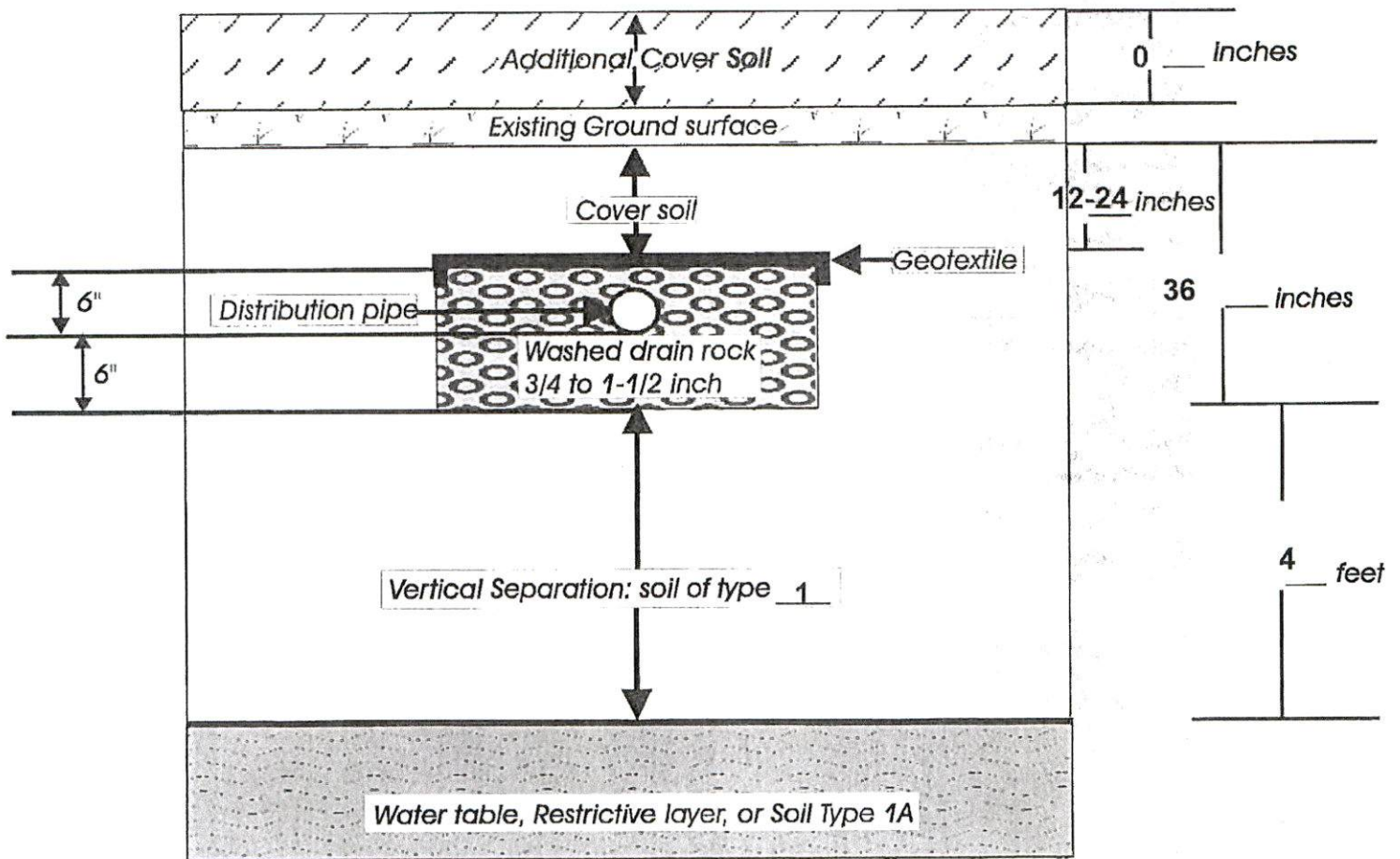
Justin Gerber  
Environmental Health Specialist

---

Amy Person M.D.  
District Health Officer

**Water Supply:** Single Family Well  
**Parcel ID#:** 1-0297-303-0002-006  
**Property Owner:** Nathan Wright  
**Permit #:** 26681

## DRAINFIELD CROSS-SECTION



Comments:

1. SYSTEM DESIGN INFORMATION:
  - A. DESIGN DAILY FLOWRATE: 600 GPD (4 BEDROOMS PLUS ADU WITH 1 BEDROOM = 5 BEDROOMS TOTAL)
  - B. SEPTIC TANK CAPACITY: 1,000 GAL
  - C. SOIL TYPE: 0'-0" - 2'-0" 5, SILT LOAM  
2'-0" - BELOW 1, COBBLE, SAND
  - D. REQUIRED TREATMENT LEVEL: E (>2.5 ACRES)
  - E. MAXIMUM APPLICATION RATE: 0.727 GPD/SF
  - F. REQUIRED DRAINFIELD AREA: 825 SF
  - G. PERMITTING AUTHORITY: BENTON-FRANKLIN HEALTH DISTRICT
2. INSTALL ON-SITE SEWAGE SYSTEM COMPONENTS AND EQUIPMENT IN ACCORDANCE WITH THE MANUFACTURER'S WRITTEN INSTRUCTIONS AND THE REQUIREMENTS OF THE PERMITTING AUTHORITY AND OBTAIN REQUIRED INSPECTIONS.
3. EXISTING SEPTIC TANK MAY BE REUSED. PROVIDE 24-INCH DIAMETER ACCESS RISERS TO GRADE WITH GASKETED LIDS. MAINTAIN CONNECTION TO EXISTING DRAINFIELD UNTIL NEW SYSTEM IS INSTALLED AND INSPECTED, THEN BREAK EXISTING PIPING AT OUTLET OF SEPTIC TANK AND ROUTE TO NEW DISTRIBUTION BOX. INSTALL NEW EFFLUENT FILTER IN TANK OUTLET BAFFLE. REPLACE EXISTING OUTLET BAFFLE AS REQUIRED. ABANDON EXISTING DRAINFIELD IN PLACE.
4. DISTRIBUTION BOX SHALL BE SINGLE CHAMBER POLYPROPYLENE, HDPE OR PRECAST CONCRETE BOX AND COVER WITH RESILIENT CONNECTORS OF SIZES REQUIRED FOR PIPING FITTED INTO INLET AND OUTLET OPENINGS, AND INLET BAFFLE. PROVIDE WATERTIGHT PLUGS FOR UNUSED OUTLETS.
5. NON-PRESSURE PIPING SHALL BE ASTM D3034 PVC WITH ASTM A2466 FITTINGS ASSEMBLED WITH ASTM D2564 SOLVENT CEMENT. DRAINFIELD PIPING SHALL BE ASTM D2729 PERFORATED PVC WITH 1/2-INCH PERFORATIONS AT MIN. 5-INCH SPACING CONFIGURED IN 2 ROWS, ORIENTED DOWNWARD AT 60° ON EITHER SIDE OF PIPE CENTERLINE.
6. DRAINAGE ROCK SHALL BE WASHED STONE OR GRAVEL OF UNIFORM SIZE BETWEEN 3/4 INCHES AND 1-1/2 INCHES. CRUSHED STONE SHALL NOT BE USED.
7. GEOTEXTILE FABRIC SHALL BE NON-WOVEN SPUNBONDED POLYESTER OR POLYPROPYLENE FABRIC, MAXIMUM UNIT WEIGHT 3 OUNCES PER SQUARE YARD.



NO.	REVISIONS	DATE

**Routh Consulting Engineers, Inc.**  
 Pasco, WA 99302  
 P.O. Box 3187  
 509-547-8262 509-542-0650 FAX



**WRIGHT RESIDENCE**  
 Benton City, Washington  
**ONSITE SEWAGE SYSTEM**

DATE: 12/15/22

DRAWN: RDR

SCALE: SHOWN

PROJECT NO: 2499

SHEET:

**M2**

CADFILE: 2499M01B

**GENERAL NOTES**

RECEIVED

FEB 3 2023

Benton Co. Planning Dept.



NO.	REVISIONS	DATE

Routh Consulting Engineers, Inc.  
 Pasco, WA 99302  
 P.O. Box 3187  
 509-547-4262  
 509-542-0650 FAX



**WRIGHT RESIDENCE**  
 Benton City, Washington  
**ONSITE SEWAGE SYSTEM**

DATE: 12/15/22

DRAWN: RDR

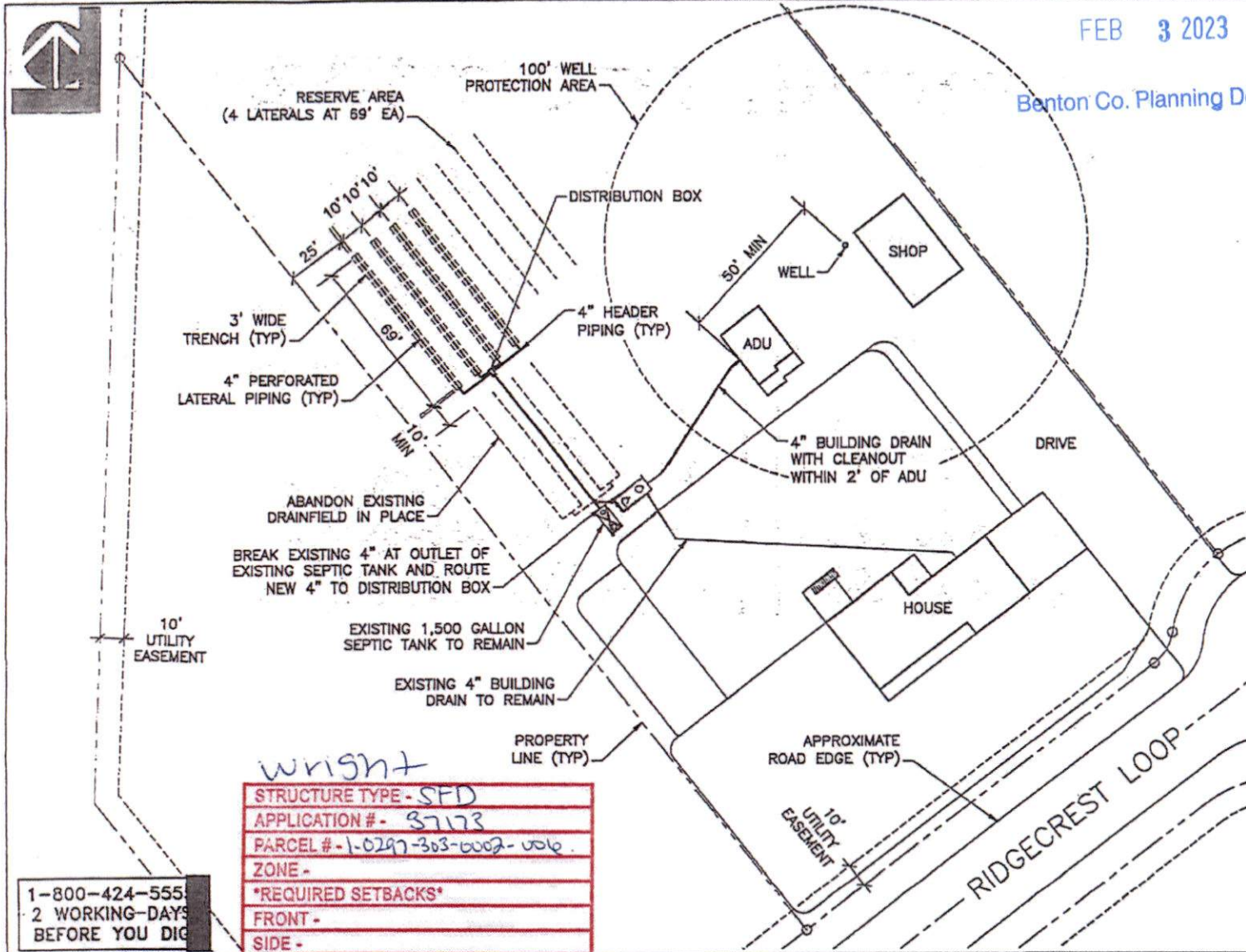
SCALE: SHOWN

PROJECT NO: 2499

SHEET:

M1

CADFILE: 2499M01A



*Wright*

STRUCTURE TYPE - SFD
APPLICATION # - 3773
PARCEL # - 1-0297-303-002-006
ZONE -
*REQUIRED SETBACKS*
FRONT -
SIDE -
SIDE -
REAR -
OTHER -
OTHER -
*PLEASE CALL 735-3500 IF QUESTIONS*

1-800-424-5555  
 2 WORKING-DAYS  
 BEFORE YOU DIG

**SITE PLAN**

PARCEL NO. 1-0297-303-002-006

SCALE: 1"=40'

ENERGY APPLIANCE EFFICIENCY	
EQUIPMENT	RATING
ELECTRIC ZONAL HEAT	
*SPLIT SYSTEM HP: DUCTLESS IN PRIMARY ZONE	HSPF10
ELECTRIC WATER HEATER	
*PROGRAMMABLE THERMOSTAT FOR ALL HEATERS IN BEDROOMS	

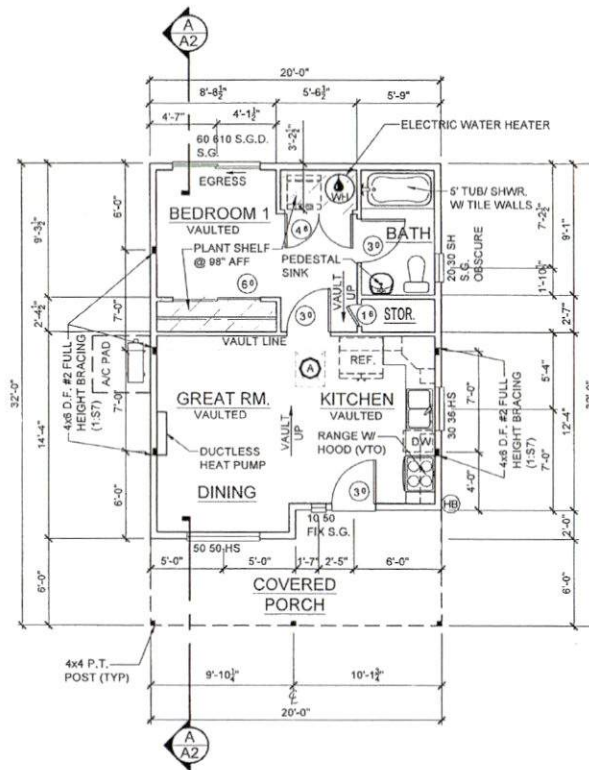
**NOTE:**

- DESIGN AND INSTALLATION OF ALL EXTERIOR DECKS, PATIOS, PORCHES, RAILINGS, HAND RAILINGS, GRAB RAILS, WALKWAYS, STOOPS, APRONS, AND DRIVING SURFACES LOCATED OUTSIDE OF THE INSULATED WALLS OF THE LIVING SPACE. IF OWNER INSTALLS AN EXTERIOR DECK OR PATIO NEAR OR AGAINST THE SIDING, OWNER SHALL INSTALL PROPER FLASHING TO PREVENT MOISTURE INTRUSION OR DAMAGE. DECKS OR PATIOS MUST BE INSTALLED AFTER THE SHEET ROCK PHASE AND BEFORE FINAL INSPECTION AND SHALL BE DESIGNED AND BUILT IN COMPLIANCE WITH ALL APPLICABLE BUILDING CODES. ANY PORCH COVERS PROVIDED BY HILINE WILL ONLY INCLUDE THE ROOF STRUCTURE.

\*ALL EXTERIOR DOORS TO HAVE THRESHOLD SUPPORT PER DETAIL 7 ON SHEET A4.

**LEGEND**

- (A)** = 22"x30" INSULATED ATTIC ACCESS W/ WEATHERSTRIPPING
- (C)** = 18"x24" INSULATED CRAWL ACCESS W/ WEATHERSTRIPPING
- (WH)** = WATER HEATER: ANCHORAGE IN SDC D0, D1, D2 (DETAIL 1 ON A4-2)
- (HB)** = HOSE BIB
- HS** = HORIZONTAL SLIDER WINDOW
- SH** = SINGLE HUNG WINDOW
- FIX** = FIXED WINDOW
- S.G.** = SAFETY GLAZING



**FIRST FLOOR PLAN**  
1/8" = 1'-0"



www.HilLineHomes.com  
© copyright Hil Line Homes

SITE ADDRESS:  
42212 E. RIDGECREST LOOP NE  
BENTON CITY, WA 99320  
PARCEL # 102973030002006

CUSTOMER:  
**NATHAN WRIGHT**  
**GABRIELA CRUZ**  
42212 EAST RIDGECREST LOOP NE  
BENTON CITY, WA 99320  
(509) 405-9903

**FLOOR PLAN**

**HILINE HOMES**  
11308 62ND AVENUE  
PUYALLUP, WA, 98373  
(253) 770-2244 ext. 129

PLAN: 500BR  
DATE: 10/10/2022  
JOB#: 8201-0200

**A1**

**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 7, 2022

Nathan Wright  
42212 E Ridgecrest Loop NE  
Benton City, WA 99320

[wrightindeed@gmail.com](mailto:wrightindeed@gmail.com)

RE: Written Determination of Completeness  
File Number: CUP 2023-002

Dear Applicant,

This office is in receipt of your project permit application for a Conditional Use Permit for a Detached Accessory Dwelling Unit. We have determined that the required materials have been submitted and the application is complete. A file number has been assigned (CUP 2023-002) 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 as we go through the review process. 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, and the Washington State Department of Health.

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

Sincerely,

Liz Koerner, Associate Planner  
Benton County Planning Division

**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)

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[planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us)

02/09/2022

Benton County Public Works Department  
Benton-Franklin Health District  
Benton County Fire District #4  
Benton County Building Division  
Benton County Fire Marshal  
Benton County Code Enforcement  
Benton REA  
Kennewick Irrigation District  
City of West Richland

**RE:** Agency review of a Conditional Use Permit application  
**File #:** CUP 2023-002  
**Parcel #:** 1-0297-303-0002-006  
**Applicant:** Nathan Wright

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

The applicant is proposing construction of a detached 500 sq. ft. accessory dwelling unit on a parcel with an existing 4,500 sq. ft. single-family residence and 1,200 sq. ft. shop building. The Project address is 42212 E Ridge Crest Loop Benton City, WA 99320.

PLEASE SUBMIT YOUR COMMENTS to [planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us) by **February, 2023**. Please reference file number **CUP 2023-002** 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

Elizabeth Koerner

**From:** Daniel Tissell <DTissell@kid.org>  
**Sent:** Wednesday, February 15, 2023 8:55 AM  
**To:** Elizabeth Koerner  
**Subject:** [EXTERNAL] RE: CUP 2023-002 Wright Agency Review

**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.

Liz,

KID has no comments regarding this matter.

Thanks,

Daniel Tissell, P.E.  
Engineering Manager  
Kennewick Irrigation District  
2015 S. Ely Street  
Kennewick, WA 99337  
(509) 586-6012 ext. 116



---

**From:** Elizabeth Koerner <Liz.Koerner@co.benton.wa.us>  
**Sent:** Thursday, February 9, 2023 2:42 PM  
**To:** Cristina Woods <Cristina.Woods@co.benton.wa.us>; Matt Mahoney <Matt.Mahoney@co.benton.wa.us>; Building Department <Building.Department@co.benton.wa.us>; Brian Bell <Brian.Bell@co.benton.wa.us>; Gary Tiplady <Gary.Tiplady@co.benton.wa.us>; Dale Wilson <Dale.Wilson@co.benton.wa.us>; Planning Department <Planning.Department@co.benton.wa.us>; NPryor@bentonrea.org; jabrown@bentonrea.org; sean@bfhd.wa.gov; Jodeer@bfhd.wa.gov; rebecca@bfhd.wa.gove; Development <development@kid.org>; pcarlyle@bcfd4.org; emendenhall@westrichland.org; ccooke@bentonrea.org  
**Subject:** CUP 2023-002 Wright Agency Review

Some people who received this message don't often get email from [liz.koerner@co.benton.wa.us](mailto:liz.koerner@co.benton.wa.us). [Learn why this is important](#)

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

Good Afternoon,

Attached are the application materials for a detached Accessory Dwelling Unit at 42212 E Ridge Crest Loop Benton City, WA 99320.

Please review and let me know if you have any comments by February 24<sup>th</sup>, 2023.

Thank You,



Liz Koerner

*Associate Planner*

Benton County Community Development Department - Planning Division

102206 E. Wiser Parkway

Kennewick, WA 99338

[Liz.Koerner@co.benton.wa.us](mailto:Liz.Koerner@co.benton.wa.us)

(509) 786-5612

**Elizabeth Koerner**

---

**From:** Cristina Woods  
**Sent:** Wednesday, February 15, 2023 10:03 AM  
**To:** Elizabeth Koerner  
**Subject:** RE: CUP 2023-002 Wright Agency Review

Good morning

Public Works has no comments.  
The applicant has already applied for a road approach permit – 2023-005.

Thank you



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

---

**From:** Elizabeth Koerner <Liz.Koerner@co.benton.wa.us>  
**Sent:** Thursday, February 9, 2023 2:42 PM  
**To:** Cristina Woods <Cristina.Woods@co.benton.wa.us>; Matt Mahoney <Matt.Mahoney@co.benton.wa.us>; Building Department <Building.Department@co.benton.wa.us>; Brian Bell <Brian.Bell@co.benton.wa.us>; Gary Tiplady <Gary.Tiplady@co.benton.wa.us>; Dale Wilson <Dale.Wilson@co.benton.wa.us>; Planning Department <Planning.Department@co.benton.wa.us>; NPryor@bentonrea.org; jabrown@bentonrea.org; sean@bfhd.wa.gov; Jodeer@bfhd.wa.gov; rebecca@bfhd.wa.gove; development@kid.org; pcarlyle@bcfd4.org; emendenhall@westrichland.org; ccooke@bentonrea.org  
**Subject:** CUP 2023-002 Wright Agency Review

Good Afternoon,

Attached are the application materials for a detached Accessory Dwelling Unit at 42212 E Ridge Crest Loop Benton City, WA 99320.  
Please review and let me know if you have any comments by February 24<sup>th</sup>, 2023.

Thank You,



Liz Koerner

*Associate Planner*

Benton County Community Development Department - Planning Division

102206 E. Wiser Parkway

Kennewick, WA 99338

[Liz.Koerner@co.benton.wa.us](mailto:Liz.Koerner@co.benton.wa.us)

(509) 786-5612

**Community Development Department**  
Prosser Office: 620 Market Street, 1<sup>st</sup> Floor  
Kennewick Office: 102206 East Wisner 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**

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

NOTICE IS FURTHER GIVEN that said the Benton County Hearings Examiner will hold an open record public hearing for each of the below stated applications **on March 17, 2023** at 10 a.m. in the Planning Hearing Room, First Floor Courthouse, 620 Market Street, Prosser WA 99350. The hearings will be held in-person and virtually/telephonically via Webex. 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>

**CONDITIONAL USE PERMIT –CUP 2023-001** - For an outdoor reception facility (event center) with permanently affixed restroom accommodations, and a 125-space parking area. Events held on-site shall not exceed two hundred (200) attendees and will be limited to conditions determined through the Conditional Use Permit process. The project is located in the Finely area, approximately 1 mile east of the intersection of Oak Street and Game Farm Road, across from Santiago County View Estates Mobile Home Park, at site address 201005 E Game Farm Road, Kennewick, WA. The parcel is legal described as Lot 1 of Short Plat 3728 in Section 29, Township 08 North, Range 30 East, W. M., parcel number 129801013728001.

NOTICE IS FURTHER GIVEN that the above proposal has been reviewed under the requirements of the State Environmental Policy Act, as amended, along with the Environmental Checklist and other information. A determination has been made as to the environmental impacts of the proposal and a Determination of Non-Significance has been issued. Accordingly, an Environmental Impact Statement is not required. This determination was made on February 24, 2023. Any comments regarding the determination and the environmental impacts of the proposal can be made at the hearing before the Hearings Examiner at the time and place indicated above or be made in writing to the Planning Department by 5 p.m. on March 16, 2023.

**CONDITIONAL USE PERMIT – CUP 2023-002** The applicant is proposing construction of a detached 500 sq. ft. accessory dwelling unit on a parcel with an existing 4,500 sq. ft. single-family residence and 1,200 sq. ft shop building. The Project address is 42212 E Ridge Crest Loop Benton City, WA 99320.

**CONDITIONAL USE PERMIT –CUP 2023-003** The applicant is proposing construction of a detached 640 sq. ft. accessory dwelling unit on a parcel with an existing 3,341 sq. ft. single-family residence. The Project address is 87321 E Calico Rd Kennewick, WA 99338.

**VARIANCE PERMIT - VAR 2023-001** The applicant is requesting a variance to reduce the South side and East rear property line setbacks by 5' each in the Urban Growth Area Residential District in Kennewick, Washington for an accessory building. The granting of a variance would

allow the applicant to have a side and rear setback of 5' total from the property lines.

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) or dropped off at the Planning Division offices at the Public Services Building 102206 E. Wiser Parkway, Kennewick 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](mailto:planning.department@co.benton.wa.us), P.O. Box 910 Prosser, WA 99350, 102206 E. Wiser Parkway, Kennewick, WA 99338 or 620 Market Street, First Floor, Prosser, WA 99350.

Dated this 24th day of February 2023.

PUBLICATION DATE: March 1, 2023

SUSAN E. DRUMMOND  
Benton County Hearings Examiner

MICHELLE L. COOKE, Planning Manager  
Community Development Department