

EXHIBIT LIST FOR CUP 2023-010
Wheat Head Brewing - Farmers Market

Hearings Examiner Staff Memo Exhibit List - December 15, 2023 hearing		
HEM 1.1	Staff Memo	December 6, 2023
HEM 1.2	Vicinity map	November 15, 2023
HEM 1.3	Application	May 10, 2023
HEM 1.4	Site Plan	May 10, 2023
HEM 1.5	Written Determination of Completeness	May 12, 2023
HEM 1.6	Agency review request	May 16, 2023
HEM 1.7	Additional Time	May 26, 2023
HEM 1.8	Comment from Benton PUD	May 16, 2023
HEM 1.9	Comment from Benton County Fire District #1	May 16, 2023
HEM 1.10	Comment from Benton County Public Works	May 19, 2023
HEM 1.11	Comment from Benton County Building Department	May 23, 2023
HEM 1.12	Comment from Benton County Fire Marshal	May 30, 2023
HEM 1.13	Comment from Benton County Public Works	October 30, 2023
HEM 1.14	SEPA MDNS Issued	November 3, 2023
HEM 1.15	Notice of Open Record Hearings	November 29, 2023
Exhibits Submitted During Hearing or while record remained open		
HEH 1.1	Neighbor Comment	December 14, 2023
HEH 1.2	Tina Response Additional information requested	December 15, 2023
HEH 1.3	Tina response to Neighbor Comment	December 15, 2023
HEH 1.4		
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HEH 1.6		
HEH 1.7		
HEH 1.8		
HEH 1.9		
HEH 1.10		

To the hearing examiner and planning division,

Benton County
Planning Division

I am writing this written comment on the concerns and opposing reasons why an event center and farmers market are not a good choice for the area and land we reside on.

First and foremost, when we first decided to buy this property, it was to move away from the city and enjoy the farmland along with the beautiful views, the quiet and peaceful environment and the investment in our property that we hoped it would increase in value not decrease. No one will move out to the country to be next to an event center and farmer's market. We did not know that the purpose of our property was that within 3 years of us buying this property we would be helping fund these multiple businesses. We knew of the brewery which we have learned to accept. But I recently found out the brewery was not the first attempt at a business and initially they wanted to do an event center. But when that formality didn't fall into the covenants of the county with it being ag land then came the idea of the brewery because that was allowed. So, the vision changed so then eventually they could accomplish the first vision of a venue/event center. We do not have an issue with the brewery itself although we have reservations on it and now accept the fact that it is opening. We do though find it hard to support the other visions they have when we haven't even seen what the impact of the brewery will be. We believe there has always been the intent to add more out buildings that will take away from the beautiful landscape we bought our property for.

The increase in traffic is a very huge concern as well. The weather up here and conditions are dramatically different. There have already been at least 3-4 accidents on the corner of where the Mahaffey quarry and triple vista are. We have lost power multiple times because the power poles have been hit. The possibility of a deadly crash is highly increased when you add 200+ people who are drinking and who do not know the roads and weather conditions that are possible up here. Fog will come in very quickly and even with us knowing the roads and us being residents up here it is very challenging to navigate when it is bad and when you add slick roads to it that is a huge concern. It is not just the winter weather that is a concern. In the summer we have many bicyclists, and you have to be very careful and be very vigilant and aware, especially at that corner of the quarry. If the attendees at these events are impaired or even if not it is very dangerous, especially when most drivers are unaware of the obstacles to watch out for. The increase of people traveling up for events makes it so much more likely.

Not only are these points important and legitimate concerns this would also open the door for others to open up event centers and other businesses. There has already been a realtor and his client who were up here looking at a piece of property that was for sale and had mentioned that the client was looking for property for an event center. When he was told its ag land, and it can't he said that there are always loopholes so he could make it happen.

The noise concern is another huge part of an event center and farmers market with music and live music. Which mind you the farmers market has nothing to do with anything being grown up here nor is it grown up here right now. Again, opening another door. Mrs. Miller has had people over and were out on the patio and the noise out here travels because there are no sound barriers. We were outside and heard their conversations. Can you imagine an event with hundreds of people and music? We wouldn't be able to enjoy what we bought our property for. The plan to have 10-15 events a year is excessive. That would be almost every weekend in the summer or at least 2 a month for an extended number of months. Then on those weekends when there are no events, we would have noise from the

brewery with outdoor music and people. So when would we be able to enjoy the peace and quiet of our property? Mrs. Miller has been posting on social media how she had 2 Christmas parties booked for this month and we believe one has already occurred because the traffic increased substantially, and they all went to the brewery. There have also been posts that weddings have also been booked for the 2024 year which, mind you, is a couple of weeks away. She posted that the schedule for open bookings for 24-25 would be posted sometime after this meeting. I'm discouraged because she is assuming the decision has already been made and I really hope that is a wrong assumption at this point. I sincerely support the idea of someone being an entrepreneur but not at the expense of ruining what we have spent hundreds of thousands of dollars to avoid. Let's not jump the gun on adding other businesses that impact all who have invested life savings on. This decision should not be taken lightly, we need to look ahead at the impacts on the area, the property owners and the reason why many of us have bought property where we did. Ask yourself this, would you want to be in our position with your investment, the peaceful atmosphere and your safe place put in jeopardy on behalf of someone making a quick buck? We ask you to take into consideration all these factors and decide based on the impacts on the local community and the property owners who will have to deal with the outcome during and the aftermath it may cause.

Thank you for your attention in this most important decision.

Shepice and Brandon Eissens

Nikki Relyea

From: Tina Miller Phillips <tina509miller@gmail.com>
Sent: Friday, December 15, 2023 11:58 AM
To: Planning Department; Andrea Watts
Subject: [EXTERNAL] Re: CUP 2023-010 Wheat Head Farmers Market

Follow Up Flag: Follow up
Flag Status: Flagged

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.

Farmers Market Accessory use conditions compliance comments:

Section 11.17.070 Uses Requiring a Conditional Use Permit:

(p) Non-agricultural accessory uses that promote or sustain the continuation of the agricultural uses of a parcel if the accessory uses meet the following criteria as well as any other conditions required by the Hearings Examiner:

(1) The non-agricultural accessory use shall be located, designed, and operated so as to not interfere with, and to support the continuation of, the overall agricultural use of the parcel; **Farmers Markets will be thoughtfully curated on premise and not interfere with our brewing process and the agricultural intent of the parcel.**

(2) The non-agricultural accessory use must be consistent with the size, scale, and intensity of the existing agricultural use of the parcel and the existing buildings thereon; **Farmers Markets will be a fraction of the size of our brewing facilities.**

(3) The parcel on which the non-agricultural accessory use is located **meets one** of the following:

(i) the parcel is no less than twenty (20) acres in size with eighty (80) percent of the acreage primarily committed to agricultural use and has produced gross income equivalent to two hundred (200) dollars or more per acre each year for three (3) of the five (5) calendar years preceding the date of application;

(ii) the parcel is currently enrolled in the County's Agricultural Open Space program pursuant to Chapter 84.34 RCW, as currently in effect or as hereafter amended;

(iii) the parcel is not less than one hundred (100) contiguous acres that has been in agricultural use for three (3) of the last five (5) years.

(4) The non-agricultural accessory use, including any new buildings, parking or supportive uses associated therewith, shall be located within one thousand (1000) feet of the nearest existing buildings or residential structures and shall not otherwise convert more than one (1) acre of agricultural land to non-agricultural uses; **There are no new buildings and our parking lots are within 1000ft of the brewery and it does not affect surrounding residents over 40 acres away.**

- (5) The non-agricultural accessory uses, including any storage space associated therewith, shall not collectively occupy more than fifteen thousand (15,000) square feet of building space; [We don't plan to use any storage space for this accessory use.](#)
- (6) No more than three (3) vehicles marked to identify the non-agricultural accessory use(s) may be on the parcel at any time. No other on-site outside storage of vehicles, equipment and/or supplies is allowed in connection with the nonagricultural accessory use; [We have no marked vehicles to identify the non-agricultural accessory.](#)
- (7) No person may possess more than one valid permit at a time under this section and all non-agricultural accessory use permits issued under this section for any given parcel must be authorized in one permit; [OK.](#)
- (8) No more than two (2) signs of a size determined by the Hearings Examiner shall be permitted in connection with the non-agricultural accessory use. Illumination of a sign shall be only by hooded directional lighting so that only the sign surface is illuminated. The posting of such sign is limited to the parcel on which the non-agricultural accessory use is located. On-street (inside the road right-of-way) sign posting is prohibited, and no sign outside of a road right of-way may interfere with the line of sight for road intersection; [A single sign will be used in the allowed area for accessory use.](#)
- (9) The parcel and non-agricultural accessory use owner shall comply with all requirements of the Benton County Building Department, the Benton County Fire Marshal, the Benton-Franklin Health District, and all other local, state, and federal regulations pertinent to the non-agricultural accessory use being pursued. The requirements of or the permission granted by the Hearings Examiner shall not be construed as an exemption from such regulations;
- (10) Adequate off road parking, as determined by the Hearings Examiner, must be provided; [Ample off road parking has been provided.](#)
- (11) Any waste created as a result of the non-agricultural accessory use must be disposed of off-site in compliance with all local, state, and/or federal regulations; [Outside of garbage, no waste will be created.](#)
- (12) The days and hours of operation shall be determined by the Hearings Examiner with the granting of a Conditional Use Permit;
- (13) The non-agricultural accessory use shall not require a marijuana retail outlet license from the Washington State Liquor and Cannabis Board.

[I will be sending the concerned letter responses in another email.](#)

Cheers,



Tina Miller Phillips
CEO, Bèl Zèv Films, Coyote Film Co, Wheat Head Brewing Co.

[Marketing Director Chef K Gear | Community Outreach #HYPETHETRI](#)



[> FREE Instagram Bio Makeover Guide](#)

On Fri, Dec 15, 2023 at 10:36 AM Planning Department <Planning.Department@co.benton.wa.us> wrote:

Good morning,

Attached is a comment that came in last night which will be entered into the record as HEH 1.2.

Thank you for coming in today! Will get you the decisions as soon as they come in!



Nikki Relyea

Permit Technician

Benton County Community Development Department - Planning Division

Nikki.relyea@co.benton.wa.us

(509) 786-5612

From: Andrea Watts <Andrea.Watts@co.benton.wa.us>
Sent: Friday, December 15, 2023 10:32 AM
To: Tina Miller Phillips <tina509miller@gmail.com>
Cc: Planning Department <Planning.Department@co.benton.wa.us>
Subject: CUP 2023-010 Wheat Head Farmers Market

Hi Tina,

The following are the criteria that the hearing examiner would like more information on:

Section 11.17.070 Uses Requiring a Conditional Use Permit

(p) Non-agricultural accessory uses that promote or sustain the continuation of the agricultural uses of a parcel if the accessory uses meet the following criteria as well as any other conditions required by the Hearings Examiner:

(1) The non-agricultural accessory use shall be located, designed, and operated so as to not interfere with, and to support the continuation of, the overall agricultural use of the parcel;

(2) The non-agricultural accessory use must be consistent with the size, scale, and intensity of the existing agricultural use of the parcel and the existing buildings thereon;

(3) The parcel on which the non-agricultural accessory use is located **meets one** of the following:

(i) the parcel is no less than twenty (20) acres in size with eighty (80) percent of the acreage primarily committed to agricultural use and has produced gross income equivalent to two hundred (200) dollars or more per acre each year for three (3) of the five (5) calendar years preceding the date of application;

(ii) the parcel is currently enrolled in the County's Agricultural Open Space program pursuant to Chapter 84.34 RCW, as currently in effect or as hereafter amended;

(iii) the parcel is not less than one hundred (100) contiguous acres that has been in agricultural use for three (3) of the last five (5) years.

(4) The non-agricultural accessory use, including any new buildings, parking or supportive uses associated therewith, shall be located within one thousand (1000) feet of the nearest existing buildings or residential structures and shall not otherwise convert more than one (1) acre of agricultural land to non-agricultural uses;

(5) The non-agricultural accessory uses, including any storage space associated therewith, shall not collectively occupy more than fifteen thousand (15,000) square feet of building space;

(6) No more than three (3) vehicles marked to identify the non-agricultural accessory use(s) may be on the parcel at any time. No other on-site outside storage of vehicles, equipment and/or supplies is allowed in connection with the nonagricultural accessory use;

(7) No person may possess more than one valid permit at a time under this section and all non-agricultural accessory use permits issued under this section for any given parcel must be authorized in one permit;

(8) No more than two (2) signs of a size determined by the Hearings Examiner shall be permitted in connection with the non-agricultural accessory use. Illumination of a sign shall be only by hooded directional lighting so that only the sign surface is illuminated. The posting of such sign is limited to the parcel on which the non-agricultural accessory use is located. On-street (inside the road right-of-way) sign posting is prohibited, and no sign outside of a road right of-way may interfere with the line of sight for road intersection;

(9) The parcel and non-agricultural accessory use owner shall comply with all requirements of the Benton County Building Department, the Benton County Fire Marshal, the Benton-Franklin Health District, and all other local, state, and federal regulations pertinent to the non-agricultural accessory use being pursued. The

requirements of or the permission granted by the Hearings Examiner shall not be construed as an exemption from such regulations;

(10) Adequate off road parking, as determined by the Hearings Examiner, must be provided;

(11) Any waste created as a result of the non-agricultural accessory use must be disposed of off-site in compliance with all local, state, and/or federal regulations;

(12) The days and hours of operation shall be determined by the Hearings Examiner with the granting of a Conditional Use Permit; and

(13) The non-agricultural accessory use shall not require a marijuana retail outlet license from the Washington State Liquor and Cannabis Board.



Andrea Watts

Senior Planner

Benton County Community Development Department - Planning Division

Andrea.watts@co.benton.wa.us

(509) 786-5612

Nikki Relyea

From: Tina Miller Phillips <tina509miller@gmail.com>
Sent: Friday, December 15, 2023 1:12 PM
To: Andrea Watts; Planning Department
Subject: [EXTERNAL] Re: CUP 2023-010 Wheat Head Farmers Market

Follow Up Flag: Follow up
Flag Status: Flagged

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.

Please excuse the formatting as I copy & pasted from the letter, I do not have the concerned parties email or I would include her in this response as well:

To the hearing examiner and planning division, Benotn C o u n t y Planning.

I am writing this written comment on the concerns and opposing reasons why an event center and farmers market are not a good choice for the area and land we reside on. First and foremost, when we first decided to buy this property, it was to move away from the city and enjoy the farmland along with the beautiful views, the quiet and peaceful environment and the investment in our property that we hoped it would increase in value not decrease. **Wheat Head has no negative impacts on surrounding properties values, I will forward a letter from an industry professional once I receive it.** No one will move out to the country to be next to an event center and farmer's market. **I personally would love to live near a farmers market where I can support local farmers and buy locally grown and made goods and not have to support chains and corporations such as costco, walmart, fred meyer, which are all 10+ miles away. These are just differences in opinions. If someone chooses to "move away from the city and enjoy the farmland" we would assume being able to support those farmers would be included in those sentiments.** We did not know that the purpose of our property was that within 3 years of us buying this property we would be helping fund these multiple businesses. **Wheat Head Brewing Co. and accessory use is one business.** We knew of the brewery which we have learned to accept. But I recently found out the brewery was not the first attempt at a business and initially they wanted to do an event center. But when that formality didn't fall into the covenants of the county with it being ag land then came the idea of the brewery because that was allowed. So, the vision changed so then eventually they could accomplish the first vision of a venue/event center. We do not have an issue with the brewery itself although we have reservations on it and now accept the fact that it is opening. We do though find it hard to support the other visions they have when we haven't even seen what the impact of the brewery will be. We believe there has always been the intent to add more out buildings that will take away from the beautiful landscape we bought our property for. **This is false, there is no intent to add anymore buildings as outlined in our permits. Additionally, there are no plans to build more buildings as that would disrupt the views of our own properties, including the brewery.** The increase in traffic is a very huge concern as well. The weather up here and conditions are dramatically different. There have already been at least 3-4 accidents on the corner of where the Mahaffey quarry and triple vista are. We have lost power multiple times because the power poles have been hit. **It is unclear how these incidents are in correlation to our business as we are not even open, it seems more an issue for the road department and providing adequate signage, lights, & speed limits for an already dangerous area, before our business even existed.** The possibility of a deadly crash is highly increased when you add 200+ people who are drinking and who do not know the roads and weather conditions that are possible up here. **We have a duty to uphold the liquor laws and regulations in place that prohibit us from overserving or serving someone**

who appears impaired. Our community's safety is an utmost priority not only from a legal standpoint but from our values as a business. Fog will come in very quickly and even with us knowing the roads and us being residents up here it is very challenging to navigate when it is bad and when you add slick roads to it that is a huge concern. It is not just the winter weather that is a concern. In the summer we have many bicyclists, and you have to be very careful and be very vigilant and aware, especially at that corner of the quarry. All the attendees at these events are impaired or even if not it is very dangerous, especially when most drivers are unaware of the obstacles to watch out for. Again, we will adhere to the liquor laws as to not over serve customers. Additionally, we have been reviewed by public works in the matter that the traffic will not be negatively impacted by our business. Unfortunately, all of this legwork that we've had to do to be compliant is overlooked by the concerned parties. Safety has been a priority. The increase of people traveling up for events makes it so much more likely. Not only are these points important and legitimate concerns this would also open the door for others to open up event centers and other businesses. There has already been a realtor and his client who were up here looking at a piece of property that was for sale and had mentioned that the client was looking for property for an event center. When he was told it is agricultural land, and it can't he said that there are always loopholes so he could make it happen. I assure you, there are no loopholes as I'm sure the county can attest to, there is only the appropriate channels, applications, fees, hearings, permits, etc. that we have gone through for the past 5 years to create this space for the community. The noise concern is another huge part of an event center and farmers market with music and live music. Which mind you the farmers market has nothing to do with anything being grown up here nor is it grown up here right now. The whole purpose of a Farmers Market is to give local farmers an opportunity to sell to their community. I struggle to see how anyone would be against this when moving to farm country. Again, opening another door. Mrs. Miller has had people over and were out on the patio and the noise out here travels because there are no sound barriers. We were outside and heard their conversations. Can you imagine an event with hundreds of people and music? We wouldn't be able to enjoy what we bought our property for. Being a resident in the adjacent area as well, you do hear the surrounding properties on given days, just as I hear other houses' pool parties and music. Additionally, our accessory use as events will look no different than our daily business here. Our occupancy remains the same, our plans for live music will happen at the brewery whether there is a non-use event or not. We have not complained about the loud dirt bikes being driven around our property because that is the type of community we would like to be a part of, one of acceptance and support. The plan to have 10-15 events a year is excessive. The request for 10-15 events/year is only a fraction of what event venues average, therefore it is anything but "excessive". I will forward a letter from an industry professional once I receive it. Additionally, please note that our intent with events is not to disrupt the tranquility of the farmland, our farmland. We specifically aim to hold a limited number of events so that it does not drastically interfere with our brewery's hours of operation and loyal customers' ability to visit us. Furthermore, our events clientele will be of a higher market resulting in events that are well planned, well executed, and well behaved. That would be almost every weekend in the summer or at least 2 a month for an extended number of months. Our events will be year round, not only limited to the summer months. Then on those weekends when there are no events, we would have noise from the brewery with outdoor music and people. So when would we be able to enjoy the peace and quiet of our property? Unfortunately whether you are on farmland or in town, we do not have control over properties that we do not own and the city/county have the right to evolve and change around you. Mrs. Miller has been posting on social media how she had 2 Christmas parties booked for this month and we believe one has already occurred because the traffic increased substantially, and they all went to the brewery. There have also been posts that weddings have also been booked for the 2024 year which, mind you, is a couple of weeks away. She posted that the schedule for open bookings for 24- 25 would be posted sometime after this meeting. I'm discouraged because she is assuming the decision has already been made and I really hope that is a wrong assumption at this point. The way we market and advertise the brewery has been noted and changes have been made on my end to assure that we are in compliance. I sincerely support the idea of someone being an entrepreneur but not at the expense of ruining what we have spent hundreds of thousands of dollars to avoid. If you aim to avoid farmer family owned small businesses then perhaps

moving near farmland you do not own was not the best decision. We would love to have a positive and supportive relationship from all of our surrounding residents and until today, we thought we did. It is a relationship we would like to mend and seek to consider their concerns moving forward much as we have everyone in the surrounding areas. Let's not jump the gun on adding other businesses that impact all who have invested life savings on. The only business, the brewery, is already in place and the addition of events and farmers markets is simply to enrich the experience of the community and do so in compliance with county law. This decision should not be taken lightly, we need to look ahead at the impacts on the area, the property owners and the reason why many of us have bought property where we did. Ask yourself this, would you want to be in our position with your investment, the peaceful atmosphere and your safe place put in jeopardy on behalf of someone making a quick buck? **No comment.** We ask you to take into consideration all these factors and decide based on the impacts on the local community and the property owners who will have to deal with the outcome during and the aftermath it may cause. Thank you for your attention in this most important decision. **I would ask that the supportive and positive letters be taken into account as well.**

In closing, I completely understand the concerns but feel that our intent has been misconstrued. Our intent is to provide a fun, safe, family friendly experience to our community which takes into account the surrounding residents as we live on the farm as well.

Tina Miller Phillips

On Fri, Dec 15, 2023 at 11:58 AM Tina Miller Phillips <tina509miller@gmail.com> wrote:

Farmers Market Accessory use conditions compliance comments:

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- (3) The parcel on which the non-agricultural accessory use is located **meets one** of the following:

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(4) The non-agricultural accessory use, including any new buildings, parking or supportive uses associated therewith, shall be located within one thousand (1000) feet of the nearest existing buildings or residential structures and shall not otherwise convert more than one (1) acre of agricultural land to non-agricultural uses; **There are no new buildings and our parking lots are within 1000ft of the brewery and it does not affect surrounding residents over 40 acres away.**

(5) The non-agricultural accessory uses, including any storage space associated therewith, shall not collectively occupy more than fifteen thousand (15,000) square feet of building space; **We don't plan to use any storage space for this accessory use.**

(6) No more than three (3) vehicles marked to identify the non-agricultural accessory use(s) may be on the parcel at any time. No other on-site outside storage of vehicles, equipment and/or supplies is allowed in connection with the nonagricultural accessory use; **We have no marked vehicles to identify the non-agricultural accessory.**

(7) No person may possess more than one valid permit at a time under this section and all non-agricultural accessory use permits issued under this section for any given parcel must be authorized in one permit; **OK.**

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I will be sending the concerned letter responses in another email.

Cheers,



Tina Miller Phillips
CEO, Bèl Zèv Films, Coyote Film Co, Wheat Head Brewing Co.

Marketing Director Chef K Gear | Community Outreach #HYPETHETRI



[FREE Instagram Bio Makeover Guide](#)

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Nikki Relyea

Permit Technician

Benton County Community Development Department - Planning
Division

Nikki.relyea@co.benton.wa.us

(509) 786-5612

From: Andrea Watts <Andrea.Watts@co.benton.wa.us>
Sent: Friday, December 15, 2023 10:32 AM
To: Tina Miller Phillips <tina509miller@gmail.com>
Cc: Planning Department <Planning.Department@co.benton.wa.us>
Subject: CUP 2023-010 Wheat Head Farmers Market

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(4) The non-agricultural accessory use, including any new buildings, parking or supportive uses associated therewith, shall be located within one thousand (1000) feet of the nearest existing buildings or residential structures and shall not otherwise convert more than one (1) acre of agricultural land to non-agricultural uses;

(5) The non-agricultural accessory uses, including any storage space associated therewith, shall not collectively occupy more than fifteen thousand (15,000) square feet of building space;

(6) No more than three (3) vehicles marked to identify the non-agricultural accessory use(s) may be on the parcel at any time. No other on-site outside storage of vehicles, equipment and/or supplies is allowed in connection with the nonagricultural accessory use;

(7) No person may possess more than one valid permit at a time under this section and all non-agricultural accessory use permits issued under this section for any given parcel must be authorized in one permit;

(8) No more than two (2) signs of a size determined by the Hearings Examiner shall be permitted in connection with the non-agricultural accessory use. Illumination of a sign shall be only by hooded directional lighting so that only the sign surface is illuminated. The posting of such sign is limited to the parcel on which the non-agricultural accessory use is located. On-street (inside the road right-of-way) sign posting is prohibited, and no sign outside of a road right of-way may interfere with the line of sight for road intersection;

(9) The parcel and non-agricultural accessory use owner shall comply with all requirements of the Benton County Building Department, the Benton County Fire Marshal, the Benton-Franklin Health District, and all other local, state, and federal regulations pertinent to the non-agricultural accessory use being pursued. The requirements of or the permission granted by the Hearings Examiner shall not be construed as an exemption from such regulations;

(10) Adequate off road parking, as determined by the Hearings Examiner, must be provided;

(11) Any waste created as a result of the non-agricultural accessory use must be disposed of off-site in compliance with all local, state, and/or federal regulations;

(12) The days and hours of operation shall be determined by the Hearings Examiner with the granting of a Conditional Use Permit; and

(13) The non-agricultural accessory use shall not require a marijuana retail outlet license from the Washington State Liquor and Cannabis Board.



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