

## EXHIBIT LIST FOR CUP 2024-015 Parametrix

<b>Hearings Examiner Staff Memo Exhibit List -October 18, 2024 hearing</b>		
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HEM 1.2	Vicinity map	August 15, 2024
HEM 1.3	Application	August 15, 2024
HEM 1.4	Project Narrative	August 15, 2024
HEM 1.5	Site Plan	August 15, 2024
HEM 1.6	Written Determination of Completeness	August 20, 2024
HEM 1.7	Agency Review	August 20, 2024
HEM 1.8	Comment from Benton Public Utility District	August 22, 2024
HEM 1.9	Comment from Sunnyside Valley Irrigation District	August 22, 2024
HEM 1.10	Comment from Benton County Fire Marshal	August 23, 2024
HEM 1.11	Comment from Benton County Public Works Department	September 4, 2024
HEM 1.12	Notice of Open Record Hearings	October 2, 2024
<b>Exhibits Submitted <span style="color: red;">During Hearing</span> or while record remained open</b>		
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HEH 1.2		
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HEH 1.10		

**Community Development Department**

Prosser Office: 620 Market Street, 1<sup>st</sup> Floor  
Kennewick Office: 102206 East Wisner Parkway  
[www.bentoncountywa.gov](http://www.bentoncountywa.gov)



**Planning Division**

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[Planning.department@co.benton.wa.us](mailto:Planning.department@co.benton.wa.us)  
102206 E Wisner Parkway, Kennewick, WA 99338

# HEM 1.1

**STAFF REPORT TO THE  
BENTON COUNTY HEARINGS EXAMINER  
Parametrix  
Gas Line Replacement**

**FILE NO:** CUP 2024-015

**MEMO DATE:** October 4, 2024

**HEARING DATE:** October 18, 2024

**APPLICANT:** Katherine Seckle for Parametrix, 719 2nd Avenue, Suite 200, Seattle, WA 98104.

**OWNER:** Benton County, 620 Market St, Prosser, WA 99338.

**LOCATION:** General Location: The property is located within the Benton County road right-of-way approximately 0.40 miles east of the intersection of Bennett Ave and Richards Rd in the Prosser area of unincorporated Benton County, Washington.  
Legal: The northwest quarter of Section 10, Township 8 North, Range 24 E W.M.

**AREA TO BE USED:** Approximately 1 acre

**LAND USE:** Existing County road right-of-way

**ZONING:** Urban Growth Area Residential (UGAR)

**COMPREHENSIVE PLAN DESIGNATION:** Urban

**RECOMMENDATION:**

The Planning Division recommends approval of the application request, subject to the suggested eighteen (18) Findings of Fact and five (5) Conditions of Approval as outlined in this staff report.

**APPLICATION DESCRIPTION:**

The applicant is seeking a Conditional Use Permit (CUP) under BCC 11.07.060(j) which permits utility substation facilities in the Urban Growth Area Residential District (UGAR). If granted this CUP would allow the applicant to replace an existing 3-inch high pressure gas pipeline with a 4-inch high pressure pipeline.

The proposal would occur within a portion of County road right-of-way known as Bennett Avenue located in the Prosser area of unincorporated Benton County. Beginning approximately 0.40 miles east of the intersection of Bennett Avenue and Richards Road the proposal will extend approximately 2,385 feet easterly along Bennet Avenue to Prosser City Limits. (HEM 1.4)

The application for CUP 2024-015 (HEM 1.3) was submitted to the Benton County Planning Division on August 15, 2024.

The application was declared complete for processing on August 20, 2024. (HEM 1.6)

The application documents were distributed to reviewing agencies on August 20, 2024. (HEM 1.7)

The Benton County Hearings Examiner Notice of Open Record Hearing for application CUP 2024-015 was published on October 2, 2024 in the Prosser Record Bulletin. (HEM 1.12)

The Notice was mailed to property owners of record within 300 feet of the outer boundaries of the parcel on September 26, 2024.

The Open Record Hearing is scheduled for October 18, 2024.

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

1. *Benton County Comprehensive Plan*  
3.3.1.1 Urban Land Use Designations

Urban lands in Benton County include land within the city limits and the UGAs. There are five designated and approved urban growth areas (UGA's) in Benton County: Benton City (Appendix A Figure 18), Kennewick (Appendix A-Figure 19), Prosser (Appendix A-Figure 20), Richland (Appendix A-Figure 21), and West Richland (Appendix A-Figure 22). The densities, uses, and development provisions allowed within this land use assure that development patterns are consistent with city comprehensive plans.

2. *Benton County Code (BCC)*  
Title 11 Zoning  
Chapter 11.07 Urban Growth Area Residential District (UGAR)  
Section 11.07.060 Uses Requiring a Conditional Use Permit  
(j) Utility substation facility

#### 11.03.010 Definitions

##### 11.03.010 (182) Utility Substation Facility

Above or below ground structures that are necessary to provide or facilitate distribution, transmission, or metering of water, gas, sewage, and/or electric energy. Such facilities may consist of, but are not limited to, the following:

- (a) Water, gas, and electrical distribution or metering lines and sites;
- (b) Water or sewage pumping stations;
- (c) Water towers and reservoirs;
- (d) Public water wells and any accessory treatment facilities; and/or
- (e) Telephone switching facilities.

#### Chapter 11.50.040 Conditional Use.

Section 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.

Section 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.

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

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

opposed to outright denial, if the Hearings Examiner is able to conclude that the condition(s) is/are reasonable in their judgment.

**PUBLIC NOTICE:**

The Public Notice Requirements for this application as per BCC 11.50.050(b) are as follows:

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

**AGENCY COMMENTS:**

1. The application documents were distributed to the following reviewing agencies on August 20, 2024:
  - 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 PUD
  - h. City of Prosser
  - i. Sunnyside Valley Irrigation District
  - j. Corps of Engineers
  - k. Burlington Northern Railroad
2. The following comment was received from the **Benton PUD** on August 22, 2024 (**HEM 1.8**):
  - a. Benton PUD has overhead and underground power in area.
  - b. For further information please contact Chad Brooks at (509) 577-1638.
3. The following comment was received from the **Sunnyside Valley Irrigation District** on August 22, 2024 (**HEM 1.9**):

- a. The proposed 4-inch gas line will be crossing an SVID pipeline at the approximate location as shown on the provided Vicinity Map. The SVID pipeline is centered within easement 30 feet in width. Installation of the proposed gas line will not be allowed to cross the SVID easement area without prior SVID approval and an SVID Crossing/Encroachment Permit.
  - b. For further information please contact Diane Weber at (509) 837-6980.
4. The following comment was received from the **Benton County Fire Marshal** on August 23, 2024 (HEM 1.10):
  - a. The proposed project would have to comply with all Washington State and Federal regulations.
  - b. For further information please contact Gary Tiplady at (509) 735-3500.
5. The following comment was received from the **Benton County Public Works Department** on September 4, 2024 (HEM 1.11):
  - c. The Applicant will be required to apply for an encroachment permit to have utilities in the right of way. An application has been received and is currently under review.
  - d. For further information please contact Christina Woods at (509) 786- 5611.

#### **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 2024-015 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**

1. The applicant is seeking a Conditional Use Permit (CUP) for a utility substation facility in the Urban Growth Area Residential Zoning District (UGAR).
2. The applicant is Katherine Seckle for Parametrix, 719 2nd Avenue, Suite 200, Seattle, WA 98104.
3. The utility provider is Cascade Natural Gas Corporation.
4. The landowner is Benton County, 620 Market St, Prosser, WA 99338.
5. The proposal is to replace an existing 3-inch high pressure gas pipeline with a 4-inch high pressure pipeline.

6. The proposal would occur within a portion of County road right-of-way known as Bennett Avenue located in the Prosser area of unincorporated Benton County in the northwest quarter of Section 10, Township 8 North, Range 24 E W.M.
7. The proposal begins approximately 0.40 miles east of the intersection of Bennett Avenue and Richards Road and extends approximately 2,385 feet easterly along Bennet Avenue to Prosser City Limits
8. Public notice and application requirements have been met per BCC 11.50 Variance and Conditional Use.
9. The proposed utility substation facility is allowable by Conditional Use Permit if approved by the Benton County Hearings Examiner.
10. The proposed utility substation facility complies with Benton County Building Division standards and requirements.
11. The application for CUP 2024-015 is consistent with the Growth Management Act.
12. The application for CUP 2024-015 is consistent with the goals and policies of the Benton County Comprehensive Plan.
13. The application for CUP 2024-015 is consistent with the requirements of the Benton County Zoning Code.
14. The proposed utility substation facility is compatible with other uses in the surrounding area and is no more incompatible than any other outright permitted uses in the applicable zoning district.
15. The proposed utility substation facility 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.
16. The pedestrian and vehicular traffic caused by the proposed utility substation facility 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.
17. The proposed utility substation facility will not adversely affect public services to the surrounding area.
18. The proposed utility substation facility 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. The Applicant shall provide written consent to the Planning Division from the legal landowner (if different from applicant) granting permission for the operation of the conditional use prior to issuance of the CUP permit.
3. The activities on the site shall comply with the submitted site plan and materials submitted for this application.
4. The Applicant must obtain approvals from the following agencies to ensure proper permitting has been obtained and engineering requirements will be met in areas where proposed utility substation facility will cross existing utility and irrigation easements and/or infrastructure:
  - a. Benton PUD.
  - b. Sunnyside Valley Irrigation District; for encroachment permit.
5. All required development permits shall be obtained prior to the proposed utility substation facility. 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 Public Works; for road encroachment permit.

**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.

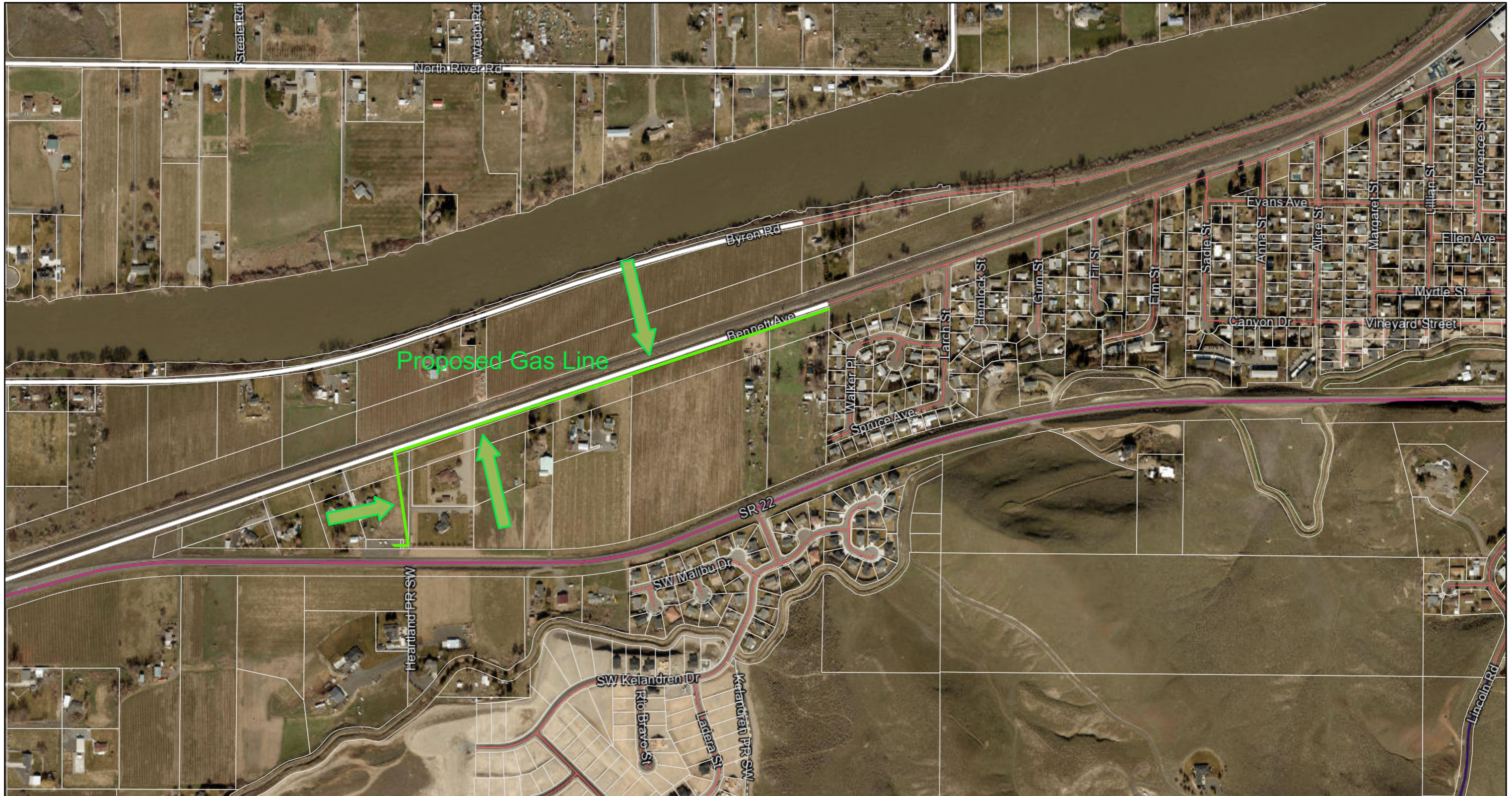
Should the legal landowner of the parcel change at anytime during the life of this Conditional Use Permit the new property owner must provide their written request to the Planning Division for the continuation or termination of the CUP.

Should a new applicant wish to continue operating the CUP, the new applicant must update the Conditional Use Permit application, accept the Conditions of Approval in writing, submit written consent from the legal landowner (if different from applicant) and be approved by the Planning Manager prior to transfer of the permit being allowed.

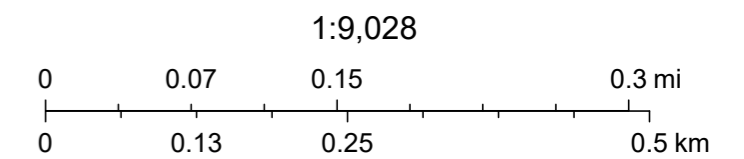
**Violations of Conditions of Approval:**

The Applicant shall continue to meet all conditions of this Conditional Use Permit while CUP 2024-015 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.



8/15/2024, 3:08:03 PM



Geopex Surveys Ltd., Maxar

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## CONDITIONAL USE PERMIT APPLICATION

File No. CNP 2124-015

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AUG 15 2024

Benton County  
Planning Division

### APPLICANT INFORMATION

Please check the box indicating primary contact person for this application

Name of Applicant/Agent: Katheryn Seckel, Parametrix

Mailing Address (with City, State & zip): 719 2nd Avenue, Suite 200, Seattle, WA 98104

Phone #1: (206) 394-3663 Phone #2: (206) 394-3713 (Amanda Thom, PM, consultant)

Email Address(es): kseckel@parametrix.com, athom@parametrix.com

Signature:  Date: 8/13/2024

Name of Property Owner(s) (if different): N/A, work in right-of-way

Mailing Address (with City, State & zip): \_\_\_\_\_

Phone #1: \_\_\_\_\_ Phone #2: \_\_\_\_\_

Email Address(es): \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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

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

### ENTITY SIGNATURE BLOCK

Applicant/Legal Owner name: Cascade Natural Gas Corporation, James Hobbs, Junior

Officer name: James Hobbs, Junior Title: Senior Project Manager

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

1. **Subject property address (including city):** Within Bennett Ave between 455 SW Bennett Ave & 103 SW Bennett Ave

2. **Parcel number(s):** Within County right-of-way

3. **Total Acreage:** 0.23 Acres (temporary impacts)

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

5. **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: N/A  
 Private System      Provider name and address: N/A

**Gas:**       No  
 Yes                      Provider name: CNGC Natural Gas

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

6. **Current use(s) on property:** County road, various utilities (water, fiber, overhead power)

7. **What are you proposing to do that requires a Conditional Use Permit?** Replace an existing 3" gas line with a 2000 LF 4" gas line. Work in the UGAR zone is within County right-of-way along Bennett Ave (see attached site map).

**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.

8. **Additional comments or information:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

<b>(FOR STAFF USE ONLY)</b>		Access: <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Application Complete:      Y      N
Critical Areas: <input type="checkbox"/> N	<input checked="" type="checkbox"/> <u>Liquefaction</u>	Zoning: <u>UGAR</u>	
Reviewed by: <u>Michelle Mercer</u>		Date: <u>8/14/24</u>	

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.

DATE: May 22, 2024  
TO: Benton County Community Development Department – Planning Division  
FROM: Katheryn Seckel, Parametrix  
SUBJECT: Conditional Use Permit Narrative  
CC: James Hobbs Jr., Cascade Natural Gas Corporation; Amanda Thom, Parametrix  
PROJECT NUMBER: 554-2402-043  
PROJECT NAME: 3-IN Prosser HP Line Replacement

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### Introduction

This narrative provides supporting responses to the Conditional Use Permit (CUP) Application criteria requested by Benton County for the proposed 3-IN Prosser HP Line Replacement project in Prosser, Washington and unincorporated Benton County. This document is part of the CUP application package that contains the application, site plan, and application attachments.

### Project Description

The purpose of the 3-in Prosser HP Line Replacement Project is to replace approximately 6,255 linear feet of existing 3-inch high pressure gas pipeline, beginning at the Town Border Station 032-0-00, approximately 0.4 mi east of the intersection of Richards Rd and SR 22. Starting from the Town Border Station, the pipe alignment heads northwest across an agricultural field to Bennett Ave, turning northeast along Bennett Ave for approximately 0.9 mi before turning southeast to regulator station 032-R-050, approximately 100 feet east of the intersection of Sadie St and Evans Ave in the City of Prosser. The 3-inch pipeline will be replaced with a 4-inch high pressure pipeline. Additional work will include excavation of four 8ft x 16ft bell holes and one 8ft x 20ft bell hole for cutting and capping the existing 3-in pipe and connecting services to an existing 4-in pipe which runs parallel to the 3-in pipe along Byron Rd. The bell holes will be within the westbound lane and shoulder of Byron Rd. See site map on Sheet C1 of the attached plan set.

### Criteria for Approval for Benton County Conditional Use Code 11.50.040

- 1) Is the project 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?

This pipeline replacement project is compatible with other uses in the surrounding area because it is a utility that provides natural gas to the community. The existing 3-inch line serves existing land uses in the area but has reached the end of its useful life and needs to be replaced. In addition, the gas line will be installed below ground, mostly in the road right-of-way, and therefore will not disrupt existing land uses when in operation. Construction activities associated with installation of the pipeline would be temporarily incompatible. However, traffic control plans will be submitted to Benton County for approval prior to construction commencing, and all disturbed areas will be restored to match existing conditions. These traffic control plans are included as sheets TC1 and TC2 in the construction drawings.



- 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**

Cascade Natural Gas is committed to safety and adheres to all laws and regulations governing the safe operation and maintenance of their gas pipelines. The Contractor shall also be responsible for compliance with all safety standards and requirements set forth by OSHA, WISHA, and the State of Washington Department of Labor and Industries.

A majority of the pipeline will be installed within the roadway and/or shoulder of Bennet Ave, avoiding any impacts to the surrounding properties, zoned as Rural Lands 5 and UGAR, or any impacts to critical areas. The Contractor will be required to cover all trench excavations at the end of each working day with either steel plates or cold patch. The portion of pipeline to be installed on private property, between the Town Border Station and Bennet Ave, will be installed parallel to the existing 3" pipeline, therefore there is no change from the current use of the property. The disturbed area will be reseeded.

The surrounding area will be protected from sediment laden water generated during construction activities by implementation of temporary erosion control (TESC) best management practices (BMPs). The TESC measures include inlet protection installed in nearby catch basins, and straw wattles placed around culvert openings. These can be seen in the E sheets of the construction drawings.

During construction of the pipeline along Bennett Ave and excavation of the bell holes within Byron Road, traffic control measures will be in place to help guide vehicles safely around the work area. Traffic control shall be provided per the current MUTCD manual and will be set-up and monitored by a Traffic Control Supervisor. The traffic control plans are shown on sheets TC1 and TC2 of the construction drawings.

- 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**

The new 4-inch gas pipeline will not affect pedestrian and vehicular traffic, as it is installed underground. Temporary minor disturbance to traffic flow and pedestrian movements are anticipated during construction, as described above. Traffic control plans can be seen on sheet TC1. Flaggers will help to guide pedestrians around the work zone, as required.

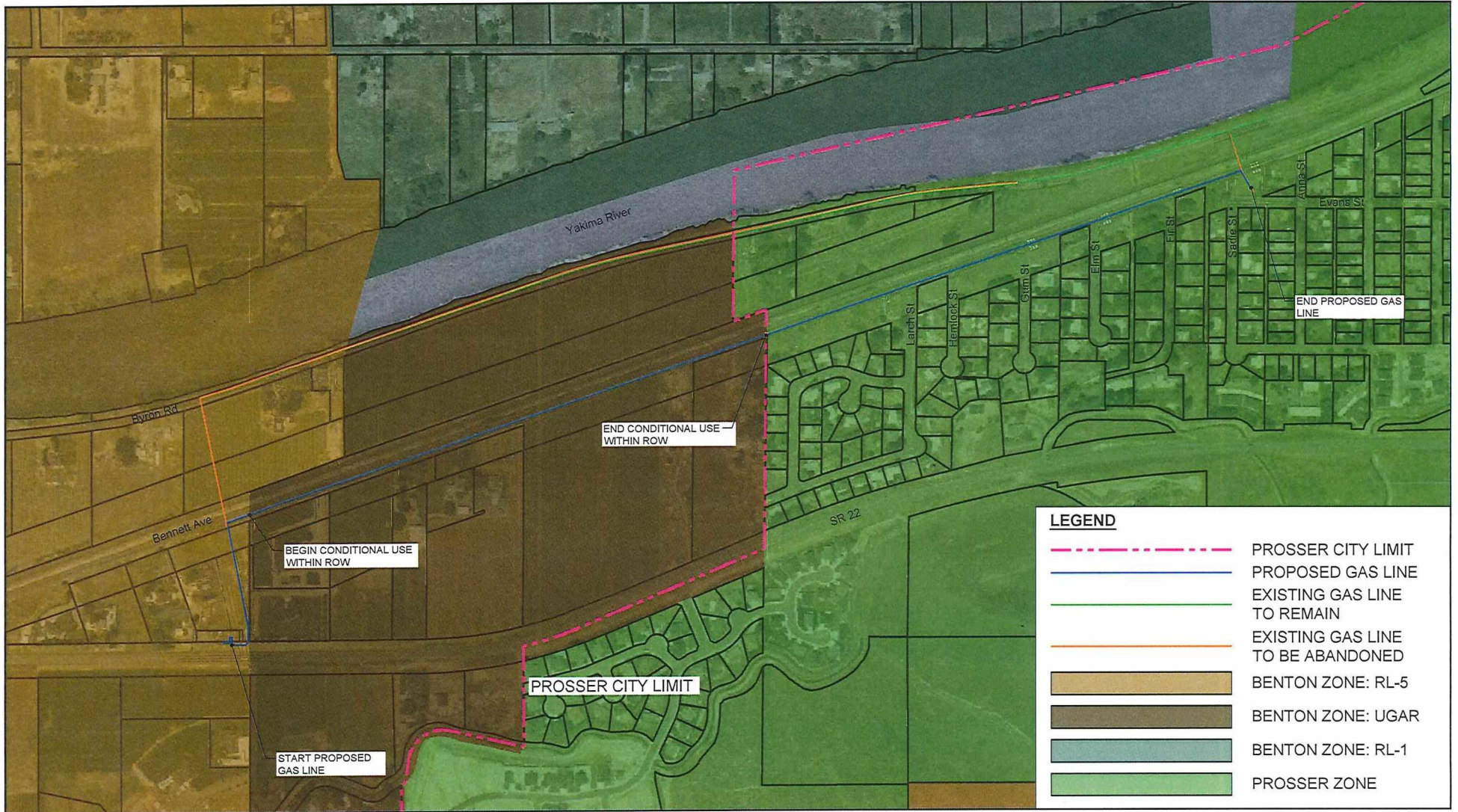
- 4) **Will be supported by adequate service facilities and would not adversely affect public services to the surrounding area**

As previously discussed, the existing 3-inch pipeline is at the end of its useful life and needs to be replaced. The new 4-inch pipeline will provide the capacity needed to continue to serve customers in the surrounding area. The project will not result in adverse effects to public services in the surrounding area. Construction will temporarily impact traffic near the project site, but one lane of traffic will remain open at all times to account for emergency vehicles.

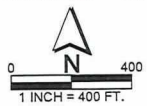
- 5) **Would not hinder or discourage the development of permitted uses on neighboring properties in the applicable zoning district as a result of the location, size, or height of the buildings, structures, walls, or required fences or screening vegetation to a greater extent than other permitted uses in the applicable zoning district.**

The new 4-inch gas pipeline will not hinder or discourage the development of permitted uses on neighboring properties. There are no new structures included in the project. A majority of the pipeline is located within the road right of way. CNGC has a franchise utility agreement with Benton County, so has the right to install a new pipeline within the ROW. The portion of the pipeline that is installed on private property is located within an existing pipeline easement, parallel to the 3-inch line. Development restrictions within that easement will not change from existing conditions.

# HEM 1.5



Parametrix DATE: August 13, 2024 FILE: PROSSER PERMIT FIGURE



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Benton County  
Planning Division

**CNGC 3-IN Prosser HP  
Line Replacement  
Project Overview**



EXISTING GAS ALIGNMENT

BNSF RAILWAY

BYRON RD

BENNETT AVE

REPLACEMENT EXTENTS

EVANS AVE

SADIE ST

historical imagery from 1985.

Google Earth

Imagery Date: 4/17/2021 46°11'46.18" N 119°47'37.15" W elev 663 ft eye alt 5781 ft

## Community Development Department

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August 20, 2024

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C/O: Katheryn Seckle  
719 2<sup>nd</sup> Avenue Suite 200  
Seattle, WA 98104

Via Email: [kseckel@parametrix.com](mailto:kseckel@parametrix.com)  
[athom@parametrix.com](mailto:athom@parametrix.com)

RE: Written Determination of Completeness  
File Number: CUP 2024-015

Dear Applicant,

This office is in receipt of your project permit application for a Conditional Use Permit for the installation of a 4" gas line within the County right-of-way between 455 SW Bennett Avenue and 103 SW Bennett Avenue in Prosser, WA. We have determined that the required materials have been submitted and the application is complete. A file number has been assigned (CUP 2024-015) 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,

A handwritten signature in black ink that reads "Liz Koerner".

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.bentoncountywa.gov](http://www.bentoncountywa.gov)



## Planning Division

(509) 786-5612  
[Planning.department@co.benton.wa.us](mailto:Planning.department@co.benton.wa.us)  
102206 E Wiser Parkway, Kennewick, WA 99338

August 20, 2024

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 PUD  
City of Prosser  
Sunnyside Valley Irrigation District  
Corps of Engineers  
Burlington Northern Rail Road

**RE:** Agency review of a Conditional Use Permit application  
**File #:** CUP 2024-015  
**Parcel #:** 1-1088-401-3043-001  
**Applicant:** Katherine Seckle for Parametrix

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

The applicant is proposing to replace an existing 3" gas line with a 4" 2,000 LF gas line within the County right-of-way along Bennett Road in Prosser, WA 99350. The project is located within the Urban Growth Area Residential District, between parcel numbers 1-1084-100-0013-000 and 1-1084-102-0012-000.

PLEASE SUBMIT YOUR COMMENTS to [Planning.department@co.benton.wa.us](mailto:Planning.department@co.benton.wa.us) by **September 3, 2024**. Please reference file number **CUP 2024-015** 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*

**Nikki Relyea**

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**From:** Chad Brooks <brooksc@bentonpud.org>  
**Sent:** Thursday, August 22, 2024 8:26 AM  
**To:** Planning Department  
**Subject:** [EXTERNAL] RE: [E] Agency Review (CUP 2024-015) Parametrix  
**Attachments:** Benton PUD Power Map-1.pdf; Benton PUD Power Map-2.pdf

Benton PUD has overhead and underground power in area. See attached Benton PUD power maps of area. Trenching or boring? How close will gas line be to Benton PUD facilities?

Thank you

Benton PUD provides this data for your sole use "as is".  
The requestor/receiver hereby acknowledges that the attached information is not guaranteed to be accurate, correct or complete and any conclusions drawn from the information are the responsibility of the user.

Additionally the requestor/receiver acknowledges that the attached files are for illustration purposes only and are not suitable for site-specific decision making and in no way are the attached files a suitable replacement for calling for Utility Locates before ground disturbing activities.

The requestor/receiver agrees not to disclose, lease, sell, distribute, make, transfer or assign the requested data in any other transaction without the prior written consent of Benton PUD.

It is further understood that this information is the work product of Benton PUD, created solely for Benton PUD's use and for no other purpose.

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



---

**From:** Planning Department <Planning.Department@co.benton.wa.us>  
**Sent:** Tuesday, August 20, 2024 1:24 PM  
**To:** Cristina Woods <Cristina.Woods@co.benton.wa.us>; Matt Mahoney <Matt.Mahoney@co.benton.wa.us>; Benton Franklin Health District - JoDee Peyton <Jodeer@bfhd.wa.gov>; erin.hockaday@bfhd.wa.gov; Jack Howard

YAKIMA RIVER

BYRON ROAD

STACY AVE.

BENNETT AV

BENNETT AVE.

LARCH ST.

HEMLOCK ST.

GUM ST

FIR ST.

ELM ST.

SADIE

ANNA

CANYON DRIVE

WALKER P

SPRUCE AVE.

SR 22

OPEN





BYRON ROAD

BENNETT AVE.

455 SW ST RD 22

UNIMPROVED ROAD

455 SW ST RD 22

SW MONTECITO

SW MALIBU DR

SW SAN JUAN

OPEN ELLIE ANN CT

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# HEM 1.9

SERVING AGRICULTURE SINCE 1906

August 22, 2024

Benton County Planning Division  
PO Box 910  
Prosser, WA 99350

**File #:** CUP2024-015  
**Applicant:** Katheryn Seckel, Parametrix  
**Project:** Replace an existing 3-inch gas line with a 2,000 LF 4-inch gas line.  
**Location:** Along the south side of Bennett Road in Prosser WA, between parcel numbers 1-1084-100-0013-000 and 1-1084-102-0012-000.

To whom it may concern,

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

The proposed 4-inch gas line will be crossing an SVID pipeline at the approximate location as shown on the attached Vicinity Map. The SVID pipeline is centered within easement 30 feet in width. Installation of the proposed gas line will not be allowed to cross the SVID easement area without prior SVID approval and an SVID Crossing/Encroachment Permit.

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

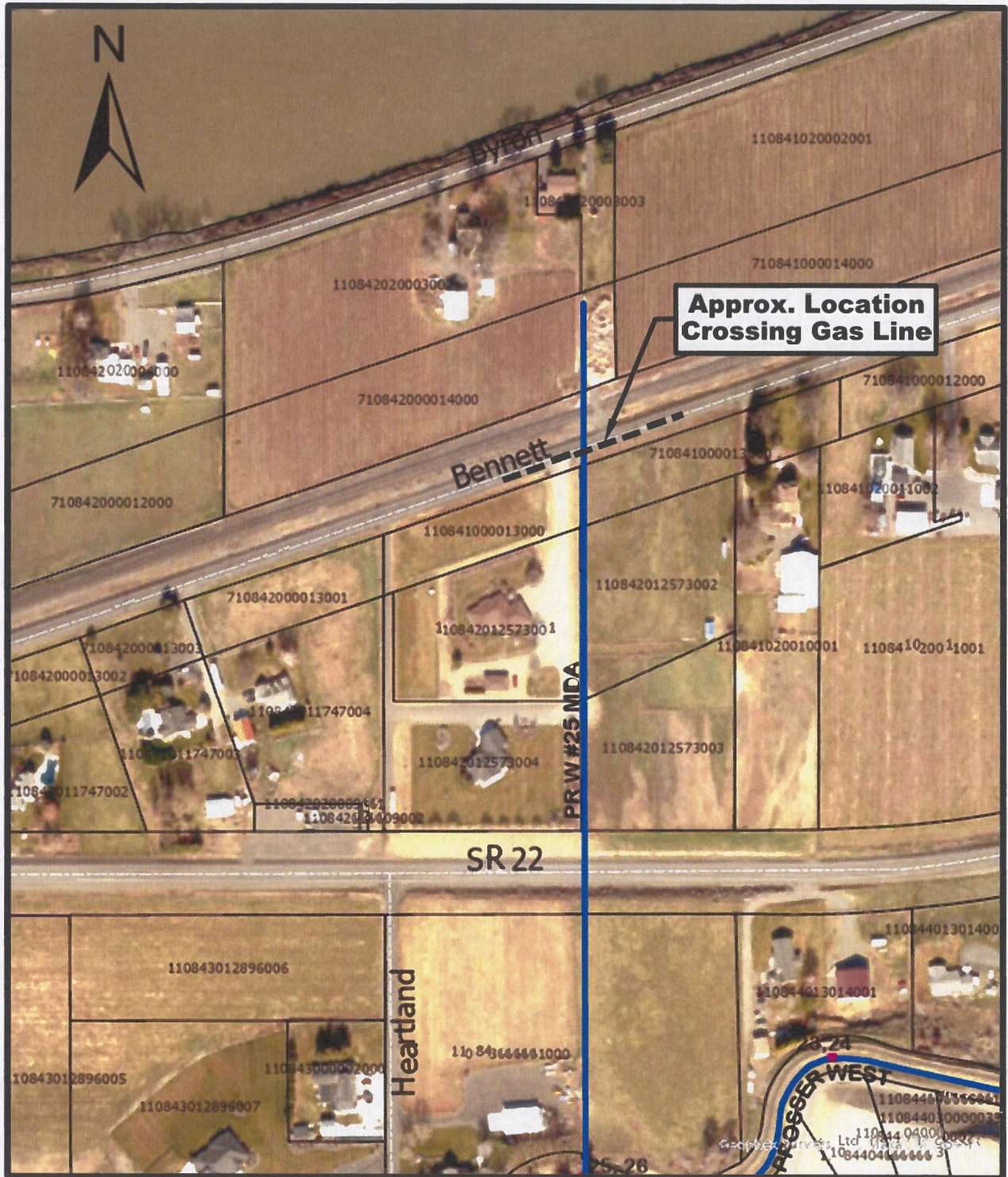
Sincerely,

A handwritten signature in blue ink, appearing to read "Dave Bos", is written over a blue horizontal line.

Dave Bos  
Assistant Manager – Operations

Attachment: Vicinity Map

# VICINITY MAP



VICINITY MAP IS FOR VISUAL REFERENCE ONLY.  
ACCURACY IS NOT GUARANTEED.



# HEM 1.10

## Fire Marshal Comments:

**Date: August 23, 2024**

**Parcel #: 110884013043001**

**Nikki,**

**Regarding CUP 2024-015 the proposed project would have to comply with all Washington State and Federal regulations.**

**If you have questions on these requirements, please, feel free to contact the County Fire Marshal at (509) 735-3500. Ext 2411.**

**Re: CUP 2024-015, Parametrix**

**Gary Tiplady  
Benton County Fire Marshal  
Building Inspector II  
509-735-3500  
[Gary.Tiplady@co.benton.wa.us](mailto:Gary.Tiplady@co.benton.wa.us)**

**Nikki Relyea**

---

**From:** Cristina Woods  
**Sent:** Wednesday, September 4, 2024 1:13 PM  
**To:** Planning Department  
**Subject:** RE: Agency Review (CUP 2024-015) Parametrix

Good afternoon

The applicant will be required to apply for an encroachment permit to have utilities in the right of way. An application has been received and is currently under review.

Thank you



**Cristina Woods, PE** • *Civil Engineer I*  
**Benton County Public Works**  
102206 Wisner Parkway , Kennewick WA, 99338  
(509) 786-5611 Ext: 5684

---

**From:** Planning Department <Planning.Department@co.benton.wa.us>  
**Sent:** Tuesday, August 20, 2024 1:24 PM  
**To:** Cristina Woods <Cristina.Woods@co.benton.wa.us>; Matt Mahoney <Matt.Mahoney@co.benton.wa.us>; Benton Franklin Health District - JoDee Peyton <Jodeer@bfhd.wa.gov>; erin.hockaday@bfhd.wa.gov; Jack Howard <jack.howard@bfhd.wa.gov>; Fire District #3 - Chief Charles Damron (cdamron@westbentonfirerescue.org) <cdamron@westbentonfirerescue.org>; eclara@westbentonfirerescue.org; Fire District #3 - Gayle Carrasco - Administrator (gcarrasco@westbentonfirerescue.org) <gcarrasco@westbentonfirerescue.org>; Troy Taylor <Troy.Taylor@co.benton.wa.us>; Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Gary Tiplady <Gary.Tiplady@co.benton.wa.us>; Code Enforcement <code.enforcement@co.benton.wa.us>; City of Prosser - Steve Zetz <szetz@cityofprosser.com>; Benton PUD - Tina Glines (glinest@bentonpud.org) <glinest@bentonpud.org>; Benton PUD - Chad Brooks <brooksc@bentonpud.org>; svidinfo@svid.org; US Army Corps of Engineers - Real Estate Division <cenww-re@usace.army.mil>; BNSF Permit Management - Blake Jung (blake.jung@am.jll.com) <blake.jung@am.jll.com>  
**Subject:** Agency Review (CUP 2024-015) Parametrix

Good afternoon,

Attached you will find the necessary application materials for Katherin Seckle on behalf of Parametrix, who is requesting a Conditional Use Permit, to replace an existing 3" gas line with a 4" 2,000 LF gas line within the County right-of-way along Bennett Road in Prosser.

Please review and provide any comments by referencing file number *CUP 2024-015* by **Tuesday September 3, 2024.**



# HEM 1.12

## 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 the Benton County Hearings Examiner will hold an open record public hearing for each of the below stated applications on **October 18, 2024** 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 and testimony options, directions to the meeting room and to review documentation for the application, please visit <https://tinyurl.com/BCpublicnotice>.

**CONDITIONAL USE PERMIT – CUP 2024-013** The applicant, Jose Medelez, is proposing to construct an 800 sq. ft. accessory dwelling on a parcel with an existing 3,5001 sq. ft. single family residence. The project is located at 98613 E 162 PR SE, Kennewick, WA 99338 in the Rural Lands 5 Acre District. Parcel number 1-1088-401-3043-001.

**CONDITIONAL USE PERMIT – CUP 2024-014** The applicant, Travis Hendrickson for Finley Self Storage, is proposing to expand the existing storage facility by constructing an additional 5,400 sq. ft. storage building. The project is located at 230306 E SR 297, Kennewick, WA 99337 in the General Commercial District. Parcel number 1-2680-101-0196-002.

**CONDITIONAL USE PERMIT – CUP 2024-015** The applicant, Parametrix, is proposing to replace an existing 3” gas line with a 4” 2,000 LF gas line within the County right-of-way along Bennett Road in Prosser, WA 99350. The project is located in the Urban Growth Area Residential District, between parcel numbers 1-1084-100-0013-000 and 1-1084-102-0012-000.

**CONDITIONAL USE PERMIT – CUP 2024-016** The applicant, Nivie Sizemore, is proposing to construct an 800 sq. ft. accessory dwelling within a detached shop on a parcel with an existing 2,620 sq. ft. single family residence. The project is located at 36929 N Schumacher PR NE, Benton City, WA 99320 in the Rural Lands 5 Acre District. Parcel number 1-1697-101-2723-002.

**CONDITIONAL USE PERMIT – CUP 2024-017** The applicant, Marshall DeCoria, is proposing to construct a 540 sq. ft. accessory dwelling within a detached shop on a parcel with an existing 5,400 sq. ft. single family residence. The project is located at 97702 E 162 PR SE, Kennewick, WA 99338 in the Rural Lands 5 Acre District. Parcel number 1-1088-401-2974-002.

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 on or before **October 15, 2024**. Written comments can be emailed to [planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us), mailed to or dropped off at the Planning Division office at the Public Services Building, 102206 E Wisser Parkway, Kennewick, WA 99338.

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, 102206 E. Wiser Parkway, Kennewick, WA 99338, or [planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us).

Dated this 25th day of September, 2024.

PUBLICATION DATE: October 2, 2024

SUSAN E. DRUMMOND  
Benton County Hearings Examiner

MICHELLE L. MERCER, Planning Manager  
Community Development Department