





# HEM 1.1

**STAFF REPORT TO THE  
BENTON COUNTY HEARINGS EXAMINER  
Bruce and Jan Patterson  
Detached Accessory Dwelling Unit**

**FILE NO:** CUP 2025-013  
**MEMO DATE:** September 5, 2025  
**HEARING DATE:** September 19, 2025  
**APPLICANTS/OWNERS:** Bruce and Janet Patterson, 225102 E Donelson Rd., Kennewick, WA 99337.

**LOCATION:** General Location: The property is located in the Kennewick area of unincorporated Benton County, approximately 0.4 miles east of the intersection Finley Rd. and Donelson Rd.

Address: 225102 E Donelson Rd., Kennewick, WA 99337.

Legal: Replat of Donelson's Plat: Lot 4.

Parcel Number: 114802020004001

**PROPERTY SIZE:** Approximately 1.91 Acres  
**AREA TO BE USED:** 795 square feet  
**LAND USE:** Residential  
**ZONING:** Rural Lands Five Acre (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 six (6) Conditions of Approval as outlined in this staff report.

**APPLICATION DESCRIPTION:**

The applicant is seeking a Conditional Use Permit (CUP) under BCC 11.42.020(c)(1) to construct a 795 square foot detached Accessory Dwelling Unit (ADU) located in the Rural Lands Five Acre District.

The ground floor ADU is proposed to be constructed within a proposed 2,349 sq ft shop southwest of the existing 3,270 square foot single-family residence. The proposed structure will be located on a 1.91-acre parcel in the Kennewick area of unincorporated Benton County. (HEM 1.4)

The application for CUP 2025-013 (HEM 1.3) was submitted to the Benton County Planning

Division on July 10, 2025.

The application was declared complete for processing on July 15, 2025. (HEM 1.5)

The application documents were distributed to reviewing agencies on July 15, 2025. (HEM 1.6)

The Benton County Hearings Examiner Notice of Open Record Hearing for application CUP 2025-013 was published on September 3, 2025 in the Prosser Record Bulletin. (HEM 1.11)

The Notice was mailed to property owners of record within 300 feet of the outer boundaries of the parcel on August 28, 2025.

The Open Record Hearing is scheduled for September 19, 2025.

**APPLICABLE STANDARDS/ORDINANCES:**

1. *Revised Code of Washington*  
Chapter 36.70A.400 Growth Management—Planning by Selected Counties and Cities  
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.

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 (BCC)*

Title 11 Zoning

Chapter 11.03 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.

Chapter 11.42 General Use Regulations

11.42.020 Accessory Dwelling Unit (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.
  - (16) The accessory dwelling unit shall comply with requirements in subsection (b) and (c) respectively.
- (c) An accessory dwelling unit detached from the single-family dwelling shall comply with the following:
- (1) All detached accessory dwelling units require approval of a conditional use permit (see Chapter 11.50 BCC).
  - (2) A detached accessory dwelling unit shall comply with the following minimum design standards.
    - (i) The detached accessory dwelling unit may be constructed within an existing outbuilding or be a stand along structure, where the dwelling unit does not share a common wall with the primary single-family dwelling. If the accessory dwelling unit is connected to the single-family dwelling through a breezeway or similar means, the accessory dwelling unit shall be considered detached.
    - (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 the appearance and character of an accessory use.
- (d) The applicant shall record the permit issued for the accessory dwelling unit with the Benton County Auditor's Office. The recording fee shall be paid by the applicant for the accessory dwelling unit. The permit shall include a statement that the accessory dwelling 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.

## Chapter 11.50 Variance and Conditional Use

### 11.50.040 Conditional Use

(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.

(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 July 15, 2025.
  - a. Benton County Public Works Department
  - b. Benton-Franklin Health District
  - c. Benton County Fire District # 1
  - d. Benton County Building Division
  - e. Benton County Fire Marshal
  - f. Benton County Code Enforcement
  - g. Benton PUD
  - h. Cascade Natural Gas
  - i. Columbia Irrigation District
  
2. The following comments were received from the Benton County Building Division on July 21, 2025 (HEM 1.7):
  - a. The Accessory Dwelling Unit must comply with all current Benton County building and fire codes.
  - b. If you have any questions about these comments, please contact the Benton County Building Division at (509) 735-3500.
  
3. The following comments were received from the Benton Public Utility District on July 21, 2025 (HEM 1.9):
  - a. With a 25' setback and 40' primary pole, BPUD approves the building height to allow for proper clearance.
  - b. Applicant must have 811 locate the underground service line prior to construction.
  - c. If you have any questions about these comments, please contact BPUD at (509) 582-2175.
  
4. The following comments were received from the Benton County Public Works Department on July 21, 2025 (HEM 1.8):
  - a. Applicant will need to apply for a road approach permit.
  - b. If you have any questions about these comments, please contact the Benton Public Works Department 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 2025-013 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 proposing to construct a 795 square-foot accessory dwelling unit located at 225102 E Donelson Rd., Kennewick, WA 99337.
2. The applicants and owners are Bruce and Janet Patterson, 225102 E Donelson Rd., Kennewick, WA 99337.
3. The property is approximately 1.91 acres in size and is zoned Rural Lands Five Acre District (RL-5).
4. The property is located in the Kennewick area of unincorporated Benton County, approximately 0.4 miles east of the intersection of Finley Rd. and Donelson Rd. (parcel 114802020004001).
5. The ADU is proposed to be constructed within a proposed 2,349 sq ft shop southwest of the existing 3,270 square foot single-family residence.
6. The ADU will be used as living quarters for their aging parents.
7. The Conditional Use Permit (CUP 2025-013) shall comply with the Benton County Critical Area Ordinance, Title 15 BCC.
  - a. The proposed ADU is not located within any critical areas.
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 2025-013 is consistent with the Growth Management Act, RCW 36.70A, including RCW 36.70A.390.
12. The application for CUP 2025-013 is consistent with RCW 43.63A.215 (3) *Accessory apartments*.
13. The application for CUP 2025-013 is consistent with the goals and policies of the Benton County Comprehensive Plan.
14. The application for CUP 2025-013 is consistent with the requirements of the Benton County Zoning Code.
15. The application for CUP 2025-013 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. There is an existing single-family dwelling on the parcel/lot where the detached

ADU is to be located.

- c. The primary single-family dwelling is 3,270 square feet. Forty percent (40%) of 3,270 square feet is 1,308 square feet. The applicant is proposing a maximum of 795 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 795 square-foot ADU on site that shall be permanently affixed to the ground by footings and foundation.
  - g. No additional dwelling or housing units exist on site or are proposed.
  - h. A home occupation is not planned nor proposed to be operated in the detached ADU.
  - i. The detached ADU must comply with BFHD standards as per the Conditions of Approval.
  - j. The detached ADU and proposed single family dwelling comply with Fire Marshal standards.
  - k. The detached ADU will be a ground floor unit.
  - l. The landowners will reside in the existing single-family dwelling and maintain residency for at least six (6) months out of the year.
  - m. The detached ADU complies with applicable building, fire, critical area, shoreline, and zoning requirements.
  - n. The detached ADU complies with the Benton County critical area ordinance, Shoreline Master Program, and zoning regulations.
16. The application for CUP 2025-013 is consistent with requirements in BCC 11.42.020 (c)(2)(i) as the ADU will be located within a standalone structure.
17. The application for CUP 2025-013 is consistent with requirements in BCC 11.42.020(c)(2)(ii):
- a. The proposed ADU is located southeast of the primary single-family dwelling.
  - b. The door layout of the structure is adequate for its location and situation, subject to compliance with the Findings of Fact and Conditions of Approval.
18. The proposed detached ADU is compatible with other uses in the surrounding area and is no more incompatible than 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. 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. 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.
4. 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.
5. Applicant must have 811 locate the underground service line prior to construction activities.
6. All required development permits shall be obtained prior to occupying the Accessory Dwelling Unit. This includes approval of permits required by the following, as applicable:
  - a. Benton County Building Division
  - b. Benton County Fire Marshal; for fire and safety regulations.
  - c. Benton Franklin Health District
  - d. Benton County Public Works Department; for road approach permits.
  - e. Benton County Planning Division
  - f. Benton PUD

**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 transferable by the holder.

Should the legal landowner of the parcel change at any time 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.

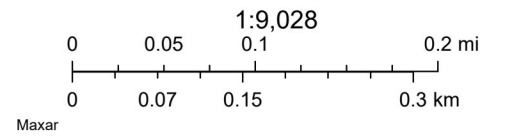
**VIOLATIONS OF CONDITIONS OF APPROVAL:**

The Applicant shall continue to meet all conditions of this Conditional Use Permit while CUP 2025-013 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.



7/11/2025, 4:24:45 PM



## 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 East Wiser Parkway, Kennewick, WA 99338

### RECEIVED

JUL 10 2025

Benton County  
Planning Division

## CONDITIONAL USE PERMIT APPLICATION

File No. CUP 2025-013

### APPLICANT INFORMATION

Please check the box indicating primary contact person for this application

**Name of Applicant/Agent:** Bruce Patterson & Jan Patterson

Mailing Address (with City, State & zip): 225102 E Donelson Rd Kennewick WA

Phone #1: 1-360-921-9638 Phone #2: 360-921-2838

Email Address(es): Bapasa@icloud.com

Signature: [Signature] Date: 7/11/25

**Name of Property Owner(s) (if different):** \_\_\_\_\_

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

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

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

Signature: [Signature] Date: 7-11-25

Signature: [Signature] Date: 7-11-25

*\*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

**A**pplicant/Legal Owner name: \_\_\_\_\_

**A**pplicant/Legal Owner Contact Information: \_\_\_\_\_

**O**fficer name: \_\_\_\_\_ Title: \_\_\_\_\_

**S**ignature: \_\_\_\_\_ Date: \_\_\_\_\_

**I**F 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.



## CONDITIONAL USE PERMIT APPLICATION ADDENDUM DETACHED ACCESSORY DWELLING UNIT

File No. CVP 2025-013

Applicant Name: Bruce & Jan Patterson

1. Number of Accessory Dwelling Units currently on the property: 0
2. Is there a single family dwelling currently on the property?  Yes  No
3. What is the square footage of the main home? 5000
4. What is the square footage of the proposed Accessory Dwelling Unit? 795
5. How many bedrooms will be in the Accessory Dwelling Unit? 1
6. Does the landowner currently have any other land use permits? No
7. Will the ADU be using an  Existing well (Well Tag ID AGB-025) or  New well (Well Tag \_\_\_\_\_)
8. Is the well part of a public water system  Yes  No  
If yes, name of public water system \_\_\_\_\_
9. Will the well be a shared well  Yes  No  
If yes, Parcel # where the well is located \_\_\_\_\_ Well Tag ID \_\_\_\_\_

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

Parents Living Space. Take care of Aging Parents.

**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.

PARCEL INFORMATION

1. Subject property address (including city): 225102 E Donelson Rd Kennewick WA

2. Parcel number(s): 1-1480-202-0004-001

3. Total Acreage: 2.19

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: \_\_\_\_\_  
 Private System Provider name and address: \_\_\_\_\_

**Gas:**  No  Yes **PRIVATE SYSTEM: ATTACH APPROVAL DOCUMENTATION**  
Provider name: \_\_\_\_\_

**Irrigation:**  No  Yes Provider name: CID

6. Current use(s) on property: SFD

7. What are you proposing to do that requires a Conditional Use Permit? ADU

**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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

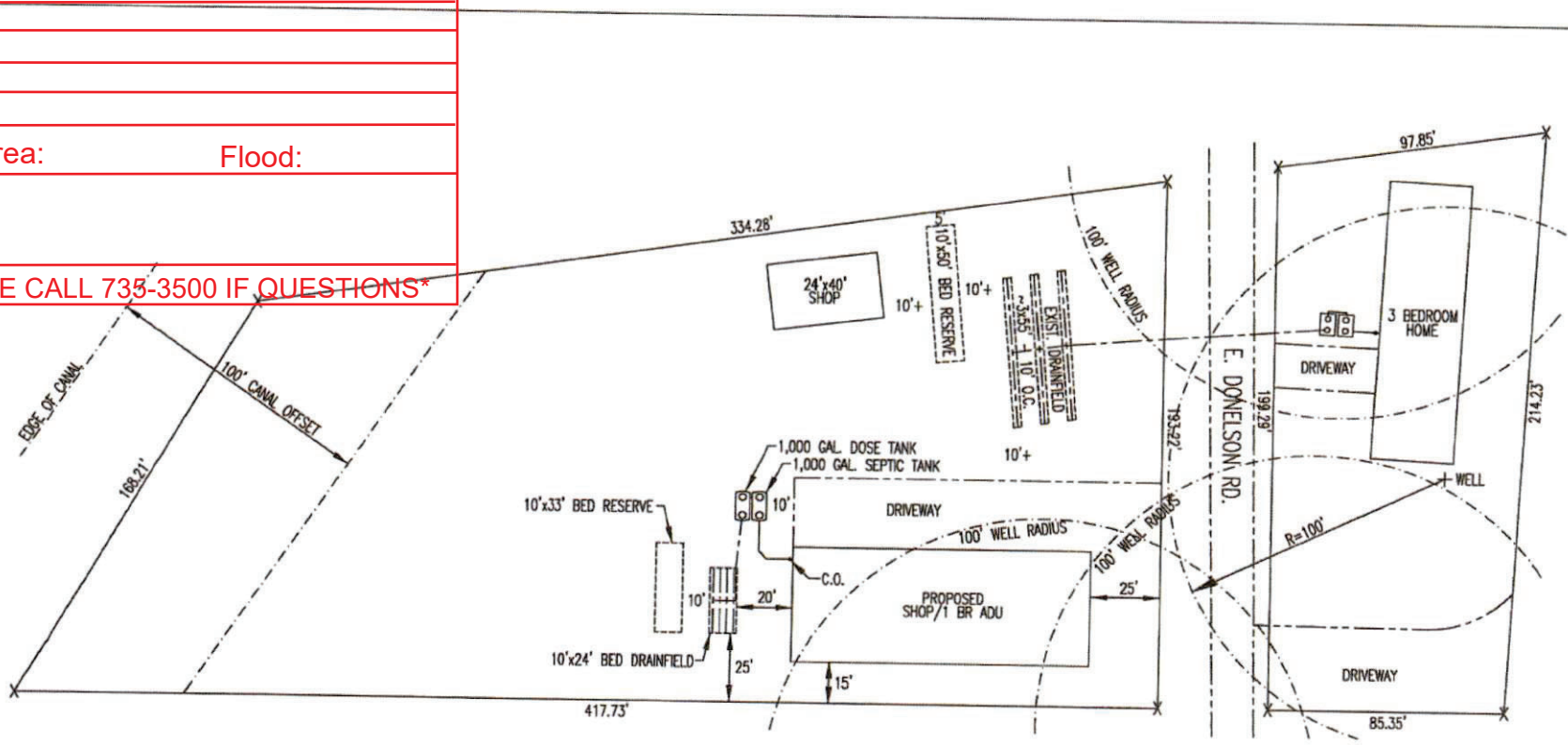
**If further explanation is needed for any of the questions above, please attach additional pages.**

<b>(FOR STAFF USE ONLY)</b>	Access: Y      N	Application Complete: Y      N
Critical Areas: N      Y:	_____	Zoning: _____
Reviewed by: _____		Date: _____

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.

# HEM 1.4

NAME: PATTERSON
Structure Type: ADU
Application #: 39300
Parcel #: 1-1480-202-0004-001
Zone:
<b>*Required Setbacks*</b>
Front:
Rear:
Side:
Side:
Critical Area: Flood:
Other:
<b>* PLEASE CALL 735-3500 IF QUESTIONS*</b>



- NOTES:
1. DRAINFIELD MUST BE 10' FROM ALL TREES, BUILDING FOUNDATIONS & DRIVEWAYS.
  2. ALL SEPTIC COMPONENT TO BE MIN. OF 50' FROM ALL WELLS, DRAINFIELD MIN. OF 100'.
  3. SYSTEM TO COMPLY WITH BFHD RULES & REGULATIONS NO. 2.
  4. SEPTIC TANK TO INCLUDE RISERS TO SURFACE & ZABEL A-1800 EFFLUENT FILTER.
  5. SHOP/1 BR ADU TO BE CONSTRUCTED + SEPTIC SYSTEM, OWNER TO MOVE INTO ADU, EXIST. HOME TO BE DEMOLISHED AND REBUILT IN EXIST. FOOTPRINT, NEW 3 BR TO BE HOOKED UP TO EXIST. TANKS & SEPTIC SYSTEM, OWNER TO MOVE INTO NEW 3 BR HOME.



05/02/2025	A. EVANS	225102DON	SITE PLAN - EXISTING & PROPOSED	
			REPLAT OF DONELSON'S PLAT LOT 4	
			225102 E. DONELSON RD., KENNEWICK, WA	
			AE CONSULTING	SHEET 1 OF 3



# HEM 1.5

July 15, 2025

Bruce and Jan Patterson  
225102 E Donelson Road  
Kennewick, WA 99337

Email: Bapasa@icloud.com

RE: Written Determination of Completeness  
File Number: CUP 2025-013

Dear Mr. and Mrs. Patterson,

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 2025-013) 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 cursive script that reads "Andrea Watts".

Andrea Watts - Senior Planner  
Benton County Planning Division



## HEM 1.6

July 15, 2025

Benton County Building Division  
Benton County Code Enforcement  
Benton County Fire District #1  
Benton County Fire Marshal  
Benton County Public Works Department  
Benton-Franklin Health District  
Benton PUD  
Cascade Natural Gas  
Columbia Irrigation District

**RE:** Agency review of a Conditional Use Permit application  
**File #:** CUP 2025-013  
**Parcel #:** 1-1480-202-0004-001  
**Applicant:** Bruce and Jan Patterson

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

The applicant is proposing to construct a 795 sq. ft. detached accessory dwelling unit on a parcel with an existing 4,860 sq. ft. single family residence. The project is located in the Kennewick area of unincorporated Benton County within the Rural Lands 5 Acre District. Parcel number 1-1480-202-0004-001.

PLEASE SUBMIT YOUR COMMENTS to [Planning.department@co.benton.wa.us](mailto:Planning.department@co.benton.wa.us) by **July 29, 2025**. Please reference file number **CUP 2025-013** 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

---

**From:** Troy Taylor  
**Sent:** Monday, July 21, 2025 8:03 AM  
**To:** Planning Department  
**Subject:** RE: Agency Review - Patterson ADU - CUP 2025-013

# HEM 1.7

Building- comply with all current Benton County and fire codes.

---

**From:** Planning Department <Planning.Department@co.benton.wa.us>  
**Sent:** Tuesday, July 15, 2025 9:54 AM  
**To:** Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Troy Taylor <Troy.Taylor@co.benton.wa.us>; Code Enforcement <code.enforcement@co.benton.wa.us>; scott@bentonone.org; Gary Tiplady <Gary.Tiplady@co.benton.wa.us>; Cristina Woods <Cristina.Woods@co.benton.wa.us>; Shane Elledge <Richard.Elledge@co.benton.wa.us>; Dylan Krantz <Dylan.Krantz@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>; Justin Gerber <justing@bfhd.wa.gov>; Angela Richman <richmana@bentonpud.org>; jody.adams@cngc.com; Walter Nelson - Cascade Natural Gas Corp. <Walter.Nelson@cngc.com>; Columbia Irrigation District <CID@columbiairrigation.com>  
**Subject:** Agency Review - Patterson ADU - CUP 2025-013

Good morning,

Attached you will find the necessary application materials Bruce and Jan Patterson who are requesting a Conditional Use Permit for a detached 795 sq. ft. accessory dwelling unit within a shop at 225102 E Donelson Road in Kennewick.

Please review and provide any comments by **July 29, 2025.**

Have a wonderful week,

**Nikki Relyea**

*Permit Technician*

Benton County Community Development Department

Planning Division

[Nikki.Relyea@co.benton.wa.us](mailto:Nikki.Relyea@co.benton.wa.us)

[Planning.Department@co.benton.wa.us](mailto:Planning.Department@co.benton.wa.us)

(509) 786-5612



**Nikki Relyea**

---

**HEM 1.8**

**From:** Shane Elledge  
**Sent:** Monday, July 21, 2025 9:52 AM  
**To:** Planning Department  
**Subject:** RE: Agency Review - Patterson ADU - CUP 2025-013

Good morning,

Public works has no comments on the CUP.  
They will need to apply for a road approach permit.

Thank you.



**R. Shane Elledge** • *Engineering Associate I*  
**Benton County Public Works**  
102206 Wisner Parkway , Kennewick WA, 99338  
(509) 786-5611 Ext: 5531

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**From:** Planning Department <Planning.Department@co.benton.wa.us>  
**Sent:** Tuesday, July 15, 2025 9:54 AM  
**To:** Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Troy Taylor <Troy.Taylor@co.benton.wa.us>; Code Enforcement <code.enforcement@co.benton.wa.us>; scott@bentonone.org; Gary Tiplady <Gary.Tiplady@co.benton.wa.us>; Cristina Woods <Cristina.Woods@co.benton.wa.us>; Shane Elledge <Richard.Elledge@co.benton.wa.us>; Dylan Krantz <Dylan.Krantz@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>; Justin Gerber <justing@bfhd.wa.gov>; Angela Richman <richmana@bentonpud.org>; jody.adams@cngc.com; Walter Nelson - Cascade Natural Gas Corp. <Walter.Nelson@cngc.com>; Columbia Irrigation District <CID@columbiairrigation.com>  
**Subject:** Agency Review - Patterson ADU - CUP 2025-013

Good morning,

Attached you will find the necessary application materials Bruce and Jan Patterson who are requesting a Conditional Use Permit for a detached 795 sq. ft. accessory dwelling unit within a shop at 225102 E Donelson Road in Kennewick.

Please review and provide any comments by **July 29, 2025.**

Have a wonderful week,

**Nikki Relyea**

---

**HEM 1.9**

**From:** Angela Richman <richmana@bentonpud.org>  
**Sent:** Monday, July 21, 2025 2:20 PM  
**To:** Andrea Watts  
**Cc:** Planning Department  
**Subject:** [EXTERNAL] RE: [E] Agency Review - Patterson ADU - CUP 2025-013

Andrea,

With a 25' setback and 40' primary pole, BPUD approves the building height to allow for proper clearance.

Yes, please add the locate requirement to the permit to ensure that they will not be building their footing over-top of the existing underground service line.

Thank you,  
Angela

---

**From:** Andrea Watts <Andrea.Watts@co.benton.wa.us>  
**Sent:** Monday, July 21, 2025 2:02 PM  
**To:** Angela Richman <richmana@bentonpud.org>  
**Cc:** Planning Department <Planning.Department@co.benton.wa.us>  
**Subject:** RE: [E] Agency Review - Patterson ADU - CUP 2025-013

You don't often get email from [andrea.watts@co.benton.wa.us](mailto:andrea.watts@co.benton.wa.us). [Learn why this is important](#)

Good afternoon,

It looks like the construction plans for this building state that the highest ridge will be 26'-1".

We can definitely put the requirement for 811 to locate the underground service line as a condition on the permit.

Regards,



**Andrea Watts**

Senior Planner

Benton County Community Development Department - Planning Division

102206 E. Wiser Pkwy, Kennewick, WA 99338

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

(509) 786-5612

**From:** Angela Richman <[richmana@bentonpud.org](mailto:richmana@bentonpud.org)>  
**Sent:** Wednesday, July 16, 2025 7:12 AM  
**To:** Planning Department <[Planning.Department@co.benton.wa.us](mailto:Planning.Department@co.benton.wa.us)>  
**Subject:** [EXTERNAL] RE: [E] Agency Review - Patterson ADU - CUP 2025-013

Nikki,

BPUD wants to obtain height of "Proposed Shop" as an existing Overhead primary line is built along the property line. Also want to confirm the location of the existing Underground service line prior to construction with 811 Locates. It will most likely be within the 25' setback.



Thank you,  
Angela

**Nikki Relyea**

---

**From:** Justin Gerber <justing@bfhd.wa.gov>  
**Sent:** Wednesday, July 30, 2025 3:13 PM  
**To:** Planning Department  
**Subject:** [EXTERNAL] RE: Agency Review - Patterson ADU - CUP 2025-013  
**Attachments:** 27685 permit.pdf

**HEM 1.10**

Good afternoon,

Attached you will find septic permit# 27685 for the Patterson ADU. No additional comments to add. Let me know if you have any questions or concerns. Thank you.

**Justin Gerber**

Environmental Health Specialist II

**Benton-Franklin Health District**

7102 W. Okanogan Place,

Kennewick, WA 99336

p: 509.460.4330

[www.bfhd.wa.gov](http://www.bfhd.wa.gov) [JustinG@bfhd.wa.gov](mailto:JustinG@bfhd.wa.gov)



Follow us on   

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

**Sent:** Tuesday, July 15, 2025 9:54 AM

**To:** Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Troy Taylor <Troy.Taylor@co.benton.wa.us>; Code Enforcement <code.enforcement@co.benton.wa.us>; scott@bentonone.org; Gary Tiplady <Gary.Tiplady@co.benton.wa.us>; Cristina Woods <Cristina.Woods@co.benton.wa.us>; Shane Elledge <Richard.Elledge@co.benton.wa.us>; Dylan Krantz <Dylan.Krantz@co.benton.wa.us>; JoDee Peyton <Jodeer@bfhd.wa.gov>; Erin Hockaday <erin.hockaday@bfhd.wa.gov>; Jack Howard <jack.howard@bfhd.wa.gov>; Justin Gerber <justing@bfhd.wa.gov>; Angela Richman <richmana@bentonpud.org>; jody.adams@cngc.com; Walter Nelson - Cascade Natural Gas Corp. <Walter.Nelson@cngc.com>; Columbia Irrigation District <CID@columbiairrigation.com>

**Subject:** Agency Review - Patterson ADU - CUP 2025-013

Good morning,

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Please review and provide any comments by **July 29, 2025.**

Have a wonderful week,



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

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

**Owner:** Patterson, Bruce  
 225102 Donelson Rd  
 Kennewick, WA  
 99337

**Permit Number:** 27685  
**Date Permit Issued:** 05/12/2025  
**Date Permit Expires:** 05/12/2026  
**County:** Benton

**Location Information**

<b>Property Address</b>	225102 Donelson Rd	<b>Subdivision/Legal:</b>	Replat of Donelsons
<b>City:</b>	Kennewick	<b>Block:</b>	Plat
<b>Parcel Number:</b>	1-1480-202-0004-001	<b>Lot:</b>	4

**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>	2
<b>Designed by:</b>	PE	<b>Average Daily Flow:</b>	180
<b>Type of System:</b>	Sand Lined Absorption Bed	<b>Maximum Daily Flow:</b>	240
<b>Treatment Level:</b>	C		

**Pretreatment Information**

**Septic Tank Size:** 1000 gal.  
**Depth of Burial:** Lids to surface.  
**Outlet Baffle Filter:** Yes  
**Pump Chamber Size:** 1000 gal.  
**Dose Volume:** 60 gal.  
**Reserve Volume:** 150 gal.

**Drainfield Information**

**Absorption bed size:** 240 sf  
**Absorption bed length:** 24 feet  
**Absorption bed width:** 10 feet  
**Maximum bed depth:** 33 inches  
**Aggregate depth:** 9 inches  
**Distribution:** Pressure Central manifold

## Conditions

- Follow approved plot plan, maintain all setbacks.
- **All tank lids and distribution boxes must have access from surface grade.**
- **Observation ports are required at the end of all laterals.**
- There must be at least one capped cleanout between outlet of the sewer line from the structure and the the septic tank as well as every fifty feet (50') and prior to turns.
- 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.
- All components of the sewage disposal pressure distribution system must be installed according to the Engineer's Plans, submitted to this office, meeting Benton-Franklin District Health Department Rules and Regulations No. 2, Recommended Standards and Guidance for Sand Lined Trench Systems , Recommended Standards and Guidance for Pressure Distribution. Other requirements may be deemed necessary by this office for approval as the construction project warrants.
- The Design Engineer is responsible for all final inspections, written certifications of construction, and as-built drawings of the system installation. Final construction as-built drawings must be submitted to this office prior to final approval of the system.
- A representative from the Benton-Franklin District Health Department must observe and approve the pressure testing of the drainlines prior to the backfilling. The pressure test requires the laterals to have the orifices in the 12 o'clock position. The orifices shall not be restricted or blocked during the pressure testing.
- The Design Engineer is responsible for drafting an Operations and Maintenance Manual for the system. This office must receive and approve a copy of the manual prior to final approval.
- 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 pump chamber must conform to Benton-Franklin District Health Department "Standards for Construction and Design". The property owner/permittee, contractor and/or installer are responsible for contacting Labor and Industries for all electrical /safety code requirements and inspections within their jurisdiction.
- The sewage disposal system must be installed by a septic installer licensed within the Benton-Franklin Health District.
- The system must be pressure tested with potable water.

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.

Justin Gerber  
Environmental Health Specialist

Steve Krager, M.D.  
District Health Officer



# HEM 1.11

## NOTICE OF OPEN RECORD HEARINGS

NOTICE IS HEREBY GIVEN that the following applications have been proposed to the Hearings Examiner for Benton County, Washington. An open public record hearing for the below stated applications will be held on **September 19, 2025**, at 10 a.m. via in person and virtual meeting format in the Commissioners Room on the third floor of the Courthouse, 620 Market Street, Prosser WA. To find information on attendance options, please visit [www.tinyurl.com/BCPublicNotice](http://www.tinyurl.com/BCPublicNotice).

**CONDITIONAL USE PERMIT – CUP 2025-013** The applicants, Bruce and Jan Patterson, are requesting to construct a 795 sq. ft. detached accessory dwelling unit on a parcel with an existing 4,860 sq. ft. single family residence. The project is located at 225102 E Donelson Road, Kennewick, WA 99337.

**VARIANCE PERMIT – VAR 2025-003** The applicant, Donald Van Zant, is requesting a variance to encroach five (5) feet into the required ten (10) foot northeastern side parcel setback, and twenty-two (22) feet into the required twenty-five (25) foot rear parcel setback to construct an attached garage to the existing home. The project is located at 225306 E Donelson Road, Kennewick, WA 99337.

**VARIANCE PERMIT – VAR 2025-004** The applicant, Adolfo De La Cruz, is requesting a variance to encroach seven (7) feet into the required twenty-five (25) foot setback from a private access easement to construct a single-family dwelling. The project is located at 2700 N Griffin Road, Prosser, WA 99350.

Questions can be directed to the Planning Division at 509-786-5612 or at [planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us). Written comments regarding the above applications must be received by **September 16, 2025** via email or submitted to the Planning Division office at the Public Services Building, 102206 E Wiser 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.

No individual with a disability shall be denied the benefit of participating in such meetings. If you wish to use auxiliary aids or require assistance to comment at a public meeting, please contact the Benton County Planning Division at least ten days prior to the meeting date to make arrangements for special needs.

Dated this 27th day of August, 2025.

PUBLICATION DATE: September 3, 2025

SUSAN E. DRUMMOND  
Benton County Hearings Examiner

MICHELLE L. MERCER, Planning Manager  
Community Development Department