



HEM 1.1

**STAFF REPORT TO THE
BENTON COUNTY HEARINGS EXAMINER
Michael Davidson ADU
Detached Accessory Dwelling Unit**

FILE NO: CUP 2025-014

MEMO DATE: October 9, 2025

HEARING DATE: October 17, 2025

APPLICANT: Michael Davidson, 193405 E 447 PR SE, Kennewick, WA 99337.

OWNERS: Alina and Michael Davidson, 193405 E 447 PR SE, Kennewick, WA 99337.

LOCATION: General Location: The property is located in the Kennewick area of unincorporated Benton County, approximately 0.54 miles northeast of the intersection of 1924 PR SE and SR 397.
Address: 193405 E 447 PR SE, Kennewick, WA 99337.
Legal: Lot 4 of Short Plat 3328.
Parcel Number: 129803013328004

PROPERTY SIZE: Approximately 6.75 Acres

AREA TO BE USED: 780 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 five (5) Conditions of Approval as outlined in this staff report.

APPLICATION DESCRIPTION:

The applicant is seeking a Conditional Use Permit (CUP) under BCC 11.42.020(c)(1) to construct a 780 square foot detached Accessory Dwelling Unit (ADU) within a 1,484 square foot accessory structure (pool house) located in the Rural Lands Five Acre District.

The second floor ADU is proposed to be constructed southeast of the existing 2,996 square foot single-family residence. The proposed structure will be located on a 6.75-acre parcel in the Kennewick area of unincorporated Benton County. (HEM 1.4)

The application for CUP 2025-014 (HEM 1.3) was submitted to the Benton County Planning Division on August 18, 2025.

The application was declared complete for processing on August 21, 2025. (HEM 1.5)

The application documents were distributed to reviewing agencies on August 21, 2025. (HEM 1.6)

The Benton County Hearings Examiner Notice of Open Record Hearing for application CUP 2025-014 was published on October 1, 2025 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, 2025.

The Open Record Hearing is scheduled for October 17, 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 2nd floor unit.
- (12) Either the accessory dwelling unit or the single-family dwelling shall be occupied by a landowner(s) as his/her primary residence. The landowner

- shall maintain residency at least six (6) months out of the year and at no time receive rent for or otherwise allow to occupy the landowner(s) unit when absent the rest of the year.
- (13) If the accessory dwelling unit is connected to the single-family dwelling through a breezeway or similar means, the accessory dwelling unit shall be considered detached and compliance with subsection (c) below is required.
 - (14) The accessory dwelling unit shall comply with the applicable building, fire, critical area, shoreline, and zoning requirements of Title 3, 11, and 15 of Benton County Code.
 - (15) The accessory unit shall not be considered as a dwelling unit when calculating density.
 - (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 August 21, 2025.
 - a. Benton County Public Works Department
 - b. Benton-Franklin Health District
 - c. Benton County Building Division
 - d. Benton County Fire Marshal
 - e. Benton PUD
 - f. Kennewick Irrigation District

2. The following comments were received from the Benton County Building Division (HEM 1.7):
 - a. The Accessory Dwelling Unit must comply with all current building and fire codes as adopted by Benton County. Up to and including possible change of use in occupancy of building.
 - 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 Franklin Health Department (HEM 1.8):
 - a. The septic permit # 27801 has been issued for the Davidson ADU. The alteration to the system, to account for the added bedroom in the ADU, has not yet been completed.
 - b. If you have questions about these comments, please contact the Benton Franklin Health District at (509) 460-4318.

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 2025-014 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 780 square-foot accessory dwelling unit located at 193405 E 447 PR SE, Kennewick, WA 99337.

2. The applicant is Michael Davidson, 193405 E 447 PR SE, Kennewick, WA 99337.
3. The owners are Michael and Alina Davidson, 193405 E 447 PR SE, Kennewick, WA 99337.
4. The property is approximately 6.75 acres in size and is zoned Rural Lands Five Acre District (RL-5).
5. The property is located in the Kennewick area of unincorporated Benton County, approximately 0.54 miles northeast of the intersection of 1924 PR SE and SR 397. (Parcel 129803013328004).
6. The second floor ADU is proposed to be constructed southeast of the existing 2,996 square foot single-family residence within a 1,484 square foot accessory structure (pool house) currently under construction.
7. The ADU will be used as a studio apartment.
8. The Conditional Use Permit (CUP 2025-014) shall comply with the Benton County Critical Area Ordinance, Title 15 BCC.
 - a. The proposed ADU is located within geologically hazardous areas on site. Applicant provided letter from a geotechnical engineer who determined that the original structure was outside of any critical areas and there were no necessary mitigation related to critical areas for the project.
9. Public notice and application requirements have been met per BCC 11.50 Variance and Conditional Use.
10. The proposed detached ADU is allowable by Conditional Use Permit if approved by the Benton County Hearings Examiner.
11. The detached ADU complies with Benton County Building Division standards and requirements.
12. The application for CUP 2025-014 is consistent with the Growth Management Act, RCW 36.70A, including RCW 36.70A.390.
13. The application for CUP 2025-014 is consistent with RCW 43.63A.215 (3) *Accessory apartments*.
14. The application for CUP 2025-014 is consistent with the goals and policies of the Benton County Comprehensive Plan.
15. The application for CUP 2025-014 is consistent with the requirements of the Benton County Zoning Code.
16. The application for CUP 2025-014 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 2,996 square feet. Forty percent (40%) of 2,996 square feet is 1,198.4 square feet. The applicant is proposing a maximum of 780 square feet in the application.
 - d. The detached ADU is a studio apartment.
 - e. The applicant is proposing two (2) parking spots to serve the detached ADU.
 - f. The proposal is to construct a 780 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 second 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.
17. The application for CUP 2025-014 is consistent with requirements in BCC 11.42.020 (c)(2)(i) as the ADU will be located within a standalone structure.
18. The application for CUP 2025-014 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.
19. 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.
20. 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.
21. 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.
22. The proposed detached ADU will be supported by adequate service facilities and would not adversely affect public services to the surrounding area.

23. 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. 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 2025-014 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.

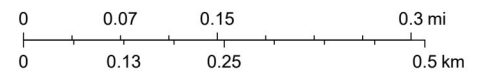
CUP 2025-014 - DAVIDSON - VICINITY MAP

HEM 1.2



8/19/2025, 11:26:42 AM

1:9,028



Maxar

Community Development Department
Prosser Office: 620 Market Street, 1st Floor
Kennewick Office: 102206 East Wiser Parkway
www.bentoncountywa.gov



Planning Division
(509) 786-5612
Planning.department@co.benton.wa.us
102206 East Wiser Parkway, Kennewick, WA 99338

RECEIVED

AUG 18 2025

Benton County
Planning Division

CONDITIONAL USE PERMIT APPLICATION

File No. CWP 2025-014

APPLICANT INFORMATION

Please check the box indicating primary contact person for this application

Name of Applicant/Agent: MILITAZ DAVIDSON

Mailing Address (with City, State & zip): 193407 EAST 447PASE

Phone #1: 509 366-1325 Phone #2: _____

Email Address(es): MJDAVIDSONLAWA@GMAIL.COM

Signature: [Signature] Date: 6/30/25

Name of Property Owner(s) (if different): SAME

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: [Signature]

Applicant/Legal Owner Contact Information: _____

Officer name: _____ Title: _____

Signature: _____ Date: _____

THE ABOVE SIGNED OFFICER OF (name of entity) _____ WARRANTS AND REPRESENTS THAT ALL NECESSARY LEGAL AND CORPORATE ACTIONS HAVE BEEN DULY UNDERTAKEN TO PERMIT (name of applicant) _____ TO SUBMIT THIS APPLICATION AND THAT THE ABOVE SIGNED OFFICER HAS BEEN DULY AUTHORIZED AND INSTRUCTED TO EXECUTE THIS APPLICATION.

Any information submitted to the Benton County Planning Division is subject to public records disclosure law for the State of Washington (RCW Chapter 42.17) and all other applicable law that may require the release of the documents to the public.

PARCEL INFORMATION

1. Subject property address (including city): 193405 E 447 PRSE

2. Parcel number(s): 1-2980-301-3328-004

3. Total Acreage: 6+ Acres

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: _____

PRIVATE SYSTEM: ATTACH APPROVAL DOCUMENTATION

Gas: No PROPANE Yes Provider name: _____

Irrigation: No Yes Provider name: _____

6. Current use(s) on property: RESIDENTIAL

7. What are you proposing to do that requires a Conditional Use Permit? DETACHED POOL HOUSE

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.

(FOR STAFF USE ONLY)		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.



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

RECEIVED

File No. CWP 2025-01A

AUG 18 2025

Applicant Name: Michael Dawson

Benton County
Planning Division

1. Number of Accessory Dwelling Units currently on the property: None
2. Is there a single family dwelling currently on the property? Yes No
3. What is the square footage of the main home? 2996 SQ FT
4. What is the square footage of the proposed Accessory Dwelling Unit? 780 SQ FT
5. How many bedrooms will be in the Accessory Dwelling Unit? STUDIO APMT
6. Does the landowner currently have any other land use permits? NO

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

POOL HOUSE WITH STUDIO

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.

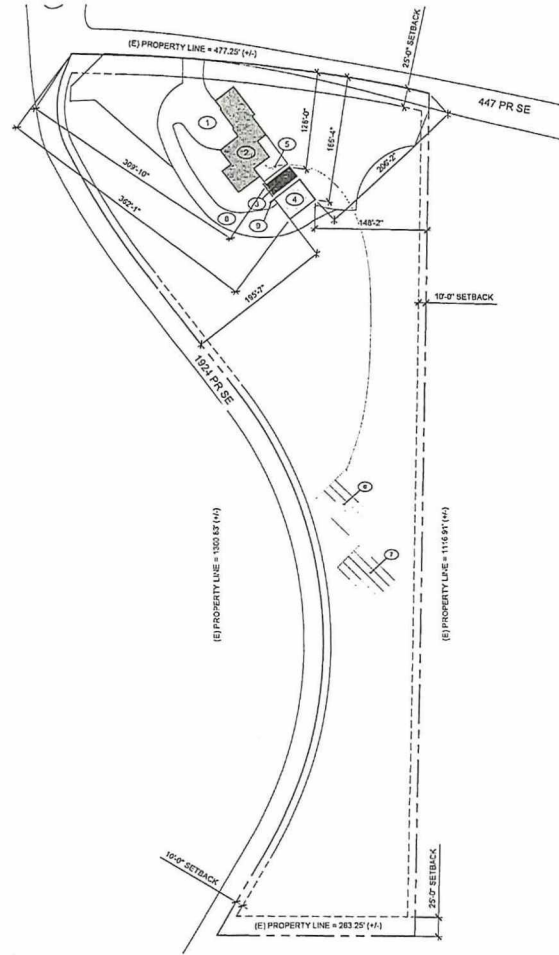
RECEIVED

AUG 18 2025

Benton County
Planning Division

HEM 1.4

NAME:	DAVIDSON
Structure Type:	ADU
Application #:	39307
Parcel #:	1-2980-301-3328-004
Zone:	
Required Setbacks	
Front:	
Rear:	
Side:	
Side:	
Critical Area:	Flood:
Other:	
* PLEASE CALL 735-3500 IF QUESTIONS*	



NORTH
ARCHITECTURAL SITE PLAN
SCALE: 1" = 60'-0"

SITE PLAN NOTES:

1. SEE GENERAL NOTES ON SHEET G1.1

KEYED NOTES

MARK	DESCRIPTION
①	EXISTING DRIVEWAY
②	EXISTING HOUSE/GARAGE
③	NEW POOL
④	NEW SHOP/ADU
⑤	EXISTING SEPTIC TANK
⑥	EXISTING SEPTIC DRAIN FIELD
⑦	EXISTING SEPTIC RESERVE DRAIN FIELD
⑧	NEW GRAVEL DRIVEWAY
⑨	NEW RETAINING WALL

PARCEL INFORMATION

PARCEL NUMBER	128803013328004
LEGAL DESCRIPTION	SECTION 29, TOWNSHIP 8, RANGE 30, QUARTER DW, SHORT PLAT 8328, LOT 4, RECORDED IN VOLUME 1 OF SHORT PLATS, PAGE 3328, RECORDS OF BENTON COUNTY, WASHINGTON. (AP#2011-024555, 8/31/2011).
SITE ADDRESS	193405 E 447 PR SE KENNEWICK, WA, 99337
LEGAL ACRES:	0.75 ACRES
ZONING	RL-5

06/04/2024	J RESECK	0
06/04/2024	J RESECK	
06/04/2024	Z COLLINS	
06/04/2024		
REV #	22'X34'	
SHEET SIZE		



DESIGNER:

OWNER/PROJECT LOCATION:

DAVIDSON RESIDENCE
193405 E 447 PR SE
KENNEWICK, WA, 99337

SHEET TITLE:

ARCHITECTURAL SITE PLAN



8/12/2024, 4:27:58 pm

PROJECT:

1666

SHEET:

A0.1

REGISTERED PROFESSIONAL ARCHITECTS AND ENGINEERS
OF THE STATE OF WASHINGTON
THESE PROFESSIONALS ARE LICENSED BY THE STATE OF WASHINGTON
AND ARE NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE
APPROPRIATE PERMISSION OF THE BOARD OF ARCHITECTS AND ENGINEERS
OF THE STATE OF WASHINGTON

ARCHITECTURAL SITE PLAN		DAVIDSON RESIDENCE 193405 E 447 PR SE KENNEWICK, WA, 99337		DESIGNER: TRI-CITY ENGINEERS 3801 W VAN GIESEN ST WEST RICHLAND, WA 99353 509-210-1010		SHEET SIZE: 22 X 34 - REV # 0	
PROJECT: 1666		OWNER/PROJECT LOCATION:		DRAWN BY: M OLIN		DATE: 06/01/2024	
SHEET: A0.1		DATE: 07/30/2024		CHECKED BY: J RESECK		DATE: 06/01/2024	
DATE: 07/30/2024		DATE: 06/01/2024		CHECKED BY: Z COLLINS		DATE: 06/01/2024	



APPROVED
 SEE PLANNING REVIEW TABLE FOR PROJECT SPECIFIC
 SETBACKS AND CRITICAL AREA INFORMATION.
 BY: LK DATE: 07/30/2024
 BENTON COUNTY PLANNING DIVISION

BO

**NO BUILDING ON ESMTS
 25' FROM ALL ACCESS ESMTS**

RECEIVED

AUG 18 2025

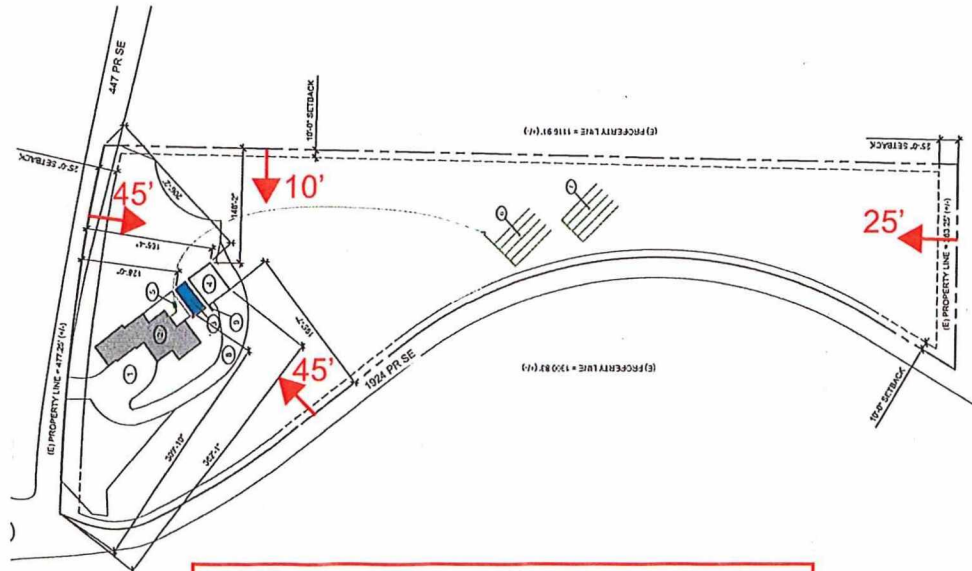
Benton County
 Planning Division

SITE PLAN NOTES:
 1. SEE GENERAL NOTES ON SHEET G4.1.

MARK	DESCRIPTION
⊙	EXISTING DRIVEWAY
⊙	EXISTING HOUSEGARAGE
⊙	NEW POOL
⊙	NEW SHED/PO
⊙	EXISTING SEPTIC TANK
⊙	EXISTING SEPTIC DRAIN FIELD
⊙	EXISTING SEPTIC RESERVE DRAIN FIELD
⊙	NEW GRAVEL DRIVEWAY
⊙	NEW RETAINING WALL

PARCEL INFORMATION
 PARCEL NUMBER: 1-2980-301-3328-004
 LEGAL DESCRIPTION: SECTION 307 TOWNSHIP 7 N, RANGE 44 NORTH, 307 SHORT PLAT, PAGE 3338, RECORDED IN VOLUME 1 OF SHORT PLATS, WASHINGTON, (APASTH0068, 8/18/2011).
 SITE ADDRESS: 193405 E 447 PR SE, KENNEWICK, WA, 99337
 LEGAL ACRES: 6.73 ACRES
 ZONING: RLS

*****NOTICE***
 CALL 811 BEFORE YOU DIG**
 Any proposed permanent or temporary structures including, but not limited to: buildings, fences, signs, etc. within 20' of any PUD/REA facility, such as power lines, power poles, and transformers, require prior approval from the utility company. All easement setback requirements must be met.
 Call 811 three days before you dig.



NAME: DAVIDSON	
Structure Type: ADU	
Application #: 38433	
Parcel #: 1-2980-301-3328-004	
Zone:	
Required Setbacks	
Front:	
Rear:	
Side:	
Side:	
Critical Area:	Flood:
Other:	

ARCHITECTURAL SITE PLAN
 SCALE: 1" = 20'



August 21, 2025

HEM 1.5

Michael Davidson
193407 E 447 PR SE
Kennewick, WA 99337

Email: Mjdadivsonlaw@gmail.com

RE: Written Determination of Completeness
File Number: CUP 2025-014

Dear Mr. Davidson,

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 2025-014) 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

August 21, 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
Kennewick Irrigation District

RE: Agency review of a Conditional Use Permit application
File #: CUP 2025-014
Parcel #: 1-2980-301-3328-004
Applicant: Michael Davidson

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

The applicant is proposing to construct a 780 sq. ft. detached accessory dwelling unit on a parcel with an existing 2,996 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 1-2980-301-3328-004.

PLEASE SUBMIT YOUR COMMENTS to Planning.department@co.benton.wa.us by **September 5, 2025**. Please reference file number **CUP 2025-014** 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

Andrea Watts

HEM 1.7

From: Troy Taylor
Sent: Thursday, August 21, 2025 3:55 PM
To: Andrea Watts
Subject: RE: CUP 2025-014 Davidson Agency Review Request

Building- comply with all current Benton County and fire codes. Up to and including possible change of use in occupancy of building.

From: Andrea Watts <Andrea.Watts@co.benton.wa.us>
Sent: Thursday, August 21, 2025 3:34 PM
To: Cristina Woods <Cristina.Woods@co.benton.wa.us>; Shane Elledge <Richard.Elledge@co.benton.wa.us>; Michael Mace <Michael.Mace@co.benton.wa.us>; Dylan Krantz <Dylan.Krantz@co.benton.wa.us>; Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Troy Taylor <Troy.Taylor@co.benton.wa.us>; Gary Tiplady <Gary.Tiplady@co.benton.wa.us>; Benton Franklin Health District - JoDee Peyton <jodeer@bfhd.wa.gov>; deana.chiodo@bfhd.wa.gov; erin.hockaday@bfhd.wa.gov; Jack Howard <jack.howard@bfhd.wa.gov>; Justin Gerber <justing@bfhd.wa.gov>; scott@bentonone.org; Kennewick Irrigation District - Application and SEPA Review (development@kid.org) <development@kid.org>; Benton PUD - Chad Brooks <brooksc@bentonpud.org>; Angela Richman <richmana@bentonpud.org>
Subject: CUP 2025-014 Davidson Agency Review Request

Good afternoon,

Attached you will find the necessary application materials for Michael Davidson who is requesting a conditional use permit to construct a detached accessory dwelling unit at 1930405 E 447 PR SE, Kennewick, WA 99337.

Please review and provide any comments by September 5, 2025.

Thank you,

Andrea Watts

HEM 1.8

From: Justin Gerber <justing@bfhd.wa.gov>
Sent: Thursday, August 21, 2025 4:39 PM
To: Andrea Watts
Subject: [EXTERNAL] RE: CUP 2025-014 Davidson Agency Review Request
Attachments: 27801 permit.pdf

Andrea,

Attached is septic alteration permit# 27801 for the Davidson ADU. The alteration to the system, to account for the added bedroom in the ADU, has not yet been completed. No further comments.

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 JustinG@bfhd.wa.gov



Follow us on   

From: Andrea Watts <Andrea.Watts@co.benton.wa.us>

Sent: Thursday, August 21, 2025 3:34 PM

To: Cristina Woods <Cristina.Woods@co.benton.wa.us>; Shane Elledge <Richard.Elledge@co.benton.wa.us>; Michael Mace <Michael.Mace@co.benton.wa.us>; Dylan Krantz <Dylan.Krantz@co.benton.wa.us>; Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Troy Taylor <Troy.Taylor@co.benton.wa.us>; Gary Tiplady <Gary.Tiplady@co.benton.wa.us>; JoDee Peyton <Jodeer@bfhd.wa.gov>; Deana Chiodo <deana.chiodo@bfhd.wa.gov>; Erin Hockaday <erin.hockaday@bfhd.wa.gov>; Jack Howard <jack.howard@bfhd.wa.gov>; Justin Gerber <justing@bfhd.wa.gov>; scott@bentonone.org; Kennewick Irrigation District - Application and SEPA Review (development@kid.org) <development@kid.org>; Benton PUD - Chad Brooks <brooksc@bentonpud.org>; Angela Richman <richmana@bentonpud.org>

Subject: CUP 2025-014 Davidson Agency Review Request

Good afternoon,

Attached you will find the necessary application materials for Michael Davidson who is requesting a conditional use permit to construct a detached accessory dwelling unit at 1930405 E 447 PR SE, Kennewick, WA 99337.

Please review and provide any comments by September 5, 2025.

Thank you,

Andrea Watts

From: Angela Richman <richmana@bentonpud.org>
Sent: Monday, August 25, 2025 7:13 AM
To: Andrea Watts
Subject: [EXTERNAL] RE: [E] CUP 2025-014 Davidson Agency Review Request

HEM 1.9

Andrea,

No additional comments from BPUD.

Thank you,
Angela

From: Andrea Watts <Andrea.Watts@co.benton.wa.us>
Sent: Thursday, August 21, 2025 3:34 PM
To: Cristina Woods <Cristina.Woods@co.benton.wa.us>; Shane Elledge <Richard.Elledge@co.benton.wa.us>; Michael Mace <Michael.Mace@co.benton.wa.us>; Dylan Krantz <Dylan.Krantz@co.benton.wa.us>; Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Troy Taylor <Troy.Taylor@co.benton.wa.us>; Gary Tiplady <Gary.Tiplady@co.benton.wa.us>; Benton Franklin Health District - JoDee Peyton <jodeer@bfhd.wa.gov>; deana.chiodo@bfhd.wa.gov; erin.hockaday@bfhd.wa.gov; Jack Howard <jack.howard@bfhd.wa.gov>; Justin Gerber <justing@bfhd.wa.gov>; scott@bentonone.org; Kennewick Irrigation District - Application and SEPA Review (development@kid.org) <development@kid.org>; Chad Brooks <brooksc@bentonpud.org>; Angela Richman <richmana@bentonpud.org>
Subject: [E] CUP 2025-014 Davidson Agency Review Request

[EXTERNAL EMAIL]

Good afternoon,

Attached you will find the necessary application materials for Michael Davidson who is requesting a conditional use permit to construct a detached accessory dwelling unit at 1930405 E 447 PR SE, Kennewick, WA 99337.

Please review and provide any comments by September 5, 2025.

Thank you,

Andrea Watts

From: Shane Elledge
Sent: Monday, August 25, 2025 12:53 PM
To: Andrea Watts
Subject: RE: CUP 2025-014 Davidson Agency Review Request

HEM 1.10

Good afternoon,

Public Works has no comments.

Thank You.



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

From: Andrea Watts <Andrea.Watts@co.benton.wa.us>
Sent: Thursday, August 21, 2025 3:34 PM
To: Cristina Woods <Cristina.Woods@co.benton.wa.us>; Shane Elledge <Richard.Elledge@co.benton.wa.us>; Michael Mace <Michael.Mace@co.benton.wa.us>; Dylan Krantz <Dylan.Krantz@co.benton.wa.us>; Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Troy Taylor <Troy.Taylor@co.benton.wa.us>; Gary Tiplady <Gary.Tiplady@co.benton.wa.us>; Benton Franklin Health District - JoDee Peyton <jodeer@bfhd.wa.gov>; deana.chiodo@bfhd.wa.gov; erin.hockaday@bfhd.wa.gov; Jack Howard <jack.howard@bfhd.wa.gov>; Justin Gerber <justing@bfhd.wa.gov>; scott@bentonone.org; Kennewick Irrigation District - Application and SEPA Review (development@kid.org) <development@kid.org>; Benton PUD - Chad Brooks <brooksc@bentonpud.org>; Angela Richman <richmana@bentonpud.org>
Subject: CUP 2025-014 Davidson Agency Review Request

Good afternoon,

Attached you will find the necessary application materials for Michael Davidson who is requesting a conditional use permit to construct a detached accessory dwelling unit at 1930405 E 447 PR SE, Kennewick, WA 99337.

Please review and provide any comments by September 5, 2025.

Thank you,

Andrea Watts

From: Chris Sittman <CSittman@kid.org>
Sent: Tuesday, August 26, 2025 2:23 PM
To: Andrea Watts
Cc: Wendy Durado
Subject: [EXTERNAL] RE: CUP 2025-014 Davidson Agency Review Request

HEM 1.11

KID has no comments, this is outside of our district boundaries.

Chris D. Sittman
Engineering Dept./CAD Specialist
Kennewick Irrigation District
2015 S. Ely St.
Kennewick, WA 99337
Desk: 509-460-5435
Cell: 509-873-1123

From: Andrea Watts <Andrea.Watts@co.benton.wa.us>
Sent: Thursday, August 21, 2025 3:34 PM
To: Cristina Woods <Cristina.Woods@co.benton.wa.us>; Shane Elledge <Richard.Elledge@co.benton.wa.us>; Michael Mace <Michael.Mace@co.benton.wa.us>; Dylan Krantz <Dylan.Krantz@co.benton.wa.us>; Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Troy Taylor <Troy.Taylor@co.benton.wa.us>; Gary Tiplady <Gary.Tiplady@co.benton.wa.us>; Benton Franklin Health District - JoDee Peyton <jodeer@bfhd.wa.gov>; deana.chiodo@bfhd.wa.gov; erin.hockaday@bfhd.wa.gov; Jack Howard <jack.howard@bfhd.wa.gov>; Justin Gerber <justing@bfhd.wa.gov>; scott@bentonone.org; Development <development@kid.org>; Benton PUD - Chad Brooks <brooksc@bentonpud.org>; Angela Richman <richmana@bentonpud.org>
Subject: CUP 2025-014 Davidson Agency Review Request

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

Good afternoon,

Attached you will find the necessary application materials for Michael Davidson who is requesting a conditional use permit to construct a detached accessory dwelling unit at 1930405 E 447 PR SE, Kennewick, WA 99337.

Please review and provide any comments by September 5, 2025.

Thank you,



HEM 1.12

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 **October 17, 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.

CONDITIONAL USE PERMIT – CUP 2025-014 The applicant, Michael Davidson, is requesting to construct a 780 sq. ft. detached accessory dwelling unit on a parcel with an existing 2,996 sq. ft. single family residence. The project is located at 193407 E 447 PR SE, Kennewick, WA 99337.

VARIANCE PERMIT – VAR 2025-005 The applicants, Daniel and Darla Smatlak, are proposing to install a semi enclosed 20' x 26' x 10' metal carport in the 100-year flood zone and requesting a variance to vent the structure in lieu of elevating it. The project is located at 9107 E Pendleton Road, Benton City, WA 99320.

Questions can be directed to the Planning Division at 509-786-5612 or at planning.department@co.benton.wa.us. Written comments regarding the above applications must be received by **October 14, 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 26th day of September, 2025.

PUBLICATION DATE: October 1, 2025

SUSAN E. DRUMMOND
Benton County Hearings Examiner

MICHELLE L. MERCER, Planning Manager
Community Development Department