



HEM 1.1

STAFF REPORT TO THE BENTON COUNTY HEARINGS EXAMINER Jimenez – Auto Body Paint and Repair Shop

FILE NO: CUP 2025-017

MEMO DATE: November 12, 2025

HEARING DATE: November 21, 2025

APPLICANT: Israel Jimenez, 56605 N Frazier Rd., Benton City, WA 99320.

OWNER: Manuela Duarte, 56803 N Frazier Rd., Benton City, WA 9933.

LOCATION: General Location: The property is located approximately 0.40 miles south of the intersection of Frazier Rd. and Accord Rd. in the Benton City area of unincorporated Benton County, Washington.
Legal: Tract 19 Section 1, Township 9 North, Range 26 E, W.M. Plat Subdivision Kiona-Benton Highlands Div.
Parcel Number: 1-0196-102-0019-002

PROPERTY SIZE: Approximately 2.66 Acres

AREA TO BE USED: 1,200 square feet

LAND USE: Residential

ZONING: Rural Lands Five Acre District (RL-5)

COMPREHENSIVE PLAN DESIGNATION: Rural Remote

RECOMMENDATION:

The Planning Division recommends approval of the application request, subject to the suggested twenty-five (25) Findings of Fact and nine (9) Conditions of Approval as outlined in this staff report.

APPLICATION DESCRIPTION:

The applicant is seeking a Conditional Use Permit (CUP) under BCC 11.11.060(w) which allows business activities in the Rural Lands Five Acre Zoning District (RL-5). If granted, this CUP would allow for the applicants to operate an auto body paint and repair shop in the Benton City area of unincorporated Benton County.

The proposed auto body shop would operate within an existing 1,200 square foot accessory structure (shop). Activities onsite shall be limited to light auto body repairs and a paint spray booth. There are no employees proposed other than the proprietors of the business who live onsite and on the adjacent parcel to the south. Operating hours shall be Monday through Friday 8 am to 5 pm with approximately 1-2 clients visiting the location per week (HEM 1.3).

The application for CUP 2025-017 was submitted to the Benton County Planning Division on October 6, 2025. (HEM 1.3)

The application was declared complete for processing on October 10, 2025. (HEM 1.5)

The application documents were distributed to reviewing agencies on October 10, 2025. (HEM 1.6)

A Mitigated Determination of Non-Significance for EA 2025-021 was issued on October 31, 2025. (HEM 1.7)

The Benton County Hearings Examiner Notice of Open Record Hearing for application CUP 2025-017 was published on November 5, 2025 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 October 30, 2025.

The Open Record Hearing is scheduled for November 21, 2025.

APPLICABLE STANDARDS/ORDINANCES:

1. *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.

2. *Benton County Code (BCC)*

Title 11 Zoning

Chapter 11.03 Definitions

Section 11.03.010 Definitions

(33) "Business activity" means the production or sale of goods, or the sale of services that is clearly incidental and secondary to the use of the property for residential purposes and that complies with the criteria set forth in this title.

Chapter 11.11 Rural Lands Five Acre District (RL-5)

Section 11.11.060 Uses Requiring a Conditional Use Permit

(w) Business activities, other than those set forth above, that are compatible with the principal uses and purpose of the underlying zone and the surrounding land uses may be conducted from within an approved accessory building detached from all dwelling units if the following criteria as well as any other conditions required by the Hearings Examiner are satisfied:

- (1) The business activity must take place on a parcel of land that is 2.0 acres or greater in size.
- (2) There must be a residence on site, and at least one (1) of the proprietors of the business must be the owner or lessee of the property where the business and the residence are located and must reside in said residence.

- (3) No more than four (4) non-resident persons, whether they work on site or not, may be employed by or be partners in the business.
- (4) The business activity, including all storage space, shall not occupy more than two thousand (2,000) square feet of total floor area within the detached accessory building.
- (5) Only one (1) approved detached accessory building on a parcel may be used for business activities. If more than one (1) business will be conducted within an approved detached accessory building, then a separate application must be submitted for each business activity, provided that the total area used by all business activities shall not exceed that permitted by BCC 11.11.060(w)(4).
- (6) No more than two (2) non-illuminating signs, with a maximum area of four (4) square feet each, shall be permitted in connection with the business activity. The posting of such signs is limited to the parcel on which the approved detached accessory building is located. On-street (inside the road right-of-way) sign posting and sign posting which interferes with the line-of-site for road intersections are prohibited.
- (7) Not more than three (3) vehicles marked to identify the business may be on the parcel at any one time. No other onsite outside storage of vehicles, equipment and/or supplies is allowed in connection with the business activity. This prohibition applies to, but is not limited to: lumber, plasterboard, pipe, paint, inoperable vehicles, and heavy equipment that are related to the business.
- (8) The property owner and the proprietor(s) of the business shall comply with all requirements of the Benton County Building Department, the Benton County Fire Marshal, the Benton-Franklin Health District, and all other local, state and federal regulations pertinent to the business activity pursued. The requirements of or permission granted by the Hearings Examiner shall not be construed as an exemption from such regulations.
- (9) Adequate off-street parking, as determined by the Hearings Examiner, must be provided.
- (10) Any waste created as a result of the business activity must be disposed of off-site in compliance with all local, state and/or federal regulations.
- (11) The presence of customers/clients and non-resident employees at the location of the business activity shall be limited to the days and hours of operation as determined by the Hearings Examiner.
- (12) The business activity does not require a marijuana processor or retailer license from the Washington State Liquor Control Board.

Chapter 11.50.040 Conditional Use.

Section 11.50.040 (a) Conditional Use Permit- General Standards.

The conditional use permit application process allows the Hearings Examiner to review the location and design of certain proposed uses, the configuration of improvements, and the potential impacts on the surrounding area. The application process also allows the Hearings Examiner to ensure that development in each zoning district protects the integrity of that district. The notice, hearing, decision, and enforcement procedures are as set forth herein and in BCC 11.50.050.

Certain uses are classified as conditional uses because of their unusual nature, infrequent occurrence, special requirements, or potentially significant impacts to the environment, public infrastructure, or adjacent properties, and/or possible safety hazards and other similar reasons.

Once granted, a conditional use permit may be transferred by a holder thereof after written notice to the Hearings Examiner; provided the use and location must remain the same and the transferee must continue to comply with the conditions of the permit and, if applicable, the requirements set forth in Chapter 11.51 BCC.

Section 11.50.040 (d) Conditional Use Permit- Permit Granted Or Denied.

A conditional use permit shall be granted only if the Hearings Examiner can make findings of fact based on the evidence presented sufficient to allow the Hearings Examiner to conclude that, as conditioned, the proposed use:

- (1) Is compatible with other uses in the surrounding area or is no more incompatible than are any other outright permitted uses in the applicable zoning district.
- (2) Will not materially endanger the health, safety, and welfare of the surrounding community to an extent greater than that associated with any other permitted uses in the applicable zoning district.
- (3) Would not cause the pedestrian and vehicular traffic associated with the use to conflict with existing and anticipated traffic in the neighborhood to an extent greater than that associated with any other permitted uses in the applicable zoning district.
- (4) Will be supported by adequate service facilities and would not adversely affect public services to the surrounding area; and
- (5) Would not hinder or discourage the development of permitted uses on neighboring properties in the applicable zoning district as a result of the location, size or height of the buildings, structures, walls, or required fences or screening vegetation to a greater extent than other permitted uses in the applicable zoning district.

It is the applicant's burden to present sufficient evidence to allow the above conclusions to be made. If such evidence is not presented or all necessary reasonable conditions are not identified by the applicant so as to allow the Hearings Examiner to make the conclusions required above, the conditional use application shall be denied.

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.

PUBLIC COMMENTS:

1. The Notice was mailed to property owners of record within 300 feet of the outer boundaries of the parcel on October 30, 2025.

AGENCY COMMENTS:

1. The application documents were distributed to the following reviewing agencies on October 10, 2025:
 - a. Benton County Public Works Department
 - b. Benton County Code Enforcement
 - c. Benton-Franklin Health District
 - d. Benton County Fire District #2
 - e. Benton County Building Division
 - f. Benton County Fire Marshal
 - g. Benton PUD
 - h. Benton Irrigation District
 - i. Benton County Rural Water Supply Program
2. The following comment was received from the **Benton County Building Division** on October 13, 2025 (HEM 1.9):
 - a. Project must comply with all current Benton County building and fire codes, up to and including possible change of use in occupancy of the building to be utilized.
 - b. Please contact the Building Division at (509) 735-3500 for more information.
3. The following comment was received from the **Benton County Fire Protection District #2** on October 16, 2025 (HEM 1.11):
 - a. There are no issues as long as the structure is constructed/retrofitted per the current fire code for the type of occupancy/use and that emergency vehicle access is installed per code as well.
 - b. Please contact the Benton County Fire Protection District #2 for more information.
4. The following comment was received from the **Benton County Fire Marshal** on October 24, 2025 (HEM 1.12):
 - c. The proposed Auto Body Repair Shop with a Spray Booth will be required to comply with chapter 24 of the International Fire Code and NFPA 33. Included with the requirements will be installing an engineered automatic fire suppression system, and an automatic exhaust system that interlocks with the spraying apparatus. These systems among many other requirements will be reviewed and approved by the Benton County Fire Marshal. Also required will be detailed plans prepared by a fire protection engineer.
 - d. Please contact Benton County Fire Marshal at (509) 735-3500 for more information.
5. The following comment was received from the **Benton Public Utility District** on October

27, 2025 (HEM 1.13):

- a. Please contact Benton PUD at (509) 582-2175 if power is needed to shop.

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 2025-017 will need to be considered by the Hearings Examiner and may be added to the suggested Findings of Fact and Conditions of Approval as set forth below. The Hearings Examiner may decide to adopt these as their own or amend/add to these Findings of Fact and Conditions of Approval after holding the open public hearing.

Based on the information received to date, Planning staff recommends approval of the applicant's request with the following suggested findings of fact and conditions of approval:

SUGGESTED FINDINGS OF FACT

1. The applicant is seeking a Conditional Use Permit (CUP) under BCC 11.11.060(w) which allows business activities in the Rural Lands Five Acre Zoning District (RL-5).
2. If granted, this CUP would allow the applicant to operate an auto body paint and repair shop.
3. The applicant is Israel Jimenez, 56605 N Frazier Rd., Benton City, WA 99320.
4. The owners are Manuela Duarte, 56803 N Frazier Rd., Benton City, WA 99320.
5. The site is located approximately 0.40 miles south of the intersection of Frazier Rd. and Accord Rd. in the Benton City area of unincorporated Benton County, Washington.
6. The subject parcel is approximately 2.66 acres in size.
7. The parcel is legally described as Tract 19 Section 1, Township 9 North, Range 26 E, W.M. Plat Subdivision Kiona-Benton Highlands Div.
8. The proposed business use will occur within a 1,200 square foot accessory structure (shop).
9. Activities onsite shall include light auto body repairs and a paint spray booth.
10. The proprietors of the business who live onsite and on the adjacent parcel to the south are the only employees proposed.
11. Operating hours shall be Monday through Friday 8 am to 5 pm with approximately 1-2 clients visiting the location per week.
12. The property is zoned Rural Lands Five Acre District (RL-5).
13. No more than four (4) non-resident persons, whether they work on site or not, may be employed by or be partners in the business.
14. A Mitigated Determination of Non-Significance for EA 2025-021 was issued on October 31, 2025.

15. Public notice and application requirements have been met per BCC 11.50 Variance and Conditional Use.
16. The proposed business use is allowable by Conditional Use Permit if approved by the Benton County Hearings Examiner.
17. The proposed business use complies with Benton County Building Division standards and requirements.
18. The application for CUP 2025-017 is consistent with the Growth Management Act.
19. The application for CUP 2025-017 is consistent with the goals and policies of the Benton County Comprehensive Plan.
20. The application for CUP 2025-017 is consistent with the requirements of the Benton County Zoning Code.
21. The proposed business use 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.
 - a. Subject to potential mitigating measures as determined by the Hearings Examiner.
22. The proposed business use 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.
23. The pedestrian and vehicular traffic caused by the proposed business use 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.
24. The proposed business use will not adversely affect public services to the surrounding area.
25. The proposed business use 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.
 - a. Subject to potential mitigating measures as determined by the Hearings Examiner.

SUGGESTED CONDITIONS OF APPROVAL

1. The activities on the site shall comply with the submitted site plan and materials submitted for this application, including but not limited to:
 - a. Benton County Conditional Use Permit application.
 - b. SEPA Checklist.
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. All auto body repairs, painting activities, and storage of all products, materials, equipment, and vehicles shall be inside the 1,200 square foot accessory building only. No use of additional buildings, or outdoor storage and/or business activities shall be permitted.

4. Any proposed outdoor lighting associated with this CUP shall be directed downward to avoid unnecessary glare on neighboring parcels.
5. The proposed business must comply with BCC 11.11.060(w) while CUP 2025-017 is in effect.
6. All required development permits shall be obtained and final approvals granted prior to the commencement of business activities. This includes approval of permits required by the following, as applicable:
 - a. Benton County Building Division; for building permits.
 - b. Benton County Fire Marshal; for fire and safety regulations.
 - c. Benton Franklin Health District.
 - d. Benton Clean Air Agency.
7. The applicant shall meet and comply with the following mitigating conditions for EA 2025-021:
 - a. The Benton Clean Air Agency requires the applicant to submit a Notice of Construction (NOC), the appropriate filing and engineering fees, and receive approval to operate prior to operation of the source.
8. Future construction or activities associated with this conditional use require review under the Benton County Zoning Ordinance. Applicants shall contact the Planning Division prior to any construction or changes in activities on site.
9. The project facility shall follow the rules and regulations of the Benton-Franklin Health District at all times, including standards for drinking water, on-site sewage systems, and BFHD standards.

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 not transferrable by the holder.

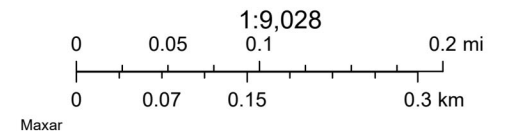
VIOLATIONS OF CONDITIONS OF APPROVAL:

The applicant/owner shall continue to meet all conditions of this Conditional Use Permit while CUP 2025-017 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.



10/6/2025, 4:57:04 PM



Community Development Department

Prosser Office: 620 Market Street, 1st Floor
Kennewick Office: 102206 East Wisner Parkway
www.bentoncountywa.gov



Planning Division

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

RECEIVED

OCT 06 2025

Benton County
Planning Division

CONDITIONAL USE PERMIT APPLICATION

File No. CWP 2025-017

APPLICANT INFORMATION

Please check the box indicating primary contact person for this application

Name of Applicant/Agent: Israel Jimenez
 Mailing Address (with City, State & zip): 56605 N Fraizer Rd Benton City 99320 WA
 Phone #1: 509-542-6416 Phone #2: _____
 Email Address(es): israelduarte211986@gmail.com
 Signature: [Signature] Date: 8/19/2025

Name of Property Owner(s) (if different): Teodulo Jimenez
 Mailing Address (with City, State & zip): 56803 N Fraizer Rd Benton City 99320 WA
 Phone #1: 509-832-4434 Phone #2: _____
 Email Address(es): jjmenezcontractors60@gmail.com
 Signature: [Signature] Date: 8/19/25
 Signature: Manuela Duarte Date: 8/19/25

*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

Applicant/Legal Owner name: _____

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): 56803 N Fraizer Rd Benton City WA 99320

2. Parcel number(s): 101961020019002

3. Total Acreage: 2.6 ac

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 Yes
Provider name: _____

Irrigation: No Yes
Provider name: Benton Irrigation District

6. Current use(s) on property: Residential

7. What are you proposing to do that requires a Conditional Use Permit? Use shop to repair & paint cars

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.



RECEIVED

OCT 06 2025

Benton County
Planning Division

CONDITIONAL USE PERMIT APPLICATION ADDENDUM

BUSINESS ACTIVITIES/USE

File No. CVP 2025-017 Applicant Name: Israel Jimenez

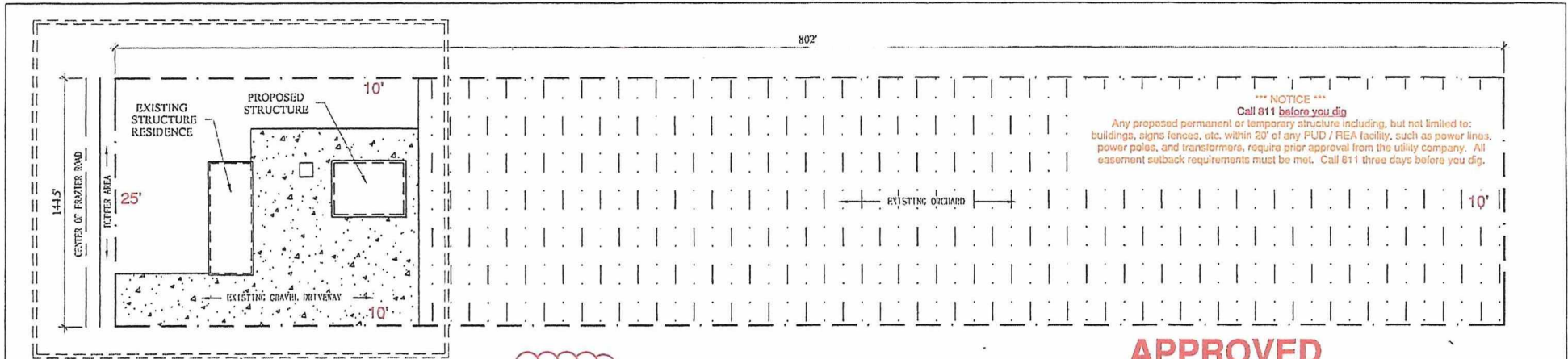
- Type of business you wish to operate on the property: Auto Body Shop
- Is there a single-family dwelling currently on the property? Yes No
If yes, please list the names of those living in the home. Manuela Duarte, Teodoro Jimenez
Viviane Jimenez
- Who are the proprietors of the business? Israel Jimenez
- Where on the property will the business be conducted? The shop
- Square footage of the accessory building where the business will be conducted 1700ft²
- Does the landowner currently have any other land use permits? No
- Size and type of signage to be used: Currently there are no signs
- Estimated number of visitors to the property on a daily & weekly basis: 2 people per week
- Number of employees who do not live on site: No employees
- Number of off-street parking spaces available: None
- Hours of operation for the business: 8am - 5pm M-F
- Do you plan to have outdoor lighting, site screening or fencing? Yes No
If yes, please describe where it will be, what kind, etc. _____

Additional Information:

Please provide a site plan that includes the following:

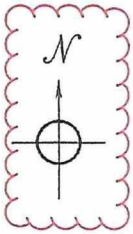
- Outer boundaries and dimensions of the property including access points
- All existing and planned improvements (including accessory buildings, septic, wells, drainfields, etc)
- Location of roads, easements, etc.
- Where parking will be for the main home and the business

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.



***** NOTICE *****
Call 811 before you dig
 Any proposed permanent or temporary structure including, but not limited to: buildings, signs, fences, 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: JIMENEZ & DUARTE-Site Plan	
Structure Type: RG	
Application #: 97668	
Parcel #: 1-0196-102-0019-002	
Zone:	
Required Setbacks	
Front:	
Rear:	
Side:	
Other:	
Critical Area:	Flood:
Other:	
* PLEASE CALL 735-3500 FOR QUESTIONS *	

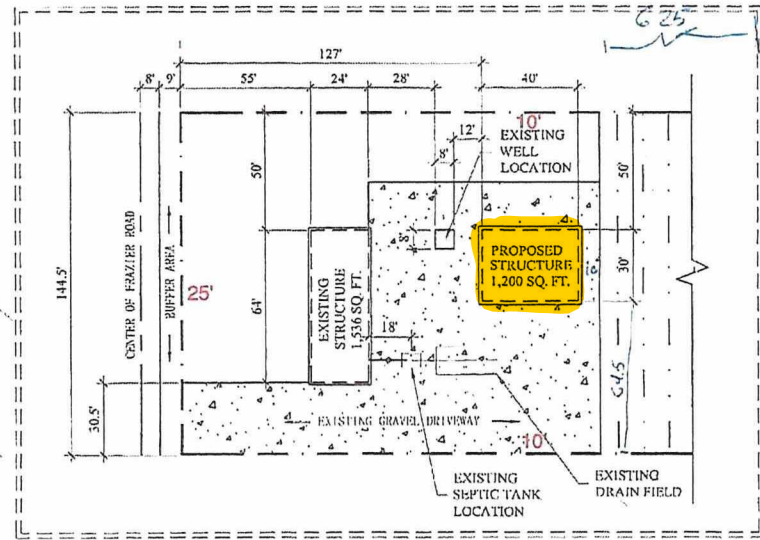


SITE PLAN
 SCALE: NTS

BO

APPROVED
 SEE PLANNING REVIEW TABLE FOR PROJECT SPECIFIC SETBACKS AND CRITICAL AREA INFORMATION.
 BY: LK DATE: 07/31/2023
 BENTON COUNTY PLANNING DIVISION

PARCEL ADDRESS: 56803 N. FRAZIER ROAD, BENTON CITY, WA 99320
LEGAL: 1978 CHAMPION VAN DYKE 24 X 64 (TITLE ELIMINATED 2022-03-24 10/27/2022); SECTION 1 TOWNSHIP 9 RANGE 26 KIONA BENTON HIGHLANDS, #1 SOUTH 144.5 E80FT, TRACT 19 Section 01 Township 09 Range 26 Plat Subdivision KIONA-BENTON HIGHLANDS DIV #1 TTS 1-3, 8-13 & 18-2
PARCEL NUMBER: 10196102001900
USE CODE: 18
LOT SIZE: 2.66 ACRES (115,869 SQ. FT.)
PROPOSED STRUCTURE: 1,200 SQ. FT.
LOT COVERAGE: 2%



SITE PLAN
 SCALE: 1" = 50'

NO BUILDING ON ESMTS
25' FROM ALL ACCESS ESMTS

DM DRAFTING SERVICES
 MERCAD023@CHARTER.NET
 YAKIMA, WA 98902
 509-909-1857

GENERAL CONTRACTOR IS RESPONSIBLE TO VERIFY ALL DIMENSIONS AND CHECK DRAWINGS FOR ANY DISCREPANCY IN PLANS TO BE BROUGHT TO DM DRAFTING SERVICES ATTENTION PRIOR TO PROCEEDING TO CONSTRUCTION.

Community Development Department
102206 E Wiser Parkway
Kennewick, WA 99338



Planning Division
(509) 786-5612
Planning.department@co.benton.wa.us

HEM 1.5

October 10, 2025

Israel Jimenez
56605 N Fraizer Road
Benton City, WA 99320

Via Email: israelduarte211986@gmail.com

RE: Written Determination of Completeness
File Number(s): CUP 2025-017 and EA 2025-021

Dear Mr. Jimenez,

This office is in receipt of your Conditional Use Permit application and SEPA Environmental Checklist to operate an auto body repair and paint shop in the Benton City area of unincorporated, Benton County, Washington. We have determined that the required materials have been submitted and the application is complete. File numbers (CUP 2025-017 and EA 2025-021) have been assigned 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,

Andrea Watts - Senior Planner
Benton County Community Development Department
Planning Division

Cc: jimenezcontractors60@gmail.com



HEM 1.6

October 10, 2025

Benton County Building Division
Benton County Code Enforcement
Benton County Fire District #2
Benton County Fire Marshal
Benton County Public Works Department
Benton County Rural Water Supply Coordinator
Benton-Franklin Health District
Benton Irrigation District
Benton PUD

RE: Agency review of a Conditional Use Permit application
File #: CUP 2025-017
Parcel #: 1-0196-102-0019-002
Applicant: Israel Jimenez

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

The applicant is proposing to operate an auto body paint and repair shop out of an existing 1,200 sq. ft. shop on a parcel with an existing 1,536 sq. ft. single family residence. The project is located in the Benton City area of unincorporated Benton County within the Rural Lands 5-Acre District. Parcel number 1-0196-102-0019-002.

PLEASE SUBMIT YOUR COMMENTS to Planning.department@co.benton.wa.us by **October 24, 2025**. Please reference file number **CUP 2025-017** 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



MITIGATED DETERMINATION OF NON-SIGNIFICANCE

HEM 1.7

Proponent:

Israel Jimenez
56605 N Fraizer Road
Benton City, WA 99320

File No. EA 2025-021

Benton County has received a permit application for the following project:

A proposal to operate an auto body paint and repair shop within an existing 1,200 sq. ft. shop in the Rural Lands 5 Acre Zoning District.

Project Location:

The project is located at 56803 N Frazier Road in the Benton City area of unincorporated Benton County. The parcel is legally described as Section 01, Township 09 North, Range 26 East, W. M. Parcel number 1-0196-102-0019-002.

Jurisdiction: Benton County, Washington

Lead Agency: Benton County Planning Division

Threshold Determination: The lead agency for this proposal has determined that it will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c), provided that the following measures are taken to mitigate potential adverse impacts. Substantive authority to require mitigation is derived from WAC 197-11-660 and Benton County Code, Chapter 6.35.120. The decision was made after review of a completed environmental checklist, comments received from various agencies and other information on file with the lead agency. This information is available to the public on request.

Conditions/Mitigating Measures: See attached conditions. Benton County has received timely comments and determined that such conditions are necessary to mitigate specific adverse impacts.

Appeals: You may appeal this determination to the Benton County Planning Division at 102206 E Wiser Parkway, Kennewick, WA 99338, no later than Friday November 14, 2025, by written notice. The fee for a threshold determination appeal is \$800.00. An appeal of the determination must be made in writing to the Benton County Planning Division and a public hearing will be scheduled and the appellant will be notified of the date, time, and place. You should be prepared to make specific factual objections. Contact the Planning Division to read or ask about the procedures for SEPA appeals.

SEPA Responsible Official: Greg Wendt

Position/Title: Community Development Director

Address: 102206 E Wiser Parkway, Kennewick, WA 99338.

Date: October 31, 2025



Greg Wendt, Community Development Director
Benton County Community Development Department

CONDITIONS/MITIGATION MEASURES

File No. EA 2025-021 – Auto Body Paint and Repair shop

Applicant: Israel Jimenez
56605 N Fraizer Road
Benton City, WA 99320

The environment threshold determination and conditions are based on an analysis of information contained in the file and the following documents.

1. Benton County, BCC Title 6.35 Environmental Policy (SEPA);
2. Benton County, BCC Title 11, Zoning;
3. Benton County Comprehensive Plan;
4. Benton County, BCC Title 15 Critical Area Ordinance;
5. Benton County, BCC Title 3 Building Code, Fire Code, and Road Standards; and
6. Regulations of the Washington State Department of Fish and Wildlife, Department of Ecology, Department of Natural Resources, and Department of Archaeology and Historic Preservation.

Findings:

1. Location:
 - a. The project is located at 56803 N Frazier Road in the Benton City area of unincorporated Benton County. The parcel is legally described as Section 01, Township 09 North, Range 26 East, W. M. Parcel number 1-0196-102-0019-002.
2. Scope of work:
 - a. Applicant wishes to operate an auto body paint and repair shop within an existing 1,200 sq. ft. shop.
3. The applicant submitted the following materials for the SEPA review process:
 - a. SEPA Environmental Checklist dated October 10, 2025.
4. Benton County, BCC Title 11, Zoning:
 - a. The zoning designation for the project area is Rural Lands 5 Acre Zoning District (RL5). This zoning district permits Business Activities with a Conditional Use Permit.
5. Benton County Comprehensive Plan:
 - a. The project area is designated Rural Remote in the Benton County Comprehensive Plan.
6. Benton County, BCC Title 15, Critical Area Ordinance:
 - a. Upon completion of a review of BCC Title 15 and the Benton County Critical Area Maps, the project site does not contain FEMA designated flood zones, wetlands, critical aquifer recharge areas, priority habitat areas, or geologically hazardous areas.
 - b. Wetlands: None identified.
 - c. Critical Aquifer Recharge Area: None identified.
 - d. Fish and Wildlife Habitat Conservation Area: None identified.
 - e. Frequently Flooded Areas: None identified.
 - f. Geologically Hazardous Areas: None Identified.
7. The following comment was received by the Benton Clean Air Agency on October 13, 2025:
 - a. It has come to our attention that you are reviewing a proposal for paint booth facility in Benton City. We would like to take this opportunity to provide information to ensure that future applicants follow proper procedures for permitting a surface coating facility within Benton County.
 - b. Washington Administrative Code (WAC) 173-400-110 New source review for sources and portable sources, including the operations described above, may require:
 - (2) Approval requirements.
 - (a) A notice of construction application must be filed, and an order of approval must be issued by the permitting authority prior to the establishment of any new source.
 - c. Benton Clean Air Agency Regulation 1 requires that this facility must first file a Notice of Construction (NOC), submit the appropriate filing and engineering fees, and receive an approval to

operate prior to operation of the source.

d. For more information, please contact the Benton Clean Air Authority at (509) 783-1304.

8. The following comment was received by the Benton County Building Division on October 13, 2025:

a. The applicant must comply with all current Benton County building and fire codes.

b. For more information, please contact the Benton County Building Division at (509) 735-3500.

Conditions:

The applicant is responsible for providing the Planning Division with verification and approval of any listed conditions. The applicant shall meet and comply with the following mitigating conditions for this Mitigated Determination of Non-Significance (MDNS).

1. Meet and comply with the Benton County Planning Division requirements which include:

a. Prior to issuance of any development permits, the applicant must obtain any required permits from the Benton Franklin Health District, Benton County Building Division, and Benton County Planning Division.

2. Meet and comply with the Benton Clean Air Agency's requirement of submitting a Notice of Construction (NOC), the appropriate filing and engineering fees, and receive approval to operate prior to operation of the source.

Nikki Relyea

From: Rural Water Supply Program
Sent: Friday, October 10, 2025 2:04 PM
To: Planning Department
Subject: RE: Agency Review - CUP 2025-017 (Auto Body Shop)

HEM 1.8

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon,

Rural Water Supply Program has no comments on CUP 2025-017 (Auto Body Shop).

Thank you,

Nikki Relyea

From: Troy Taylor
Sent: Monday, October 13, 2025 8:45 AM
To: Planning Department
Subject: RE: Agency Review - CUP 2025-017 (Auto Body Shop)

HEM 1.9

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

From: Planning Department <Planning.Department@co.benton.wa.us>
Sent: Friday, October 10, 2025 10:01 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>; Firechief@bcfpd2.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>; Rural Water Supply Program <Rural.Water@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>; deana.chiodo@bfhd.wa.gov; Benton Irrigation District - Jason Blanchard (bidblanchard@gmail.com) <bidblanchard@gmail.com>; bidmitchell@frontier.com; Benton PUD - Chad Brooks <brooksc@bentonpud.org>
Subject: Agency Review - CUP 2025-017 (Auto Body Shop)

Good morning,

Attached you will find the necessary application materials for Israel Jimenez who is requesting a Conditional Use Permit to operate an auto body paint and repair shop out of an existing 1,200 sq. ft. shop at 56803 N Frazier Road in Benton City.

Please review and provide any comments by **October 24, 2025.**

This project will also be associated with a SEPA Environmental checklist which will have a separate file number and comment period.

Have a wonderful rest of your day,

Nikki Relyea

Permit Technician

Benton County Community Development Department

Planning Division

Nikki.Relyea@co.benton.wa.us

Planning.Department@co.benton.wa.us

(509) 786-5612



Nikki Relyea

From: Shane Elledge
Sent: Monday, October 13, 2025 1:48 PM
To: Planning Department
Subject: RE: Agency Review - CUP 2025-017 (Auto Body Shop)

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: Planning Department <Planning.Department@co.benton.wa.us>
Sent: Friday, October 10, 2025 10:01 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>; Firechief@bcfpd2.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>; Rural Water Supply Program <Rural.Water@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>; deana.chiodo@bfhd.wa.gov; Benton Irrigation District - Jason Blanchard (bidblanchard@gmail.com) <bidblanchard@gmail.com>; bidmitchell@frontier.com; Benton PUD - Chad Brooks <brooksc@bentonpud.org>
Subject: Agency Review - CUP 2025-017 (Auto Body Shop)

Good morning,

Attached you will find the necessary application materials for Israel Jimenez who is requesting a Conditional Use Permit to operate an auto body paint and repair shop out of an existing 1,200 sq. ft. shop at 56803 N Frazier Road in Benton City.

Please review and provide any comments by **October 24, 2025.**

This project will also be associated with a SEPA Environmental checklist which will have a separate file number and comment period.

Have a wonderful rest of your day,

Nikki Relyea

From: Dennis Bates <Firechief@bcfpd2.org>
Sent: Thursday, October 16, 2025 4:14 PM
To: Planning Department
Subject: [EXTERNAL] RE: Agency Review - CUP 2025-017 (Auto Body Shop)

HEM 1.11

Nikki,

No issues as long as the structure is constructed / retrofitted per the current fire code for the type of occupancy /use and that emergency vehicle access is installed per code as well. I spoke with Fire Marshal Tiplady and he has or will be outlining these applicable requirements.

Thank you,

Dennis Bates
Fire Chief
Benton Co. Fire Protection Dist. No.2
W- (509) 588-3212
F- (509) 588-4343
C- (509) 727-7671
dbates@bcfpd2.org



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Fire Marshal Comments:

October 24, 2025

HEM 1.12

Nikki,

The proposed Auto Body Repair Shop with a Spray Booth will be required to comply with chapter 24 of the International Fire Code and NFPA 33. Included with the requirements will be installing an engineered automatic fire suppression system, and an automatic exhaust system that interlocks with the spraying apparatus. These systems among many other requirements will be reviewed and approved by the Benton county Fire Marshal. Also required will be detailed plans prepared by a fire protection engineer.

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

Re: CUP 2025-017, Jimenez

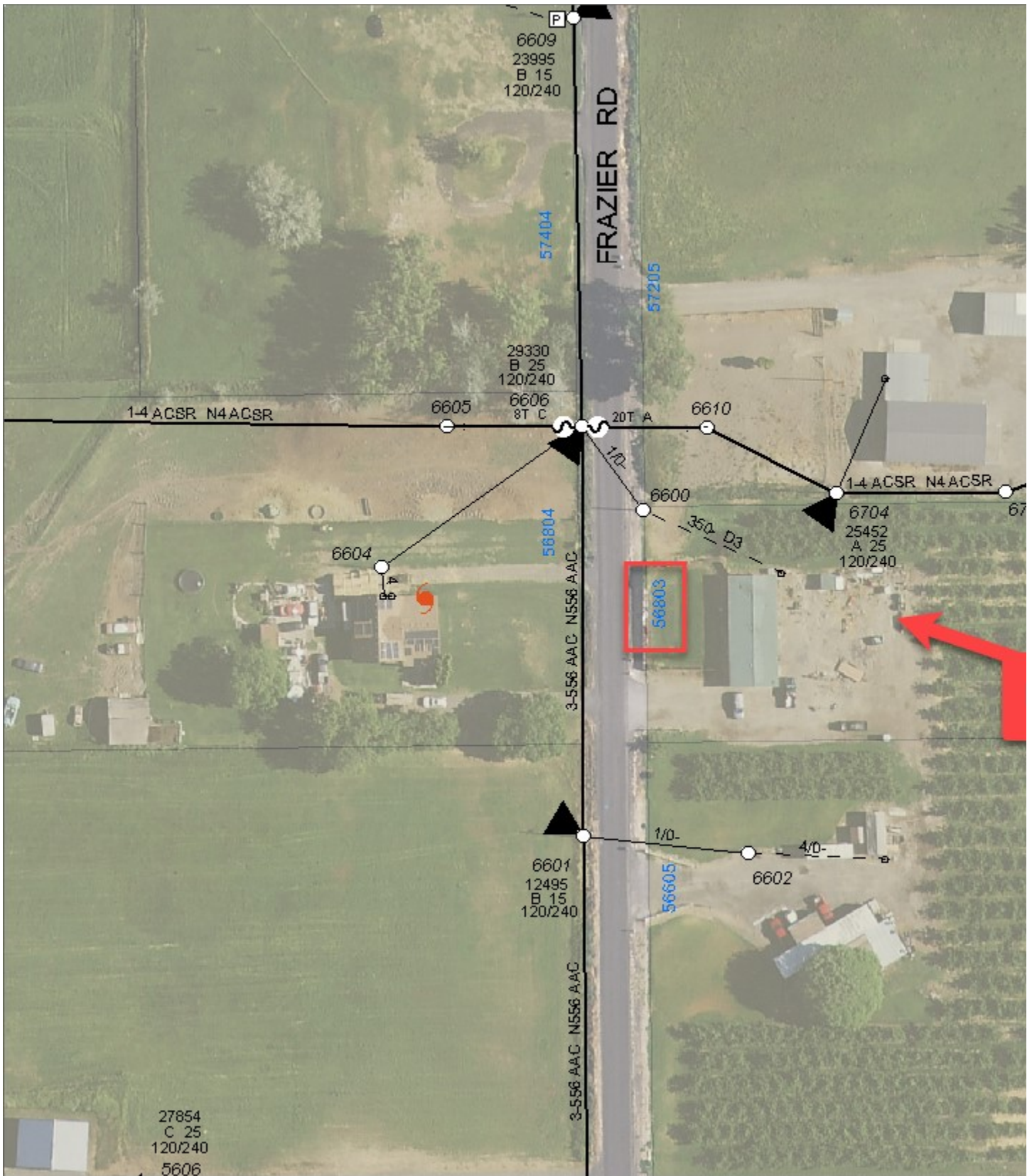
Gary Tiplady
Benton County Fire Marshal
Building Inspector II
509-735-3500
Gary.Tiplady@co.benton.wa.us

Nikki Relyea

From: Chad Brooks <brooksc@bentonpud.org>
Sent: Monday, October 27, 2025 7:58 AM
To: Planning Department
Subject: [EXTERNAL] RE: [E] Agency Review - CUP 2025-017 (Auto Body Shop)

Please contact Benton PUD if power is needed to shop. (509)582-1230 or engservice@bentonpud.org

Below is screen shot of BPUD map of property.



Chad Brooks
 Distribution Design Tech II
 Benton PUD
 Email: brooksc@bentonpud.org
 Main # (509)582-2175

Nikki Relyea

From: Cristian Gonzalez <cristiang@bfhd.wa.gov>
Sent: Monday, October 27, 2025 11:59 AM
To: Nikki Relyea
Subject: [EXTERNAL] Agency Review - CUP 2025-017 (Auto Body Shop)

Hello Nikki,

Apologies for the delay I was verifying the septic records for the property as we had it prior to the sp of that lot.

It looks like the records were for the 56605 N Frazier Rd. in Benton City. We have no comments for the 56803 N Frazier from the onsite sewage point of view.

Thank you for your time

Cristian Gonzalez

Environmental Health Specialist II
Land Use, Sewage and Water Section

Benton-Franklin Health District

7102 W. Okanogan Place,
Kennewick, WA 99336
p: 509.460.4313

www.bfhd.wa.gov cristiang@bfhd.wa.gov



Follow us on   

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

Sent: Friday, October 10, 2025 10:01 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>; Firechief@bcfpd2.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>; Rural Water Supply Program <Rural.Water@co.benton.wa.us>; JoDee Peyton <Jodeer@bfhd.wa.gov>; Erin Hockaday <erin.hockaday@bfhd.wa.gov>; Jack Howard <jack.howard@bfhd.wa.gov>; Deana Chiodo <deana.chiodo@bfhd.wa.gov>; Benton Irrigation District - Jason Blanchard (bidblanchard@gmail.com) <bidblanchard@gmail.com>; bidmitchell@frontier.com; Benton PUD - Chad Brooks <brooksc@bentonpud.org>

Subject: Agency Review - CUP 2025-017 (Auto Body Shop)

Good morning,

Attached you will find the necessary application materials for Israel Jimenez who is requesting a



HEM 1.15

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 **November 21, 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 2025-015 The applicants, Jonathan and Susan Los, are requesting to construct a 600 sq. ft. detached accessory dwelling unit on a parcel with an existing 1,716 sq. ft. single family residence. The project is located at 24805 S Finley Road, Kennewick, WA 99337.

CONDITIONAL USE PERMIT – CUP 2025-016 The applicant, Marco Valdez on behalf of Marjon Holdings LLC., is requesting to construct a 778 sq. ft. detached accessory dwelling unit on a parcel with an existing 2,066 sq. ft. single family residence. The project is located at 10906 S Cottonwood Drive, Kennewick, WA 99338.

CONDITIONAL USE PERMIT – CUP 2025-017 The applicant, Israel Jimenez, is requesting to operate an auto body paint and repair shop out of an existing 1,200 sq. ft. shop on a parcel with an existing 1,536 sq. ft. single family residence. The project is located at 56803 N Frazier Road, Benton City, WA 99320.

CONDITIONAL USE PERMIT – CUP 2025-018 The applicant, Knutzen Engineering on behalf of 5D Development, is requesting to construct a 52,490 sq. ft. indoor pickleball facility and a 131 space parking lot. The proposed project is located at 107855 E Detrick PR SE, Kennewick, WA 99338.

CONDITIONAL USE PERMIT – CUP 2025-019 The applicants, Donald and Christy Williams, are requesting to construct an 800 sq. ft. detached accessory dwelling unit on a parcel with an existing 2,100 sq. ft. single family residence. The project is located at 56703 N Demoss Road, Benton City, WA 99320.

CONDITIONAL USE PERMIT – CUP 2025-020 The applicant, Hanson Real Estate Group Inc., is requesting to construct an 800 sq. ft. detached accessory dwelling unit on a parcel with an existing 2,124 sq. ft. single family residence. The project is located at 1202 N Williams Street, Kennewick, WA 99336.

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 **November 18, 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 31st day of October, 2025.

PUBLICATION DATE: November 5, 2025

SUSAN E. DRUMMOND
Benton County Hearings Examiner

GREG WENDT, Director of Community Development
Benton County Community Development Department