





# HEM 1.1

**STAFF REPORT TO THE  
BENTON COUNTY HEARINGS EXAMINER  
Joshua and Marcia Walton ADU  
Detached Accessory Dwelling Unit**

**FILE NO:** CUP 2026-006

**MEMO DATE:** March 17, 2026

**HEARING DATE:** April 17, 2026

**APPLICANTS/OWNERS:** Joshua and Marcia Walton, 50610 N Evert Rd Benton City, WA 99320.

**LOCATION:** General Location: The property is located immediately northwest of the intersection of Corral Creek Rd and Evert Rd in the Benton City area of unincorporated Benton County.  
Address: 50610 N Evert Rd Benton City, WA 99320.  
Legal: That portion of Tracts 56 and 57 of Kiona Benton Highlands in Section 1, Township 9N, Range 26E, W.M.  
Parcel Number: 101963020057000

**PROPERTY SIZE:** Approximately 6.10 Acres

**AREA TO BE USED:** 800 square feet

**LAND USE:** Residential

**ZONING:** Rural Lands Five-Acre District

**COMPREHENSIVE PLAN DESIGNATION:** Rural Remote

**RECOMMENDATION:**

The Planning Division recommends approval of the application request, subject to the suggested twenty-two (22) Findings of Fact and six (6) Conditions of Approval as outlined in this staff report.

**APPLICATION DESCRIPTION:**

The applicant is seeking a Conditional Use Permit (CUP) under BCC 11.42.020(c)(1) to construct an 800 square foot detached Accessory Dwelling Unit (ADU) on a property located in the Rural Lands Five-Acre District.

The first floor ADU is proposed to be constructed southeast of the existing 2,120 square foot single-family residence. The proposed structure will be located on a 6.10-acre parcel in the Benton City area of unincorporated Benton County. (HEM 1.4)

The application for CUP 2026-006 (HEM 1.3) was submitted to the Benton County Planning Division on February 27, 2026.

The application was declared complete for processing on March 2, 2026. (HEM 1.5)

The application documents were distributed to reviewing agencies on March 2, 2026. (HEM 1.6)

The Benton County Hearings Examiner Notice of Open Record Hearing for application CUP 2026-006 was published on April 1, 2026 in the Prosser Record Bulletin. (HEM 1.9)

The Notice was mailed to property owners of record within 300 feet of the outer boundaries of the parcel on March 27, 2026

The Open Record Hearing is scheduled for April 17, 2026.

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

1. *Revised Code of Washington*  
Chapter 36.70A.400 Growth Management—Planning by Selected Counties and Cities  
Any local government, as defined in RCW 43.63A.215, that is planning under this chapter shall comply with RCW 43.63A.215(3).

#### RCW 43.63A.215(3) Accessory apartments—Development and placement—Local governments

Unless provided otherwise by the legislature, by December 31, 1994, local governments shall incorporate in their development regulations, zoning regulations, or official controls the recommendations contained in subsection (1) of this section. The accessory apartment provisions shall be part of the local government's development regulation, zoning regulation, or official control. To allow local flexibility, the recommendations shall be subject to such regulations, conditions, procedures, and limitations as determined by the local legislative authority.

2. *Benton County Comprehensive Plan*  
3.3.2.3 Rural Land Use Designations

Rural Remote is the predominant rural land use in the County. This land is located mostly between the agricultural lands (GMA Agriculture), Rural Transition, and the UGAs. Rural Remote land use is intended to enhance and preserve the County's rural character, which includes rural open space, low densities, wildlife habitat, public open space for outdoor recreational activities, and rural home sites on which a limited range of agricultural activities may be conducted. Allowable density in Rural Remote land use is 1DU/5acres.

#### Section 2.7 Housing

HE Goal 1: Provide for a variety of residential uses and densities consistent with the rural character and lifestyles and a choice of housing types for people of all income levels.

Policy 7: Consider accessory dwelling units as an affordable housing option and look for flexible and innovative ways of integrating accessory dwelling units into single family residential zones.

Section 6.4.2 Housing Types

Accessory Dwelling Units. The zoning code permits the establishment of additional living quarters within single family residences to permit persons who, due to a disability or an infirmity, require the assistance of friends, relatives, or a professional nurse to remain in their home and for persons related to the occupant. These units help meet the needs of the disabled, infirm, or elderly in need of assisted care and are currently allowed by ordinance in all residential zones and the agricultural zoning district of Benton County.

3. Benton County Code (BCC)

Title 11 Zoning

Chapter 11.03 Definitions

(2) "Accessory Dwelling Unit" an additional room or set of rooms located within a single-family structure and designed, arranged, occupied, or intended to be occupied by not more than one (1) household as living accommodations independent from any other household and not exceeding 800 square feet in area.

Chapter 11.42 General Use Regulations

11.42.020 Accessory Dwelling Unit (ADU).

An accessory dwelling unit shall be allowed on any real property located within unincorporated Benton County that is zoned for single family residences, except for those properties with an Industrial or Commercial zoning designation, thereby meeting the requirements of the Washington State Housing Policy Act of 1993 to incorporate provisions for accessory apartments in the County's zoning ordinance (Title 11 BCC).

(a) All accessory dwelling units authorized herein shall meet the following minimum criteria:

- (1) One (1) accessory dwelling unit is allowed per parcel/lot.
- (2) A single-family dwelling must be located on the parcel/lot where the accessory dwelling unit is to be located.
- (3) The accessory dwelling unit shall not exceed 40% of the total square footage of the single-family home or 800 square feet in size, whichever is smallest.
- (4) The accessory dwelling unit shall consist of no more than one (1) bedroom.
- (5) The accessory dwelling unit shall provide two (2) off-street parking spots.
- (6) An accessory dwelling unit shall be constructed on the site and permanently affixed to the ground by footings and foundation. A recreational vehicle (RV), mobile home, manufactured home, or factory assembled structure is not to be permitted as an accessory dwelling unit.
- (7) The accessory dwelling unit is not allowed on a lot/parcel that has a duplex, multi-family dwelling, a temporary dwelling permit (see BCC 11.42.110), a multiple detached dwelling permit (see BCC 11.42.080) or two (2) or more single-family dwellings.
- (8) The accessory dwelling unit is not allowed to be used in the operation of a home occupation.
- (9) The accessory dwelling unit shall both meet and comply with Benton Franklin Health District standards.
- (10) The accessory dwelling unit shall meet and comply with Benton County Fire Marshal requirements for access.
- (11) The accessory dwelling unit may be permitted as either a ground floor or 2<sup>nd</sup> floor unit.
- (12) Either the accessory dwelling unit or the single-family dwelling shall be

occupied by a landowner(s) as his/her primary residence. The landowner shall maintain residency at least six (6) months out of the year and at no time receive rent for or otherwise allow to occupy the landowner(s) unit when absent the rest of the year.

- (13) If the accessory dwelling unit is connected to the single-family dwelling through a breezeway or similar means, the accessory dwelling unit shall be considered detached and compliance with subsection (c) below is required.
  - (14) The accessory dwelling unit shall comply with the applicable building, fire, critical area, shoreline, and zoning requirements of Title 3, 11, and 15 of Benton County Code.
  - (15) The accessory unit shall not be considered as a dwelling unit when calculating density.
  - (16) The accessory dwelling unit shall comply with requirements in subsection (b) and (c) respectively.
- (c) An accessory dwelling unit detached from the single-family dwelling shall comply with the following:
- (1) All detached accessory dwelling units require approval of a conditional use permit (see Chapter 11.50 BCC).
  - (2) A detached accessory dwelling unit shall comply with the following minimum design standards.
    - (i) The detached accessory dwelling unit may be constructed within an existing outbuilding or be a stand along structure, where the dwelling unit does not share a common wall with the primary single-family dwelling. If the accessory dwelling unit is connected to the single-family dwelling through a breezeway or similar means, the accessory dwelling unit shall be considered detached.
    - (ii) An outside entrance to the accessory dwelling unit is required and be placed at the side or rear of the building, when possible, to maintain the appearance and character of an accessory use.
- (d) The applicant shall record the permit issued for the accessory dwelling unit with the Benton County Auditor's Office. The recording fee shall be paid by the applicant for the accessory dwelling unit. The permit shall include a statement that the accessory dwelling may not be sold as a separate residence until such time as the accessory dwelling is located as the sole residence on a legally subdivided parcel.

## Chapter 11.50 Variance and Conditional Use

### 11.50.040 Conditional Use

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

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

Once granted, a conditional use permit may be transferred by a holder thereof after

written notice to the Hearings Examiner; provided the use and location must remain the same and the transferee must continue to comply with the conditions of the permit and, if applicable, the requirements set forth in Chapter 11.51 BCC.

(d) Conditional Use Permit- Permit Granted or Denied. A conditional use permit shall be granted only if the Hearings Examiner can make findings of fact based on the evidence presented sufficient to allow the Hearings Examiner to conclude that, as conditioned, the proposed use:

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

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

### **PUBLIC NOTICE:**

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

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

2. By publication of a legal notice in a newspaper of general circulation in the County at least ten (10) days prior to the open record hearing date.

**AGENCY COMMENTS:**

1. The application documents were distributed to the following reviewing agencies on March 2, 2026.
  - a. Benton County Public Works Department
  - b. Benton County Code Enforcement
  - c. Benton County Rural Water Coordinator
  - d. Benton-Franklin Health District
  - e. Benton County Fire District # 2
  - f. Benton County Building Division
  - g. Benton County Fire Marshal
  - h. Benton PUD
  - i. City of Benton City
  - j. Benton Irrigation District
2. The following comments were received from the Benton County Building Division (HEM 1.10):
  - a. The Accessory Dwelling Unit must comply with all current Benton County building and fire codes.
  - b. If you have any questions about these comments, please contact the Benton County Building Division at (509) 735-3500.
3. The following comments were received from Benton County Rural Water Coordinator (HEM 1.7):
  - a. This property is located within the Benton County Rural Water Supply Program area which requires the new dwelling unit to obtain a water mitigation certificate or provide evidence of a valid domestic water right. Additionally, the new dwelling unit will require a water meter to be installed to monitor water usage for compliance with the Rural Water Supply Program.
  - b. If you have any questions about these comments, please contact the Benton County Rural Water Supply Program at (509) 786-5612.
4. The following comment was received from the Benton Irrigation District (HEM 1.11):
  - a. Benton Irrigation does not have any irrigation lines in the area of this build.
  - b. If you have any questions about these comments, please contact the Benton Irrigation District at (509) 588-3510.
5. The following comment was received from the Benton County Fire Protection District #2 (HEM 1.8):
  - a. The Accessory Dwelling Unit should have a driveway with direct access from either the existing driveway or Evert Rd to the ADU meeting code.
  - b. If you have any questions about these comments, please contact the Benton County Fire District #2 at (509) 588-3212.
6. The following comment was received from the Benton Public Utility District (HEM 1.12):
  - a. It looks like the customer is requesting an additional power service to the ADU. However, the length from the existing power pole is not readable on the site plan.

The Applicant shall contact BPUD to discuss the distance requirements as this location may be close to the max allowable or even over.

- b. If you have any questions about these comments, please contact the Benton Public Utility District at (509) 582-2175.
7. The following comment was received from Benton County Public Works (HEM 1.12):
- a. The Applicant will need to apply for a road approach permit.
  - b. If you have any questions about these comments, please contact the Benton County Public Works Department at (509) 786-5611.

### **FINDINGS OF FACT AND CONDITIONS OF APPROVAL:**

The following Findings of Fact and Conditions of Approval are based on comments received up to the date of this staff memo. Any comments received after the completion of this staff memo or submitted during the advertised public hearing for CUP 2026-006 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 an 800 square-foot accessory dwelling unit located at 50610 N Evert Rd Benton City, WA 99320.
2. The applicants and owners are Joshua and Marcia Walton, 50610 N Evert Rd Benton City, WA 99320
3. The property is approximately 6.10 acres in size and is zoned Rural Lands Five-Acre District (RL-5).
4. The property is located in the Benton City area of unincorporated Benton County, located immediately northwest of the intersection of Corral Creek Rd and Evert Rd (Parcel 101963020057000).
5. The ADU is proposed to be constructed southeast of the existing 2,120 square-foot single-family residence.
6. The ADU will have one-bedroom with an extra room to be used as an office and will be used for an elderly family member.
7. The Conditional Use Permit (CUP 2026-006) shall comply with the Benton County Critical Area Ordinance, Title 15 BCC.
  - a. The proposed ADU is not located within any critical areas.

8. Public notice and application requirements have been met per BCC 11.50 Variance and Conditional Use.
9. The proposed detached ADU is allowable by Conditional Use Permit if approved by the Benton County Hearings Examiner.
10. The detached ADU complies with Benton County Building Division standards and requirements.
11. The application for CUP 2026-006 is consistent with the Growth Management Act, RCW 36.70A, including RCW 36.70A.390.
12. The application for CUP 2026-006 is consistent with RCW 43.63A.215 (3) *Accessory apartments*.
13. The application for CUP 2026-006 is consistent with the goals and policies of the Benton County Comprehensive Plan.
14. The application for CUP 2026-006 is consistent with the requirements of the Benton County Zoning Code.
15. The application for CUP 2026-006 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 2,120 square feet. Forty percent (40%) of 2,120 square feet is 848 square feet. The applicant is proposing a maximum of 800 square feet in the application.
  - d. The detached ADU will be a one-bedroom apartment with an office.
  - e. The applicant is proposing two (2) parking spots to serve the detached ADU.
  - f. The proposal is to construct an 800 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 first-floor unit.
  - l. The landowners will reside in the existing single-family dwelling and maintain residency for at least six (6) months out of the year.
  - m. The detached ADU complies with applicable building, fire, critical area, shoreline, and zoning requirements.
  - n. The detached ADU complies with the Benton County critical area ordinance, Shoreline Master Program, and zoning regulations.

16. The application for CUP 2026-006 is consistent with requirements in BCC 11.42.020 (c)(2)(i) as the ADU will be located within a standalone structure.
17. The application for CUP 2026-006 is consistent with requirements in BCC 11.42.020(c)(2)(ii):
  - a. The proposed ADU is located southeast of the primary single-family dwelling.
  - b. The door layout of the structure is adequate for its location and situation, subject to compliance with the Findings of Fact and Conditions of Approval.
18. The proposed detached ADU is compatible with other uses in the surrounding area and is no more incompatible than any other outright permitted uses in the applicable zoning district.
19. The proposed detached ADU will not materially endanger the health, safety, and welfare of the surrounding community to an extent greater than that associated with any other permitted uses in the applicable zoning district.
20. The pedestrian and vehicular traffic caused by the proposed detached ADU will not conflict with existing and anticipated traffic in the neighborhood to an extent greater than that associated with any other permitted uses in the applicable zoning district.
21. The proposed detached ADU will be supported by adequate service facilities and would not adversely affect public services to the surrounding area.
22. The proposed detached ADU will not hinder or discourage the development of permitted uses on neighboring properties in the applicable zoning district as a result of the location, size or height of the buildings, structures, walls, or required fences or screening vegetation to a greater extent than other permitted uses in the applicable zoning district.

**SUGGESTED CONDITIONS OF APPROVAL:**

1. The activities on the site shall comply with the submitted site plan and materials submitted for this application.
2. In accordance with BCC 11.42.020(a)(4), the accessory dwelling unit shall consist of no more than one (1) bedroom. Additional spaces and rooms included in floor plans, such as offices, are not approved as additional bedrooms.
3. 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.
4. 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.
5. 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.

6. All required development permits shall be obtained prior to occupying the Accessory Dwelling Unit. This includes approval of permits required by the following, as applicable:
  - a. Benton County Building Division
  - b. Benton County Fire Marshal; for fire and safety regulations.
  - c. Benton Franklin Health District
  - d. Benton County Public Works Department; for road approach permits.
  - e. Benton County Planning Division
  - f. Benton PUD

### **TIME TO COMPLETE CONDITIONS OF APPROVAL:**

The applicant shall have one year to meet all of the Conditions of Approval.

If all conditions of approval have not been met and the Planning Division does not issue the Conditional Use Permit within one (1) year from the time the Hearings Examiner has conditionally approved the Conditional Use Permit, the Hearings Examiner may declare its approval null and void at a regular Hearings Examiner meeting. Prior to doing so, the applicant shall be notified in writing at the applicant's last known address at least twelve (12) days in advance of the upcoming Hearings Examiner meeting.

### **TRANSFERABILITY:**

This Conditional Use Permit is transferable by the holder.

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

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

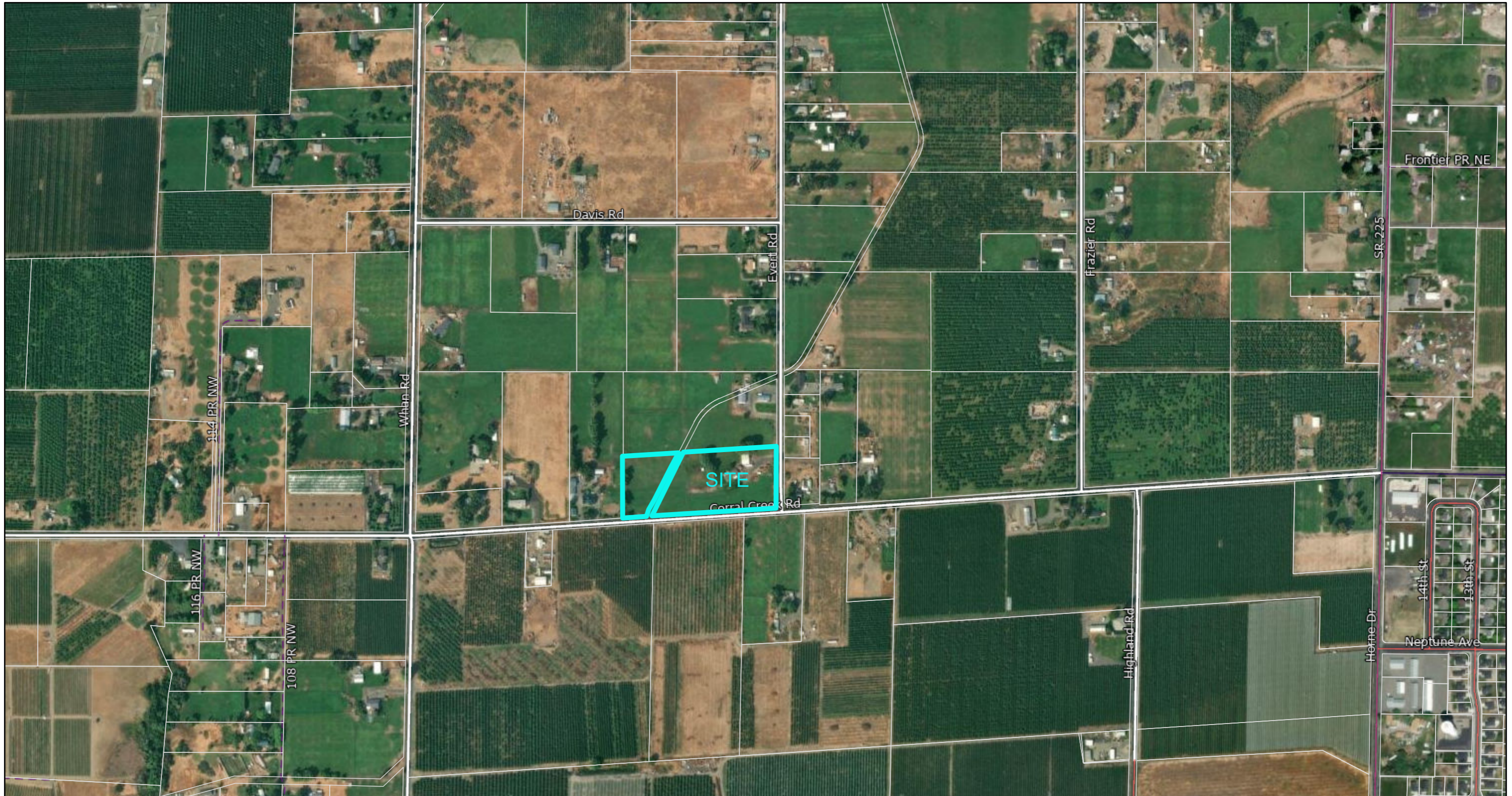
### **VIOLATIONS OF CONDITIONS OF APPROVAL:**

The Applicant shall continue to meet all conditions of this Conditional Use Permit while CUP 2026-006 is in effect.

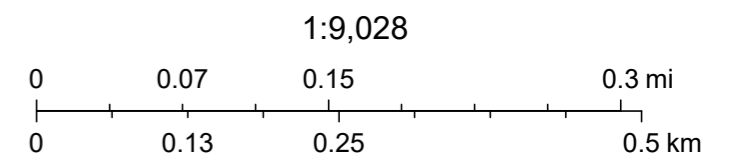
Any violation of the conditions of approval will be processed in accordance with BCC Title 11, Chapter 11.43 Administration and Disposition of Infractions. If the Conditional Use Permit has been issued and violations exist, the Hearings Examiner may revoke the permit after an open record hearing with 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 2026-006 - WALTON - VICINITY MAP

# HEM 1.2



3/2/2026, 9:12:07 AM



Vantor

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



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



### CONDITIONAL USE PERMIT APPLICATION

File No. CWP 2020-001

# HEM 1.3

#### APPLICANT INFORMATION

Please check the box indicating primary contact person for this application

Name of Applicant/Agent: Joshua & Marika Walton

Mailing Address (with City, State & zip): 50610 N Ever+ Rd Benton city WA 99320

Phone #1: <sup>Josh</sup> 509-521-6670 Phone #2: <sup>Marika</sup> 509-845-2862

Email Address(es): Jhillbilly72@gmail.com

Signature: [Handwritten Signature] Date: 2-27-26

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

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: \_\_\_\_\_

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): 50610N EVERETT Rd Benton City Wa. 99320

2. Parcel number(s): 1-0146-302-0087-000

3. Total Acreage: 6.25

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

6. Current use(s) on property: Home Farm

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

**For the following proposed uses, please attach the appropriate addendum form:**  
Business Use, Detached Accessory Dwelling Unit, Child Care Facility (Type B), Bed & Breakfast, Mineral Extraction (Commercial Sand & Gravel), Commercial Kennel, Winery.

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

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

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

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## CONDITIONAL USE PERMIT APPLICATION ADDENDUM DETACHED ACCESSORY DWELLING UNIT

File No. CWP 2024-000

Applicant Name: Joshua Watten



- Number of Accessory Dwelling Units currently on the property: 0
- Is there a single family dwelling currently on the property?  Yes  No
- What is the square footage of the main home? 2120
- What is the square footage of the proposed Accessory Dwelling Unit? 800
- How many bedrooms will be in the Accessory Dwelling Unit? 1
- Does the landowner currently have any other land use permits? N

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

To have an elderly family member close for help

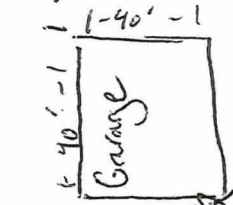
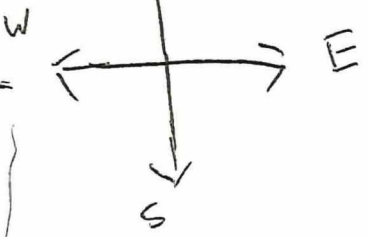
**Please provide a site plan that includes the following:**

- 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

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701.22

# HEM 1.4



Existing Power

Driveway

Post Hole

Well Head

New Sewer

House 20.5'

Septic Tank

Proposed ADU

800 SQ. FT.

35'±

1,92'

Evert Rd



Irrigation overflow

Corral Creek Rd

Reserve

Reserve

Existing mound  
Drainfield

Proposed  
ADU drain  
field

258

100'

50'

50'



March 2, 2026

# HEM 1.5

Joshua and Marcia Walton  
50610 N Evert Road  
Benton City, WA 99320

Email: Jhillbilly72@gmail.com

RE: Written Determination of Completeness  
File Number: CUP 2026-006

Dear Mr. and Mrs. Walton,

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 2026-006) and the review process will now begin.

Although this office has determined that your application is complete, more clarification or information may be needed from you as we go through the review process. Additional information and/or permits may be required from other agencies including, but not limited to, the Benton County Building Division, the Benton-Franklin Health District, and the Washington State Department of Health.

If you have any questions regarding this matter, do not hesitate to contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Maya MacDonald", is written over a horizontal line.

Maya MacDonald, Associate Planner  
Benton County Planning Division



March 2, 2026

## HEM 1.6

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  
City of Benton City

**RE:** Agency review of a Conditional Use Permit application  
**File #:** CUP 2026-006  
**Parcel #:** 1-0196-302-0057-000  
**Applicant:** Joshua and Marcia Walton

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

The applicant is proposing to construct an 800 sq. ft. detached accessory dwelling unit on a parcel with an existing 2,120 sq. ft. single family residence. The project is located in the Benton City area of unincorporated Benton County within the Rural Lands 5 Acre Zoning District. Parcel number 1-0196-302-0057-000.

PLEASE SUBMIT YOUR COMMENTS to [Planning.department@co.benton.wa.us](mailto:Planning.department@co.benton.wa.us) by **March 16, 2026**. Please reference file number **CUP 2026-006** in all correspondence.

If you have any questions or need more time to review the application, please contact the Planning Division at (509) 786-5612 or to the email above.

Thank you,

*Benton County Planning Division*

**Nikki Relyea**

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**From:** Rural Water Supply Program  
**Sent:** Monday, March 2, 2026 11:40 AM  
**To:** Planning Department  
**Subject:** RE: Agency Review - CUP 2026-006 - Walton (ADU)

**HEM 1.7**

Good morning,

This property is located within Benton County's Rural Water Supply Program which requires the new dwelling unit to obtain a water mitigation certificate or provide evidence of a valid domestic water right for the new dwelling unit. Additionally, the new dwelling unit will require a water meter to be installed to monitor water usage for compliance with the Rural Water Supply Program.

Please contact Maya MacDonald at 509-786-5612 with the Planning Division for more information.

Thank you,

**Nikki Relyea**

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**From:** Dennis Bates <Firechief@bcfpd2.org>  
**Sent:** Monday, March 2, 2026 11:53 AM  
**To:** Planning Department  
**Subject:** [EXTERNAL] RE: Agency Review - CUP 2026-006 - Walton (ADU)

**HEM 1.8**

I didn't see what the planned access to the ADU was on the site plan. I assume a walkway to the existing house for convenience, but it should have a driveway with direct access from either the existing driveway or Evert rd to the ADU meeting code.  
Otherwise, no comment.

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@benton2.org](mailto:dbates@benton2.org)



**CONFIDENTIALITY NOTICE:** *The contents of this email message and any attachments are intended solely for the addressee(s) and may contain confidential and/or privileged information and may be legally protected from disclosure. If you are not the intended recipient of this message or their agent, or if this message has been addressed to you in error, please immediately alert the sender by reply email and then delete this message and any attachments. If you are not the intended recipient, you are hereby notified that any use, dissemination, copying, or storage of this message or its attachments is strictly prohibited.*

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**From:** Planning Department <Planning.Department@co.benton.wa.us>  
**Sent:** Monday, March 2, 2026 11:18  
**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>; Dennis Bates <Firechief@bcfpd2.org>; Gary Tiplady

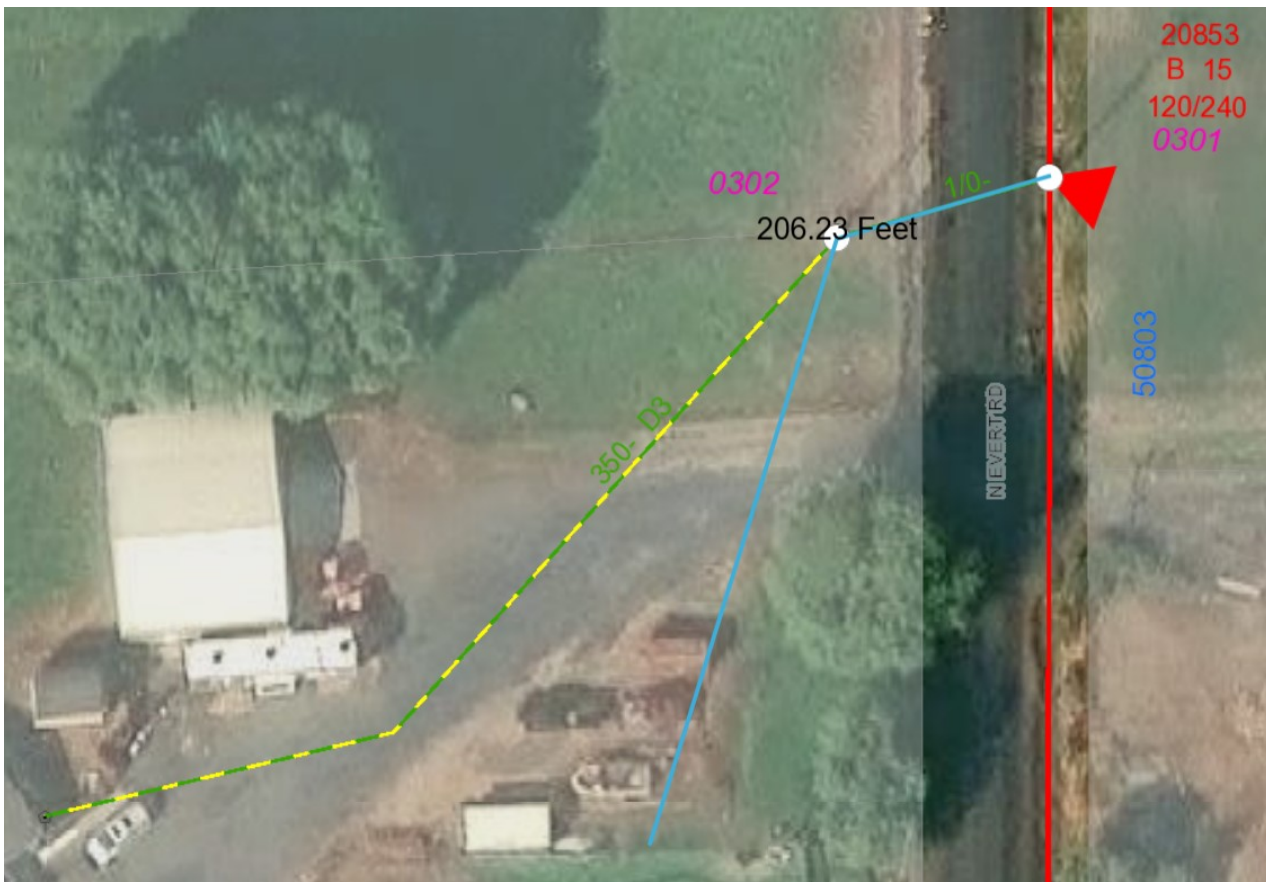
**Nikki Relyea**

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**From:** Angela Richman <richmana@bentonpud.org>  
**Sent:** Monday, March 2, 2026 1:47 PM  
**To:** Planning Department  
**Subject:** [EXTERNAL] RE: [E] Agency Review - CUP 2026-006 - Walton (ADU)

Nikki,

It looks like the customer is requesting an additional power service to the ADU. However, the length from the existing power pole is not readable on the site plan. Please have them contact BPUD to discuss distance requirements as this location may be close to the max allowable or even over:



Thank you,  
Angela

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**From:** Planning Department <Planning.Department@co.benton.wa.us>  
**Sent:** Monday, March 2, 2026 11:18 AM  
**To:** Brad O'Brien <Brad.O'Brien@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; deana.chiodo@bfhd.wa.gov; Benton Irrigation District - Jason Blanchard (bidblanchard@gmail.com) <bidblanchard@gmail.com>; Angela Richman

**From:** Troy Taylor  
**Sent:** Tuesday, March 3, 2026 11:15 AM  
**To:** Planning Department  
**Subject:** RE: Agency Review - CUP 2026-006 - Walton (ADU)

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

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**From:** Planning Department <Planning.Department@co.benton.wa.us>  
**Sent:** Monday, March 2, 2026 11:18 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; deana.chiodo@bfhd.wa.gov; Benton Irrigation District - Jason Blanchard (bidblanchard@gmail.com) <bidblanchard@gmail.com>; Angela Richman <richmana@bentonpud.org>; SZetz@ci.benton-city.wa.us  
**Cc:** Maya MacDonald <Maya.MacDonald@co.benton.wa.us>  
**Subject:** Agency Review - CUP 2026-006 - Walton (ADU)

Good morning,

Attached you will find the necessary application materials for Joshua and Marica Walton, who are requesting a Conditional Use Permit for a detached 800 sq. ft. accessory dwelling unit at 50610 N Evert Road in Benton City.

Please review and provide any comments by **March 16, 2026.**

Have a wonderful week,

**Nikki Relyea**

*Associate Planner*

Benton County Community Development Department

Planning Division

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

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

(509) 786-5612



**Nikki Relyea**

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**From:** Jason blanchard <bidblanchard@gmail.com>  
**Sent:** Wednesday, March 4, 2026 7:23 AM  
**To:** Planning Department  
**Subject:** [EXTERNAL] Re: Agency Review - CUP 2026-006 - Walton (ADU)

Nikki,

Benton Irrigation Does not have any Irrigation lines in the area of this build. Everything is good to go on our end.

Thank you,

Very Respectfully,

Jason Blanchard  
Operations Manager  
Benton Irrigation District  
Office: (509) 588-3510  
Billing: (509) 588-4396  
Cell: (509) 579-6652

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**From:** Planning Department <Planning.Department@co.benton.wa.us>  
**Sent:** Monday, March 2, 2026 7:17 PM  
**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 <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 <erin.hockaday@bfhd.wa.gov>; deana.chiodo@bfhd.wa.gov <deana.chiodo@bfhd.wa.gov>; Benton Irrigation District - Jason Blanchard (bidblanchard@gmail.com) <bidblanchard@gmail.com>; Angela Richman <richmana@bentonpud.org>; SZetz@ci.benton-city.wa.us <szetz@ci.benton-city.wa.us>  
**Cc:** Maya MacDonald <Maya.MacDonald@co.benton.wa.us>  
**Subject:** Agency Review - CUP 2026-006 - Walton (ADU)

Good morning,

Attached you will find the necessary application materials for Joshua and Marica Walton, who are requesting a Conditional Use Permit for a detached 800 sq. ft. accessory dwelling unit at 50610 N Evert Road in Benton City.

Please review and provide any comments by **March 16, 2026.**

Have a wonderful week,

**Nikki Relyea**

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**From:** Shane Elledge  
**Sent:** Wednesday, March 4, 2026 9:39 AM  
**To:** Planning Department  
**Subject:** RE: Agency Review - CUP 2026-006 - Walton (ADU)

**HEM 1.12**

Good morning,

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

Thank you.



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

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**From:** Planning Department <Planning.Department@co.benton.wa.us>  
**Sent:** Monday, March 2, 2026 11:18 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; deana.chiodo@bfhd.wa.gov; Benton Irrigation District - Jason Blanchard (bidblanchard@gmail.com) <bidblanchard@gmail.com>; Angela Richman <richmana@bentonpud.org>; SZetz@ci.benton-city.wa.us  
**Cc:** Maya MacDonald <Maya.MacDonald@co.benton.wa.us>  
**Subject:** Agency Review - CUP 2026-006 - Walton (ADU)

Good morning,

Attached you will find the necessary application materials for Joshua and Marica Walton, who are requesting a Conditional Use Permit for a detached 800 sq. ft. accessory dwelling unit at 50610 N Evert Road in Benton City.

Please review and provide any comments by **March 16, 2026.**

Have a wonderful week,



NOTICE OF OPEN RECORD HEARINGS

# HEM 1.13

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 **April 17, 2026** at 10 a.m. via in person and virtual meeting format in the Commissioners Room on the third floor of the Courthouse, 620 Market Street, Prosser WA. To find information on attendance options, please visit [www.tinyurl.com/BCPublicNotice](http://www.tinyurl.com/BCPublicNotice).

**CONDITIONAL USE PERMIT – CUP 2026-004** The applicant, Lexar Homes on behalf of Clinton and Anna Bush, is proposing to construct a 784 sq. ft. detached accessory dwelling unit on a parcel with an existing 3,702 sq. ft. single family residence. The project is located at 103730 Tatum Blvd, Kennewick, WA 99338.

**CONDITIONAL USE PERMIT – CUP 2026-005** The applicant, Juan Aguilar, is proposing to operate a painting business within an existing detached shop on a parcel a single family dwelling. The proposed project is located at 22206 E Kennedy Road, Benton City, WA 99320.

**CONDITIONAL USE PERMIT – CUP 2026-006** The applicants, Joshua and Marcia Walton, are proposing to construct an 800 sq. ft. detached accessory dwelling unit on a parcel with an existing 2,120 sq. ft. single family residence. The project is located at 50610 N Evert Road, Benton City, WA 99320.

**CONDITIONAL USE PERMIT – CUP 2026-007** The applicant, Intrigue Custom Homes on behalf of William and Cheryle Brasker, is proposing to construct a 796 sq. ft. detached accessory dwelling unit on a parcel with an existing 2,433 sq. ft. single family residence. The project is located at 2422 S 38<sup>th</sup> Avenue, West Richland, WA 99353.

**VARIANCE PERMIT – VAR 2026-001** The applicants, Robert and Helen Burke, are requesting to construct an attached RV garage to an existing residence and encroach 15 feet into the required 25 foot setback. The project is located at 36001 S Valley Vista PR SE, Kennewick WA 99338.

Questions can be directed to the Planning Division at 509-786-5612 or at [planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us). Written comments regarding the above applications must be received by **April 14, 2026** via email or submitted to the Planning Division office at the Public Services Building, 102206 E Wiser Parkway, Kennewick, WA 99338. Any information submitted to Benton County is subject to the public records disclosure laws for the State of Washington (RCW Chapter 42.17) and all other laws that may require the release of the documents to the public.

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

Dated this 27th day of March, 2026.

PUBLICATION DATE: April 1, 2026

SUSAN E. DRUMMOND  
Benton County Hearings Examiner

Damien Hooper – Planning Manager  
Community Development Department