

**EXHIBIT LIST FOR CUP 2022-008  
Tri City Rock Products/Columbia Basin Developers**

<b>Hearings Examiner Staff Memo Exhibit List - June 17, 2022 hearing</b>		
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**STAFF REPORT TO THE  
BENTON COUNTY HEARINGS EXAMINER  
Tri City Rock**

**FILE NO:** CUP 2022-008 (Amending CUP 2016-007)

**HEARING DATE:** June 17, 2022

**APPLICANT/  
OWNER:** Tri City Rock Products/ Columbia Basin Developers  
PO Box 6265 Kennewick, WA 99336

**LOCATION:** General Location: The property is located approximately 0.5 miles east of the intersection of SR 397 and S Olympia St in unincorporated Benton County.  
Situs Address: 37123 S Olympia St, Kennewick, WA 99337  
Abbreviated Legal: All of Section 25, Township 8 North, Range 29 East, W.M., Benton County, Washington. Subject to covenants, conditions, easements, reservations and restrictions of record.  
Parcel Number: 1-2589-100-0002-008

**PROPERTY SIZE:** 475.21 acres

**AREA TO BE USED:** An existing 32.4 acre project site on a 475.21 acre parcel.

**LAND USE:** Existing rock quarry

**ZONING:** Rural Lands Twenty Acre District

**COMPREHENSIVE  
PLAN DESIGNATION:** Rural Resource

**RECOMMENDATION:**

The Planning Division recommends approval of the applicant's request, subject to the suggested thirteen (13) Findings of Fact and six (6) Conditions of Approval as outlined in this Staff Report.

**APPLICATION DESCRIPTION:**

The applicants are requesting an amendment to the Conditions of Approval for CUP 2016-007, a permit to operate a stone quarry for surface mining of crushed aggregates.

The proposed amendment will allow for seasonal crushing activities to take place in addition to currently allowed quarry activities. CUP 2016-007 allows hours of operation between 7:00 a.m. to 5:00 p.m. Monday through Friday. This amendment would allow the applicant to retain the existing operating hours and add the ability to perform crushing activities.

Crushing will occur 8-10 weeks per year, 24 hours a day, Monday-Saturday in addition to current quarry operation hours and activities. Crushing will occur up to twice yearly with each crushing cycle not to exceed

5 consecutive weeks. The applicants will notify the Benton County Planning Division of the timeframe of the proposed crushing session 3 weeks prior to beginning work. The amendment also adds the requirement that the applicants will notify the Benton County Planning Division 3 days or more before blasting.

The crushing activities would occur on the existing 32.4 acre quarry site on a 475.21 acre parcel in the Rural Lands Twenty Acre (RL-20) zoning district located southeast of Kennewick city limits on S Olympia Street in unincorporated Benton County.

The application for CUP 2022-008 was submitted to the Benton County Planning Division on May 13, 2022.

The application for CUP 2022-008 was declared complete for processing on May 16, 2022.

The application documents for CUP 2022-008 were distributed to reviewing agencies on May 23, 2022.

An associated SEPA checklist (EA 2016-018) was submitted with the original CUP application, and a Determination of Non-Significance (DNS) issued on November 2, 2016.

The Benton County Hearings Examiner Notice of Open Record Hearing was published on June 1, 2022, in the Prosser Record Bulletin.

The Notice of Hearing was mailed to property owners of record within 300 feet of the outer boundaries of the parcel on June 3, 2022.

The Open Record Hearing is scheduled for June 17, 2022.

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

1. *Benton County Comprehensive Plan*  
3.3.2.3 Rural Land Use Designations  
Rural Resource is designated in areas where existing topography or geological conditions can be protected and where a very low density of residential or other uses may be allowed. It is designed to enhance and preserve Benton County's rural character, which includes rural open space, low densities, wildlife habitat, public open space for outdoor recreational activities; ridges, slopes, and bluffs; and rural home sites on which a range of agricultural activities may be conducted. Allowable density in Rural Resource 1DU/20acres
  
2. *Benton County Code (BCC)*  
Title 11 Zoning  
Chapter 11.11 Rural Lands Twenty Acre District (RL-20)  
Section 11.15.060 Uses Requiring a Conditional Use Permit  
(a) A sand or gravel pit, stone quarry and similar use for the development of natural resources extracted on-site.
  
3. *Benton County Code, (BCC)*  
Title 11 Zoning  
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.

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.

**AGENCY COMMENTS:**

1. The Conditional Use Permit application and associated documents were distributed to the following reviewing agencies on May 23, 2022:
  - a. Benton County Building Division
  - b. Benton County Code Enforcement
  - c. Benton County Fire District #1
  - d. Benton County Fire Marshal
  - e. Benton County Public Works Department
  - f. Benton-Franklin Health District
  - g. Benton PUD
  - h. Benton Clean Air Authority
  - i. Kennewick Irrigation District
  - j. City of Kennewick
  - k. Washington State Department of Transportation
  - l. Washington State Department of Natural Resources
  
2. The following comments were received from Benton Public Utility District (PUD):
  - a. Applicant will need to coordinate with Benton PUD for any additional power needs.
  - b. For more information, please contact Chad Brooks at 509-582-1241 or [brooksc@bentonpub.org](mailto:brooksc@bentonpub.org).
  
3. Washington State Department of Transportation has not yet commented. Any comments received will be provided to the Hearings Examiner and applicant. Prior to approval of the Conditional Use Permit, WSDOT must be contacted for requirements and restrictions. For more information, please contact Jacob Prilucik at 509-577-1635 or [PrilucJ@wsdot.wa.gov](mailto:PrilucJ@wsdot.wa.gov). Applicants will need to remain in compliance with WSDOT's requirements and conditions of approval from CUP 2016-007.
  
4. The following comments were received from the Benton Clean Air Agency (BCAA):
  - a. The Benton Clean Air Agency (BCAA) requires the applicant submit a Proof of Contact: Soil Destabilization Notification for this project prior to any excavation/construction taking place. This will insure that the proponent has the ability and resources to control fugitive dust emissions that may be created as a result of construction activities. This will also inform them of the regulations and requirements of the BCAA. Additionally, a written dust control plan must be developed and maintained for all soil destabilization projects, and must be readily available upon request by the BCAA. Part of this plan is submitting the name of at least one person for the project so that the BCAA has a point of contact should we receive any dust complaints from the project. The Soil Destabilization Notification form can be found and submitted on our website, [www.bentoncleanair.org](http://www.bentoncleanair.org).
  - b. For more information, please contact Noah Lee at 509-783-1304.

5. The following are general comments and discussion points from the Planning Division:
  - a. The applicants will notify the Benton County Planning Division of the timeframe of the proposed crushing session 3 weeks prior to beginning work.
  - b. The applicants will notify the Benton County Planning Division 3 days or more before blasting.
  - c. Upon completion of a review of BCC Title 15 and the Benton County Critical Area Maps, there are Geologically Hazardous Areas (steep slopes greater than 15% and erosion hazard) that have been identified on this property. A critical area report is not required for the processing of a conditional use permit for the proposed activity at this location.

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

The following suggested 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 public hearing for this application will need to be considered by the Hearings Examiner and may be added to the Findings of Fact and Conditions of Approval. 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, the Planning Staff recommends approval with the following Findings of Fact and Conditions of Approval:

#### **SUGGESTED FINDINGS OF FACT:**

1. The applicant is Tri City Rock Products/ Columbia Basin Developers, PO Box 6265 Kennewick, WA 99336.
2. The property is located approximately 0.5 miles east of the intersection of SR 397 and S Olympia St in an unincorporated area of Benton County.
3. The property is zoned Rural Lands Twenty Acre District (RL-20).
4. The property is currently an existing permitted stone quarry (CUP 2016-007) for surface mining of crushed aggregates.
5. The application for CUP 2022-008 meets the intent and standards of the Benton County Comprehensive Plan.
6. The application for CUP 2022-008 meets the definition, requirements and standards of the Benton County Code, Title 11.
7. Surrounding land uses also zoned Rural Lands Twenty Acre District as well as vacant Rural Lands Five Acre District, and Urban Growth Area Residential are compatible in nature to the applicant's property with residential uses in nearby proximity.
8. An associated SEPA checklist (EA 2016-018) was submitted with the original CUP application, and a Determination of Non-Significance (DNS) issued on November 2, 2016.
9. There are Geologically Hazardous Areas (steep slopes greater than 15% and erosion hazard) that have been identified on this property. A critical area report is not required for the proposed amendment.

10. The Benton County Hearings Examiner Notice of Open Record Hearing for application CUP 2022-008 was published on June 1, 2022 in the Prosser Record Bulletin.
11. The Notice was mailed to property owners of record within 300 feet of the outer boundaries of the parcel on June 3, 2022.
12. Agency comments were received from:
  - a. Benton PUD
  - b. Benton Clean Air Authority
13. The applicants are requesting an amendment to the Conditions of Approval for CUP 2016-007, a permit to operate a stone quarry for surface mining of crushed aggregates. The proposed amendment will allow for seasonal crushing activities to take place in addition to current quarry activities. The current CUP allows hours of operation between 7:00 a.m. to 5:00 p.m. Monday through Friday. This amendment will allow the applicant to retain the existing operation hours and add the ability for the applicant to perform crushing activities.

Crushing will occur 8-10 weeks per year, 24 hours a day, Monday-Saturday in addition to current operation hours and activities. Crushing will occur up to twice yearly with each crushing cycle not to exceed 5 consecutive weeks. The applicants will notify the Benton County Planning Division of the timeframe of the proposed crushing session 3 weeks prior to beginning work. The amendment also adds the requirement that the applicants will notify the Benton County Planning Division 3 days or more before blasting.

#### **SUGGESTED CONDITIONS OF APPROVAL:**

1. The ongoing surface mining activities on the site shall comply with the original Conditions of Approval from CUP 2016-007. In addition to the original conditions, the applicants shall adhere to the following:
  - a. Crushing may occur up to twice yearly with each crushing cycle not to exceed 5 consecutive weeks.
  - b. Notice of crushing will be given to the Benton County Planning Division 3 weeks prior to work beginning.
  - c. Notice of blasting will be given to the Benton County Planning Division 3 days prior to the event.
2. All required development permits/approvals shall be obtained prior to issuance of the Conditional Use Permit. This includes approval of permits required by the following agencies, as applicable:
  - a. Benton County Building Division
  - b. Benton County Public Works
  - c. Benton County Planning Division
  - d. Benton Franklin Health District
3. Applicant will coordinate with Benton PUD for any additional power needs.
4. Applicant will coordinate with Washington State Department of Transportation to determine any additional conditions or requirements prior to approval of the amendment to the Conditional Use Permit. Applicants must remain in compliance with WSDOT's conditions of approval from CUP 2016-007 at all times.
5. The Benton Clean Air Agency (BCAA) requires the applicant submit a Proof of Contact: Soil

Destabilization Notification for this project prior to any excavation/construction taking place. This will insure that the proponent has the ability and resources to control fugitive dust emissions that may be created as a result of construction activities. This will also inform them of the regulations and requirements of the BCAA. Additionally, a written dust control plan must be developed and maintained for all soil destabilization projects, and must be readily available upon request by the BCAA. Part of this plan is submitting the name of at least one person for the project so that the BCAA has a point of contact should we receive any dust complaints from the project. The Soil Destabilization Notification form can be found and submitted on our website, [www.bentoncleanair.org](http://www.bentoncleanair.org).

6. The use shall comply with *Benton County Code Title 11* for the life of the conditional use.
7. 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.

**Time to Complete Conditions of Approval:**

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

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

**Transferability**

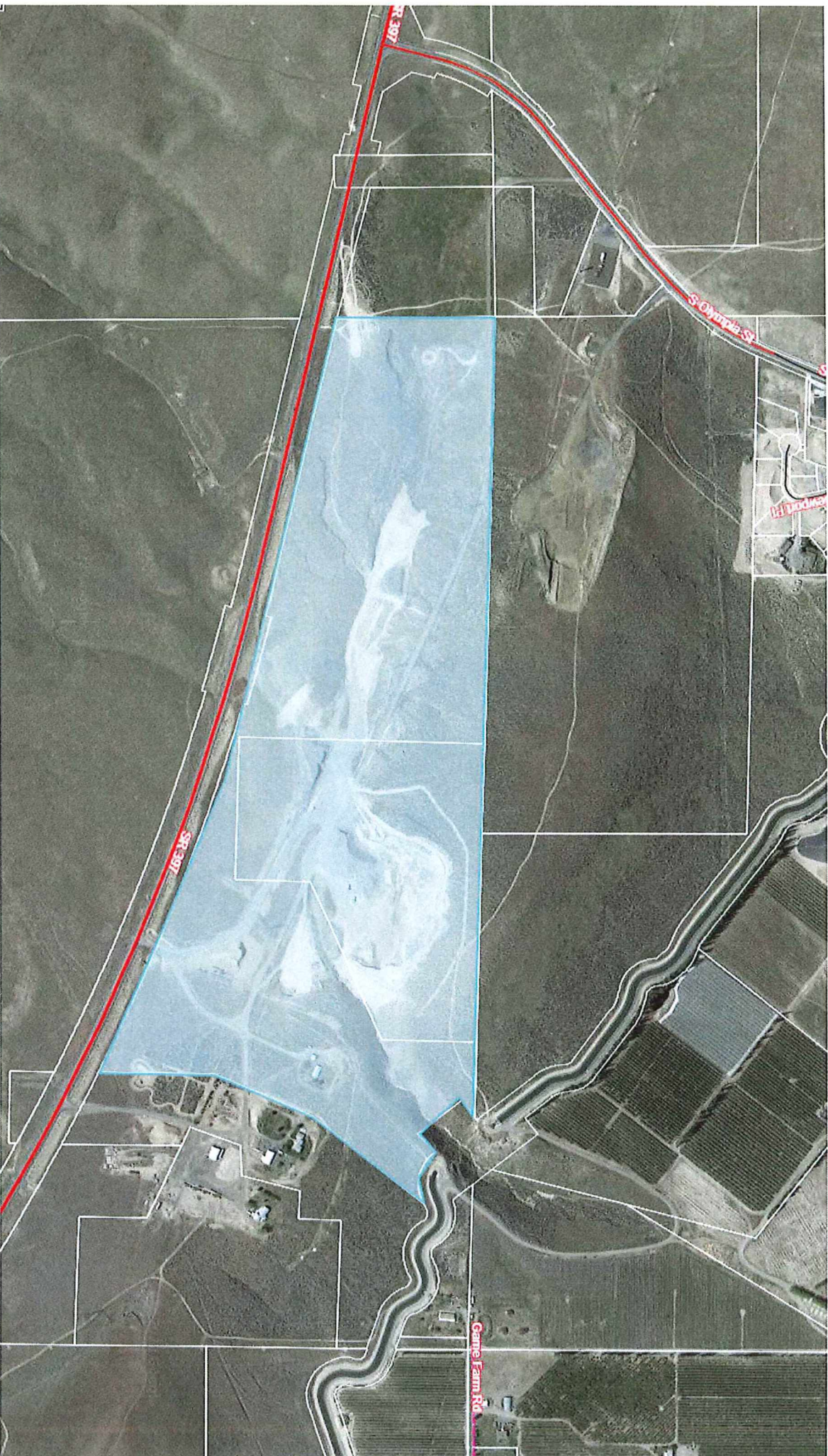
This Conditional Use Permit is transferrable by a holder. If a new property owner wishes to operate a stone quarry for surface mining of crushed aggregates, the new owner must update the Conditional Use Permit application, accept the Conditions of Approval in writing, and be approved by the Planning Manager prior to transfer of the permit being allowed.

**Violations of Conditions of Approval:**

The Applicant shall continue to meet all conditions of the original Conditional Use Permit CUP 2016-007 and this Conditional Use Permit while CUP 2022-008 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 2022-008 Vicinity map (with approximate quarry site location highlighted in blue) created by the Benton County Planning Division



**HEM 1.2**

Planning Department  
(509) 786-5612  
P.O. Box 910  
Prosser, WA 99350



planning.department@co.benton.wa.us  
Prosser Office: 620 Market Street, 1st Floor  
Kennewick Office: 102206 East Wiser Parkway

CONDITIONAL USE PERMIT APPLICATION

File No. CUP 2022-008  
Amend CUP 2016-007

RECEIVED  
MAY 13 2022

Benton Co. Planning Dept.

APPLICANT INFORMATION

Please check the box indicating primary contact person for this application

Name of Applicant/Agent: Tri City Rock Products/Columbia Basin Developers  
Mailing Address: PO BOX 6265 City: Kennewick State: WA ZIP: 99334  
Phone #1: 509.585.9025 Phone #2: 509.551.5843  
Email Address(es): tricrockproducts@gmail.com  
Signature: [Signature] Date: 5/10/22

Name of Property Owner(s) (if different): \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ 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: Tri City Rock Products LLC  
Officer name: Justin Goodman Title: OWNER  
Signature: [Signature] Date: 5/10/22

THE ABOVE SIGNED OFFICER OF (name of entity) Tri City Rock Products WARRANTS AND REPRESENTS THAT ALL NECESSARY LEGAL AND CORPORATE ACTIONS HAVE BEEN DULY UNDERTAKEN TO PERMIT (name of applicant) Justin Goodman 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 Department 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

4. Subject property address including city: 37123 S. Olympian St. Kennewick, WA 99337

5. Parcel #(s): 1-2589-100-0002-008, 1-2589-100-0002-009

6. Acreage: 43.94

7. Access:  County Road  State Road/Highway  Private Road

8. Utilities:

Power:  Benton PUD  Benton REA  Other: \_\_\_\_\_

Sewer:  Septic Tank  City Sewer  Other: \_\_\_\_\_

Water:  Individual well(s)  One well serving 2-4 lots  One well serving 5+ lots  
 City System Provider: \_\_\_\_\_  
 Private System Provider name and address: \_\_\_\_\_

Gas:  No  Yes  
Provider name: \_\_\_\_\_

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

9. Current use(s) on property: Commercial gravel pit, stone quarries, mineral extraction

10. What are you proposing to do that requires a Conditional Use Permit? Commercial sand & gravel pit, stone quarries, mineral extraction

**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.

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

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

(FOR STAFF USE ONLY)

Application Complete: Y N

Critical Areas: N Y: \_\_\_\_\_ Zoning: \_\_\_\_\_

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_

Any information submitted to the Benton County Planning Department 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.

Tri City Rock Products  
PO Box 6265  
Kennewick, WA 99337  
509-585-9625

## Regular business hours

7 a.m. to 5 p.m. Monday -Friday

## Crushing Hours

8-10 weeks per year

24 hours a day Monday-Saturday

Tri City Rock will notify County when Crushing is to begin and an estimated finish time.

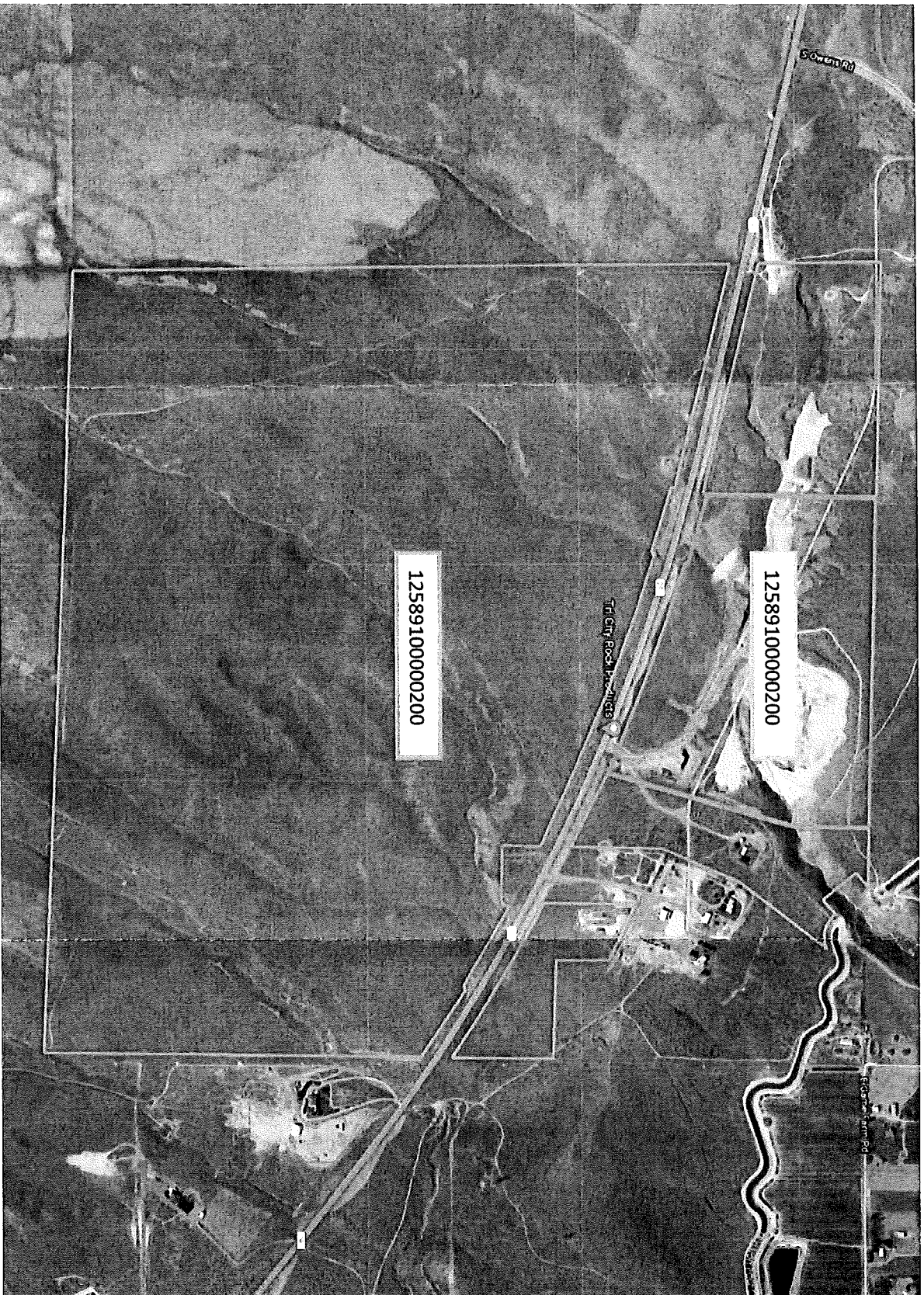
Tri City Rock will also notify County before a planned blast happens.

*The goal is to amend our original C.U.P's.*



NEW PARCELS  
125891000002008  
125891000002009

Map Printed 03/02/2022



Benton County does not warrant, guarantee, or accept liability for accuracy, precision or completeness of any information shown hereon or for any inferences made therefrom. Any use made of this information is solely at the risk of the user. Benton County makes no warranty, expressed or implied, and any oral or written statement by any employee of Benton County or agents thereof to the contrary is void and ultra vires. The information shown herein is a product of the Benton County Geographic Information Systems and is prepared for presentation purposes only.

# Benton County Planning Department

Planning Annex, P.O. Box 910, 1002 Dudley Avenue, Prosser WA 99350, Phone: (509) 786-5612 or (509) 736-3086, Fax (509) 786-5629

## BENTON COUNTY HEARINGS EXAMINER CONDITIONAL USE PERMIT CUP 2016-007

### HEM 1.4

The following Conditional Use Permit is granted, in accordance with the provisions of Benton County Code, Chapter 11.52, following a hearing before the Benton County Hearings Examiner on November 21, 2016 and pursuant to the Benton County Hearings Examiner's Findings of Fact, Conclusions of Law and Decision dated December 1, 2016.

**NAME:** Columbia Basin Developers

**LOCATION OF PROJECT:**

37123 South Olympia Street, Kennewick, WA 99337 in Section 25, Township 8 North, Range 29 East, W.M. (Parcel # 1-2589-100-0002-003)

**CONDITIONAL USE PERMIT:**

Operation of a stone quarry for surface mining of crushed aggregates for private and commercial use on 32.4 acres of a 563 acre parcel.

**THE CONDITIONS OF APPROVAL FOR THIS CONDITIONAL USE PERMIT ARE NOTED BELOW:**

The Hearings Examiner, pursuant to the Findings of Fact and Conclusions of Law dated December 1, 2016, approves Columbia Basin Developers LLC's requested CUP to authorize the operation of a stone quarry for surface mining of crushed aggregates for private and commercial use, provided the conditions set forth below are met:

1. The Applicant shall not conduct any of the activities within the scope of CUP 2016-007 until the Applicant is in compliance with all the conditions set forth herein. The Applicant shall notify the Benton County Planning Department in writing when the conditions set forth herein have been completed. The Planning Department shall not issue the conditional use permit until those conditions have been met. The conditional use permit shall not become effective until issued by the Planning Department.
2. If the conditions of approval have not been met and the Planning Department does not issue the conditional use permit within one (1) year from the time the Hearings Examiner conditionally approved this permit, the Hearings Examiner may declare this approval null and void. 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.
3. The Applicant shall obtain the appropriate building permits. The Applicant must submit written documentation to the Planning Department that all the required permits and approvals have been obtained from the Benton County Building Department. The Applicant shall meet this requirement for any additional buildings that may be constructed on site.
4. The Applicant shall comply with all Benton Franklin Health District requirements and provide proof of such compliance to the Planning Department.
5. The Applicant shall provide a dust control plan as required under WAC 173-400-040(9)(a) which is approved by the Benton Clean Air Agency, and shall provide a copy of the plan to the Planning Department. The Project shall be constructed, operated, and maintained consistent with all applicable requirements at Ch. 173-

400 WAC. As set forth in the SEPA Checklist, best management practices will be utilized to prevent erosion and the site will be graded to contain all potential erosion within the permitted boundary. Hydromulching will be utilized to prevent wind erosion and berms will be constructed to contain all surface water within the permitted boundary. Watering shall be used as needed to control dust, along with other means, as required by Benton Clean Air Agency.

6. The Applicant shall comply with all Washington Department of Ecology requirements and provide proof of such compliance to the Planning Department.

7. The presence of customers/clients and employees shall be limited to Monday through Friday between the hours of 7:00 a.m. and 5:00 p.m. as stated in the application. No weekend operation of equipment or the crusher will be allowed.

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 applicable local, state and federal regulations. The requirements of, or permission granted by, the Hearings Examiner shall not be construed as an exemption from such regulations.

9. Any waste created as a result of this Conditional Use Permit must be disposed of off-site in compliance with all local, state and/or federal regulations in a timely manner. Any fuel or oil spills will be immediately contained and the area cleaned per a Spill Prevention Control Countermeasures Plan, as noted in the SEPA Checklist. If requested, the Plan shall be submitted to the Planning Department for review and approval.

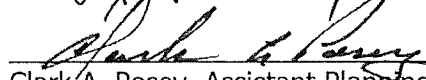
10. No more than one sign (not to exceed 10 ft. x 12 ft.) shall be permitted in connection with the use. Sign illumination (if any) shall be only by hooded directional lighting so that only the sign surface is illuminated. The posting of such sign is limited to the parcel on which the use is located. On-street (inside the road right-of-way) sign posting is prohibited, and no sign outside of a road right-of-way may interfere with the line of sight for road intersection. A signage plan shall be submitted to and approved by the Planning Department before signage construction commences to ensure consistency with the CUP and other relevant County requirements.

11. As set forth in the application materials and confirmed at the hearing, access to the site shall be from SR 397, with access approval obtained from the agency charged with approving same (Washington State Dept. of transportation) and proof of approval provided to the Planning Department.

12. Consistent with the proposal described in the application materials, an asphalt plant is not authorized through this CUP. In future, if such a use is proposed, this CUP must be amended to expand its scope, a process requiring notice, a hearing, and an opportunity for public comment.

13. As set forth in the SEPA Checklist, the site shall be reclaimed consistent with applicable state and local requirements, with a reclamation plan to be reviewed and approved by the Planning Department. The site shall be reclaimed such that it is comparable with the existing landscape, including with respect to existing land contours and vegetation.

This Conditional Use Permit was issued on the Sixth day of March 2018

  
\_\_\_\_\_  
Clark A. Posey, Assistant Planning Manager  
Benton County Planning Department  
For: BENTON COUNTY HEARINGS EXAMINER

CC: Benton County Building Department

**Community Development Department**

Prosser Office: 620 Market Street, 1<sup>st</sup> Floor  
Kennewick Office: 102206 East Wiser Parkway  
[www.co.benton.wa.us](http://www.co.benton.wa.us)



**Planning Division**

(509) 786-5612  
P.O. Box 910, Prosser, WA 99350  
[planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us)

May 23, 2022

**HEM 1.5**

Tri-City Rock Products/Columbia Basin Developers  
P.O. Box 6265  
Kennewick, WA 99336

Via email to: [tcrockproducts@gmail.com](mailto:tcrockproducts@gmail.com)

RE: Written Determination of Completeness  
File Number: CUP 2022-008

Dear Applicant,

This office is in receipt of your project permit application for a Conditional Use Permit to amend the Conditions of Approval of CUP 2016-007 to allow crushing 8-10 weeks per year, 24 hours a day, Monday – Saturday at 37123 S. Olympia Kennewick, WA 99337. The Planning Division has determined that the required materials have been submitted and the application is complete. A file number has been assigned (CUP 2022-008) and the review process will now begin. **While we anticipate that your hearing date will be June 17, 2022, this is not confirmed until all agencies have had an opportunity to review the project and submit comments.**

During the review and comment period, more clarification or information may be needed from you. If additional information is required, it will need to be submitted to our office before the item can be heard by the Hearings Examiner and could cause a delay in your hearing.

You will receive a copy of the Notice of Hearing approximately 2 weeks before the hearing and a staff memo about 1 week before the hearing. The Hearings Examiner will base their decision on the criteria of approval in the Benton County code as well as the information in the staff report and documentation you've submitted. The Hearings Examiner will make their decision within 10 business days of the close of the hearing. We strongly encourage all of our Conditional Use Permit applicants to attend their hearing(s), either by phone, Webex or in person. Not having an applicant at a hearing can extend the time needed to issue a decision.

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

Sincerely,

April L. Brown, Permit Technician  
Benton County Community Development Dept.  
Planning Division

**Community Development Department**

Prosser Office: 620 Market Street, 1<sup>st</sup> Floor  
Kennewick Office: 102206 East Wiser Parkway  
[www.co.benton.wa.us](http://www.co.benton.wa.us)



**Planning Division**

(509) 786-5612  
P.O. Box 910, Prosser, WA 99350  
[planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us)

May 23, 2022

**HEM 1.6**

Benton County Public Works Department  
Benton-Franklin Health District  
Benton County Fire District #1  
Benton County Building Division  
Benton County Fire Marshal  
Benton County Code Enforcement  
Benton PUD  
Kennewick Irrigation District (borders district)  
Department of Natural Resources  
Benton Clean Air  
City of Kennewick

**RE: Agency review of Conditional Use Permit application**  
**File #: CUP 2022-008**  
**Parcel # 1-2589-100-0002-008 & 1-2589-100-0002-008**  
**Applicant: Tri-City Rock Products**

Agencies,

The above applicant is requesting to amend the Conditions of Approval for CUP 2016-007 to allow crushing activities to occur 8-10 weeks per year, 24 hours a day, Monday – Saturday.

The applicants are currently allowed to operate from 7:00 a.m. to 5:00 p.m. Monday through Friday. (A copy of CUP 2016-007's permit with the current Conditions of Approval is attached.)

**Please submit your comments to [planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us) by June 6, 2022 and reference file number CUP 2022-008 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 the email above.

Thank you!  
Benton County Planning Division

**April Brown**

---

**From:** Dale Wilson  
**Sent:** Wednesday, May 25, 2022 9:55 AM  
**To:** Planning Department  
**Subject:** RE: CUP 2022-008 Agency review request

I have had communication with a landowner on E. Game Farm Rd., which is located to the north of the rock quarry activities that complaint about quarry activities that occur already throughout the night.

I advised the complainant to supply some evidence of the occurrences to document.



Dale Wilson, Code Enforcement Officer  
 Benton County Washington  
 (509) 222-2301

**From:** Planning Department <Planning.Department@co.benton.wa.us>  
**Sent:** Monday, May 23, 2022 4:05 PM  
**To:** Benton Franklin Health District - Rick Dawson <rickd@bfhd.wa.gov>; Benton Franklin Health District - Rebecca Warrington <rebeccaw@bfhd.wa.gov>; Benton Franklin Health District - JoDee Peyton <Jodeer@bfhd.wa.gov>; Clark Posey <Clark.Posey@co.benton.wa.us>; Dale Wilson <Dale.Wilson@co.benton.wa.us>; Kennewick Irrigation District - Application and SEPA Review (development@kid.org) <development@kid.org>; City of Kennewick - Martin Nelson <Martin.Nelson@ci.kennewick.wa.us>; City of Kennewick - Joe Seet <Joe.Seet@ci.kennewick.wa.us>; City of Kennewick - CEDInfo <cedinfo@ci.kennewick.wa.us>; anthony.muai@ci.kennewick.wa.us; Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Brian Bell <Brian.Bell@co.benton.wa.us>; Daniel Gonzalez <Daniel.Gonzalez@co.benton.wa.us>; Elizabeth Koerner <Elizabeth.Koerner@co.benton.wa.us>; Jessica Harris <Jessica.Harris@co.benton.wa.us>; Michelle Johnson <Michelle.Johnson@co.benton.wa.us>; Troy Taylor <Troy.Taylor@co.benton.wa.us>; Cristina Woods <Cristina.Woods@co.benton.wa.us>; Jeff Liner <Jeff.Liner@co.benton.wa.us>; Jordyn Reimer <Jordyn.Reimer@co.benton.wa.us>; Tavis Hatfield <Tavis.Hatfield@co.benton.wa.us>; Douglas D'Hondt <Douglas.DHondt@co.benton.wa.us>; Matt Mahoney <Matt.Mahoney@co.benton.wa.us>; lonnie@bentonone.org; Fire District # 1 - Scott <scott@bentonone.org>; Fire District #1 - Billie <billie@bentonone.org>; Fire District #1 - Staff <staff@bentonone.org>; Benton PUD - Brenda Webb <webbbb@bentonpud.org>; Benton PUD - Chad Brooks <brooksc@bentonpud.org>; Benton PUD - Nancy Lang <langn@bentonpud.org>; Benton PUD - R Dunn <dunnr@bentonpud.org>; Benton PUD - Rick Sunford <sunfordr@bentonpud.org>; Benton PUD - Shanna Everson <eversons@bentonpud.org>; Benton PUD - Tina Glines (glinest@bentonpud.org) <glinest@bentonpud.org>; Benton PUD Jeff Vosahlo <vosahloj@bentonpud.org>; DNR Sepa Center (sepacenter@dnr.wa.gov) <sepacenter@dnr.wa.gov>; john.lyle@bentoncleanair.org; Benton Clean Air - Rob Rodger <rob.rodger@bentoncleanair.org>; Benton Clean Air - Tyler Thompson <tyler.thompson@bentoncleanair.org>; Benton Clean Air Agency - Noah Lee <noah.lee@bentoncleanair.org>; Benton Clean Air Authority - Robin Priddy <robin.priddy@bentoncleanair.org>  
**Subject:** CUP 2022-008 Agency review request

Tri-City Rock/Columbia Basin Developers is requesting to amend the Conditions of Approval for CUP 2016-007 to allow crushing activities to occur 8-10 weeks per year, 24 hours a day, Monday – Saturday.

The applicants are currently allowed to operate from 7:00 a.m. to 5:00 p.m. Monday through Friday.



# BENTON CLEAN AIR AGENCY

## HEM 1.8

May 25, 2022

Re: CUP 2022-008

Community Development Department  
April L. Brown  
102206 East Wiser Parkway  
Kennewick, WA 99336

**Applicant/Proponent:** Tri-City Rock Products  
Attn: Justin Goodman  
PO Box 6265  
Kennewick, WA 99336

Dear Ms. Brown:

It has come to our attention that you are reviewing a proposal for the above named applicant in which a parcel or parcels will be disturbed for development. Because these activities may cause possible fugitive dust emissions, we would like to take this opportunity to provide information to ensure that the applicant takes reasonable steps to control the dust from his/her project.

The Benton Clean Air Agency (BCAA) requires the applicant submit a Proof of Contact: Soil Destabilization Notification for this project prior to any excavation/construction taking place. This will insure that the proponent has the ability and resources to control fugitive dust emissions that may be created as a result of construction activities. This will also inform them of the regulations and requirements of the BCAA. Additionally, a written dust control plan must be developed and maintained for all soil destabilization projects, and must be readily available upon request by the BCAA. Part of this plan is submitting the name of at least one person for the project so that the BCAA has a point of contact should we receive any dust complaints from the project. The Soil Destabilization Notification form can be found and submitted on our website, [www.bentoncleanair.org](http://www.bentoncleanair.org).

Thank you for the opportunity to comment on this proposal. If you have any questions, or would like further information on this subject, please contact us at (509) 783-1304.

Sincerely,

*Noah Lee*

Noah Lee  
Inspector

**From:** Cristina Woods  
**Sent:** Wednesday, May 25, 2022 11:10 AM  
**To:** Planning Department  
**Subject:** RE: CUP 2022-008 Agency review request

Good morning

Public Works has no comments.

Thank you



Cristina Woods, MS • *Engineering Associate II*  
Benton County Public Works  
102206 Wiser Parkway , Kennewick WA, 99338  
[cristina.woods@co.benton.wa.us](mailto:cristina.woods@co.benton.wa.us)  
(509) 786-5611

**From:** Planning Department <Planning.Department@co.benton.wa.us>  
**Sent:** Monday, May 23, 2022 4:05 PM  
**To:** Benton Franklin Health District - Rick Dawson <rickd@bfhd.wa.gov>; Benton Franklin Health District - Rebecca Warrington <rebeccaw@bfhd.wa.gov>; Benton Franklin Health District - JoDee Peyton <Jodeer@bfhd.wa.gov>; Clark Posey <Clark.Posey@co.benton.wa.us>; Dale Wilson <Dale.Wilson@co.benton.wa.us>; Kennewick Irrigation District - Application and SEPA Review (development@kid.org) <development@kid.org>; City of Kennewick - Martin Nelson <Martin.Nelson@ci.kennewick.wa.us>; City of Kennewick - Joe Seet <Joe.Seet@ci.kennewick.wa.us>; City of Kennewick - CEDInfo <cedinfo@ci.kennewick.wa.us>; anthony.muai@ci.kennewick.wa.us; Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Brian Bell <Brian.Bell@co.benton.wa.us>; Daniel Gonzalez <Daniel.Gonzalez@co.benton.wa.us>; Elizabeth Koerner <Elizabeth.Koerner@co.benton.wa.us>; Jessica Harris <Jessica.Harris@co.benton.wa.us>; Michelle Johnson <Michelle.Johnson@co.benton.wa.us>; Troy Taylor <Troy.Taylor@co.benton.wa.us>; Cristina Woods <Cristina.Woods@co.benton.wa.us>; Jeff Liner <Jeff.Liner@co.benton.wa.us>; Jordyn Reimer <Jordyn.Reimer@co.benton.wa.us>; Tavis Hatfield <Tavis.Hatfield@co.benton.wa.us>; Douglas D'Hondt <Douglas.DHondt@co.benton.wa.us>; Matt Mahoney <Matt.Mahoney@co.benton.wa.us>; lonnie@bentonone.org; Fire District # 1 - Scott <scott@bentonone.org>; Fire District #1 - Billie <billie@bentonone.org>; Fire District #1 - Staff <staff@bentonone.org>; Benton PUD - Brenda Webb <webbb@bentonpud.org>; Benton PUD - Chad Brooks <brooksc@bentonpud.org>; Benton PUD - Nancy Lang <langn@bentonpud.org>; Benton PUD - R Dunn <dunnr@bentonpud.org>; Benton PUD - Rick Sunford <sunfordr@bentonpud.org>; Benton PUD - Shanna Everson <eversons@bentonpud.org>; Benton PUD - Tina Glines (glinest@bentonpud.org) <glinest@bentonpud.org>; Benton PUD Jeff Vosahlo <vosahloj@bentonpud.org>; DNR Sepa Center (sepacenter@dnr.wa.gov) <sepacenter@dnr.wa.gov>; john.lyle@bentoncleanair.org; Benton Clean Air - Rob Rodger <rob.rodger@bentoncleanair.org>; Benton Clean Air - Tyler Thompson <tyler.thompson@bentoncleanair.org>; Benton Clean Air Agency - Noah Lee <noah.lee@bentoncleanair.org>; Benton Clean Air Authority - Robin Priddy <robin.priddy@bentoncleanair.org>  
**Subject:** CUP 2022-008 Agency review request

Tri-City Rock/Columbia Basin Developers is requesting to amend the Conditions of Approval for CUP 2016-007 to allow crushing activities to occur 8-10 weeks per year, 24 hours

**From:** Chris Sittman <CSittman@kid.org>  
**Sent:** Tuesday, May 31, 2022 3:15 PM  
**To:** Planning Department  
**Subject:** [EXTERNAL] RE: CUP 2022-008 Agency review request

EXTERNAL EMAIL WARNING!!!: This email originated from outside of Benton County. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

KID has no comments

**Chris D. Sittman**

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

**From:** Planning Department <Planning.Department@co.benton.wa.us>  
**Sent:** Monday, May 23, 2022 4:05 PM  
**To:** Benton Franklin Health District - Rick Dawson <rickd@bfhd.wa.gov>; Benton Franklin Health District - Rebecca Warrington <rebeccaw@bfhd.wa.gov>; Benton Franklin Health District - JoDee Peyton <Jodeer@bfhd.wa.gov>; Clark Posey <Clark.Posey@co.benton.wa.us>; Dale Wilson <Dale.Wilson@co.benton.wa.us>; Development <development@kid.org>; City of Kennewick - Martin Nelson <Martin.Nelson@ci.kennewick.wa.us>; City of Kennewick - Joe Seet <Joe.Seet@ci.kennewick.wa.us>; City of Kennewick - CEDInfo <cedinfo@ci.kennewick.wa.us>; anthony.muai@ci.kennewick.wa.us; Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Brian Bell <Brian.Bell@co.benton.wa.us>; Daniel Gonzalez <Daniel.Gonzalez@co.benton.wa.us>; Elizabeth Koerner <Elizabeth.Koerner@co.benton.wa.us>; Jessica Harris <Jessica.Harris@co.benton.wa.us>; Michelle Johnson <Michelle.Johnson@co.benton.wa.us>; Troy Taylor <Troy.Taylor@co.benton.wa.us>; Cristina Woods <Cristina.Woods@co.benton.wa.us>; Jeff Liner <Jeff.Liner@co.benton.wa.us>; Jordyn Reimer <Jordyn.Reimer@co.benton.wa.us>; Tavis Hatfield <Tavis.Hatfield@co.benton.wa.us>; Douglas D'Hondt <Douglas.DHondt@co.benton.wa.us>; Matt Mahoney <Matt.Mahoney@co.benton.wa.us>; lonnie@bentonone.org; Fire District # 1 - Scott <scott@bentonone.org>; Fire District #1 - Billie <billie@bentonone.org>; Fire District #1 - Staff <staff@bentonone.org>; Benton PUD - Brenda Webb <webbb@bentonpud.org>; Benton PUD - Chad Brooks <brooksc@bentonpud.org>; Benton PUD - Nancy Lang <langn@bentonpud.org>; Benton PUD - R Dunn <dunnr@bentonpud.org>; Benton PUD - Rick Sunford <sunfordr@bentonpud.org>; Benton PUD - Shanna Everson <eversons@bentonpud.org>; Benton PUD - Tina Glines (glinest@bentonpud.org) <glinest@bentonpud.org>; Benton PUD Jeff Vosahlo <vosahloj@bentonpud.org>; DNR Sepa Center (sepacenter@dnr.wa.gov) <sepacenter@dnr.wa.gov>; john.lyle@bentoncleanair.org; Benton Clean Air - Rob Rodger <rob.rodger@bentoncleanair.org>; Benton Clean Air - Tyler Thompson <tyler.thompson@bentoncleanair.org>; Benton Clean Air Agency - Noah Lee <noah.lee@bentoncleanair.org>; Benton Clean Air Authority - Robin Priddy <robin.priddy@bentoncleanair.org>  
**Subject:** CUP 2022-008 Agency review request

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Tri-City Rock/Columbia Basin Developers is requesting to amend the Conditions of Approval for CUP 2016-007 to allow crushing activities to occur 8-10 weeks per year, 24 hours a day, Monday – Saturday.

The applicants are currently allowed to operate from 7:00 a.m. to 5:00 p.m. Monday through Friday.

A copy of CUP 2016-007's permit with the current Conditions of Approval is attached for your reference.

Thank you,

April L. Brown  
Permit Technician, Planning Division  
Benton County Community Development Department  
(509) 786-5612

Website: [co.benton.wa.us](http://co.benton.wa.us)

**Kennewick Office:** 102206 East Wiser Parkway (my location)  
**Prosser Office:** 620 Market Street (Prosser Courthouse, 1<sup>st</sup> Floor)  
**Mailing Address:** P.O. Box 910 Prosser, WA 99350

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**From:** Chad Brooks <brooksc@bentonpud.org>  
**Sent:** Monday, June 6, 2022 7:36 AM  
**To:** Planning Department  
**Subject:** [EXTERNAL] RE: [E] CUP 2022-008 Agency review request

EXTERNAL EMAIL WARNING!!!: This email originated from outside of Benton County. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Coordinate with Benton PUD for any additional power needs.

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



**From:** Planning Department <Planning.Department@co.benton.wa.us>  
**Sent:** Monday, May 23, 2022 4:05 PM  
**To:** Benton Franklin Health District - Rick Dawson <rickd@bfhd.wa.gov>; Benton Franklin Health District - Rebecca Warrington <rebeccaw@bfhd.wa.gov>; Benton Franklin Health District - JoDee Peyton <Jodeer@bfhd.wa.gov>; Clark Posey <Clark.Posey@co.benton.wa.us>; Dale Wilson <Dale.Wilson@co.benton.wa.us>; Kennewick Irrigation District - Application and SEPA Review (development@kid.org) <development@kid.org>; City of Kennewick - Martin Nelson <Martin.Nelson@ci.kennewick.wa.us>; City of Kennewick - Joe Seet <Joe.Seet@ci.kennewick.wa.us>; City of Kennewick - CEDInfo <cedinfo@ci.kennewick.wa.us>; anthony.muai@ci.kennewick.wa.us; Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Brian Bell <Brian.Bell@co.benton.wa.us>; Daniel Gonzalez <Daniel.Gonzalez@co.benton.wa.us>; Elizabeth Koerner <Elizabeth.Koerner@co.benton.wa.us>; Jessica Harris <Jessica.Harris@co.benton.wa.us>; Michelle Johnson <Michelle.Johnson@co.benton.wa.us>; Troy Taylor <Troy.Taylor@co.benton.wa.us>; Cristina Woods <Cristina.Woods@co.benton.wa.us>; Jeff Liner <Jeff.Liner@co.benton.wa.us>; Jordyn Reimer <Jordyn.Reimer@co.benton.wa.us>; Tavis Hatfield <Tavis.Hatfield@co.benton.wa.us>; Douglas D'Hondt <Douglas.DHondt@co.benton.wa.us>; Matt Mahoney <Matt.Mahoney@co.benton.wa.us>; lonnie@bentonone.org; Fire District # 1 - Scott <scott@bentonone.org>; Fire District #1 - Billie <billie@bentonone.org>; Fire District #1 - Staff <staff@bentonone.org>; Brenda Webb <webbbb@bentonpud.org>; Chad Brooks <brooksc@bentonpud.org>; Nancy Lang <langn@bentonpud.org>; Rick Dunn <dunnr@bentonpud.org>; Rick Sunford <sunfordr@bentonpud.org>; Shanna Everson <eversons@bentonpud.org>; Tina Glines <glinest@bentonpud.org>; Jeff Vosahlo <vosahloj@bentonpud.org>; DNR Sepa Center (sepacenter@dnr.wa.gov) <sepacenter@dnr.wa.gov>; john.lyle@bentoncleanair.org; Benton Clean Air - Rob Rodger <rob.rodger@bentoncleanair.org>; Benton Clean Air - Tyler Thompson <tyler.thompson@bentoncleanair.org>; Benton Clean Air Agency - Noah Lee <noah.lee@bentoncleanair.org>; Benton Clean Air Authority - Robin Priddy <robin.priddy@bentoncleanair.org>  
**Subject:** [E] CUP 2022-008 Agency review request

[EXTERNAL EMAIL]

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Tri-City Rock/Columbia Basin Developers is requesting to amend the Conditions of Approval for CUP 2016-007 to allow crushing activities to occur 8-10 weeks per year, 24 hours a day, Monday – Saturday.

The applicants are currently allowed to operate from 7:00 a.m. to 5:00 p.m. Monday through Friday.

A copy of CUP 2016-007's permit with the current Conditions of Approval is attached for your reference.

Thank you,

April L. Brown  
Permit Technician, Planning Division  
Benton County Community Development Department  
(509) 786-5612  
Website: [co.benton.wa.us](http://co.benton.wa.us)  
**Kennewick Office:** 102206 East Wiser Parkway (my location)  
Prosser Office: 620 Market Street (Prosser Courthouse, 1<sup>st</sup> Floor)  
Mailing Address: P.O. Box 910 Prosser, WA 99350

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**Community Development Department**

Prosser Office: 620 Market Street, 1<sup>st</sup> Floor  
Kennewick Office: 102206 East Wiser Parkway  
[www.co.benton.wa.us](http://www.co.benton.wa.us)



**Planning Division**

(509) 786-5612  
P.O. Box 910, Prosser, WA 99350  
[planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us)

**NOTICE OF OPEN RECORD HEARINGS**

**HEM 1.12**

NOTICE IS HEREBY GIVEN that the following applications have been proposed to the Benton County Hearings Examiner for Benton County, Washington.

**CONDITIONAL USE PERMIT -- CUP 2022-007, APPLICANT: GALE REW FOR AMOEDO/SOSA**

The applicant is requesting to remodel an existing accessory building at 160701 West Richardson Rd in Prosser, WA to create a 692 square foot detached Accessory Dwelling Unit. The existing 2,842 square foot single family dwelling that is also on the property will remain.

**CONDITIONAL USE PERMIT -- CUP 2022-008, APPLICANT: TRI-CITY ROCK PRODUCTS**

The applicant is requesting to amend the Conditions of Approval for CUP 2016-007 to allow crushing activities to occur 8-10 weeks per year, 24 hours a day, Monday – Saturday. The applicants are currently allowed to operate from 7:00 a.m. to 5:00 p.m. Monday through Friday.

NOTICE IS GIVEN that the Benton County Hearings Examiner will hold an open record public hearing for each of the above stated applications. The hearings will be held in-person and virtually/telephonically via Webex.

**DATE OF HEARING:** Friday, June 17, 2022 at 10:00 am  
**LOCATION OF HEARING:** Planning Hearing Room, Benton County Courthouse, 1<sup>st</sup> Floor, 620 Market Street, Prosser, WA 99350

**The Planning Hearing Room can only be accessed via the Main Street (east) side of the building.** To find information on attendance & testimony options, directions to the meeting room and to review documentation for the application, please visit <https://tinyurl.com/BCpublicnotice>

Anyone may participate in the hearings and present testimony or comments on an application. Persons may appear in person or virtually/telephonically during the hearing or provide written testimony to the Hearings Examiner (care of the Planning Division) on or before the date of the hearing. Written comments can be emailed to [planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us) or dropped off at one of the Planning Division offices or mailed to: Benton County Community Development Department-Planning Division, ATTN: Hearings Examiner P.O. Box 910 Prosser, WA 99350. Any information submitted to Benton County is subject to the public records disclosure laws for the State of Washington (RCW Chapter 42.17) and all other laws that may require the release of the documents to the public.

If you wish to provide testimony during the hearing (in person or virtually), we ask that you inform the Planning Division before the meeting. You can do that by filling out a Request to Testify form at <https://tinyurl.com/testifyform> or by contacting our office to be added to the list. **You must submit a request for each hearing in which you wish to participate.** We ask that participants who will be attending virtually please limit background noise and/or mute their line to prevent interruptions of the meeting.

If you have questions regarding any of the actions before the Hearings Examiner or the hearing process, please contact the Planning Division at (509) 786-5612, [planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us), P.O. Box 910 Prosser, WA 99350, 102206 E. Wiser Parkway, Kennewick, WA 99338 or 620 Market Street, First Floor, Prosser, WA 99350.

Dated this 27<sup>th</sup> day of May 2022

PUBLICATION DATE: June 1, 2022

SUSAN E. DRUMMOND  
Benton County Hearings Examiner

MICHELLE L. COOKE, Planning Manager  
Community Development Department