



NOTICE OF DECISION

PURSUANT TO RICHLAND MUNICIPAL CODE SECTIONS 19.60.080 & 23.46.050, NOTICE IS HEREBY GIVEN THAT THE RICHLAND HEARING EXAMINER HELD A PUBLIC HEARING ON APRIL 10, 2023, TO CONSIDER AN APPLICATION SUBMITTED BY AHBL, INC ON BEHALF OF NC VENTURES FOR A SPECIAL USE PERMIT TO CONSTRUCT 80 RECREATIONAL VEHICLE PARKING STALLS ALONG WITH ASSOCIATED PARKING, OPEN SPACE, AND RELATED AMENITIES. THE PROJECT SITE IS LOCATED ON ASSESSOR'S PARCEL NUMBERS 104984000001000 AND 104984000002000. ON MAY 12, 2023 THE EXAMINER ISSUED A WRITTEN DECISION TO APPROVE SPECIAL USE PERMIT # 2023-101.

REQUEST: Special Use Permit to construct 80 recreational vehicle parking stalls along with associated parking, open space, and related amenities.

LOCATION: Parcel Numbers 104984000001000 and 104984000002000

DESCRIPTION OF ACTION: Request approved subject to the conditions as enumerated in the Hearing Examiner's written decision.

SEPA REVIEW: The above referenced action was reviewed in compliance with the requirements of the State Environmental Policy Act (RCW 43.21c). A SEPA Threshold Determination of Non-Significance was issued by the City of Richland on April 3, 2023 after utilizing the Optional DNS Method.

APPEAL PROCEDURES: This Special Use Permit is a Type II Permit action under RMC 19.20.010.B.9. RMC 19.70.010 explains that project permit applications shall be appealable as provided in the framework in RMC 19.20.030, which provides that Type II Permit decisions are not subject to a closed record appeal before the City Council but may be appealed to Superior Court. RMC 19.70.060, captioned "Judicial appeals", reads as follows: *Except in the event of legal authority providing for a different appeal process, the city's final decision on an application may be appealed by a party of record with standing to file a land use petition in Benton County superior court. Such petition must be filed within 21 days of issuance of the decision, as provided in Chapter 36.70C RCW.*

Mike Stevens
Planning Manager

May 12, 2023
Date

**BEFORE THE HEARING EXAMINER
FOR THE CITY OF RICHLAND**

Regarding an Application for a Special
Use Permit to Develop and Operate an
RV Park on property in the General
Business (C-3) Zone, submitted by

AHBL, INC.,
ON BEHALF OF **NC VENTURES**
(PROPERTY OWNER),

Applicant,

*(Request to develop and operate a Recreational Vehicle (RV)
Park on a 7.22-acre site within the City's General Business
(C-3) zone, at 2517-2525 Van Giesen Street, in the City of
Richland).*

File Nos. SUP2023-101 and EA2023-106

**FINDINGS OF FACT,
CONDITIONS OF APPROVAL AND
DECISION**

I. SUMMARY OF DECISION.

The applicant met its burden of proof to demonstrate that its requested Special Use Permit application (File No. SUP 2023-101) merits approval, subject to appropriate conditions of approval.

II. BACKGROUND and APPLICABLE LAW.

In this matter, the Hearing Examiner has jurisdiction to conduct an open record public hearing and issue a Decision regarding the pending application for a Special Use Permit (SUP) to develop and operate a Recreational Vehicle (RV) Park in the City's General Business District (C-3) zone. See RMC 23.22.030, table of permitted uses by zone; RMC 23.42.220, special requirements for an RV Park when permitted as a special use in a zoning

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1 district; RMC 23.46.025(A)(7), re: authority for Hearing Examiner to issue Special Use
2 Permit for “Recreational vehicle campgrounds and recreational vehicle parks in the AG –
3 agricultural and C-3 – general business districts”; and RMC 23.46.040, re: special use permit
4 process and the hearing examiner’s authority to impose conditions.

5 A Special Use Permit is reviewed under the City’s Type II process, which requires an
6 open record public hearing by the Hearing Examiner, who is given authority to approve such
7 permits. The City’s review procedure chart indicates that decisions made by the Examiner
8 on Type II matters are subject to appeal to superior court. *See RMC 19.20.010(B)(9), RMC*
9 *23.46.070, and RMC 19.20.030.* All Type II and Type III permits require findings and
10 conclusions consistent with those found in RMC 19.60.095.

11 The burden of proof rests with the applicant, and any decision to approve or deny a
12 preliminary plat must be supported by a preponderance of evidence. *RMC 19.60.060 and*
13 *Hearing Examiner Rules of Procedure, Sec. 3.08.* The application must be supported by
14 proof that it conforms to the applicable elements of the city’s development regulations,
15 comprehensive plan and that any significant adverse environmental impacts have been
16 adequately addressed. *RMC 19.60.060.*

17 RMC 23.46.040 specifies the hearing process and criteria that must be satisfied by an
18 applicant to obtain a Special Use Permit, and reads as follows:

19 **23.46.040 Hearings – Findings – Conditions.**

20 The hearing body shall conduct an open record public hearing on an application for special
21 use permit as required by RMC Title 19 for a Type III permit application.

22 A. Any person may appear at the public hearing in person, or by agent or attorney.

23 B. The hearing body shall make a finding that it is empowered under the section of this code
24 described in the application to consider the application for the special use permit.

25 C. The hearing body shall approve, approve with conditions or deny an application for a
26 special use permit based on findings of fact with respect to the following criteria:

1. The size and dimensions of the site provide adequate area for the proposed use;
2. The physical conditions of the site, including size, shape, topography, and drainage, are suitable for the proposed development;
3. All required public facilities necessary to serve the project have adequate capacity to serve the proposed project;
4. The applicable requirements of this zoning regulation (RMC Title 23), the city comprehensive plan, the city sensitive area regulations (RMC Title 20), the city

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1 shoreline management regulations (RMC Title 26) and the city sign regulations
2 (RMC Title 27) have been met; and

3 5. Identified impacts on adjacent properties, surrounding uses and public facilities
4 have been adequately mitigated.

5 D. The hearing body may impose conditions on the approval of a special use permit in
6 addition to or above and beyond those required elsewhere in this title, which are found
7 necessary to ensure the use is compatible with the public interest. These conditions may
8 include, but are not limited to, the following:

- 9 1. Limiting the hours, days, place and/or manner of operation;
- 10 2. Requiring design features which minimize environmental impacts such as noise,
11 vibration, air pollution, glare, odor and/or dust;
- 12 3. Requiring additional setback areas, lot area and/or lot depth or width;
- 13 4. Limiting the building height, size or lot coverage, and/or location on the site;
- 14 5. Designating the size, number, location and/or design or vehicle access points;
- 15 6. Requiring street right-of-way dedication and/or street improvement;
- 16 7. Requiring additional landscaping, berms and/or screening of the proposed use
17 and/or its parking or loading areas and designating the required size, height, type
18 and/or location of fencing and landscaping materials;
- 19 8. Limiting the number, size, location, height and/or lighting of signs.

20 E. Violation of any conditions, requirements, and safeguards, when made a part of the terms
21 under which the special use permit is granted, shall be deemed a violation of this code and
22 punishable under RMC 23.70.270.

23 F. The hearing body may prescribe a time limit within which the action for which the special
24 use permit is required shall be begun and/or completed. Failure to begin and/or complete such
25 action within the time limit set shall void the special use permit. The time limits may be
26 extended by the hearing body for good cause shown. In the event that no specific time limit
to begin or complete a special use permit is identified, then the special use permit shall remain
valid for a period of two years from the date that the permit was issued. The hearing body
may authorize issuance of a special use permit for a specified probationary period of time, at
the termination of which the applicant must resubmit a new application in accordance with
the provisions of RMC 23.46.020. [Ord. 28-05 § 1.02].

27 III. QUESTION PRESENTED.

28 Whether the pending application for a Special Use Permit satisfies the approval

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1 criteria set forth in applicable city codes and regulations?

2 Short Answer: Yes, as conditioned below.

3 **IV. RECORD AND EXHIBITS.**

4 Exhibits entered into evidence as part of the record, and an audio recording of the
5 public hearing, are maintained by the City of Richland, and may be examined or reviewed by
6 contacting the City Clerk's Office.

7 **Hearing Testimony:** The following individuals presented testimony under oath at the
8 duly noticed public hearing for the underlying application held in council chambers at
9 Richland City Hall on April 10, 2023:

- 10 1. Matthew Howie, Senior Planner for the City of Richland. Mr. Howie
11 summarized the Staff Report, the site location, applicable codes, suggested
12 conditions, comments received from DAHP and others, design considerations,
13 lighting issues, and broad discretion to include appropriate conditions for the
14 proposed special use. Based on comments and questions raised during the
15 public hearing, Mr. Howie conferred with the applicant team, and submitted
16 a post-hearing document, added to the record by the Examiner, which provides
17 suggested language to clarify details for a masonry block wall along the
18 western and southern property lines, and a requirement for review and
19 approval of RV Park Rules of Conduct.
- 20 2. MillieAnne VanDevender, AICP, Project Planner with AHBL, Inc., the
21 applicant's agent and primary hearing representative, generally accepted Staff
22 Report and proposed conditions without objection or requested changes, noted
23 that the RV Park hopes to serve families traveling for sports events in the area,
24 contract workers, and professionals with temporary work assignments in the
25 area, among others. Provided detailed responses to public comments and
26 questions from the Examiner, noted that a sewer stub will be provided to each
RV pad to avoid clean-out issues, and that lighting will comply with
applicable codes, among other things.
3. Paul Knutsen, project engineer, addressed synergy with neighboring site to
the east, owned by Knights of Columbus, described sewer connection options,
proposed design/layout of RV pads and internal access lanes, possible need
for a latecomers agreement, noted that the narrow width at a triangle point in
the initial design could be redesigned, responded to questions.

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- 1 4. Deardra Hagen, Member of Richland Rider’s Club, leases space next door to
2 board her horse, expressed concerns about safety, fireworks, cigarettes, things
3 that might spark fire on Rider’s Club property to the west;
- 4 5. Maria Skorska, Richland Rider’s Club, Board Member, described history of
5 Rider’s Club, noted that many women and children use the facility,
6 expressed general safety concerns, requested a tall wall be constructed
7 between the RV Park and the Rider’s Club.
- 8 6. Mike Cullum, Richland Rider’s Club, Board Member, shared concerns
9 expressed by others, requested wall between Rider’s Club and RV Park be
10 constructed before other develop work on the site begins.
- 11 7. Nancy Harvill, longtime rider, supports wall between the Rider’s Club and
12 RV Park, mentioned history of flooding events on sites in the surrounding
13 area.
- 14 8. Morgan Neal, the property owner, applicant, spoke to respond to public
15 comments, noted that a wall at 7’6” is far more affordable than an 8-foot
16 wall,

17 **Exhibits:** The Staff Report, was provided to the Examiner in the week before the
18 initial hearing. The Staff Report, and the following Exhibits, were all accepted into the
19 Record in their entirety without modification:

- 20 1. Application materials;
- 21 2. Site Plan;
- 22 3. SEPA Checklist;
- 23 4. SEPA DNS issued for project, assigned File No. EA2023-106;
- 24 5. Public Notices & confirmation materials;
- 25 6. Agency Comments;
- 26 7. Public Comments;
8. Email correspondence from Mr. Howie to the Examiner, dated April 14, 2023,
authorized during public hearing, explaining “agreed upon” conditions proposed by
Staff and Applicant team to address possible conditions regarding masonry wall and
RV park rules of conduct, added into record by the Examiner.

The Examiner visited the project site, as well as the road network and vicinity of the
proposed Special Use Permit before and after the public hearing and is fully advised on
matters at issue in this matter.

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V. FINDINGS OF FACT.

Based upon the record, the undersigned Examiner issues the following Findings of Fact.

Jurisdiction

1. As required by RMC 23.46.040(B), the Examiner expressly finds that he is empowered by several city code provisions to conduct an open record public hearing and issue a Decision regarding the pending application for a Special Use Permit (SUP) to develop and operate a Recreational Vehicle (RV) Park on a property that is located in the City's General Business (C-3) zoning district. *See* RMC 23.22.030, table of permitted uses by zone; RMC 23.42.220, special requirements for an RV Park when permitted as a special use in a zoning district; RMC 23.46.025(A)(7), re: authority for Hearing Examiner to issue Special Use Permit for "Recreational vehicle campgrounds and recreational vehicle parks in the AG – agricultural and C-3 – general business districts"; and RMC 23.46.040, re: special use permit process and the hearing examiner's authority to impose conditions.

Application, Public Notice, and Review

2. On or about February 27, 2023, the AHBL development consultant firm submitted the pending application on behalf of the property owner, NC Ventures (Morgan Neal), for a Special Use Permit ("SUP") to authorize development and operation of a recreational vehicle (RV) park on a 7.22-acre site that is located within the City's C-3 General Business zoning district. The RV Park would include up to 80 pads/spaces for RVs, three accessory buildings, and recreational space. (*Ex. 1, Application materials; Ex. 2, Site Plan; Staff Report, pages 2 and 17*).

3. Staff deemed the application materials complete for purposes of vesting and public review, complying with all applicable public notice requirements for the SUP application and the public hearing held for the matter. (*Exhibit 5, copies of public notices mailed, posted, and published, with confirmation materials*). There is no dispute that C-3 zoning standards mandate that a proposed RV Park must first obtain approval through the special use permit process.

4. Staff reviewed the application materials, including the SEPA Checklist completed by the project applicant, and issued a SEPA Determination of Non-Significance (DNS) for the applicant's proposal on or about April 3, 2023. (*Ex. 3, SEPA Checklist; Ex. 4, SEPA DNS; Staff Report, SEPA discussion on page 16*). Notices regarding the application were issued in accord with City practices, inviting comments from adjacent property owners and public

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1 agencies. (Exs. 5, 6, and 7, Public Notice materials, copies of Agency Comments and Public
2 Comments).

3 5. As noted in the Staff Report, the proposed RV Park use is consistent with – or can be
4 appropriately conditioned to satisfy – applicable provisions and policies in the City’s zoning
5 code and Comprehensive Plan. Staff credibly confirm that the City has domestic water and
6 electrical service lines in place to serve the site and has adequate capacity to do so. Given
7 topographical challenges accessing City existing city sewer mains, the Staff Report and
8 witness testimony described various options, which might include a latecomer’s agreement
9 to fund a sewer lift station. In any event, all City utilities have sufficient capacity to serve
10 the property. (Staff Report, pages 6-14; Testimony of Mr. Knutsen).

11 **Public Hearing, primary issues raised in comments.**

12 6. As noted above, this matter was noticed and advertised for a public hearing, which
13 was conducted in council chambers at Richland City Hall, with the undersigned presiding,
14 with Staff, applicant representatives, and multiple members of the public present. During the
15 hearing, the City’s Senior Planner, Mr. Howie, summarized the applicant’s proposal,
16 emphasized broad discretion for a Special Use Permit to be conditioned to ensure the
17 proposed use/project is compatible with the surrounding area and will not create problems
18 for neighboring properties, and recommended approval, subject to conditions. (Testimony of
19 Mr. Howie).

20 7. Applicant representatives generally accepted the Staff Report analysis and indicated
21 willingness to operate the proposed RV park in compliance with applicable codes and
22 reasonable conditions, all in an effort to assure the facility does not cause problems for
23 neighboring properties and businesses.

24 8. During public comments, most comments focused on concerns that the RV park
25 facility and guests might cause problems for the neighboring equestrian facility on the parcel
26 immediately west of the site, known as the Richland Riders Club. Several members of the
Riders Club provided testimony, expressing concerns about potential interactions between
horses and people along the boundary, so they strongly encouraged that a tall, solid wall be
constructed between the two properties. Some people expressed concerns about lighting,
possible fire-hazards that could arise from cigarettes, fireworks, grills, or other lighted
materials that might spark fire on hay and dry materials over on the Riders Club property. In
the end, most of those commenting generally indicated that they believe the RV Park
applicant, Mr. Neal, hopes to be a good neighbor, and could be – if reasonable conditions are
imposed and satisfied.

9. The hearing included a brief discussion of possible rules of conduct for RV park

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1 guests, to address issues like trespassing, noise, light, litter, and hours, among other things.
2 Mr. Neal spoke on this own behalf and indicated his willingness to have RV park guests
3 comply with appropriate rules of conduct and believed that his idea to construct a wall up to
4 7’6” should be sufficient to provide adequate separation between the Riders Club and the RV
5 park. Mr. Howie verified that City codes mandate that each pad shall have separate utility
6 connections, including sewer, addressing concerns about clean-out and sanitary waste
7 disposal on the site. (See RMC 23.42.220(N)(3)).

8
9 10. The Richland Municipal Code includes detailed performance standards and
10 operational requirements for all RV Parks, if they are allowed in a particular zone as a special
11 use. (See RMC 23.42.220). This permit is expressly conditioned to mandate compliance with
12 such minimum standards, whether or not mentioned during the public hearing, in the Staff
13 Report, or this Decision.

14
15 11. The Examiner held the record open to allow for Staff and applicant representatives to
16 consider rules of conduct they may want to propose before a final decision is issued regarding
17 this application. Shortly after the public hearing, Mr. Howie transmitted a short summary of
18 email correspondence explaining “agreed upon” conditions proposed by Staff and the
19 Applicant team to address possible conditions regarding a masonry wall along much of the
20 perimeter, and RV park rules of conduct, a copy of which was added into record by the
21 Examiner. (Ex. 8).

22
23 12. Based on the application materials, site visits, the site plan, public testimony, follow-
24 up materials from Staff and the applicant, there is a preponderance of evidence to support
25 approval of the requested Special Use Permit, subject to appropriate conditions of approval
26 provided as part of this Decision.

Application satisfies approval criteria

13 13. The record includes a preponderance of evidence which establishes that the
14 applicant’s proposed RV Park in the C-3 zone has been designed, or can be conditioned, to
15 comply with the specific performance standards for such use. (See discussion and analysis
16 in the Staff Report).

17 14. The record includes a preponderance of evidence which establishes that the proposed
18 RV Park project has been designed, or can be conditioned, to comply with all 5 approval
19 criteria for the requested Special Use Permit found in RMC 23.46.040(C)(1-5), as explained
20 in the analysis provided in the Staff Report.

21 15. As conditioned in this Decision, potential impacts on adjacent properties, surrounding
22 uses and public facilities have been adequately mitigated.

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1 16. Any factual matters set forth in the foregoing or following sections of this Decision
2 are hereby adopted by the Hearing Examiner as findings of fact and incorporated into this
3 section as such.

4 17. Except as modified in this Decision, all statements of fact and findings included in
5 the Staff Report are adopted herein as findings of fact by the Examiner, supporting approval
6 of the requested Special Use Permit.

7 18. Based on the record, the applicant demonstrated its special use permit application
8 merits approval, meeting its burden of proof imposed by RMC 19.60.060.

9 19. Approval of this special use permit will not and does not constitute, nor does it imply
10 any expectation of, approval of any administrative permit or subsequent reviews that may be
11 required for construction, business operations, or other activities on the site of the special use
12 permit.

13 VI. CONDITIONS OF APPROVAL.

14 Based on the record and authority specifically granted under applicable city codes,
15 including without limitation RMC 23.46.040, the Examiner hereby imposes the following
16 conditions on the approval for the pending special use permit in addition to or above and
17 beyond those required elsewhere in the city's municipal code, specifically finding that such
18 conditions are necessary to ensure the proposed use is compatible with the public interest:

19 A. Site Plan. Except as modified to comply with other Conditions of Approval, the
20 project shall be developed in substantial conformance with the site plan submitted as part of
21 this application (*Ex. 2*), provided the Planning Manager shall have full discretion and
22 authority to require submittal of more detailed plans for city review and approval (for building
23 permits and the like) that will conform to these conditions of approval, and/or otherwise
24 applicable city development standards. As acknowledged during the public hearing, the final
25 site plan must be revised to provide adequate width for access lanes, correcting problems
26 with the "triangle" area in the lower left portion of the proposed plan.

B. Masonry Wall. Prior to construction of infrastructure or above-ground structures, a
solid masonry block wall shall be constructed along western and southern property lines,
except where SEVA access is required, separating the RV Park from adjacent horse boarding
facilities. The masonry block wall shall be a minimum of 7'6" in height as measured from
the highest adjacent grade within two feet of either wall face.

C. Rules of Conduct. A complete set of RV Park Rules of Conduct shall be provided to

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1 the Planning Manager for review and approval prior to occupancy of the RV Park. Review
2 shall be complete within 21 working days of submission, provided the permittee is
3 responsible for making modifications to proposed Rules as reasonably required by the
4 Planning Manager. The Rules of Conduct must ensure minimum compliance with, and
5 address the prevention of potential disturbances to, surrounding businesses, properties, and
6 residents by addressing at a minimum: trespassing, excessive noise, litter, use of outdoor
7 lights, outdoor burning, and unauthorized/unpermitted fireworks. The approved Rules of
8 Conduct must identify a designated local property representative / Property Manager / RV
9 Park Manager who lives on site or in the immediate vicinity, who shall be responsible for
10 responding to complaints and emergencies; and a valid telephone number where the RV Park
11 Manager/representative can be reached 24 hours per day. Copies of the approved rules shall
12 be provided to owners of properties abutting the RV park.

13 D. Conditions derived from Staff Report.

14 Public Works

15 *General Conditions*

- 16 1. Per Richland Municipal Code, frontage improvements (including pedestrian
17 facilities) will be required along all road frontages at the time of project construction.
- 18 2. The existing driveway shall be relocated west to align with the intersection of Bronco
19 Ln. The existing driveway shall be demolished and brought up to future curb with the
20 construction of the new driveway.
- 21 3. Non-residential driveway width shall adhere to RMC Chapter 12.04.095.
- 22 4. Any impacts sections of guardrail will be required to be evaluated and updated to
23 current standards, as defined by WSDOT.
- 24 5. Item 14f: The calculations shall be based on ITE Trip Generation Manual, 11th
25 Edition, as opposed to the 10th Edition as indicated.
- 26 6. Item 14h: This project is not in a TIF Zone so no traffic impact fee is required.
7. The SEPA report states that sewer shall be provided by City of Richland. The closest
sanitary sewer available is approximately 650-feet from this property. In addition,
this property likely cannot gravity-flow to that system. Extension of a sewer line from
the existing City sewer system to this property shall be the responsibility of the
developer.

Planning

8. Final design of the proposed RV Park shall meet all the standards prescribed by RMC
23.42.220. The RV Park may include up to 80 spaces for recreational vehicles,
subject to compliance with all applicable design standards for such use.

1 Fire Safety

2 9. A permanent, paved and graded SEVA access shall be provided to exit from the
3 current proposed RV Park to Chester Road to the south. SEVA shall be no less than
4 20-feet in width.

5 Department of Archaeology & Historic Preservation

6 10. Because the Department of Archaeology and Historic Preservation statewide
7 predictive model indicates that there is a high probability of encountering cultural
8 resources within the proposed project area (*See DAHP comment letter included as*
9 *part of Ex. 6*), the permittee shall commission preparation of an Inadvertent
10 Discovery Plan (IDP) by a qualified professional to be submitted for review and
11 approval by the Planning Manager, following input from the Washington Department
12 of Archaeology and Historic Preservation and any interested local tribe(s). The
13 Inadvertent Discovery Plan must be reviewed and approved before issuance of any
14 permits that could include ground disturbance work and must be followed throughout
15 project development.

16 E. Recording requirement. Consistent with RMC 23.46.090, the validity of this special
17 use permit shall be contingent upon exercise of the special use, as granted, and the special
18 use permit shall run with the property regardless of a change in ownership of the property.
19 This Decision granting the underlying special use permit shall be recorded with the Benton
20 County auditor’s office as a special covenant, which shall run with the property regardless of
21 a change in ownership of the property. Such recording shall be the responsibility of the
22 permit-holder/applicant, and a conformed copy of the recorded instrument reflecting a valid
23 recording number shall be filed with the city prior to operation of any RV Park on the
24 property. Any change in the special use for which the original permit is issued, which is
25 determined to be substantial by the administrative official, shall void the original permit and
26 necessitate the submission of a new application.

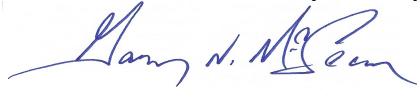
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VII. DECISION.

Based upon the preceding Findings and Conditions of Approval, the Van Giesen RV Park Special Use Permit application to construct and operate a recreational vehicle park with up to 80 spaces in the City’s C-3 general business zoning district (File No. SUP 2023-101) is APPROVED, as conditioned herein. Consistent with RMC 23.46.060, this Decision authorizes the City’s administrative official to issue a special use permit, subject to the applicant’s compliance with the above-referenced Conditions of Approval.

ISSUED this 12th Day of May, 2023



Gary N. McLean
Hearing Examiner

OPPORTUNITY TO APPEAL

This Special Use Permit is a Type II Permit action under RMC 19.20.010.B.9. RMC 19.70.010 explains that project permit applications shall be appealable as provided in the framework in RMC 19.20.030, which provides that Type II Permit decisions are not subject to a closed record appeal before the City Council but may be appealed to Superior Court. RMC 19.70.060, captioned “Judicial appeals”, reads as follows:

Except in the event of legal authority providing for a different appeal process, the city’s final decision on an application may be appealed by a party of record with standing to file a land use petition in Benton County superior court. Such petition must be filed within 21 days of issuance of the decision, as provided in Chapter 36.70C RCW.

FINDINGS OF FACT, CONDITIONS OF APPROVAL AND DECISION APPROVING APPLICATION FOR A SPECIAL USE PERMIT FOR THE “VAN GIESEN RV PARK” IN THE CITY’S C-3 ZONE – FILE NO. SUP 2023-101

GARY N. MCLEAN
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