

**BEFORE THE LAND USE HEARING EXAMINER
OF CITY OF WOODLAND, WASHINGTON**

Regarding an application by Belmont Loop Storage, LLC) **FINAL ORDER**
for site plan, conditional use, and SEPA approval a 67)
space RV park on a 3.69-acre parcel located at 1860 and) **File No. CUP20-001¹**
1876 Belmont Loop in the City of Woodland, Washington) **(Belmont Loop RV Park)**

A. SUMMARY

1. Mason Wolfe, on behalf of Belmont Loop Storage, LLC, (the “applicant”) requests Site Plan, Conditional Use Permit (“CUP”), and SEPA approval operate a 67 space Recreational Vehicle (“RV”) Park on a 3.69-acre parcel located at 1860 and 1876 Belmont Loop; also known as tax assessor’s parcels 54211600 and 504211602 (the “site”). The site and all surrounding properties are zoned C-2 (Highway Commercial).

a. The site is currently vacant. However, the property owner has current site plan approval for a self-storage facility on the site (application # SPR 18-008). The approved storage facility consists of buildings totaling 70,000 square feet and approximately 690 square feet of office space area. Self-storage is no longer a permitted use in the C-2 zone, but the site plan approval obtained in 2018 is vested until the approved site plan expires.

b. Surrounding properties are developed with commercial uses, including: HiLine Homes, to the northwest, Woodland Veterinary Hospital to the southeast, Kinderland daycare to the northeast, and Adair Homes and Woodland Automotive and Collision Repair to the west, across Belmont Loop. Old Pacific Highway abuts the east boundary of the site.

c. With this application the applicant proposes to develop the site with 67 full-utility hookup RV sites, an office building containing restrooms, shower and laundry, a second building for restrooms, two garbage and recycling enclosures, a common open space/recreational area, and an asphalt pad for a food cart or other non-permanent vendor. The proposal is for a recreational facility; occupancy of the sites is limited to 90 days by Woodland Municipal Code.

2. The City issued a Determination of Nonsignificance ("DNS") for the proposal pursuant to the State Environmental Policy Act ("SEPA") on January 28, 2021. The SEPA determination was not appealed and is now final.

3. City of Woodland Hearing Examiner Joe Turner (the "examiner") conducted an online public hearing to receive testimony and evidence about the application. City staff recommended the examiner approve the post decision review application, subject to conditions. See the City of Woodland Staff Report to the Hearing Examiner dated March 24, 2021 (the “Staff Report”), as revised by the City of Woodland Supplemental Staff Report to the Hearing Examiner dated April 13, 2021 (the “Supplemental Staff Report”).

¹ This Final Order also addresses SPR 20-011 and SEP 20-016

The applicant's representative testified in support of the application and accepted the findings and conditions in the Staff Report, as revised, without exceptions. 13 persons testified orally in opposition to or with questions about the proposed development. Other persons testified in writing. Contested issues in the case include:

a. Whether the City provided adequate notice of the application and public hearing;

b. Whether the applicant is requesting a zone change;

c. Whether the proposed use is allowed as a conditional use in the C-2 zone;

d. Whether the proposed facility will be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity, WMC 17.72.050 (A), including:

i. Whether, and to what extent, the proposed facility will increase the level of crime in the area;

ii. Whether the site's proximity to a daycare is relevant to this criterion;

iii. Whether residents of the facility will pose a hazard to persons residing in the area or patronizing surrounding businesses;

iv. Whether the fact that some RV park patrons may own and transport guns is materially detrimental to the public welfare;

v. Whether the Gun Free School Zones Act of 1990 prohibits guns on the site;

vi. Whether the use will impact the value of surrounding properties and whether such impacts are relevant to the approval criteria;

vii. Whether the proposed use will create vehicle queues on Belmont Loop;

viii. Whether the driveway design is adequate to accommodate the turning radius of the largest vehicles expected to patronize the site;

ix. Whether the applicant and/or the City can enforce the 90-day occupancy limitation of WMC 17.72.100 (D)(6);

x. Whether the applicant and/or the City can ensure that the facility does not "become an eyesore;"

- e. Whether the proposed facility can meet or exceed the performance standards of the C-2 district, WMC 17.72.050 (B);
 - f. Whether the proposed development will “[b]e compatible generally with the surrounding land uses in terms of traffic and pedestrian circulation, building and site design.” WMC 17.72.050 (C);
 - g. Whether the proposed use is in keeping with the goals and policies of the Woodland comprehensive plan, WMC 17.72.050 (D);
 - h. Whether all measures have been taken to minimize the possible adverse impacts, which the proposed use may have on the area in which it is located. WMC 17.72.050 (E);
 - i. Whether the application complies with the additional conditional use criteria for Recreational Vehicle Camper Parks, WMC 17.72.100 (D);
 - j. Whether the need for the proposed facility is relevant to the applicable approval criteria;
 - k. Whether the applicant is required to consider, or the City can require, alternative uses for the site; and
 - l. Whether the City can deny the application to, “protect the neighborhood and existing residents;” and
 - m. Whether approval of this application will establish a precedent for similar facilities in the area;
4. Based on the findings provided or incorporated herein, the examiner concludes that the applicant sustained the burden of proof that the proposed use does or can comply with the relevant approval standards of the Woodland Municipal Code (the “WMC”), provided the applicant complies with conditions of approval included in this Final Order to ensure the proposed use does comply in fact with those standards. Therefore the examiner approves the application, subject to the conditions at the end of this final order.

B. HEARING AND RECORD HIGHLIGHTS

1. The examiner received testimony at the online public hearing about this application on March 30, 2021. All exhibits and records of testimony are filed at the City of Woodland. The examiner announced at the beginning of the hearing the rights of persons with an interest in the matter, including the right to request that the examiner continue the hearing or hold open the public record, the duty of those persons to testify and to raise all issues to preserve appeal rights and the manner in which the hearing will be conducted. The examiner disclaimed any *ex parte* contacts, bias or conflicts of interest. The following is a summary by the examiner of selected testimony and evidence offered at the public hearing.

2. City planner Melissa Johnston summarized the Staff Report and the applicable standards and described the proposed use on the site.

a. She noted that the applicant proposed to develop the 3.69-acre parcel with an RV park consisting of: 67 full-hookup RV camping spaces, an office building with restrooms, showers, and laundry facilities, a second restroom building, and an open space/recreational area. The applicant originally proposed 72 RV spaces, on the site. However, the applicant submitted a revised site plan that provides an open space areas in the northeast corner of the site and reduced the number of RV spaces to 67. The applicant will also be required to construct a sidewalk and install street trees along the site's Belmont Loop frontage. The revised site plan meets the open space requirement of WMC 17.72.100 (D)(4).

b. The City previously granted site plan approval (application # SPR 18-008) for a 70,000 square foot self-storage facility on the site. Self-storage is no longer a permitted use in the C-2 zone, but the site plan approval obtained in 2018 is vested until the approved site plan expires and the applicant could develop the site with this use at anytime until the approval expires.

c. The applicant will be required to construct a sidewalk, driveway, and planter strip and plant street trees along the site's Belmont Loop frontage. In addition, the applicant, like other developers in the City, is required to pay traffic and fire impact fees.

d. WMC 17.36.070 requires that buildings in the C-2 zone be located near the street in order to "[e]stablish active, vibrant, and lively C-2 uses within close proximity to the public streets and sidewalks." WMC 17.36.070 (3) requires that when these limited setback requirement "[c]annot be reasonably met, the setback area shall feature generous landscaping, benches, or outside cafe." The architectural site design standards of WMC 17.36.130 "[e]mphasizes buildings and landscaping, rather than parking lots, driveways, or large signs." In this case the site has 515 feet of frontage on Belmont Loop. Only 30 feet of the frontage will be developed with buildings; the proposed office. Therefore, the applicant proposed to increase the landscaped setback from five feet to 15 feet. In addition, the applicant should be required to revise the proposed site plan to provide additional commercial uses abutting Belmont Loop.

e. WMC 17.72.100 (D)(1) limits signage on the site to one single-faced or double-faced wall or freestanding park identification sign, maximum of thirty-six square feet in gross area per face.

f. Chapter 3 of the Woodland Comprehensive Plan includes a goal of 20 jobs per acre for undeveloped commercial land. The proposed RV park will provide three to four new jobs, a ratio of 0.9 jobs/acre. Although the 20 jobs/acre target is meant to apply to the entire commercial zoning district, approval of this application will reduce the City's compliance with that goal.

g. The proposed development is projected to generate an average of 19.44 vehicle trips during the p.m. peak hour.

h. RV parks are allowed as a conditional use in the C-2 zone. Therefore the use is compatible with surrounding commercial uses. Other transient lodging uses (hotels, motels, and Bed and Breakfast) uses are allowed as permitted uses in the C-2 zone. The proposed RV Park is subject to WMC 17.72.100 (D)(6), which provides, “No one camper unit shall occupy a camper site for more than ninety consecutive days per year. This standard shall not permit a camper to be moved off-site for one day or so and moved back in thereafter.” In addition, pursuant to WMC 17.72.090 (C), the use is subject to annual review by the City in order to ensure proper compliance with all permit provisions and conditions. The CUP approval “runs with the land” and any future owners of the site will be bound by the conditions of approval.

i. The City received several written public comments that raised concerns with increased crime/reduced public safety, safety of children at the adjacent daycare, loss of customers for existing commercial businesses in the area, the lack of commercial activity on the site, increased traffic, and opposition to residential uses in a commercial zone.

j. She noted a typographical error on page 9 of the Staff Report. Finding 41 should refer to WMC 17.36.130 (M) rather than (H).

k. The applicant should be required to provide bicycle parking on the site consistent with WMC 17.36.130 (M)(4).

l. A subarea or district level plan to “capture the vision” for this area would be a benefit for the community and the City, as the current Code may not appropriately serve the business community. She proposed to bring a proposal for such a plan before the City Council.

m. The senior living facility application denied by the City Council involved applications for changes to the comprehensive plan and zoning of the parcel at issue. In this case the existing C-2 zoning on the site allows the proposed use as a conditional use.

n. Food carts and similar vendors are allowed in the C-2 zone. Individual vendors would need to obtain a city business license and rent space from the applicant.

o. The City published notice of the public hearing for this application in the Reflector newspaper as required by WMC 17.81.120 (B). In addition, the City posted notice on the City website, in the post office, and at City Hall. The Code does not require that the city mail notice of the hearing to the owners of surrounding properties.

3. Mason Wolfe testified on behalf of the applicant, Belmont Loop Storage, LLC, and summarized the proposed use.

a. The applicant is proposing a limited stay recreational RV park, not a trailer park. The management company that operates the existing Clark County Fairgrounds RV Park will also manage the facility proposed on the site. The applicant intends to adopt strict CC&Rs that will limit the age and appearance of RVs that may use

the site and requiring that RVs that have been on the site for more than 90 days must leave and may not return to the site for a minimum of ten days. The facility is intended to appear similar to a KOA campground facility.

b. The applicant originally proposed to meet the 20-percent open space requirement by providing individual open space areas within each of the proposed campsites. However, staff determined that the proposal did not comply with the requirements of the Code. Therefore, the applicant revised the site plan to provide a single large open space in the northeast corner of the site. The open space area eliminated five of the proposed RV parking spaces, reducing the number of spaces proposed to 67. The open space is located abutting the adjacent daycare property in order to provide a buffer between the RV campsites and the daycare.

c. The applicant will fence the entire site, with decorative wrought iron fencing along the site's west boundary, abutting Belmont Loop, and continuing along portions of the north and south boundaries of the site. The remainder of the site will be fenced with cyclone fencing. Near the site entrance the applicant shifted the fence back 15 feet to accommodate additional landscaping and enhance pedestrian views of the site.

d. The revised site plan includes an asphalt pad for a future food cart or similar mobile vendor located outside of the fence on the site's Belmont Loop frontage. The food cart/vendor will serve the general public in addition to residents of the site. Therefore, proposed condition of approval 14 in the Staff Report should be deleted.

e. The proposed RV park use is allowed as a condition use in the C-2 zone pursuant to WMC 17.36.030 (3).

f. He requested the examiner delete proposed condition of approval 26, which requires that the applicant hold a neighborhood meeting. The applicant is willing to meet with neighboring property and business owners to hear their concerns. But the City has no authority to impose such a requirement on this application.

g. He accepted the remaining recommended conditions of approval in the Staff Report, including the requirement to provide bicycle parking.

h. The facility will not cause a significant increase in crime. The Woodland police chief noted that a similar RV park in the City, does not generate many crime-related calls.

i. The jobs/acre goal of the comprehensive plan is an average that is intended to be met by all commercial zoned property in the City. It does not apply to individual properties on a case by case basis.

j. The proposed development can and will comply with all applicable Code requirements. It is the responsibility of the property owner and its management company to maintain a safe environment on the site. If necessary, the City can ensure ongoing compliance through its enforcement process. Although Mr. Wolfe initially

objected to conditions of approval requiring compliance with those CC&Rs, he subsequently agreed to such a condition.

k. The proposed use is expressly allowed in the C-2 zone east of the I-5 freeway. That is a policy choice by the City Council which adopted the current code. The proposed use will increase the diversity of commercial uses in the area; this is the only RV park in the area. The applicant proposed a food cart/mobile vendor space in response to the concerns raised in the Staff Report. Although the space may not be immediately occupied, it will likely be occupied in the future as the surrounding area continues to develop and increases the customer base for such a use.

l. The applicant will fence the entire site, which will prevent patrons from accessing adjacent properties.

m. There are transients in the area under existing conditions.

4. Mary Goble testified on behalf of the Woodland Veterinary Hospital, which abuts the south boundary of the site.

a. She questioned how the City will enforce the applicant's goal of operating a "nicer" park. The City has no dedicated enforcement staff.

b. The proposed RV park will do little or nothing to contribute to the commercial "synergy/energy" of the area, as it will not attract additional customers that will patronize the existing businesses in the area. Most of the businesses do not cater to walk-in customers. The Veterinary Hospital cannot provide services for people residing at the site, as they have no capacity to accept additional patients.

c. Traffic from the proposed use may cause congestion on Belmont Loop, especially on busy holiday weekends when multiple RVs are waiting to check in to the site.

d. The proposed use may increase the amount of crime in the area. The Veterinary Hospital stores medications on site and guests of the proposed facility may break into the hospital in an attempt to obtain such medications.

e. The facility is unlikely to serve tourists traveling through the area, as there are no tourist activities or amenities in the immediate area. The facility is likely to accommodate long-term residents.

5. Dr. Jeffrey Sulitzer argued that the proposed facility is inappropriate in a commercial area and likely to result in increased crime. The facility will serve transient residents, which may include sex offenders, drug users, and other criminals. Recreational vehicles are often used as portable meth labs. There is a daycare on the abutting property and ballfields up the street where children congregate under existing conditions. The applicant did not propose any limitations on the type of RVs that will be allowed on the site or vetting of guests. The "sample" CC&Rs proposed by the applicant are unenforceable unless compliance is required as a condition of approval. RVs that break

down may be left parked on the site or streets in the area, in violation of WMC 17.36.120. The current CDC eviction moratorium may prevent the applicant and the City from enforcing compliance with the 90-day occupancy limitation.

a. The use is not compatible with the existing commercial businesses in the area. The site is unlikely to cater to tourists, as there are no nearby lakes, rivers, or other recreational opportunities in the area. The facility will generate little, if any, increase in trade at the surrounding businesses. There is no information about the type of “mobile business” that would be allowed on the site, including how long such a use would be allowed to remain. The facility will generate very few jobs, in violation of the comprehensive plan goals.

b. This site should be developed with a business that will serve the needs of the community and benefit the residents of the City.

6. Mary Grout agreed with the testimony of prior witnesses. She argued that Belmont Loop is intended for businesses. The proposed RV park is not a business. Traffic in the City is “bad” under existing conditions. This use will make traffic even worse. She questioned how the applicant and/or the City will enforce the CC&Rs and the 90-day occupancy limitation.

7. Kimberly Brennan, owner of the Kinderland Daycare shared the safety concerns raised by prior witnesses. Under existing circumstances, if daycare staff see anyone near their fence they call the police. The proposed use may impact her business as her customers may perceive the people residing on the site as a potential threat to their children.

8. Natalia Dittmer expressed concerns with the safety of children playing and living in the area. She noted that the comprehensive plan calls for a diverse and balanced economy. Providing a single use on this 3.69-acre site will not provide diversity and balance. The site will become a large rest stop for people traveling on the I-5 freeway.

9. John Sapp supported the prior comments and concerns for existing businesses in the area. The proposed use will not provide any benefit to the existing businesses or residents. The applicant should be required to meet with surrounding business owners and residents.

10. Dr. Roberta Hemmelman testified that she represents two businesses on Belmont Loop and she is in the process of building a new commercial use near the intersection of Old Pacific Highway and Belmont Loop. Her buildings were required to comply with minimum glazing requirements, locate near the street, and other regulations intended to enhance the pedestrian experience. This use will do nothing to enhance the pedestrian environment on Belmont Loop.

a. The proposed use will not generate additional customers for the existing businesses in the area. Guests of the facility will not patronize the existing daycare, chiropractor, acupuncture, and residential construction businesses in the area. Guest will

only utilize the fast food restaurants and gas station. There are no recreational opportunities in the area that may attract tourists.

b. The cyclone fence proposed on the site's Old Pacific Highway frontage is not aesthetically pleasing. The applicant should be required to provide landscaping or otherwise enhance this street frontage.

c. The proposed use will require very few employees. This 3.69-acre site would need to provide 70 employees in order to meet the comprehensive plan goal of 20 employees per acre.

11. Roy Anderson argued that the proposed use may create a hazard for the adjacent daycare. The proposed facility will serve transient residents, many of whom may be carrying firearms. This may violate regulations prohibiting firearms near schools and daycare. The proposed use is inconsistent with the intent of the standards for the C-2 zone, which are intended de-emphasizes parking and activate and enhance the pedestrian environment. The proposed use is the exact opposite of what the C-2 standards are intended to implement.

12. Sam Nigro testified that he owns a number of properties and plans to build a new commercial use on Belmont Loop. He will not proceed with his planned development if this application is approved. He argued that the applicant must "convincingly show" that the use will operate as a business and not evolve into a residential use. The proposed food truck/mobile vendor will do little or nothing to increase the number of jobs provided on the site. The proposed use will cause a radical change in the energy of the existing commercial area.

a. The use will increase the amount crime occurring in the area. The police chief's suggestion that business owners install additional cameras and other security measures will do nothing to reduce crime. The applicant should be liable for any crime that occurs in the area.

b. The City has no ability to enforce compliance with the Code or the conditions of approval. The applicant could simply pay the \$500/month fine and continue to operate in violation of the Code.

c. Convicted sex offenders could live at the site, adjacent to a daycare. As transient residents, they would not be required to register while they live at the site.

13. Jeff Mainka expressed concern that the use will house pedophiles near schools, parks, and the adjacent daycare. The proposed use will not enhance the synergy of the existing uses and adds no value to the neighborhood; the use "takes away from the neighborhood." The hearing should be continued to allow the applicant to meet with the surrounding owners and residents. The CC&Rs should be adopted as conditions of approval. The proposed use will increase the risk of fire in the area.

14. Jay Dawson objected to the proposal to utilize slatted cyclone fencing to screen the site. He argued that the proposed use does not fit in with the current business

community on Belmont Loop. The City Council recently denied an application for a retirement home in the industrial area based on a finding that the use would not fit in with the surrounding community. The City should apply that same standard to this use.

15. Steve Seward testified on behalf of Homesite Development. He argued that the proposed use creates a safety and security risk due to the potential for sex offenders residing at the site. The use will attract additional people to the area. Patrons of the site will be transients, which will increase the risk of drugs and crime. There are few public health services available in the area. There is no mass transit in the area. Therefore, residents of the site must travel by bicycle or on foot. CMC 17.72.020 relies on the property owner to ensure compliance with the conditions of approval. However, the property owner will not operate the facility; a management company will do so.

16. Dr. Daniel Ketchum agreed with the concerns raised by prior witnesses. He argued that the design of the proposed facility is inconsistent with the applicable approval criteria and the existing businesses on Belmont Loop. There is a need for a district or area plan for the Belmont Loop area. A meeting between the applicant and the surrounding owners and residents is essential, as many people were unaware of the proposed development.

17. Woodland Community Development Director Travis Goddard testified that the City no longer has a dedicated code enforcement officer. Other City staff are responsible for code enforcement.

a. The comprehensive plan does not include any policies or goals requiring the “highest and best use” of any property.

b. The City Council adopted ordinance 140.58 on March 2, 2020, which prohibits self-storage facilities in all zones in the City. However, a self-storage facility was approved on the site on March 29, 2018. Therefore, that approval is vested and the applicant may choose to develop that use on the site until the approval expires.

c. The Code has allowed RV camping facilities in the C-2 zone since at least 2018.

18. At the end of the hearing the examiner held the record open subject to the following schedule:

a. For one week, until 5:00 p.m. April 6, 2021, for anyone to submit new written testimony and evidence;

b. For a second week, until 5:00 p.m. April 13, 2021, for anyone to respond to the testimony and evidence and evidence submitted during the first week; and

c. For a third week, until 5:00 p.m. April 20, 2021, for the applicant to submit a final written argument, without any new evidence.

C. DISCUSSION

1. City staff recommended approval of the application, based on the affirmative findings and subject to conditions of approval in the Staff Report. The applicant accepted those findings and conditions without exceptions.

2. The examiner finds that the City provided adequate public notice of the application and hearing and the public was provided with an adequate opportunity to review and comment on the application, either orally at the hearing or in writing before and after the hearing. The City published notice of the hearing in the Reflector newspaper as required by WMC 17.81.120 (A) and WMC 1.10.010. The City published two notices, on February 3, 2021, and again on March 10, 2021, exceeding the Code requirements. The Code does not require that the applicant post a sign on the site, mail notice of the hearing to the owners of surrounding properties, or provide other forms of notice.

3. Nothing in the Code requires that the applicant meet with surrounding residents and property or business owners. Therefore, the examiner has no authority to impose such a requirement.

4. The applicant is not seeking a rezone. The proposed recreational vehicle park is allowed as a conditional use in the current C-2 (Highway Commercial) zone that applies to the site and surrounding properties.

a. WMC 17.36.030 provides, in relevant part:

The following uses in the highway commercial district (C-2) require conditional use permit approval from the hearing examiner per Chapter 17.72:

...

(3) Recreational vehicle camper parks located East of Interstate 5;

...

b. WMC 17.08 provides the following relevant definitions:

17.08.135 - Camper park.

This definition includes the terms "trailer park," "trailer court," and "public trailer court" and means a plot of ground divided into lots or sites under ownership or management of one person, firm or corporation, or unit of government for the purpose of temporarily locating or allowing camper vehicles for dwelling or sleeping purposes.

17.08.140 - Camper vehicle.

"Camper vehicle" means a travel trailer, pickup camper, converted bus, tent trailer, motor home, camping trailer, or similar vehicular dwelling used for travel, vacation, or recreational purposes.

17.08.597 - Recreation vehicle.

"Recreational vehicle" means a vehicle which is permanently designed and intended for use for temporary housing or recreational purposes. Recreational vehicles include campers, travel trailers, motor homes, boats, or trailers.

17.08.600 - Recreational vehicle park.

For a definition of "recreational vehicle park," see Section 17.08.135.

c. The applicant proposed to develop the site with a recreational vehicle camper park. The site is located in the C-2 zone east of Interstate 5. Therefore, the proposed use is allowed as a conditional use on the site, provided it complies with the applicable approval criteria discussed below. The fact that the proposed facility will provide temporary or transient occupancy in a commercial zone is irrelevant. Such use is expressly allowed by the Code.

d. Opponents argued that "it makes no sense that an RV park is unsuitable for the west side of I-5 but acceptable on the east side." However, that is what the Code allows. WMC 17.36.030 (3) provides that recreational vehicle camper parks located east of Interstate 5 are allowed as conditional uses in the C-2 zone. WMC 17.36.040 provides that recreational vehicle camper parks located west of Interstate 5 are prohibited. That is a policy choice by the City Council, which the examiner has no authority to reconsider in this proceeding.

5. The examiner finds that "The proposed use will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity of the proposed use or in the district in which the subject property is situated." WMC 17.72.050 (A).

a. Several persons argued that the proposed use will cause a significant increase in levels of crime and drug use, and that the use will attract sex offenders to the area. There is no dispute that theft and other crimes are a problem in the area under existing conditions. However, that criminal activity is clearly unrelated to the proposed use. This use will attract additional people to the area, which may result in a proportional increase in such activities. But there is no substantial evidence in the record that the future occupants of this development are any more or less likely to engage in nuisance or illegal activities than other people. Sex offenders can travel through town, stay in hotels or motels in the city, which are an outright permitted use in the C-2 zone, and patronize commercial businesses in the area under existing conditions. There is no evidence that the proposed use is more likely than other uses to attract sex offenders to the area. The Woodland Police Chief testified that the existing RV park in the city has not generated "[a]ny significant increase in call volume or criminal activity there." (March 23, 2021 email from Jim Kelly, Woodland Police Chief). Opponents unsubstantiated and unsupported concerns that the proposed facility will generate additional crime and other issues are not sufficient to overcome the expert testimony of the police chief, based on Police Department reports regarding police calls related to a similar facility elsewhere in the city. The applicant must bear the burden of proof that the application complies with the applicable approval criteria. But the applicant is not required to disprove any and all

unsupported speculative concerns. Unsubstantiated fears may not justify denial of a proposed development. *Washington State Dept. of Corrections v. City of Kennewick*, 86 Wn.App. 521, 532, 937 P.2d 1119 (1997).

b. The examiner cannot deny the application based on the fact that the site abuts a daycare. The City Council could have prohibited RV Parks within a specified distance from such facilities, as it did in WMC 17.50.030 (A), which prohibits recreational marijuana businesses within 1,000 feet of a child care center and other listed uses. However, the City Council did not do impose such restrictions and the examiner cannot impose such a requirement where the City Council has chosen not to. *Restaurant Development, Inc. v. Cananwill, Inc.*, 150 Wash.2d 674, 80 P.3d 598, 601-602 (2003) (a court must not add words where the legislature has chosen not to include them).

c. The fact that some RV park patrons may own and transport guns is not *per se* materially detrimental to the public welfare. Many existing residents own guns and some may choose to legally carry guns on their persons or in their vehicles as the travel through the area and patronize local businesses. There is no evidence that this activity presents a significant hazard, provided such gun owners comply with applicable federal, state, and local regulations. Reasonable prudent gun owners will comply with such regulations. Unfortunately not all gun owners are prudent. However there is no evidence that the development proposed in this application will contribute a disproportionate share of imprudent gun owners.

i. The Gun Free School Zones Act (GFSZA) of 1990 does not prohibit guns on the site. This regulation only applies to elementary or secondary schools. 18 U.S.C. § 921(a)(26). It does not prohibit guns near daycares or the nearby nursing school.

d. Assertions that the proposed use will reduce the value of surrounding properties and associated City tax revenue are not relevant, as the plain language of the Code does not require consideration of property value impacts apart from other materially detrimental impacts. WMC 17.72.050 (A) does not include any text identifying property value impacts as an applicable approval criterion. There is no dispute that materially detrimental impacts to the public welfare, property, or improvements are likely to affect the value of surrounding properties. However, the Code does not require consideration of property values separate from such impacts. WMC 1736.130 (A)(5) provides that one of the purposes of the architectural and site design standards is to protect and enhance property values within the city. However, as discussed in more detail below, this purpose statement is not an applicable approval criterion. This purpose is implemented through compliance with the following approval criteria. In addition, there is no evidence that the proposed facility will have any impacts on the value of surrounding properties. Unsubstantiated concerns about potential impacts of the facility may impact property values. But such concerns are not actual impacts and may not be considered. As the Court noted in *Sunderland Family Treatment Services v. City of Pasco*, 127 Wn.2d 782, 795, 903 P.2d 986 (1995), fears based on inaccurate stereotypes and popular prejudices cannot justify zoning restrictions.

e. The applicant proposed Conditions, Covenants and Restrictions (“CC&Rs”) limiting the age of vehicles and types of activities allowed on the site. The applicant agreed to post copies of the CC&Rs on the site and incorporate the CC&Rs into the rental agreement or require that guests sign a copy of the CC&Rs. Compliance with the proposed CC&Rs will limit the potential impacts of the facility on the public welfare and adjacent properties. The CC&Rs are incorporated as conditions of approval in order to allow the City to enforce compliance as well.

f. The applicant can operate the facility to prevent RVs and other vehicles from queuing on Belmont Loop. The proposed gate will be located 65 feet from Belmont Loop and the inbound entrance drive is 30 feet wide. This is sufficient to accommodate two large RVs or four medium size RVs between the gate and the street. If necessary, the applicant can open the gate and require that drivers pull forward into the site prior to registering, park their vehicles on the road, or take other steps to prevent on-street queuing. A condition of approval is warranted to that effect.

g. The applicant should be required to demonstrate that the driveway design is adequate to accommodate the turning radius of the largest vehicles expected to patronize the site. A condition of approval is warranted to that effect.

h. WMC 17.72.100 (D)(6) prohibits RVs from remaining on the site for more than 90 consecutive days. The examiner agrees with the Supplemental Staff Report that this requirement should be clarified to require the applicant to revise the CC&Rs to: 1) prohibit any camper vehicle from staying on the site more than 90 days in any 180 day period, or 2) prohibiting any camper vehicle from returning to the site for two weeks from the date the camper vehicle last stayed on the site. In addition, the applicant should be required to submit quarterly reports to the City documenting how long each camper vehicle stayed on the site. A condition of approval is warranted to that effect.

i. Compliance with City regulations, the proposed CC&Rs, and the conditions of approval will prevent the facility from “becoming an eyesore.” Operation of the facility is subject to compliance with the property maintenance requirements of WMC 14.04.100, the Health and Sanitation standards of WMC Chapter 8, and the landscape maintenance requirements of WMC 17.46.125 (I). Patrons of the RV park are also subject to the “Public Peace, Morals and Welfare standards of WMC Chapter 9. The City can ensure compliance with these requirements through its code enforcement process in WMC 19.90, which provides for the imposition of civil penalties (fines) and, if necessary, revocation of the CUP approval. The enforcement process is largely complaint driven. People who live near the site can report violations to the City, and the City can take actions to require compliance and remedy violations. Although the City currently has no designated enforcement staff, the planning director and the director’s designees, as the “responsible official” have the ability to enforce the Code. In addition, pursuant to WMC 17.72.090 (C), the proposed use will be subject to annual review by the City to ensure proper compliance with all permit provisions and conditions. This provision authorizes the City to enforce compliance or, if necessary, revoke the conditional use permit.

6. The examiner finds that the proposed use will meet or exceed the performance standards of the C-2 district, based on the findings below regarding dimensional, design, parking, and other standards. WMC 17.72.050 (B).

7. The examiner finds that the proposed development will “[b]e compatible generally with the surrounding land uses in terms of traffic and pedestrian circulation, building and site design.” WMC 17.72.050 (C).

a. This section does not require the applicant to demonstrate that the use is compatible with the surrounding area overall. The applicant is only required to demonstrate compatibility with the facilities listed in this section: “traffic and pedestrian circulation, building and site design.” In addition, the proposed RV Park use is an allowed conditional use in the C-2 zone. Therefore, the use itself is not incompatible. The Code does not require “synergy” between the proposed use and existing uses in the area nor does the Code required that new uses promote or support existing businesses.

b. The Code does not define the term “compatible.” Therefore, the examiner relies on the dictionary definition, as required by WMC 17.08.001 (D). The Merriam-Webster online Dictionary defines “compatible” as “capable of existing together in harmony.” “Compatible.” *Merriam-Webster.com Dictionary*, Merriam-Webster, <https://www.merriam-webster.com/dictionary/compatible>. Accessed 29 Apr. 2021.

c. The examiner finds that the proposed use will be compatible in terms of traffic, because the proposed use will generate significantly less traffic than other permitted commercial uses. Based on the Institute of Traffic Engineers (“ITE”) Trip Generation Manual, the proposed RV park (ITE Code 416) will generate 0.27 trips per camp site during the p.m. peak hour. Therefore, the proposed 67 space facility will generate an average of 18 vehicle trips during the p.m. peak hour. Other commercial uses allowed in the C-2 zone have significant higher trip generation rates:

Use	P.M. Trips/1,000 square feet
Office	1.49
Repair shop	3.11
Medical office	3.57
Gas station	13.41
Fast food with drive thru window	33.84

As discussed above, the applicant can operate the facility to prevent RVs and other vehicles from queuing on Belmont Loop.

d. The facility is compatible in terms of pedestrian circulation. The applicant will construct a sidewalk along the site’s frontage on Belmont Street, connecting to the existing sidewalks to the north and south of the site. As noted in the oral and written testimony, the restaurants and convenience store located north of the site are the only existing commercial uses that are likely to serve patrons of the site that are

easily accessible on foot. Otherwise the nearest commercial uses are near the Walmart, located one mile or more from the site. Guests staying at the site will likely utilize their personal vehicles or Lyft/Uber to travel to these and other destinations further away from the site.² Therefore, the site is unlikely to generate significant pedestrian traffic. Uses and activities on the site will not otherwise interfere with pedestrian traffic in the area.

e. The examiner finds that the proposed use is compatible in terms of building and site design. The Code does not require that the applicant develop a minimum number or size of buildings on the site nor does the Code impose a minimum floor area ratio. The proposed use will provide two buildings on the site: the office building near the site entrance and the restrooms in the eastern portion of the site. Those buildings are subject to the design standards of WMC 17.36. The applicant will install landscaping along the majority of the site frontages as required by the Code, which will limit most off-site views of the site. The buildings and landscaping will comply with the design and site design requirements of the Code based on the affirmative findings below. The fact that the majority of the site will accommodate RV parking does not make the use incompatible in terms of building and site design. The purpose of the C-2 zone is to provide “[f]or commercial services which are accessible by automobiles and trucks, require extensive outdoor storage or display areas as well as off-street parking and loading areas.” WMC 17.36.010. Based on the photos provided by the applicant, other existing uses in the area include parking and storage areas that are readily visible from the street and adjacent properties. And, as noted above, the proposed RV park is allowed as a conditional use in the C-2 zone.

8. The proposed use is in keeping with the goals and policies of the Woodland comprehensive plan, WMC 17.72.050 (D), based on the following findings. The comprehensive plan includes multiple, and sometimes conflicting, goals and policies. Individual developments are not required to implement every goal and policy. The Code only requires that this development be “in keeping with” the goals and policies. Section 1.1 of the comprehensive plan provides, “The Comprehensive Plan does not prioritize goals and it does not prioritize policies in support of a goal.”

a. Table 3-1, Woodland Planning Assumptions and Targets, is expressly identified as a planning assumption. It is not a goal or policy of the Woodland comprehensive plan. Therefore, it is not applicable to this approval criterion. The land use goals are set out in LU 1 and the policies are set out in LU 1.1- LU 1.12. In addition, nothing in the plain language of the Code or the comprehensive plan requires that all commercial development meet this target. This is a city-wide average target. Some developments will generate a higher job density and some a lower density. As noted in the Staff Report, this development will not generate a significant number of jobs. However, the City Council expressly allowed this use in the C-2 zone, presumably assuming that other higher job density commercial uses, including other commercial uses that support this and other travel/tourism-based uses, will make up for the low job density provided by this type of use.

² This type of vehicular traffic is included in the trip generation estimates published in the ITE Manual, which are based on traffic counts at existing uses throughout the nation.

b. LU 1 is expressly a goal of the land use chapter of the comprehensive plan. The plain text of LU 1 provides that the stated goal, protecting and enhancing the character and long-term stability of the city, will be implemented through the current standards for land development and subdivision; the zoning and development code.

Goal

LU 1 Protect and enhance the character and long-term stability of the city through current standards for land development and subdivision.

The examiner finds that this application is in keeping with this goal, as the proposed use, as conditioned, will comply with all of the applicable approval criteria, which are the current standards for land development that the City Council has adopted to protect and enhance the character and long-term stability of the city.

c. The majority of land use policies are either inapplicable, as no land division is proposed with this application, or there is no dispute that the application is in keeping with those policies. Therefore, the examiner will limit findings to the following land use policies, which were called out, either in the Staff Report or in public comments:

Policies

...

LU 1.10 Ensure that the character and location of land uses provides the best opportunity for economic benefit and the enjoyment and the protection of natural and cultural resources while minimizing the threat to health, safety, and welfare posed by hazards, nuisances, incompatible land uses, and environmental degradation.

i. The examiner finds that this policy is implemented through the adopted zoning maps, which direct the location of land uses, and the adopted design standards, which control the character of land uses to provide the best opportunity for economic benefit while protecting resources and the public health, safety, and welfare. The proposed development complies with applicable zoning and design standards. Therefore, it is in keeping with this policy.

LU 1.11 Eliminate incompatible land uses through active code enforcement or available regulatory measures.

ii. The proposed use is allowed in the C-2 zone east of the I-5 freeway. Therefore, the examiner cannot find that the use is *per se* incompatible and there is no evidence in the record to the contrary, other than unsupported opinion based on assumptions about potential RV park users. Conditions of approval are imposed to ensure that the use continues to operate in compliance with the approval criteria and address those concerns. The City can ensure compliance with the conditions of approval and other regulations through its enforcement process and the required annual review of this conditional use permit, as discussed above. Therefore, the examiner finds that the proposed use is in keeping with policy LU 1.11.

d. The examiner finds that the application is in keeping with the following economic development goals and policies, which were called out, either in the Staff Report or in public comments:

Goal

EC 1. Support a diverse and balanced local economy to ensure sustained growth, locally available commercial services, and varied employment opportunities.

i. The proposed use will increase the diversity of commercial services and employment opportunities available in the Belmont Loop area. Guests of the site may patronize other local businesses, especially the restaurants and gas station/convenience store to the north and other commercial uses elsewhere in the city. This use may also encourage other businesses to locate in the area to serve this use, as well as other travelers and residents. The fact that many of the other existing businesses on Belmont Loop may not offer services or products provided needed by guests of the site is not relevant to this goal of increasing the diversity and balance of commercial services, and employment opportunities.

ii. Mr. Andrewson argued that, “the intent of RV travelers is to minimize economic interaction with the surrounding businesses, not enhance it.” (April 6, 2021, email from Mr. Andrewson to Ms. Johnston). However, there is no evidence to support this claim. Although guests of this facility will spend less on lodging, they will still need to obtain products and services and therefore are likely to patronize recreational businesses and services in the area.

Policies

...

EC 1.2. Develop Woodland’s position as the commercial center serving southern Cowlitz County and the recreation trade of the upper Lewis River and Mount St. Helens area.

...

iii. As a travel focused business, the proposed development is clearly consistent with this policy of supporting the recreation trade. Although the site does not provide direct access to recreation opportunities, it can serve as a base from which travelers can seek out and enjoy southern Cowlitz County and the recreation trade of the upper Lewis River and Mount St. Helens area.

...

EC 1.5. Use the advantage of freeway visibility to establish the city as a traveler/tourist service center.

...

iv. As noted in the Staff Report, the site is very near Exit 22 of the Interstate 5 freeway and would be visible with a freestanding pole sign. The proposed use, an RV camper park, is intended to serve travelers and tourists. The conditions of approval and the applicant’s CC&Rs that limit occupancy at the site to 90 consecutive

days will ensure that the facility does not become a residential use with long-term occupancy.

EC 3.3. Maintain active and cooperative partnership between the city, business and property owners, civic groups, and citizens to promote successful business district redevelopment, including downtown.

v. The examiner finds that this policy is inapplicable to this application. Although the applicant may choose to work with the City and other businesses in the area, the applicant alone cannot create partnerships between the City and other businesses. As noted in the Staff Report, the local business community may benefit from a partnership between the City and development of a long-range plan for Belmont Loop and new development standards for Belmont Loop. However, such a plan would not affect this application, which is subject to the laws in effect when the application was filed.

EC 3.6. Cluster commercial uses near intersections of major and/or secondary arterials or adjacent to existing commercial land uses.

vi. The examiner finds that this policy is largely implemented through the adopted zoning map, which designates areas where specific types of commercial uses and development are allowed to locate. This site and the surrounding area are designated C-2, Highway Commercial, presumably to take advantage of the convenient freeway access and the major roads in the area, including the intersection of Belmont Loop (a local street) and Old Pacific Highway (a minor arterial). Although not located at an intersection, the site itself is in close proximity to the freeway access and the Belmont Loop and Old Pacific Highway intersection. The examiner finds that the proposed development is in keeping with this policy, to the extent it applies to individual developments.

EC 3.7. Develop areas classified for commercial use on the Land Use Plan Map before other areas are reclassified for commercial use.

vii. As discussed above, the applicant is not seeking a zone change. The site is currently zoned C-2 and the proposed use is allowed as a conditional use in the C-2 zone. Therefore, this application is in keeping with this policy, to the extent it applies to individual developments.

EC 3.8. Encourage downtown revitalization by supporting the expansion of commercial and multifamily residential use.

viii. The examiner finds that this policy, by its express terms, applies to development in and near “downtown,” areas subject to C-1 zoning. (See Table 3-3). This site is located more than 1.5 miles from the nearest area of C-1 zoning. Therefore, this policy is not applicable to this development.

9. The examiner finds that, as conditioned, all measures have been taken to minimize the possible adverse impacts, which the proposed use may have on the area in

which it is located. WMC 17.72.050 (E). As discussed above, unsubstantiated fears may not justify denial of a proposed development and are not possible impacts that the applicant is required to minimize. The conditions of approval and CC&Rs limit the types of vehicles and activities allowed on the site, which will prevent the site from becoming low-income housing. In addition, site is subject to the City's nuisance and property maintenance regulations. The conditional use permit will be subject to annual review by the City to monitor and ensure compliance with the conditions of approval.

10. The application complies with the additional conditional use criteria for Recreational Vehicle Camper Parks, WMC 17.72.100 (D).

a. No signs are proposed as part of this application. Therefore, the application complies with WMC 17.72.100 (D)(1). If signs are proposed in the future they must comply with this standard, in addition to any building permit or other Code requirements. A condition of approval is warranted to that effect.

b. WMC 17.72.100 (D)(2) requires a minimum of 750 square feet per camper vehicle space. The smallest proposed RV space is 910 square feet. This criterion is met.

c. The site will be served by served by public sewer and water systems and the applicant will extend those services to each of the RV sites. A condition of approval is warranted requiring that the restrooms, bath, and shower facilities on the site meet all State Department of Social and Health Services standards as conditioned, the application complies with WMC 17.72.100 (D)(3).

d. WMC 17.72.100 (D)(4) requires a minimum 32,147 square feet of open space; 20-percent of the 3.69-acre site. The applicant's revised site plan provides 32,163 square feet of open space spread throughout sections A-N with the largest section, 24,466 square feet, in a section A in the northeast corner of the site. The revised site plan complies with WMC 17.72.100 (D)(4).

e. The applicant has not proposed a residence or residential structure for use by the owner or manager of the camper park. Therefore, WMC 17.72.100 (D)(5) is inapplicable.

f. The proposed CC&Rs will ensure compliance with the occupancy limitations of WMC 17.72.100 (D)(6). As discussed above, the applicant will be required to submit quarterly reports to the City documenting compliance with this standard.

g. Operation of the RV park on the site is subject to all applicable federal, state, and local regulations of such facilities. A condition of approval is warranted requiring that the applicant maintain continuous compliance with all such regulations. As conditioned, the application complies with WMC 17.72.100 (D)(7).

11. The examiner finds that the proposed use complies with the requirements of the C-2 zone, WMC 17.36.

a. WMC 17.36.010 is a purpose statement, not an applicable approval criterion. The general goals of the purpose statement are implemented through compliance with the specific requirements of the approval criteria. See *Lakeside Indus. v. Thurston County*, 119 Wn. App. 886, 98, 83 P.3d 433, review denied, 281 Wn.2d 1015 (2004) (Specific zoning laws control over general purpose statements). Although the purpose statement may be relied on to guide the interpretation of ambiguous criteria, applicants are not required to demonstrate compliance with the general goals and policies set out therein.

b. The proposed RV camper park is not a permitted, administrative conditional, or administrative temporary use in the C-2 zone. Therefore, WMC 17.36.020, .025, and .026 are inapplicable.

c. The applicant is proposing to develop an RV camper park on a property located east of the Interstate 5 freeway, which is allowed as a conditional use in the C-2 zone pursuant to WMC 17.36.030 (3). The application was reviewed and approved by the hearing examiner in this Final Order.

d. The proposed use is not one of the prohibited uses listed in WMC 17.36.040 (B) through (F) and, as conditioned, the use will not constitute a nuisance by reason of the impacts listed in WMC 17.36.040 (A).

e. The 3.69-acre site exceeds the 10,000 square-foot minimum lot size requirement of WMC 17.36.050.

f. The site is consistent with WMC 17.36.060, as this section imposes no minimum lot width or depth requirements.

g. The proposed development complies with the setback requirements of WMC 17.36.070.

i. The subjective “intent” of this section, like the purpose statement discussed above, is not an applicable approval criterion. It is implemented through the following objective criteria. The applicant is proposing a two small buildings; a 728 square foot building near the site entrance for an office, laundry, showers, and restrooms, and a restroom building³ near the eastern portion of the site. The Code does not require a minimum number or size of buildings nor does it require a minimum amount of building façade abutting a street. The Code only requires that whatever buildings are proposed comply with the applicable setback requirements.

ii. The examiner finds that the proposed development complies with the front setback requirement of WMC 17.36.070 (1), which requires that “Buildings shall be set as close as possible to all of the fronting and side public streets.”

³ The restroom structure is a “building” as defined by WMC 17.08.100. Therefore, it is subject to the setback requirements of WMC 17.36.070. The trash and recycling enclosures are also “buildings” if they have a roof.

(A) Belmont Loop is a “fronting street” as defined by WMC 17.08.335.⁴ The site is not a corner lot. There are no side streets abutting this interior lot. Therefore, the setback requirement of this section only applies to Belmont Loop.

(B) Like many of the parcels on Belmont Loop, the site is constrained by a 15-foot utility easement abutting the street. Therefore, the applicant proposed to locate the office building abutting the easement. The proposed building is set as close as possible to Belmont Loop and this criterion is met.

iii. The examiner finds that WMC 17.36.070 (2) is inapplicable. Although Old Pacific Highway abutting the east boundary of the site is classified as a minor arterial street, it is not a “fronting street: as defined by WMC 17.08.335, as the site does not take access from this street. However, even if WMC 17.08.335 were applicable, the applicant cannot comply with the zero setback requirement of this section. The eastern boundary of the site is constrained by a 15-foot utility easement and a separate 15-foot storm drainage easement. These easements prohibit any structures within 30 feet of the Old Pacific Highway right-of-way.

iv. As discussed above, existing easements on the site preclude compliance with the requirements of WMC 17.36.070 (1) and (2). Therefore, this development is subject to WMC 17.36.070 (3), which requires “[g]enerous landscaping, benches, or outside café” within the setback area. In this case, the applicant proposed to plant the 15-foot wide utility easement with a mix of lawn, shrubs and trees and install a wrought iron fence. In addition, the applicant proposed to provide a pad in the southern portion of the site’s frontage for a future food cart or vendor space. The examiner finds that the proposed development complies with WMC 17.36.070 (3). Based on the photos submitted by the applicant, the proposed landscaping is similar to or more substantial than the setback landscaping provided by other existing developments in the area.

v. The site is not located on a corner lot. Therefore, WMC 17.36.070 (4) is inapplicable.

vi. The site does not abut a residential zoning district. Therefore, WMC 17.36.070 (4) does not impose any setback restrictions.

h. The proposed development can be conditioned to comply with the height requirements of WMC 17.36.080.

i. The proposed office building is 17 feet tall, which exceeds the minimum 15-foot height limit of this section.

ii. There is no evidence in the record regarding the height of the restroom building or the trash/recycling enclosure, assuming it has a roof and therefore constitutes a “building.” Therefore, condition of approval is warranted requiring that the applicant construct all buildings with a minimum 15-foot height.

⁴ 17.08.335 provides, “‘Fronting street’ means the street which provides main ingress and egress to subject property.”

iii. No “false-fronts” or “tilt-ups” are proposed on the building facades.

i. The proposed development is consistent with WMC 17.36.090, which does not impose any lot coverage limitations or requirements.

j. The proposed development complies with WMC 17.36.100, because it will comply with the off-street parking requirements of WMC 17.56 and 17.36.130.

i. WMC 17.56.030 (B) requires a minimum of one parking space per 300 square feet of gross floor area and a minimum of four parking spaces. The proposed development includes less than 1,200 square feet of gross floor area. Therefore, this development is subject to the minimum requirement of four parking spaces. The applicant proposed to provide five parking spaces on the site; four standard spaces and one ADA parking space. This criterion is met.

ii. As conditioned, the proposed parking spaces comply with the minimum dimensional requirements of WMC 17.56.030, the aisle width requirements of WMC 17.56.070, and the general design requirements of WMC 17.56.080.

iii. All vehicle accommodation areas will be graded and surfaced with asphalt, concrete or other material that will provide equivalent protection against potholes, erosion, and dust as required by WMC 17.56.090 (A). The City can ensure compliance with the design, grading, and drainage requirements through the final engineering and site plan review processes.

iv. The applicant proposed to demarcate individual parking spaces with painted lines or similar markings. WMC 17.56.090 (B). The City can ensure compliance with this standard through the final review process.

v. The applicant and any subsequent owner/operator will be required maintain all vehicle accommodation areas on the site in compliance with WMC 17.56.090 (C). A condition of approval is warranted to that effect. If necessary, the City can ensure compliance with these maintenance requirements through its enforcement process.

vi. There are no residential areas adjoining the site. Therefore, WMC 17.56.090 (D) is inapplicable.

vii. The requirements of WMC 17.36.130 are addressed in the findings below.

k. The proposed development complies with the architectural and site design standards of WMC 17.36.130, based on the following.

i. As discussed above, the title and purpose statement of WMC 17.36.130 (A) are not applicable approval criteria.

ii. WMC 17.36.130 (B) sets out submittal requirements. The City determined that the application is fully complete and the examiner has no authority to reconsider that determination in this proceeding.

iii. The applicant is not seeking a variance. Therefore, WMC 17.36.130 (C) is inapplicable.

ix. A master plan is not required for this 3.39-acre site. Therefore, WMC 17.36.130 (D) is inapplicable.

x. Based on the following findings, the proposed development is “oriented to the street” to the extent possible, given the type of development proposed. WMC 17.36.130 (E).

(A) The applicant proposed to locate the office building as close to Belmont Loop as possible. The building will not turn its back on the street, provided the main entrance is located on the south façade of the building, facing the site’s access drive as the applicant appears to propose in the site plan. A condition of approval is warranted to that effect. Although the site’s frontage will have very little building frontage, trees and landscaping will predominate along the site’s Belmont Loop frontage. The applicant proposed a small parking lot in the northwest portion of the site, opposite the office, which will be screened by the proposed 15-foot landscape buffer. The RV camping spaces abutting the landscape buffer on Belmont Loop do not constitute a “parking area” as defined by WMC 17.08.548. Although the camping spaces will be accessible to vehicles, these areas are not “[p]rovided, improved, maintained and used for the sole purpose of accommodating a motor vehicle.” Therefore, the application complies with WMC 17.36.130 (E)(1).

(B) The examiner finds that WMC 17.36.130 (E)(2), which uses the word “should” is a recommendation, not a requirement. WMC 17.08.715 provides, “‘Should,’ as applied in this title, means that which is recommended but not absolutely required.” 17.08.705 provides, “‘Shall,’ as applied in this title, means that which is mandatory.” In this case, given the type of development proposed on the site and the 30-foot easement between the site and the Old Pacific Highway right-of-way, it is not feasible to provide the storefronts, windows, merchandise, and other aspects of business activity visible from Old Pacific Highway. Therefore, the proposed development is consistent with WMC 17.36.130 (E)(2).

(C) The site is not located on a corner lot and does not contain any alleys. Therefore, WMC 17.36.130 (E)(3) is inapplicable.

(D) The proposed development complies with WMC 17.36.130 (E)(4) to the extent reasonably practical. The proposed parking lot will be setback roughly 20 feet from Belmont Loop and screened with landscaping. Landscaping within the easements and the individual RV camping spaces will screen views of the drive aisles on the site from abutting streets; Belmont Loop and Old Pacific Highway. None of the other features listed in WMC 17.36.130 (E)(4) are proposed on the site.

(E) The proposed office building is located near the northern edge of the site to maximize solar exposure, consistent with WMC 17.36.130 (E)(5).

(F) The development will not create any building or combination of buildings larger than four thousand square feet. Therefore, WMC 17.36.130 (F)(1) does not require a plaza, courtyard, or other pedestrian amenities or spaces. No plazas, courtyards and other pedestrian amenities or spaces are proposed. Therefore, the design standards for these features in WMC 17.36.130 (F)(2) are inapplicable.

(G) As noted above, the applicant is required to locate the main entry to the office building on the south façade, facing the on-site access drive. An entrance in that location will be visible from the fronting public street, Belmont Loop, as required by WMC 17.36.130 (G)(1). Conditions of approval are warranted requiring that the building entrance include at least one element from Group A and one element from B, as required by WMC 17.36.130 (G)(1), and that the applicant provide a canopy or awning along a minimum sixty-percent of the south façade of the office building, as required by WMC 17.36.130 (G)(2).

(H) The proposed building is less than twenty feet high. Therefore, the articulation/massing requirements of WMC 17.36.130 (H) are inapplicable.

(I) A condition of approval is warranted requiring screening of any rooftop equipment consistent with WMC 17.36.130 (I).

(J) The applicant proposed to construct a five-foot sidewalk and install street trees along the site's Belmont Loop frontage as required by WMC 17.36.130 (J). The City can ensure compliance with the street tree size, spacing, and species requirements through the final review process.

(K) The proposed curb cuts and driveways comply with the requirements of WMC 17.36.130 (K).

(I) No access is proposed to Old Pacific Highway, a minor arterial street abutting the site; all vehicular access will be provided from Belmont Loop. Therefore, the application complies with WMC 17.36.130 (K)(1).

(II) The development will not block pedestrian or bicyclist movement on Belmont Loop as all vehicle check-in queues must be accommodated on the site. As discussed above, the site will generate very limited traffic volumes compared to other commercial uses, which will minimize the number of vehicular turning movements at the site access. WMC 17.36.130 (K)(2).

(III) No closely spaced driveways are proposed. The applicant proposed one full-access driveway at the northern end of the site and a gated

emergency vehicle access at the south end, roughly 200 feet apart. Therefore, the application complies with WMC 17.36.130 (K)(3).

(L) As discussed above, the proposed parking lot is located to the site of the building. The parking lot is setback 20 feet from Belmont Loop and screened by proposed landscaping, making it as visually unobtrusive as possible. The proposed RV camping spaces do not constitute a parking lot as defined by the Code. Therefore, the camping spaces are not subject to this standard and the application complies with WMC 17.36.130 (L).

(M) As noted in the Staff Report, the applicant proposed a clearly defined walkway between the public sidewalk to the proposed office building. An additional clearly defined walkway is required connecting the office and the parking lot. WMC 17.36.130 (M)(1). All pedestrian connections must be defined as required by with WMC 17.36.130 (M)(2). Conditions of approval are warranted to that effect.

(N) WMC 17.36.130 (M)(3) applies to “large sites,” which the Code does not define. However, to the extent this requirement applies to this 3.69-acre site, the applicant proposed to provide a grid street system that provides access to all of the proposed RV camping spaces and facilitates pedestrian and bicycle circulation within the site.

(O) WMC 17.36.130 (M)(4) provides that, “Bicycle parking areas should be provided near the public entrances of buildings.” As discussed above, the word “should” is a recommendation, not a requirement. The Code does not require any amount of bicycle parking. This RV camping park is unlikely to generate significant demand for bicycle parking. Guests staying on the site will likely park their bicycles on their individual camping sites and the proposed use will generate few employees. Therefore, the examiner finds that there is no need for bicycle parking on the site.

(P) The applicant proposed a 15-foot wide landscaped strip consisting of trees, shrubs, and groundcover (lawn) along the site’s entire Belmont Street frontage, excluding the two driveways and the food cart/mobile vendor space. This exceeds the five-foot landscape requirement of WMC 17.36.130 (N)(1).

(Q) The site does not abut any Residential or Public/Quasi-Public/Institutional (PQPI) zones. Therefore, WMC 17.36.130 (N)(2) is inapplicable.

(R) The City can ensure compliance with the clear vision area requirements of WMC 17.36.130 (N)(3) through the final engineering review. A condition of approval is warranted to that effect.

(S) The parking lot will be setback 20 feet from the Belmont Loop right-of-way and screened with a 15-foot wide landscape buffer, exceeding the ten-foot buffer required by WMC 17.36.130 (N)(4). A condition of approval is warranted to ensure that the proposed landscaping complies with one of the standards in WMC 17.36.130 (N)(4)(a) through (e). As discussed above, the proposed

RV camping spaces do not constitute a parking lot as defined by the Code. Therefore, landscape screening is not required on the site's Old Pacific Highway frontage.

(T) As noted above, landscaping within the easements and the individual RV camping spaces will screen views of the drive aisles on the site from abutting streets; Belmont Loop and Old Pacific Highway. None of the other features listed in WMC 17.36.130 (N)(5) are proposed on the site.

(U) No walls or raised planters are proposed on the site. Therefore, 17.36.130 (N)(6) is inapplicable.

(V) No walls are proposed on the site. Therefore, WMC 17.36.130 (N)(7) is inapplicable.

(W) The proposed wrought iron fence along the site's Belmont Street frontage will be setback 15 feet or more from the street right-of-way, outside of the "front yard" area as defined by WMC 17.08.865 (A). Therefore, the application complies with WMC 17.36.130 (N)(8). However, this section prohibits the cyclone fencing proposed on the site's Old Pacific Highway frontage. The site is a "double frontage lot" as defined by WMC 17.08.430. Therefore, although Old Pacific Highway is not a "fronting street," the east boundary of the site, abutting Old Pacific Highway, is a "public street frontage" subject to this restriction. The applicant should be required to replace the cyclone fencing proposed along the site's Old Pacific Highway frontage with a permitted fencing type. A condition of approval is warranted to that effect.

(X) The applicant did not propose fencing "around" the parking lot. Fencing is only proposed along the western edge of the parking lot. Therefore, WMC 17.36.130 (N)(9) is inapplicable. In addition, to the extent the proposed fence is subject to this standard it complies. The fence is not more than six feet high, it meets the transparency requirement, it is not barbed wire or cyclone fencing, and it complements the materials used in the development, as the same wrought iron fence is proposed elsewhere on the site.

(Y) As conditioned, the application complies with the parking lot landscaping requirements of WMC 17.36.130 (O).

(Z) The applicant did not provide any details about the proposed garbage and recycling storage areas. A condition of approval is warranted requiring that these areas be screened as required by WMC 17.36.130 (P).

(AA) As conditioned, the application complies with the lighting requirements of WMC 17.36.130 (Q).

(BB) As conditioned, the application complies with the sign requirements of WMC 17.36.130 (R).

12. Assertions that the proposed development is not “needed” are irrelevant. The Code does not require that applicants demonstrate a need for the type of development proposed. Need is best determined by market forces.

13. This conditional use permit application is substantially different from the application for a senior living facility that the City Council recently denied. The application reviewed by the City Council included a request for comprehensive plan amendment and zone change to change the plan designation and zoning on the site. Such an application is subject to different standards and criteria than the conditional use permit at issue here.

14. Several persons argued that this site should be developed with another use that is more consistent with and supportive of the existing businesses in the area. However, the site is private property and the proposed use is an allowed use in the C-2 zone. Therefore, the City has no authority to require a different use on the site. Whether alternative uses on the site would be subjectively “better” is irrelevant, because such concerns do not relate to the applicable approval criteria. If the application complies with the applicable approval criteria it must be approved.

15. The Hemmelmans argued that their development is “[b]eing held to a completely different building standard than the proposed RV Park,” as they were required to consider both Belmont Loop and Old Pacific Highway as fronting streets. The Hemmelmans’ parcel is a corner lot as defined by WMC 17.08.415, with frontage on both Belmont Loop and Old Pacific Highway. Therefore, the Hemmelmans’ parcel is subject to different standards than the site.

16. The examiner acknowledges that the residents of the neighborhood oppose the proposed use and assert that the City should deny the application to protect surrounding residents. However popular support or opposition, *per se*, is not relevant to any applicable approval criterion. Basing a decision on popular opinion denies due process of law and is arbitrary. The best way to protect all of the public is to enforce the laws consistently and fairly. To give special consideration to a limited class of people violates the due process rights of all. The applicant and the property owners are entitled to equal protection of the law. The examiner is obligated to apply the plain meaning of the law.

17. Approval of this application will not create a precedent for future applicants. There may be other properties that could be utilized as RV park facilities. Other park operators are entitled to request approval of additional facilities on those properties. Such future applications would be subject to the applicable zoning and approval criteria in effect when an application is submitted. Such applications must be approved if the applicants demonstrate that the proposed facilities also meet the applicable approval criteria. However, approval of this application does not make it any more or less likely that such applications will be submitted or approved. Each property and applicant is unique and must be reviewed on its own merits. In any case, the potential precedential effect of this development is not relevant to the applicable approval criteria.

D. CONCLUSION

Based on the findings and discussion provided or incorporated herein, the examiner concludes that File No. CUP 20-001, SPR 20-011, and SEP 20-016 (Belmont Loop RV Park) should be approved, because the application does or can comply with applicable standards of the WMC, provided it is subject to conditions that ensure timely compliance in fact with the WMC.

E. ORDER

The Hearing Examiner APPROVES File No. CUP 20-001, SPR 20-011, and SEP 20-016 (Belmont Loop RV Park) subject to the following conditions of approval:

CONDITIONS OF APPROVAL

1. Impact fees shall be calculated and paid when building permits are issued per WMC 3.41 and 3.42.
2. The estimated number of peak hour trips results in a calculated Transportation Impact Fee of $(19.44 \times \$838) = \$16,290.72$ for the project.
3. Fire impact fees are calculated at the time of building permit issuance and are based on \$0.51 per square foot of commercial space. Fire impact fees for this project are estimated to be \$451.35. ($\0.51×885 square feet of commercial space).
4. All improvements in the public right-of-way shall be completed in accordance with City of Woodland standards per Title 12.
5. Install water services, water main extension, and backflow devices in accordance with City of Woodland Construction Standards. Comply with water supply backflow and cross-connections requirements of WMC 13.28.
6. On-site hydrants are required, the fire mains shall be public mains with a 15-foot wide easement to the City and locations shall be coordinated with CCFR.
7. Sewer mains and side services will be constructed in accordance with City of Woodland Construction Standards. Provide information detailing the estimated sewer demand to determine whether or not additional sewer improvements will be necessitated as part of the construction of this project. Applicant will be responsible for sewer system upgrades that are specifically required to address the added flows.
8. An amount as determined by the Public Works Director for Water and Sewer System Development Charges (SDC) is required to be paid prior to issuance of the building permit. The charges are in addition to the utility connection that are charged for new connections based on the water meter size. The SDC charge was paid previously for parcel 504211600, but \$6,699.46 is due for parcel 504211602.

9. Connection charges for water and sewer will be based on meter size and the current rate schedule.
10. Meet all erosion control requirements of WMC 15.10 and adhere to the submitted erosion control plan. Include an erosion control plan with the final engineering submittal.
11. Apply for a fill and grade permit.
12. Submit a final Stormwater Technical Information Report (TIR) for this project.
13. Revise the site plan to show a clearly defined walkway connecting the sidewalk to the office, and the office to at least three RV sites and the restroom. All pedestrian connections shall be clearly defined in compliance with WMC 17.36.130 (M)(2).
14. Submit building plans and elevations for a building permit for the garbage and recycling enclosures that meet site design standards for screening consistent with WMC 17.36.130 (P). It is recommended to discuss the enclosure size and locations with Waste Control to determine if the enclosure designs and locations are serviceable and if the garbage and recycling receptacles needed to serve 72 RV sites will fit inside.
15. Revise the site plan to replace the cyclone fencing shown on the eastern boundary of the site with a fence type allowed by WMC 17.36.130 (N)(8) and apply for a fence permit for all proposed fences.
16. The main entrance to the office building shall located on the south or west façade of the building, facing the site's access drive and visible from Belmont Loop. The building entrance shall include at least one element from Group A and one element from B, as required by WMC 17.36.130 (G)(1), and a canopy or awning shall be provided along a minimum sixty-percent of the south façade of the office building as required by WMC 17.36.130 (G)(2).
17. Any rooftop equipment shall be screened consistent with WMC 17.36.130 (I).
18. All buildings, as defined by WMC 17.08.100, shall be a minimum 15 feet in height as required by WMC 17.36.080.
19. Landscaping on the site's Belmont Loop frontage shall comply with one of the standards in WMC 17.36.130 (N)(4)(a) through (e).
20. Lighting shall be directed or shielded so as not to cast glare onto adjacent properties or roadways.
21. Obtain a permit for all signs prior to installation and comply with the standards of WMC 17.52 and WMC 17.72.100 (D)(1).
22. Prior to issuance of building permits, demonstrate that the driveway design:

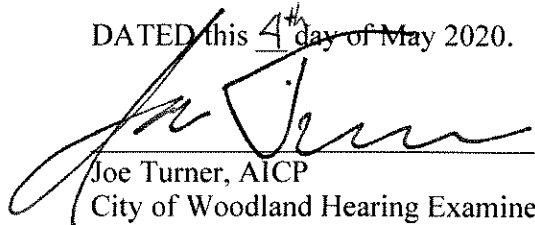
- a. Is adequate to accommodate the turning radius of the largest vehicles expected to patronize the site; and
 - b. Complies with the clear vision area requirements of WMC 17.36.130 (N)(3).
23. Parking spaces shall comply with the minimum dimensional requirements of WMC 17.56.030, the aisle width requirements of WMC 17.56.070, and the general design requirements of WMC 17.56.080.
24. Submit evidence that the restrooms, bath, and shower facilities on the site meet all meet State Department of Social and Health Services Standards prior to issuance of building permits.
25. The applicant and any subsequent owner/operator shall remain in continuous compliance with all applicable federal, state, and local RV facility regulations as required by WMC 17.72.100 (D)(7).
26. To demonstrate compliance with WMC 17.72.100 (D)(6), the applicant and any subsequent owner/operator shall prepare occupancy records that include, at a minimum: all vehicle license numbers associated with each site, occupant names, and dates of stays. The applicant and any subsequent owner/operator shall submit such reports to the City on a quarterly basis (by March 31, June 30, September 30, and December 31 of each year).
27. Address all requirements of Clark County Fire and Rescues and submit revised plans as requested.
28. Comply with Ecology comments during construction:
 - Use only clean fill or obtain a solid waste permit for fill.
 - Dispose of all debris at an approved site
 - Install erosion control measures prior to clearing, grading, construction.
 - Do not discharge into waters of the state.
 - Obtain a Construction Stormwater General Permit if required.
 - Report any soil/groundwater contaminants found.
29. Include a note on the site plan indicating proper course of action in the case of inadvertent archaeological discovery and that a Cultural Resource Study is required for work at grades lower than 18 inches.
30. Applicant must submit materials demonstrating compliance with permit requirements for conditional use review to the Community Development Director by March 1st, every year, to continue operating under the conditional use permit.
31. To demonstrate compliance with WMC 17.72.100 (D)(7), submit proof of compliance with State regulations and standards as part of the annual conditional use review requirement. *See Condition #29.*

32. The applicant and any subsequent owner/operator shall maintain all vehicle accommodation areas on the site in compliance with WMC 17.56.090 (C).
33. Vehicle queuing is prohibited on Belmont Loop. The applicant and any subsequent owner/operator shall require that drivers pull forward into the site prior to registering, temporarily park their vehicles on the road, or take other steps to prevent on-street queuing.
34. The applicant shall revise the occupancy limitations of the CC&Rs to
 - i. Prohibit any camper vehicle from staying on the site more than 90 days in any 180 day period, or
 - ii. Prohibit any camper vehicle from returning to the site for two weeks from the date the camper vehicle last stayed on the site.
35. The applicant and any subsequent owner/operator shall operate the facility in compliance with the following CC&Rs. With the exception of the changes required by condition 34 above, any changes to the CC&Rs or Park Rules and Policies must be approved in writing by the City:
 - a. RECREATIONAL VEHICLES, (RV/RVs):
 - i. No Recreational Vehicle (RV) greater than ten years in age shall be permitted without approval of owner/manager of the park. Permission for older RVs will only be granted to RVs that are in good working order, clean and in well maintained appearance. RVs ten years old or newer must also be in good working order, clean and in well maintained appearance.
 - ii. No vehicle repair shall be done in the park. Any inoperable vehicles must be moved or towed off the premises.
 - b. PROPERTY MAINTENANCE: The park shall be continuously maintained and kept in a clean, neat and tidy manner and in good repair. This applies to landscape, fencing, buildings, lighting, asphalt, concrete, trash receptacles, utilities, etc.
 - c. PARK RULES AND POLICIES: The applicant and any future owner/operator of the facility shall require that all park guests comply with the rules and policies contained in Exhibit A to these CC&Rs. Each visitor to the park must agree to and sign said park rules and policies. Any owner/manager of the park shall implement park operating procedures to enforce these rules and policies and shall include remedies for noncompliance.
 - d. SECURITY AND CRIMINAL ACTIVITY: Any park owner/manager shall implement park operating procedures to ensure criminal activity does not occur and shall include remedies for noncompliance. If necessary, this could include an active relationship with both the local governing authority, (City of

Woodland police and code enforcement) and the neighboring businesses and property owners along Belmont Loop.

- e. LIMITED STAY: This park is NOT a residence for visitors. All visitors shall visit for recreational purposes only. No visitor to the park may stay more than 90 consecutive days. Any visitor that has stayed for 90 consecutive days, may NOT return to the park for at least two (2) weeks.
 - f. LEWD OR INDECENT BEHAVIOR: Any park owner/manager shall ensure that visitors refrain from lewd, obnoxious or indecent behavior that could disturb or disrupt the local community and businesses.
 - g. ENFORCEMENT: The applicant and any future park owner/manager shall implement park operating procedures to ensure compliance with these rules and shall include remedies for noncompliance.
36. A copy of the CC&Rs and Park Rules & Policies shall be continuously posted on the site and a printed copy shall signed by all guests as part of their lodging agreement with the RV park.

DATED this 4th day of May 2020.



Joe Turner, AICP
City of Woodland Hearing Examiner

NOTE: Only the decision and the conditions of approval are binding on the applicant as a result of this order. Other parts of the final order are explanatory, illustrative and/or descriptive. They may be requirements of local, state, or federal law, or requirements which reflect the intent of the applicant, the City staff, or the Examiner, but they are not binding on the applicant as a result of the final order unless included as a condition.

APPEAL: Pursuant to WMC 17.81.150, this decision is final and conclusive, unless an appeal therefrom is filed with the clerk-treasurer within fourteen (14) days from the date of this final order. Such appeal shall be in writing, shall contain all grounds on which error is assigned to the examiner's decision and shall be accompanied by a fee as established by resolution of the City council; provided, that such appeal fee shall not be charged to a department of the City or to other than the first appellant.

EXHIBIT "A" To:
Covenants Conditions and Restrictions ("CC&Rs") Proposed by Applicant to be Imposed
as a Condition to the Conditional Use Permit for "Belmont Loop RV Park"
April 2, 2021

Park Rules & Policies For Belmont Loop RV Park
Revised April 19, 2021

Occupancy: Only (1) RV is allowed per site. Sites exceeding (2) adults will be charged an additional \$ _____ per person during the time of your stay. If it's extended stay, then a \$ _____ per person charge will be added to your monthly site fee.

Speed Limit: The speed limit in the park is 5 MPH.

Quiet hours: Quiet Hours are from 10:00 PM to 7:00 AM. Please be considerate of your neighbors.

Visitors: Your visitors are welcome. Visitors are expected to read and adhere to all RV park policies. All your visitors must leave the park by 10:00 p.m. Park occupants are responsible for any rule violations of family members and/or visitors.

RVs Allowed: Only RVs ten (10) years old or newer are permitted in the park and must be in good condition and working order, (visually and mechanically). Exceptions to RV age may be made at the discretion of Park management if an older RV is in very good condition, visually and mechanically.

Site: Your site must always be kept clean and neat. Only appropriate outdoor RV furniture is allowed. Any alterations or additions, such as porches, decks, tarps, lockers etc., are not permitted. Movable steps are permitted. Toys & bikes must be picked up and stored neatly out of sight. Plants are limited to no more than (3) potted or planters' boxes. Bird feeders are not permitted of any kind. Outside animal feeders of any type including your own pets are prohibited due to the wild animal pests in the area. No utility trailer, boat or dirt bike storage are allowed on the site. Tarps, extra refrigerators, freezers, coolers, boxes, clothes lines, garbage cans or other debris are not allowed to be stored outside.

Fire Pits: NO OPEN FIRE PITS ARE ALLOWED ON PARK GROUNDS. Propane/Gas powered BBQ' s only. This privilege can be revoked if unsafe use occurs. Vehicles: Two (2) street legal vehicles, not including your RV, will be allowed per site if space allows. All vehicles must be in good operating condition, no oil leaks. All vehicles must be currently state registered. If it is not in operating condition, management will ask you to remove the vehicle or be towed at owner's expense. Oversized vehicles such as work trucks, are not permitted. All vehicles must be parked within your site only, off the drive aisles and not over any landscaping.

Sewer: Sewer line must be off the ground and on a sewer track for proper flow. NO LEAKING.

Vehicle Repairs: Vehicle and RV repairs are not permitted in the park. Please check with local listings for businesses that provide these services.

Restrooms & Showers: Restrooms are for RV park occupants ONLY; we take pride in cleanliness. Please leave them as clean as when you found them. Please do not bathe your animals or use any kind of hair dye in the showers. Giving access to our facilities to non-guests is grounds for immediate removal from the park.

Laundry: Laundry room is for guests ONLY. Giving access to our facilities to non-guests is grounds for immediate removal from the park. Do not overload washers or dryers. Shake out dirt or dog hair prior to washing. Please do not wash large items such as sleeping bags, rugs, blankets or shoes. NO pet bedding in washers or dryers. Please be courteous and clean up after yourself.

Pets: Pets are welcome! You may walk your pet throughout the park and in designated pet areas. Animal waste must be picked up immediately and deposited in available dumpster or garbage cans. Bags are provided at pet areas. Pets must always be on a leash no longer than 6 feet in length. Pets may not be left unattended at any time, left alone in the RV, fenced, penned, chained or tethered on park property. Pet pens, cages, runs and kennels are not permitted. Pets are not allowed in any park facility, special exceptions for service dogs with appropriate paperwork are permitted. Barking dogs may lead to an eviction. Fee for pets is \$_____, no more than two (2) pets allowed per site unless approved by management.

Minors: Children must always be supervised and accompanied by an adult. Out of courtesy to others, children may not play outside of their site, run through or behind other sites, the office, restrooms and laundry facilities. You are held responsible for all your children's actions.

Conduct: Occupants are not to interfere or tamper with park property or park business. This includes interfering with park management. Your conduct in the park must be orderly. Any intoxication, profane language, excessive noise of any type, excessive traffic, illegal activity, or the appearance of, will not be tolerated. This includes behavior or activity that would negatively impact neighboring properties. Any illegal or criminal behavior or activity will be immediately reported to the City of Woodland Police Department.

Garbage: Please dispose of your garbage in the two dumpsters & recycling bins provided throughout the park. All garbage must be contained in closed plastic bags. Boxes must be broken down flat and placed in recycle bins. No appliances or large household items may be disposed of in the park dumpsters. Nothing may be left around outside of the dumpster. Anyone such littering will be subject to a fine of \$_____ for each offense.

Smoking/Fireworks: Smoking is not permitted inside any park facility or around buildings. If cigarette butts are found around your site you may be fined up to \$_____ per butt. No firearms or fireworks are permitted on park property.

Length of Stay: No person or RV may occupy the park for more than 90 consecutive days. Any person or RV that has occupied the park for 90 consecutive days may not return for at least 2 weeks.

Management has the right to refuse entry or service to anyone for any reason he/she deems necessary and evict those who do not comply with the RV Park Rules, Policies and regulations.

I _____, have received and acknowledged the Rules &
print visitor name / names

Policies of Belmont Loop RV Park. I Agree to live and uphold community standards. I acknowledge the \$ _____ deposit will be returned after the final electric meter reading has been read. I agree to pay on the first day of every month including utilities. Failure to comply is grounds for removal from the park if management deems appropriate and I will remove my RV from the site.