City of Battle Ground

Community Development Department
109 SW 1st Street, Suite 127, Battle Ground, WA 98604
(360) 342-5047

Staff Report and Recommendation to the Hearings Examiner

Project Name: Quail Haven Subdivision, SEPA, and CAR Review (**PR 22-2020**)

Report Date: August 27, 2020

Hearing Date: September 11, 2020 @ 1:30 p.m. via Zoom Meetings

Proposal: The applicant, Quail Haven LLC, is proposing a 27-lot subdivision on approximately 5-acre site within the R12 zone. The subdivision will gain access from the creation of intersection Eaton Blvd and NW 15th Avenue. Additional site improvements include public road and pedestrian access improvements, a stormwater facility, and open spaces to protect critical areas.

Location: 1514 SW Eaton Boulevard **|** Parcel #: 192350000

Consultant: 2G Associates, Inc.
Fred Garmire
400 Columbia Street, Suite 160
Vancouver, WA 98660

Applicant/Owner: Quail Haven, LLC.
4501 NE Minnehaha St,
Suite 200
Vancouver, WA 98661

Staff: Emily Lutz, Planning Supervisor
Ryan Jeynes, PE, City Engineer
Chris Drone, Fire Marshal and Building Official

SEPA: Recommending a Final Determination of Mitigated Non-significance (MDNS)

Recommendation: **Preliminary Approval** subject to conditions listed at the conclusion of this report.

Emily Lutz

August 27, 2020

Emily Lutz **Date**
Planning Supervisor

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I. BACKGROUND

A. General Site Information

Size of Site:	Approximately 5 acres per Clark County GIS
Existing Vegetation:	Field with mature trees, wetland, grass, and, shrubs
Existing Structures:	None
Adjacent Land Uses:	Surrounded by residential; there are apartments and a self-storage facility northeast of the site.
Adjacent Zoning:	Regional commercial to the east and south; R-12 to the north and west
Slope:	Relatively flat
Geological Hazards:	None
Wetlands:	Presence
Flood Plain:	Outside Flood Area
Archaeology:	Mod-High & High Probability
Priority Habitat:	Oregon White Oak
Soils:	Non-Hydric/DoB, Non-Hydric/HuB, and Hydric/CvA

B. Land Use Processing

Date Application Submitted:	June 12, 2020
Application Technically Complete:	July 10, 2020
Notice of Application:	July 22, 2020
Site Posted:	July 22, 2020
Reflector Publication:	July 22, 2020
Public Hearing:	September 11, 2020

Figure 1. Location

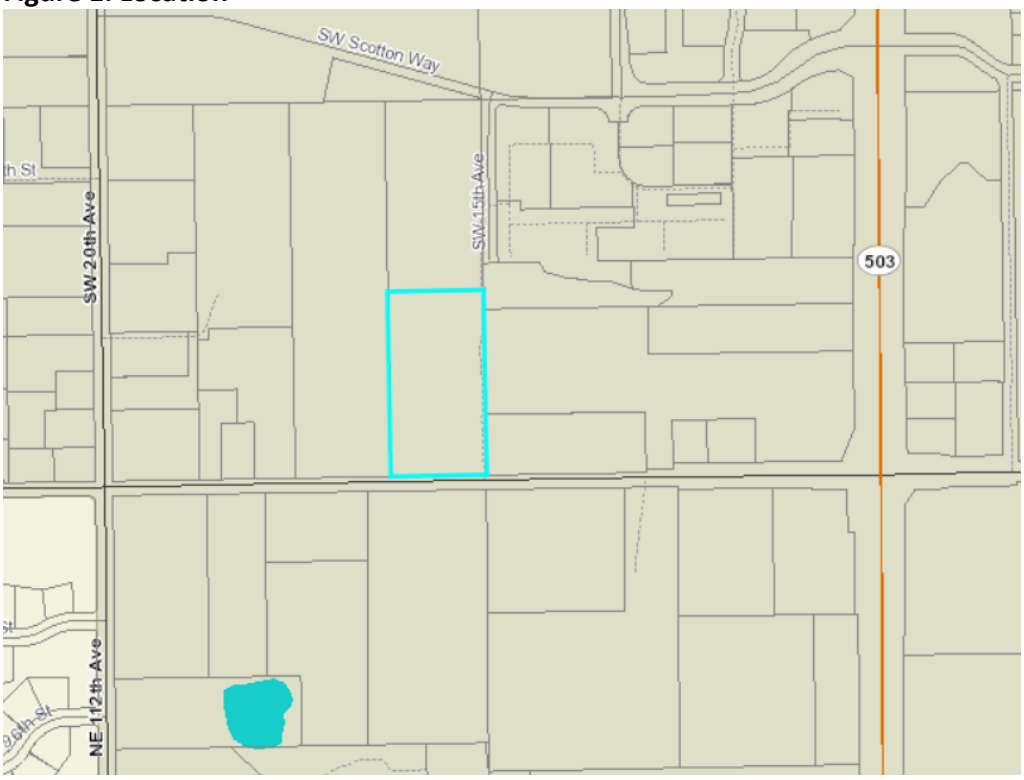


Figure 2. Site – 2018 Imagery



II. APPLICABLE REGULATIONS/ANALYSIS

A. Battle Ground Municipal Code (BGMC)

1.	Title 12 Streets and Sidewalks
12.112 House and Street Numbering	**Compliance:** Conditionally
Finding: The area/street identified on the preliminary plat as "20' Turn Around and Storm Access Tract" shall be known as SW 18th Circle. The remaining streets are correctly identified. All further references to streets in this staff report will be by these names.	
12.116 Transportation Standards	**Compliance:** Conditionally

Finding: The proposed 27-lot subdivision is located on a parcel north of SW Eaton Boulevard. Access to the development will be from the creation of a new intersection at SW Eaton Boulevard and SW 15th Avenue.

Half-street improvements are required for SW Eaton Boulevard consistent with "Minor Arterial" standards. Improvements include, but are not limited to, sidewalk, curb and gutter, asphalt, landscaping, and streetlights.

The applicant is showing several new public streets to be built with this development: SW 15th Avenue, SW 16th Avenue, SW 18th Circle, and SW 19th Street.

SW 15th Avenue shall be built to the requirements of "Neighborhood Collector" standards that include a minimum half-width right-of-way dimension of 34-feet: 25-feet of roadway, 4-foot landscape strip, and 5-foot sidewalk. It shall extend to the northern property line.

SW 16th Avenue shall be built to the requirements of "Local A" standards that include a minimum half-width right-of-way dimension of 34-feet: 25-feet of roadway, 4-foot landscape strip, and 5-foot sidewalk. It shall extend to the northern property line.

SW 18th Circle shall be a private street built to the standard of 3-4 units/lots per BGMC 12.116.140.

Per Tables 12.116.040(A), SW Eaton Boulevard has controlled access. Therefore, no lots can have direct access to it.

Centerline curves for all new streets shall be designed to meet the requirements of AASHTO's *A Policy on Geometric Design of Highways and Streets*, aka The Green Book. Future submittals of engineering plans shall include, but not limited to, centerline radius, curve data, and any pertinent information that shows new streets meet the design requirements.

The applicant is required to provide landscaping in the planter strips in the right-of-way. Per BGMC 12.116.050(F) the applicant shall submit a landscaping plan with the engineering plans that provides the required landscaping.

The applicant is required to submit as part of the engineering plans, per BGMC 12.116.050(G), a driveway location plan that specifies proposed driveway curb cuts, where required, for all lots within the plat. If possible, the landscape and driveway plan should be on the same page in order to show possible conflicts.

The applicant is required to provide a signing, striping, and street lighting plan per BGMC 12.116.050(H). The plan shall be submitted with the final engineering plans. A photometric plan

shall be done for all access points, intersections, frontage roads out to centerline, and should include existing lights to ensure that proposed lights meet IES RP-8-00 standards. Streetlights shall be LED cobra type units for SW Eaton Boulevard and LED acorn type units for all other streets.

Per BGMC 12.116.080, traffic-calming devices are required for all residential streets. Traffic calming devices for this subdivision shall be selected from BGMC Figure 12.116.080(A).

The applicant's traffic engineer has indicated that 254 daily, 20 new a.m. peak trips, and 27 new p.m. peak trips will be generated by the proposed development. Per BGMC 12.116.175(C) a new traffic study is required when there is an increase of 10 new a.m. and p.m. peak trips. A traffic study has been submitted. Three of the four failing intersections within the City are receiving new trips; see below under the *Concurrency Management* section for more information.

Per BGMC 12.116.180(B), the applicant is required to perform pavement deflection testing, to determine the adequacy of the existing pavement on SW Eaton Boulevard where half-street improvements will occur if the existing portion of the asphalt section is to remain. Additionally, the applicant will need to demonstrate that the existing street geometrics are compatible with the proposed road section. If the remaining life of the pavement is less than five years and has a Pavement Condition Index number less than 70 as calculated by City Staff, then the half-street improvements will need to extend to the centerline of the street.

The applicant is showing some cross-circulation streets on the preliminary plat. BGMC 12.116.200 contains the City's cross-circulation requirements, which require connections every 500-feet. The preliminary plat shows the parcel being approximately 659-feet (north/south) by 332-feet (east/west). Based on the dimensions the preliminary plat would have to provide, at a minimum, zero north/south cross-circulation streets and one east/west cross-circulation streets. The preliminary plat shows two north/south streets and one east/west streets. Therefore, engineering staff has determined that the applicant has provided all necessary cross-circulation.

Public and private streets shall comply with sight distances per BGMC 12.116.220 and BGMC 17.135.088 unless modified through the road modification process as outlined in BGMC 12.116.290. Final engineering plans shall show sight distance and vision clearance triangles.

Driveway locations and sizes shall be per the requirements of per BGMC 12.116.243.

The preliminary plat complies with all other criteria listed in BGMC 12.116. The final engineering plans and final plat shall comply with these criteria at the time of approval or recording.

It should be noted that final engineering plans pertaining to transportation for the proposed project shall be submitted for staff review and approval prior to final plat approval and construction. Final engineering plans shall be prepared and stamped by a professional engineer registered in the State of Washington.

12.118 Construction in Public Right-of-Way	**Compliance:** Conditionally

Finding: The proposed development will be doing construction type work within the City's Right-Of-Way.

Per BGMC 12.118.020, any type of construction, alteration, maintenance, or repair shall not occur within City Right-Of-Way (ROW) or easement without a written permit.

Any construction activity within the City Right-Of-Way shall require a traffic control plan per BGMC

12.118.060(C). The traffic control plan shall be submitted for review and approval prior to the commencement of construction.

Per BGMC 12.118.110, a surety bond or other approved surety is required when work will be within the City's ROW or within an easement. Said bond shall meet the monetary requirements of this code section and shall cover all work associated with the construction, alteration, maintenance, or repair of any infrastructure within the City's Right-Of-Way or easement.

A Certificate of Liability Insurance, with the required thresholds, shall be submitted per BGMC 12.118.120 when construction activities occur within the City's ROW or in an easement.

12.120 Concurrency Management	**Compliance:** Conditionally

Finding: Per BGMC 12.120.050(B) the subject development is not exempt from Concurrency. At full build out, this development will generate 20 new a.m. and 27 new p.m. peak trips, which is more than the 10 a.m. and p.m. peak hour trips the code cites as a threshold amount

The City has four intersections in concurrency failure: SW Eaton Boulevard & SR 503 (during the p.m. peak); SW Eaton Boulevard & SW 20th Avenue (during the p.m. peak); NW Onsdorff Boulevard & SR 503 (during the a.m. peak) and East Main Street & Grace Avenue (during p.m. peak).

Mitigation measures are as follows:

- SW Eaton Boulevard & SR 503 include addition of a 100-foot eastbound right turn lane and a second westbound left turn lane;
- SW Eaton Boulevard & SW 20th Avenue construction of northbound, southbound, and westbound left-turn lanes and traffic signal;
- NW Onsdorff Boulevard & SR 503 the addition of a second southbound through lane at the intersection;
- East Main Street & Grace Avenue a traffic signal and realignment of intersection.

Consistent with State law, "Concurrent" is defined in BGMC 12.120.030 as (A) that there is the existing capacity in the affected intersection to accommodate the projected transportation impacts of a proposed development, or (B) transportation system improvements, strategies, or other mitigation measures which will achieve or maintain an operating level at or above the applicable level of service for the intersection is (1) planned, funded, and scheduled for completion no later than six years after development approval as reflected in the Six-Tear TIP, or (2) will be available and complete no later than six years after development approval, as provided with a voluntary financial commitment (where appropriate) that is in place at development approval. Based on the applicant's traffic study the Development does not meet (A). In order to meet concurrency via (B) the City has come up with 2 possible strategies as follows:

1. The applicant can construct the aforementioned mitigation measures for the failing intersections to meet concurrency requirements.
2. The applicant can pay a proportionate share of the costs to construct the aforementioned mitigation measures. Proportionate share, on a per trip basis, would be based upon the cost to do the mitigation measure divided by the number of trips created over the next six-year time frame. The number of trips generated by the proposed development going to the intersections during the failing peak period would be multiplied by the per trip cost to generate the proportionate share of construction cost. The mitigation fees are as follows:

Intersection	Failure	AM Site Trips	PM Site Trips	Proportionate Mitigation Share per Trip	Mitigation Cost per Intersection
SR 503 & NW Onsdorff Boulevard	AM	1	n/a	$4,576.23	$4,576.23
Grace Avenue & E Main Street	PM	n/a	0	$1,721.77	$0.00
SR 503 & SW Eaton Boulevard	PM	n/a	14	$1,533.33	$21,466.62
SW 20th Avenue & SW Eaton Boulevard	PM	n/a	13	$2,291.40	$29,788.20

One of these strategies will need to be completed prior to final plat.

Regarding the secondary failure at SR 503 & SW Eaton Boulevard, the additional mitigation measure is not included in the City of Battle Ground's Transportation System Plan (TSP) or in the Six-Year Transportation Improvement Program (TIP). Therefore, the following options are available to the Applicant:

1. City Council has the authority to add projects to the TSP as well as the Six-Year TIP. The first option is City staff would approach City Council and ask them to add this additional mitigation measure to the existing SR 503 & SW Eaton Boulevard project once a proportionate share cost per trip is determined. If City Council approves the additional mitigation, then the additional mitigation measure is considered planned and thus subject to proportionate share costs of which the applicant would be responsible for contributing. The additional mitigation plan/design and six-year trip counts will need to be submitted to the City for review and approval.
2. A second option would be for the Applicant to construct the second southbound left turn lane at SR 503 & Eaton.
3. A third option is additional information is provided that show the mitigation measure is not necessary or that another measure would suffice. If information is provided that shows that measure is not necessary, and the City concurs with this, then nothing more is necessary. If another mitigation measure will suffice then the Applicant can follow Options #1 or #2 above for the updated mitigation measure.

The applicant will need to meet one of the three options for SR 503 & SW Eaton Boulevard prior to engineering approval in order to construct the proposed project.

2.	**Title 13 Water and Sewer**
13.110/112 Water Service and Water Use Regulations	**Compliance:** Conditionally

Finding: Potable water will be required for this project. The City of Battle Ground is the public water purveyor for properties within the city limits.

As a result of anticipated near term water capacity issues, the City of Battle Ground does not guarantee, or set aside, water service capacity for any new development, redevelopment, or expansion, which increase water usage within the City of Battle Ground Service Area until such time as additional water capacity becomes available as outlined in the Battle Ground Water Master Plan.

Currently, there is not a City water line in SW Eaton Boulevard. Water shall come either from SW Scotton Way/SW 15th Avenue or from the east side of SR 503 along SW Eaton Boulevard. If from SW Scotton Way, the water line shall be 8-inches in diameter and will require an easement from

the neighboring property to the north. If along SW Eaton Boulevard from SR 503, the water line shall be a 12-inch, with water SDC credits for difference between the cost of an 8-inch and the required 12-inch the City will require. Either option will require a 12-inch line along the frontage in SE Eaton Boulevard. All water lines throughout the subdivision shall be a minimum of 8-inches in diameter and extend to the extreme property lines of the subdivision. This connection is subject to review and approval through the Engineering Department.

Easements shall be provided for all water lines not constructed in City right-of-way per BGMC 13.110.070.

The applicant has not shown the size of the water meters on the preliminary utility plan. All water meters including their sizes shall be shown on the final engineering plans.

It should be noted that final engineering plans pertaining to water service for the proposed project shall be submitted for staff review and approval prior to building permit issuance. Final engineering plans shall be prepared and stamped by a professional engineer registered in the State of Washington. If the transfer of property doesn't occur then Clark Public Utilities water standards will need to be met and approved by them prior to City approval.

13.120 Sewer System - Connection	**Compliance:** Conditionally

Finding: Sewer service is required for this project. The City of Battle Ground is the public sanitary sewer purveyor for properties within City limits.

Although capacity for sewer is available at this time, the City does not guarantee or set aside of service capacity with this preliminary approval, as it is the City's policy that service commitment occurs when it is paid for at the time building permits are issued.

The applicant is proposing to install a sewer pump station and force main that will go north to make a connection to an existing manhole with the Alder Pointe Apartment complex. A plan to make this connection through the Smith parcel (#192407-000) was approved in April of 2017. The proposed pump station and force main will be owned and maintained by the City. Sanitary sewer lines throughout the proposed subdivision shall be a minimum of 8-inches and extend to extreme property lines.

Per BGMC 13.120.020(B), sewer lines shall be located within the City' ROW where feasible. Lines located outside the City ROW shall be privately owned and maintained unless accepted by City Engineer.

Easements shall be provided for City maintained sanitary sewer lines constructed outside City right-of-way per BGMC 13.120.070.

It should be noted that final engineering plans pertaining to sanitary sewer service for the proposed project shall be submitted for staff review and approval prior to building permit issuance. Final engineering plans shall be prepared and stamped by a professional engineer registered in the State of Washington.

3.	Title 15 Building and Construction/Fire

General	**Compliance:** Conditionally

The City of Battle Ground has adopted by reference the 2015 International Building Code (IBC), International Mechanical Code (IMC), International Fuel Gas Code (IFGC), Uniform Plumbing Code (UPC), Washington State Energy Code (WSEC) and International Fire Code (IFC). All building permit applications will be reviewed based on those codes.

The following separate permits may be required:

- Residential building permits (City of Battle Ground)
- Electrical permits (Washington State Department of Labor and Industries)
- Irrigation permits (City of Battle Ground)
- Demolition permit (City of Battle Ground)

All permits must be secured prior to any construction and all applicable impact and permit fees shall be paid prior to the issuance of the permits. In accordance with IBC 107.3.4 and per RCW 18.08, an Architect shall act as the design professional in responsible charge and shall be responsible for reviewing and coordinating the submittal documents.

The applicant shall be responsible for coordinating with private utility companies to provide service to the project. Please be aware that utility providers may have specific requirements for utility placement, easements, or clearances and the applicant shall coordinate with the utilities to ensure all requirements have been met.

15.105.090 Fire Apparatus Access Roads	**Compliance:** Conditionally

Finding: All designated fire apparatus access roads are to be designed and maintained to provide access for fire apparatus. Required fire lanes shall be kept clear at all times and shall be marked with signs, striping, or painted curbs stating "No Parking- Fire Lane".

"No Parking-Fire Lane" signage is required in the following locations:

- One side of SW 16th Ave (half street)
- One side of SW 15th Ave (half street)
- Both sides of hammerhead turnaround
- Both sides of alleyways

15.105.180 Minimum Required Fire Flow	**Compliance:** Conditionally

Finding: Fire hydrants serving one- or two-family dwellings shall have a maximum lateral spacing of seven hundred feet (measured along fire apparatus access roads) with no lot or parcel in excess of five hundred feet from a fire hydrant. The (5) hydrants shown meet these spacing requirements.

New hydrants shall meet the flow requirements of appendix B of the International Fire Code for the type of construction (VB) and occupancy (R-3) of the structure (1,500 Gallons Per Minute). Prior to occupancy the applicants shall provide a letter that states the purveyor can supply the required amount of fire flow required.

4.	Title 16 Land Divisions

16.115.040 Preliminary Plats	**Compliance:** Yes

Finding: The applicant is proposing 27 lots; therefore, this application shall be processed as a Type III land use action.

16.125.010. Conformance to Comprehensive Plan	**Compliance:** Yes

Finding: All aspects of the subdivision conform to the City's Comprehensive Plan and Transportation standards.	
16.125.030. Continuation of existing streets	**Compliance:** Yes
Finding: Streets are designed per City transportation standards, or conditioned as such.	
16.125.040. Street jogs	**Compliance:** Yes
Finding: Streets are designed per City transportation standards, or conditioned as such.	
16.125.050. General street design requirements	**Compliance:** Yes
Finding: Streets are conditioned to meet all applicable public and private street standards specified in Chapter 12.116 BGMC.	
16.125.060. Blocks	**Compliance:** Yes
Finding: See 12.116 Transportation Standards	
16.125.070. Lot Access Requirements and Restrictions	**Compliance:** Yes
Finding: Lots 1- 24 have frontage on a public street. Lots 25-27 show frontage along a private street. This standard is met.	
16.125.080. Lot Line Angles	**Compliance:** Yes
Finding: Lot line angles are satisfied.	
16.125.090. Lot Size and Width Requirements	**Compliance:** Yes
Finding: As referenced in 17.106-2 Dimensional and Density Standards, the R12 zoning district has a minimum lot area of 2,000 square-foot and requires each lot to have 16' of frontage. All lots exceed these requirements.	
16.125.090. Lot Size and Width Requirements	**Compliance:** Conditionally

A. Narrow lots are defined as any lot with less than fifty feet of frontage. Narrow lot developments shall submit development plan at the time of preliminary plat submittal and incorporated into the civil engineering plan set. As an alternative to the narrow lot standards, alley accessed lots may be proposed, in conformance with Table 12.116.040D. **The preliminary plan shows both narrow lots and lots accessed by alleys. They will need to meet the requirements below in addition to Table 12.116.040D. See transportation section for alley requirements.**

B. The narrow lot development plan shall show compliance with the following:

1. Proposed location and width of streets, sidewalks, and landscape strips;
2. Proposed location, species, and size of required street trees;
3. Proposed location of other infrastructure including light poles, fire hydrants, and community mailboxes (may be reserved areas) and existing overhead lines;
4. Proposed location of public water line, water meter, and sewer line to serve each narrow lot;
5. Proposed location and dimensions of areas reserved on each narrow lot for private utilities (phone, cable, gas, electric, etc.) and roof infiltration systems;
6. Proposed location and width of driveways;
7. Showing one parking space on-street or in a common parking area for each narrow lot;
8. If common parking is used, showing:
    a. Conformance to the city's parking standards in Chapter 17.133 BGMC.
    b. No more than five parking stalls in each area unless the applicant demonstrates required parking cannot otherwise be provided.
    c. Such spaces shall be designed to allow for backing movements directly into local access streets only.
    d. Sidewalk connectivity shall occur either in front of or behind the common parking area, made up of a concrete surface and designed per engineering standards. No vehicle overhang is authorized in the sidewalk, thereby allowing for safe and accessible routes of travel for pedestrians.

e. Common parking areas shall be maintained by a homeowners' association according to a maintenance agreement to be recorded with the plat.

9. Lots with less than forty feet of frontage shall have a shared driveway unless accessed by an alley.

Prior to engineering approval: Lots that do not have alley access are required to have shared driveways. Show shared driveways for lots that do not have an alley access on engineering plans.

Parking lots shall have no more than 5 parking stalls. The current design shows 9. Redesign the parking area so there are no more than 5 stalls in each common parking lot. If this is infeasible, submit documentation stating why the site cannot meet this standard for staff to review. Clearly show a delineated sidewalk either in front of or behind each parking area that connects to a sidewalk. Parking stall dimensions shall meet criteria listed in Table 17.133-3. On-street parking stall dimensions shall also meet standards in Table 17.133-3. The parking lots shall also meet the design standards listed in 17.133.070.

Prior to final plat approval: Parking lots are required to be maintained by the homeowner's association. Submit a maintenance agreement to be reviewed and recorded with the plat.

16.125.100. Double and reverse frontage lots	**Compliance:** Yes
Finding: Alley access lots are permitted by this code, and do not constitute "double-frontage" or "reverse-frontage" lots.	
16.125.120. Easements	**Compliance:** Conditionally
Finding: All necessary easements shall be conditioned as part of the final plat.	
16.130 Required Improvements and Dedications	**Compliance:** Conditionally

Finding: BGMC 16.130.010 requires that all utility lines be installed underground. A condition should be established to require that all utilities be installed underground and that a note on the face of the plat be provided stating that all public and private utilities serving the development should be underground.

The applicant has provided a preliminary utility plan. BGMC 16.130.030 requires that water and sanitary sewer service within or along the frontage of a development shall be extended to the extreme property lines of the development unless the applicant demonstrates to the decision body that such extension is undesirable, impractical, or unfeasible. The Battle Ground Engineering Department has determined that the extension of water and sanitary sewer service within or along the frontage of a development to the extreme property lines of the development is desirable, practical, and feasible and shall be required. BGMC 16.130.030, along with BGMC 13.110 and 13.120 requires water and sanitary service throughout the subdivision.

The applicant shall submit engineering plans meeting the following conditions:

- Water shall come from either SW Scotton Way/SW 15th Avenue or along SW Eaton Boulevard via the east side of SR 503.
- A 12-inch water line along the frontage in SW Eaton Boulevard.
- All water lines throughout the subdivision shall be a minimum of 8-inches in diameter and extend to the extreme property lines of the subdivision.
- The proposed pump station shall connect via a force main to an existing sewer manhole within the Alder Pointe Apartment complex.
- All sewer lines throughout the subdivision shall be a minimum of 8-inches in diameter and extend to the extreme property lines of the subdivision.

The applicant did not provide a preliminary street lighting plan. Per BGMC 16.130.035 lighting plans shall be prepared by a licensed electrical engineer and shall show the necessary minimum lighting levels. A street lighting plan shall be included with the engineering plans to be approved by the city.

The applicant makes no mention of permanent control monuments. BGMC 16.130.040 requires permanent control monuments to be installed at controlling corners of the land being subdivided. The final plat shall show permanent control monuments.

The applicant has provided on the preliminary plat the roads, which will be dedicated to the city. BGMC 12.116.060 requires this dedication, which will be satisfied with the dedication of the final plat. On-site roads shall be consistent with standards found in BGMC 12.116.040.

The preliminary plat complies with all other criteria listed in BGMC 16.130. The final engineering plans and final plat shall comply with these criteria at the time of approval or recording.

It should be noted that final engineering plans pertaining to transportation, sewer, water, and street lighting for the proposed project shall be submitted for staff review and approval prior to final plat approval. Final engineering plans shall be prepared and stamped by a professional engineer registered in the State of Washington.

5.	**Title 17 Zoning**	
17.106-2 Dimensional and Density Standards		**Compliance:** Conditionally
Residential Lot Development Standards		***R-12***
Minimum average lot area (square feet)		N/A
Minimum average lot area for density transfer (square feet)		N/A
Minimum lot area (square feet)		2,000
Maximum density (units per gross acre)		12
Minimum density (units per net acre)[1]		6
Minimum lot frontage (feet)		16 [2]
Minimum setbacks (feet)	Residence front yard [3]	Minimum 10'
	Garage (minimum) [4]	20
	Side yard [5]	5
	Street side yard	10
	Rear yard [4]	10
Maximum lot coverage (%)		60
Maximum height (feet)		45
Refer to Table 17.131-1 for landscaping requirements		

1 Net acres shall be based on the total area of the site minus public-private road rights-of-way, stormwater facilities, and land voluntarily or required to be set aside for parks, open space or environmental protection.
2 Lots may be approved without any frontage where they are part of a cottage development where appropriate easements are granted to gain access to the public or private street and the shared parking areas.
3 Attached front porches may intrude into required minimum front yard setbacks up to six feet.
4 Garages accessed via alleys may be located zero lot line to the edge of alley right-of-way if side entry and five feet from edge of alley right-of-way if front entry.
5 Where a permitted use by the code, townhouses are not required to meet the side yard setback on the attached side(s).

6 Structures such as patio covers, decks, and bay windows are permitted to be set back ten feet. A rear yard setback abutting a park, open space, wetland, or other critical area may be reduced to ten feet.
Finding: As referenced in 17.106-2 Dimensional and Density Standards, the R12 zoning district has a minimum lot area of 2,000 square-foot and requires each lot to have 16' of frontage. All lots exceed these requirements. Maximum density is 12 units per gross acre. The site for development is approximately 5 acres and the maximum allowed density is 60 units. Minimum density is 6 units per net acre. The net acreage for this site is approximately 2.82 acres, so the minimum allowed density is 17 units. The proposed 27 units satisfies density requirements. All other dimensional standards including setbacks, lot coverage, and building height will be determined at the time of building permit issuance. A **condition will require** all new structures to comply with the setbacks, lot covereage, and building height of the R12 zoning district prior to building construction.
17.106.035 Density Transfer Provisions
Finding: The applicant has not proposed utilizing the City's density transfer previsions due to the critical areas on site.
17.106.040 Neighborhood Design standards — **Compliance:** Conditionally
Finding: The City of Battle Ground contains minimum architectural requirements for new home construction. A **condition** will require all future homes to comply with the requirements of BGMC 17.106.040 at building permit issuance. Note: Where houses are served by alleys, all garages and on-site parking shall be accessible from the alley and **the facade of the house facing the public street shall be designed as the front of the house including, but not limited to, a primary building entrance consisting of inward swinging door(s), porches, windows and pathways to the public sidewalks.** This standard will be reviewed for all homes that have an alley access prior to building permit issuance.
17.128.010 Park and Open Space Purpose and Applicability
Finding: The proposed development is less than ten acres, has less than 50 housing units, and is not on a parent parcel with any dimension of one-quarter mile; therefore, this project is not subject to this chapter.
17.133 Parking and Loading Requirements — **Compliance:** Conditionally
Finding: Single-family residential developments are required to provide a minimum of 2 off street parking spaces per dwelling unit. **All future homes shall comply with this section at building permit issuance.**

6.	**Title 18 Environmental Protection**
18.100-185 SEPA Review	**Compliance:** Conditionally
Finding: Title 18 of the Battle Ground Municipal Code establishes procedures and policies for implementing the State Environmental Policy Act. In order to be approved, the proposal must meet the requirements of Title 18, SEPA Procedures and Provisions. The applicant submitted a SEPA checklist with the preliminary application. Staff has reviewed the checklist and noted the following mitigating measures: 7. ENVIRONMENTAL HEALTH a) There is an existing 75' easement for a natural gas transmission pipeline. Staff submitted the application to **NW Pipeline, LLC** during the Notice of Application period. **NW Pipeline, LLC**	

submitted a comment stating a right-of-way permit will be needed for construction. **The applicant is required to coordinate and obtain any necessary approvals/permits from NW Pipeline, LLC.**

13. HISTORIC AND CULTURAL PRESERVATION
An archeological assessment and report were completed in March of 2020. No historical, archeological, or cultural resources were found to exist on site.

If any cultural resources are discovered in the course of undertaking the development activity, the Office of Archaeology and Historic Preservation (OAHP) in Olympia and the City of Battle Ground Planning Department must be notified. Failure to comply with these State requirements may constitute a Class C felony, subject to imprisonment and/or fines.

All other environmental impacts identified in the SEPA checklist can be fully mitigated by adhering to the City's code, as conditioned for in this report.

DECISION:
As part of this land use decision, a Final Determination of Mitigated Non-significance (MDNS) is issued pursuant to WAC 197-11-350. This determination was made utilizing the provisions of WAC 197-11-355, which authorizes an optional process for SEPA with a 14-day comment period to allow for public comments on the determination.

18.250 Stormwater Control and Drainage	**Compliance:** Conditionally

Finding: Based upon the amount of new impervious surface being generated, the proposed project meets the threshold limits of Minimum Requirements #1-9.

The proposed project meets these requirements and therefore requires stormwater control and drainage per applicable standards specified in BGMC 18.250. The applicant shall submit final engineering plans and a hydrology report that addresses the requirements as outlined in Section 4-7 of the City of Battle Ground's Stormwater Design and Construction Requirements manual.

The applicant has submitted a preliminary stormwater plan and preliminary hydrology report for review. It appears that the layout shown on the preliminary plans/report is adequate for the project.

LID BMPs shall be used as applicable per BGMC 18.250.130, 18.250.170, and 18.250.200. Depending on which requirement is chosen by the applicant, LID Performance Standard or List #2, *BMP T5.13 Post Construction Soil Quality and Depth* will be required for this project.

As this is a single-family residential subdivision, the stormwater facility(s) shall be publicly owned and maintain as described in BGMC 18.250.300(F).

The applicant is, per BGMC 18.250.310(A), required that in order to insure satisfactory operation of new stormwater facilities to maintain it for two years after completion of the project. Prior to final City acceptance of the stormwater facility, the applicant shall submit a two-year maintenance contract for the required stormwater facility for review and approval. As a condition of final plat approval, this two-year agreement shall be recorded with the final plat.

The final plat shall include a note specifying the party(s) responsible for long-term maintenance of the stormwater facilities per BGMC 18.250.310(B)(1). Since the City will be providing long-term maintenance of the stormwater facility, conditions of BGMC 18.250.310(B)(3) shall be met.

All stormwater facilities maintained by the City shall be in a tract per BGMC 18.250.320.

Per BGMC 18.25.350(A), stormwater ponds dedicated to the City shall be fenced. The final engineering plans shall meet this requirement.

The preliminary plat complies with all other criteria listed in BGMC 18.250. The final engineering plans and final plat shall comply with these criteria at the time of approval or recording.

It should be noted that final engineering plans for stormwater control and drainage shall be submitted for staff review and approval prior to building permit issuance. Final engineering plans shall be prepared and stamped by a professional engineer registered in the State of Washington.

18.255 Erosion Control	**Compliance:** Conditionally

Finding: The applicant's engineer will need to provide erosion control plans meeting the requirements of BGMC 18.255. These plans will be required to incorporate all of the applicable elements required in BGMC 18.255.060 through BGMC 18.255.090. The plans will provide for erosion control around delineated wetland buffers, if applicable, which shall be flagged prior to construction.

The final grading and erosion control plans shall be in conformance with applicable City standards including the City's Standard Construction Details.

The contractor will be required to provide evidence that an individual on-site has successfully completed formal training in erosion and sediment control by a recognized organization acceptable to the City per BGMC 18.255.100. This must be submitted prior to construction.

It should be noted that final engineering plans for grading and erosion control shall be submitted for staff review and approval prior to building permit issuance. Final engineering plans shall be prepared and stamped by a professional engineer registered in the State of Washington.

18.260 General Provisions	

Findings: A category III wetland and Oregon White Oaks have been identified on site. The applicant is required to meet this section of the code.

18.260.115 General Approval Criteria	**Compliance:** Yes

Finding: The applicant submitted a Critical Areas Report (April 2020) that demonstrates avoidance to the wetland and forested area on site. See 18.270 and 18.280 for detailed review.

18.260.130 Mitigation Plan Requirements	**Compliance:** Conditionally

The applicant shall submit a mitigation plan to city staff to review. This report should meet the requirements listed in 18.260.130.

The applicant shall gain any applicable approvals and permits from the Army Corps of Engineers and the State Department of Ecology in finalizing the Wetland Delineation and Mitigation Plan. **A final mitigation plan is required for review prior to engineering approval.** Specific mitigation requirements for each critical area is listed in sections 18.270 and 18.280.

18.260.180 Critical area tracts	**Compliance:** Conditionally

Critical area tracts shall be used in development proposals for subdivisions to delineate and protect those contiguous critical areas and buffers listed below that total five thousand or more square feet:

1. All wetlands and buffers;
2. All habitat conservation areas; and
3. All other lands to be protected from alterations as conditioned by project approval.

The onsite wetland and oak habitat is required to be in a separate tract for final plat approval.	
18.270.040 Wetland Delineation	
Findings: Ecological Land Services delineated one wetland on site, which will be referred to as Wetland A. Wetland A is 0.26 acres, has a habitat score of 5, and is identified as a category III depressional wetland.	
18.270.050 Standard requirements	**Compliance:** Conditionally
A permanent physical demarcation along the upland boundary of the wetland buffer area shall be installed and thereafter maintained. Such demarcation may consist of logs, a tree or hedge row, fencing made only of wood, or other prominent physical marking approved by the director. In addition, signs measuring no more than six square feet in area and no shorter than four feet nor higher than six feet shall be posted at an interval of one per lot or every one hundred feet, whichever is less, and perpetually maintained at locations along the outer perimeter of the wetland buffer as approved by the director, and worded substantially as follows: —Wetland Buffer— Please retain in a natural state BGMC 18.270.050 The signage and fencing shall be installed prior to any land alteration or construction. **Finding: Include a signage plan meeting the requirements above prior to engineering approval.**	
18.270.070-080 Standards—Buffer Activities	**Compliance:** Conditionally
Stormwater facilities are allowed, provided the facilities will not degrade the wetland or buffer and are designed to blend with the natural landscape. **A small portion of the stormwater facility will be located within Wetland A's buffer. Prior to engineering approval, provide a detailed stormwater facility plan that is in compliance with 18.270.070A. If trees are proposed to be taken down, we will need a tree removal plan that shows you are in compliance with 18.270.070 A1 and A2.** The applicant has shown road and utility crossings within Wetland A. SW 15th Avenue is in the City's transportation plan and required to be built. Therefore, the applicant must provide appropriate mitigation. See buffer requirements and mitigation section below.	
18.270.090 Buffer Requirements	
Wetland A has a habitat score of 5 for both wetlands on site. Per Table 18.270.090-3, a low habitat score and high land use intensity for a Category III wetland requires an 80-foot buffer.	
18.270.100 Buffer modifications	**Compliance:** Conditionally
The applicant's SEPA Checklist mentions the use of buffer averaging. This seems feasible based on the preliminary plat; however, **the applicant is required to provide a mitigation plan and buffer averaging plan demonstrating compliance with 18.270.100A1-5.**	
18.270.115-120 Wetland Compensatory Mitigation	**Compliance:** Conditionally
As mentioned earlier, SW 15th Avenue is required to be extended on the eastern portion of the site. The preliminary plat shows filling Wetland A in order to extend SW 15th Avenue. Battle Ground's municipal code allows utility and road crossings through wetlands and their buffers as long as they are properly mitigated for. **Prior to engineering approval, provide a wetland mitigation plan stating the direct and indirect impacts. Submit evidence of credits prior to engineering approval.**	

Prior to engineering approval, the applicant shall work with the Army Corps of Engineers and the Washington State Department of Ecology in finalizing the Wetland Delineation and Mitigation Plan.	
18.280 Fish and Wildlife Habitat Conservation Areas	
The site contains 27 Oregon White Oaks; therefore, the project is required to meet this section of the code.	
18.280.040 Fish and Wildlife Habitat Designations	**Compliance:** Conditionally
Findings: The subdivision was designed to avoid Oak habitat on site. Due to the construction of roads, 14 Oregon White Oaks are proposed to be cut down. **Prior to engineering approval, the applicant shall submit a tree removal plan for review.** Since the Oregon White Oaks are part of a larger canopy, the applicant should include a narrative assuring no net loss in habitat protection pursuant to 18.280.030.	
18.280.100 Enhancement and Mitigation	**Compliance:** Conditionally
The applicant's SEPA mentioned Oak mitigation through native shrubs and sapling oaks; however, BGMC requires Oak removal to be mitigated through planting additional Oregon White Oaks on or off site. **Findings: Prior to engineering approval, the applicant is required to provide a tree removal plan and mitigation plan showing where new Oregon White Oaks will be planted. For every Oregon White Oak taken down, two new Oregon White Oaks (at a minimum of two inches DBH) shall be planted on-site or within one mile of the city urban growth boundary.** Evidence of new tree plantings shall be provided prior to final plat approval.	

B.	**Service Development Charges, Impact Fees, Credits**
Fees will be calculated at the time of building permit issuance based on the adopted Fee Schedule at that time. At this time, this project doesn't address any creditable capital infrastructure, therefore no credits are available for this project. However, the City is going through the process to update the Comprehensive Water System Plan (CWSP). Should credits become available after the CWSP has been approved, then the developer will be able to use those credits.	

C.	**Public/Agency Comments**
1	**Jean Brady – Northwest Pipeline LLC** – e-mail received July 22, 2020
This e-mail states the landowner/developer will be required to contact NW Pipeline for a Right of Way Contract. They will need to review/approve this encroachment of their right-of-way. This should be done before any permits are issued. **The applicant was made aware of this comment back in July and the report is conditioned for the applicant to receive any necessary approvals and permits from NW Pipeline. See SEPA section above.**	
2	**Kevin Jolma – Battle Ground Public Schools** – e-mail received July 23, 2020
This letter outlines the various ways this development would impact the school district in respect to the additional students that would reside in the development. Impact fees will be applied at building permit issuance. The letter states potential school district boundary line changes.	
3	**Department of Ecology (ECY) –** e-mail received June 26, 2020
Ecology's letter states concerns in regards to the human-made pond and wetland avoidance.	

The Critical Areas Report was included in the notice of application. I would like to draw attention to how staff distributes these notices to ensure there is no confusion. The notice and SEPA checklist are the only items to be physically attached to an e-mail. Additional reports are uploaded to a dropbox due to attachment size limits. Each notice will have a link at the bottom of the e-mail to the additional reports for agencies to download and review. I've double checked that I did not forget this link in my NOA distribution and have included the notice of application as part of the record.

As mentioned earlier, SW 15th Avenue is on the City's transportation plan and is required to be built. This will impact Wetland A, but it is authorized per 18.270.080 and 18.270.120. Other than the impact due to the road, the project was designed to avoid Wetland A. The applicant has proposed buffer averaging due to lot 25, which is allowed per 18.270.100.

The applicant is required to obtain any applicable approvals regarding the human-made pond.

The attached letter also referenced waste management, water quality standards, and soil contamination. The applicant should be aware of the following:

- Section A #10 of the SEPA checklist does not reflect the need for coverage under the Construction Stormwater General Permit (CSWGP), which may be required for the proposed project. If construction stormwater leaves the site (common examples include bioretention facility overflows and/or turbid stormwater created by trackout entering inlets) and discharges to Waters of the State, a CSWGP is required. Coverage under the CSWGP is highly recommended if there's any chance of discharge occurring.
- If there are known soil/ground water contaminants present on-site, additional information (including, but not limited to: temporary erosion and sediment control plans; stormwater pollution prevention plan; list of known contaminants with concentrations and depths found; a site map depicting the sample location(s); and additional studies/reports regarding contaminant(s)) will be required to be submitted.
- Sites that discharge to segments of waterbodies listed as impaired by the State of Washington under Section 303(d) of the Clean Water Act for turbidity, fine sediment, high pH, or phosphorous, or to waterbodies covered by a TMDL may need to meet additional sampling and record keeping requirements.

The project is conditioned to coordinate with Ecology on any applicable reviews, permits, and approvals. The comment letter, which is an exhibit with this report, has numerous resources and contacts should the applicant have any additional questions.

III. RECOMMENDATION

Staff recommends Preliminary Subdivision and Final SEPA Review approval. Based upon the findings and conclusions herein, the criteria for approval have been satisfactorily met, or shall be met with the conditions of approval, and no significant adverse impacts have been identified.

CONDITIONS OF APPROVAL

A. <u>Prior to Engineering Approval:</u>

1. Submit final engineering plans, for review and approval by staff, pertaining to transportation, sewer, water, grading, erosion control, stormwater, driveways, street lighting, and landscaping prepared and stamped by a registered engineer in the state of Washington.

2. Submit final engineering plans:
    a. Showing adequate half-street improvements, based on pavement testing, for SW Eaton Boulevard, a Minor Arteria", including sidewalk, planter strip, curb/gutter and asphalt.
    b. Showing adequate half-street improvements, for SW 15th Avenue, a Neighborhood Collector, including sidewalk, planter strip, curb and gutter and asphalt.
    c. Showing adequate half-street improvements, for SW 16th Avenue, a Local A, including sidewalk, planter strip, curb and gutter and asphalt.
    d. Showing full width improvements to SW 19th Street, a Local A, including sidewalk, planter strip, curb & gutter and asphalt.
    e. Showing SE 18th Circle meeting the applicable private street requirements in BGMC 12.116.140 based on 3-4 lots/units.
    f. Containing a combined landscaping and driveway plan.
    g. Showing sight distance and vision clearance triangles.
    h. Containing a signing and striping plan.
    i. Containing a street lighting plan having LED decorative cobra type units for SW Eaton Boulevard and LED acorn units for the other streets.
    j. Showing traffic calming devices on all public streets.
    k. Showing driveways that meet the requirements of BGMC 12.116.243.
    l. Showing traffic mitigation at SR 503 & NW Onsdorff Boulevard, SR 503 & SW Eaton Boulevard, and SW 20th Avenue & SW Eaton Boulevard or indicating that mitigation fees will be paid in lieu of the improvements.
    m. Showing that the secondary traffic mitigation at SR 503 & SW Eaton Boulevard or meeting one of the other options in lieu of the improvements.
    n. Showing either an 8-inch water line coming from SW Scotton Way/SW 15th Avenue or a 12-inch water line coming from SR 503 in SW Eaton Boulevard.
    o. Showing a 12-inch water, along the frontage, in SW Eaton Boulevard.
    p. Showing water lines extending to extreme property lines.
    q. Showing each residential lot having its own individual water service.
    r. Showing sewer lines extending to extreme property lines.
    s. Showing each lot having its own individual sanitary lateral.
    t. Showing construction of a pump station and force main connecting to an existing manhole within Alder Pointe Apartments.
    u. Showing fire hydrants meeting spacing requirements throughout the subdivision.
    v. Containing a photometric plan for all access points, intersections, streets, frontage roads out to centerline, and any existing lights to ensure that proposed lights meet IES RP-8-00 standards.
    w. Showing a stormwater facility that meets the requirements of BGMC 18.250.
    x. Showing a 6-foot high black vinyl fence around the perimeter of the stormwater facility.
    y. Showing grading and erosion control in conformance with applicable city standards and standard construction details.
    z. Clearly indicate the location of all required "No Parking-Fire Lane" signage.
    aa. Submit plans that show the parking lot:
        i. Has no more than 5 parking stalls in a single parking lot area or provide documentation stating that the site cannot accommodate this requirement.
        ii. Showing a sidewalk connecting the parking lot to a sidewalk.
        iii. Show parking stalls and on-street parking meeting dimensions listed in Table 17.133-3.
        iv. Showing the parking lot meets design standards listed in 17.133.070.

bb. Submit a signage plan meeting the standards listed in 18.270.050.
cc. Provide a detailed stormwater facility plan that is in compliance with 18.270.070A. This applies to the section of the facility in the buffer. If trees are proposed to be taken down, we will need a tree removal plan that shows compliance with 18.270.070 A1 and A2.

3. Submit a hydrology report that addresses all requirements found in BGMC 18.250.
4. Submit a SWPPP that meets Department of Ecology requirements.
5. Submit a construction cost estimate for required public and applicable private improvements for review and approval by the City Engineering Department
6. Following the City Engineer's acceptance and approval of the construction cost estimate, pay the required engineering plan review and construction inspection fee that is two (2) percent of the estimated costs of construction.
7. Submit an updated mitigation plan for review and approval.
    a. Wetland:
        i. Addressing the requirements listed in 18.260.130.
        ii. Provide both indirect and direct impacts to Wetland A.
        iii. Addressing the requirements listed in 18.270.100A 1-5. This should include a buffer averaging plan.
        iv. The applicant shall gain any applicable approvals and permits from the Army Corps of Engineers and the State Department of Ecology in finalizing the Wetland Delineation and Mitigation Plan.
        v. Submit evidence of purchased credits for SW 15th Avenue and other direct impacts if applicable.
    b. Oregon White Oaks:
        i. Provide a tree removal plan identifying which Oregon White Oaks are to be taken down.
        ii. Provide a planting plan meeting 18.280.100. Two new Oregon White Oaks (at a minimum of two inches DBH) shall be planted on-site or within one mile of the city urban growth boundary for every one White Oak that is taken down.
        iii. Assure no net loss per 18.280.030.
8. Obtain any necessary approvals and permits from **NW Pipeline, LLC**, see comment letter.

B. <u>Prior to Construction of the Site:</u>

1. Receive signed and approved engineering plans from the City of Battle Ground.
2. Receive an approved ROW permit from the City of Battle Ground.
3. Submit a surety bond meeting the requirements of BGMC 12.118.110.
4. Submit a Certificate of Liability Insurance meeting the requirements of BGMC 12.118.120.
5. Erect and conduct erosion control measures consistent with the approved Erosion Control Plan and City of Battle Ground erosion control standards.
6. Submit evidence that an individual on-site has successfully completed formal training in erosion and sediment control by a recognized organization acceptable to the City.
7. Conduct a pre-construction conference with City engineering and planning staff.

C. <u>Prior to Creation of Impervious Surface:</u>

1. Except roofs, the stormwater treatment and control facilities shall be installed in accordance with the approved final engineered plans and in accordance with the City of Battle Ground stormwater regulations.

D. <u>Prior to Engineering Acceptance:</u>

1. Construct all required public improvements mentioned above in the findings, if applicable,

and go on a walkthrough with City of Battle Ground Engineering Staff and correct any deficiencies as determined by City staff.

2. Submit a letter from the applicant showing that fire flow requirements per BGMC 15.105.180 and 15.105.190 can be met.
3. Submit to the City of Battle Ground a two-year/20-percent maintenance bond for all completed and accepted public improvements.
4. Submit to the City of Battle Ground a Stormwater Facility Maintenance Agreement meeting requirements of BGMC 18.250.310(A)(1) for review and approval prior to recording.
5. Submit complete sets of as-built drawings for all required public improvements for streets and roads, stormwater drainage and control, sanitary sewer and water services, as applicable prior to the issuance of the occupancy permit for review and approval by the Engineering Department. Upon acceptance by the Engineering Department, submit prior to the issuance of the occupancy permit, one (1) Mylar set, two (2) 11x17 paper sets of As-Built record drawings and one (1) 3.5-inch disk (s) or compact disc version of the as-built drawings in AutoCAD, PDF, and TIF formats.

E. <u>Prior to Final Plat Approval:</u>

1. Construct all required public improvements and gain engineering acceptance or provide appropriate bonding.
2. Construct the mitigation measures for the failing intersection of SR 503 & NW Onsdorff Boulevard or pay the mitigation fees of $4,576.23.
3. Construct the mitigation measures for the failing intersection of SR 503 & SW Eaton Boulevard or pay the mitigation fee of $21,466.62.
4. Construct the mitigation measures for the failing intersection of SW 20th Avenue & SW Eaton Boulevard or pay the mitigation fee of $29,788.20.
5. Meet one of the options for the secondary mitigation measure at the intersection of SR 503 & SW Eaton Boulevard.
6. Submit a final plat:
    b. That shows easements for public utilities not located in the right-of-way.
    c. That shows where any control monuments have been placed.
    d. That shows the dedication of any public roads or alleys.
    e. Showing critical areas to be in a separate tract.
    f. With the following note: “No fences are allowed in the sight distance triangle.”
    g. With the following note: “All utilities are to be located outside of the sidewalk section and to be underground where possible.”
    h. With the following note: “Parking lots are to be maintained by the homeowner’s association.
    i. With the following note: “All new structures shall comply with the R12 zoning district.”
    j. With the following note: “All future homes to comply with the design requirements of BGMC 17.106.040.”
    k. With the following note: “Where houses are served by alleys, all garages and on-site parking shall be accessible from the alley and the facade of the house facing the public street shall be designed as the front of the house including, but not limited to, a primary building entrance consisting of inward swinging door(s), porches, windows and pathways to the public sidewalks.”
    l. With the following note: “Critical areas tract shall be owned and maintained by either the HOA or developer.”
7. Submit a maintenance agreement for the parking lots to be reviewed and recorded with the plat.

8. If LID improvements are incorporated into the project, provide appropriate stormwater covenants.
9. Submit a signed Bill of Sale for sewer, stormwater, and water systems.
10. Submit evidence of Oregon White Oak plantings.

F. Prior to Building Construction:

1. Acquire the required building permits as outlined in Title 15 above.
2. Provide documentation that the required fire hydrants have been installed, tested, and approved in accordance with City of Battle Ground engineering standards and section 15.105.100 of this Staff Report.
3. All new structures shall conform to setbacks, design, parking, and building height requirements of the R12 zoning district and BGMC's residential chapter.
4. All houses served by alleys, shall be designed so that the front of the house including, but not limited to, a primary building entrance consisting of inward swinging door(s), porches, windows and pathways to the public sidewalks faces the public street.

G. Prior to Certificate of Occupancy:

1. Complete all building permit requirements of the City of Battle Ground Building Division.

H. Other

1. If any cultural resources are discovered in the course of undertaking the development activity, the State of Office of Historic Preservation and Archaeology and the City of Battle Ground Planning Department must be notified.
2. The project is conditioned to coordinate with Ecology on any applicable reviews, permits, and approvals. The comment letter, which is an exhibit with this report, has numerous resources and contacts should the applicant have any additional questions.
3. Adhere to all recommendations in the final *Critical Areas Assessment and Mitigation Plan*.

IV. EXHIBITS

Because of the size of the exhibits, they are not included with this report, but listed below. For an electronic copy visit https://cityofbg.box.com/s/zcq7yhvurnuam319pamjtlbl0jlg5gcz. Paper copies are available for review at the Planning Department, 109 SW 1st Street, Suite 127, Battle Ground, WA, 98604.

EXHIBIT #	DESCRIPTION	
00A	Staff Report and Recommendation for Quail Haven dated August 27, 2020	
1	Application	Submitted with application
2	Narrative	
3	SEPA Checklist	
4	Existing Conditions Plan	
5	Deed History	
6	Traffic Impact Study	
7	Preliminary Stormwater Report	
8	Critical Areas Report	
9	Archaeological Predetermination Report Coversheet	
10	Pre-Application	
11	Preliminary Plat	

12	Updated SEPA Checklist	
13	Comment Letter from Northwest Pipeline LLC	
14	Comment letter from Battle Ground Public Schools	
15	Comment letter from ECY	
16	Notice of application	

V. APPEAL

The Decision of the Hearings Examiner is appealable to the Washington Superior Court per RCW 36.70C.

VI. PRELIMINARY PLAT

