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: Grace Ave Cottage Development (PR 50-2019 | LUDIII 22-0002)

Report Date: June 23, 2022

Hearing Date: July 6, 2022 @ 11:00 a.m. – second item on the agenda

Proposal: The applicant is proposing to retain an existing single-family home and subdivide the remaining lot into a 9-lot cottage housing development. The project will include street improvements to NE Grace Avenue, the installation of utilities and stormwater facilities, the construction of site access, parking lot, sidewalks, open space, and landscape areas. The project also includes a variance request for the parking lot fronting the road.

Location: 902 NE Grace Ave, Battle Ground, WA 98604 | Parcel #: 91051020 & 91051287

Consultant: PLS Engineering
Andrew Gunther
604 W Evergreen Blvd.
Vancouver, WA 98660

Applicant/Owner: Yelena Zherebnenko,
22703 NE 231st Avenue,
Battle Ground, WA 98604

Staff: Emily Lutz, Planning Supervisor
Ryan Jeynes, P.E., City Engineer
Chris Drone, Fire Marshal/Building Official

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

Emily Lutz June 23, 2022

Emily Lutz, Planning Supervisor **Date**

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I. BACKGROUND

A. General Site Information

Size of Site:	Approximately 1.06 acres per Clark County GIS
Existing Vegetation:	Various trees, grass, and shrubs
Existing Structures:	Single family home and detached garage
Adjacent Land Uses:	Residential
Adjacent Zoning:	R7 to the south & east; R12 to the north & west
Slope:	Relatively flat
Landslide Hazards:	No mapping indicators
Geological Hazards:	None
Slope Stability:	No mapping indicators
Wetlands:	Potential Presence
Flood Plain:	Outside Flood Area
Priority Habitat:	No Mapping Indicators
Soils:	Non-Hydric / DoB, Hydric/ HtA

B. Land Use Processing

Date Application Submitted:	February 10, 2022
Application Technically Complete:	March 10, 2022
Notice of Application (NOA):	March 30, 2022
NOA Site Posted:	March 30, 2022
NOA Reflector Publication:	March 30, 2022
Comments Due:	April 13, 2022
On Hold:	May 20, 2022
Off Hold:	June 6, 2022
Notice of Public Hearing (PH):	June 15, 2022
PH Site Posted:	June 15, 2022

PH Reflector Publication:	June 15, 2022
Public Hearing:	July 6, 2022

Figure 1. Location

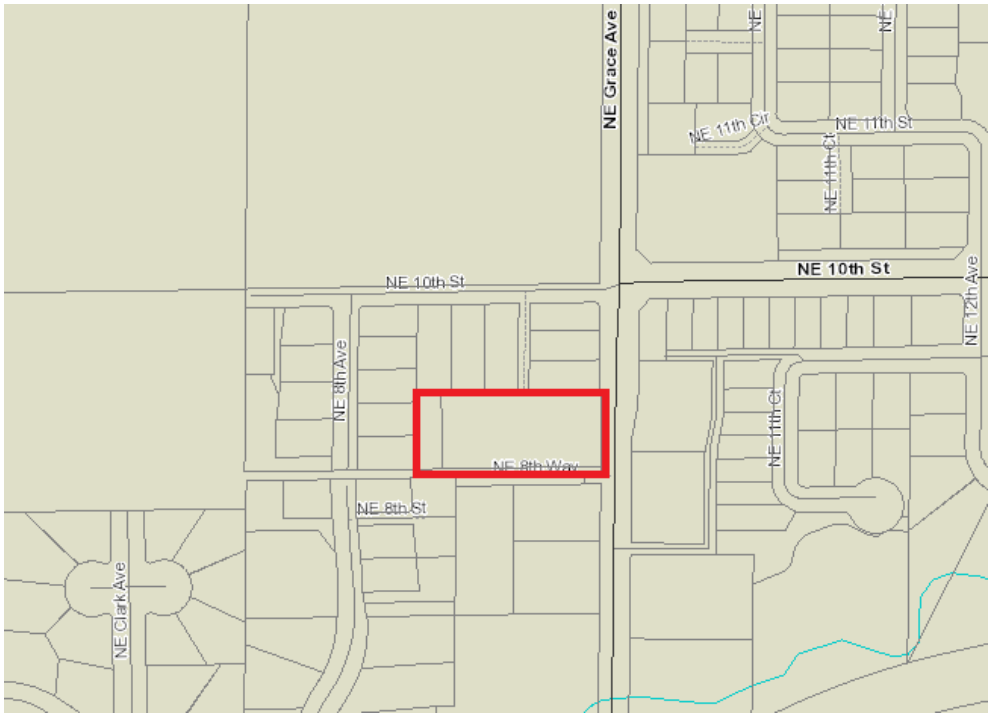


Figure 2. Site – 2020 Imagery



II. APPLICABLE REGULATIONS/ANALYSIS

A. Battle Ground Municipal Code (BGMC)

1.	Title 12 Streets and Sidewalks
12.112.050 System of addressing of roads	**Compliance:** Conditionally
Finding: The street labeled NE 9th Way on the plans should be NE 9th Street. **Prior to engineering approval, submit engineering plans showing the street as NE 9th Street.** **FYI – The remaining home currently addressed off of Grace Avenue will be re-addressed off of 9th Street.**	
12.116 Transportation Standards	**Compliance:** Conditionally
Finding: The proposed 10-lot subdivision is located on a parcel adjacent to NE Grace Avenue. Access to the development will be from a new street, NE 9th Street, which will connect to NE Grace Avenue. Half-street improvements are required for NE Grace Avenue consistent with "Minor Arterial" standards. Improvements shall include, but are not limited to, sidewalk, curb and gutter, asphalt, center median or turn lane, landscaping and streetlights. It appears from GIS that additional 5-feet will need to be dedicated in order to meet the right-of-way width. NE 9th Street shall be built to "Local A" standards that include a 48-foot right-of-way: 30-feet of roadway, a 4-foot landscape strip and 5-foot sidewalk. The location of NE 9th Street is to close to NE 10th Street along NE Grace Avenue; approximately 200-feet between intersections. This distance does not meet intersection spacing requirements BGMC 12.116.040A of 500-feet to allow full access into the proposed development. Therefore, access into the proposed development via NE 9th Street shall be limited to a right-in/right-out. This can be accomplished either by a center median in NE Grace Avenue or by a raised triangular island (pork chop) in NE 9th Street. Final determination of mechanism to be decided during engineering review. 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 and be designed by a licensed electrical engineer. Streetlights will be required for this project. Those along NE Grace Avenue shall be LED decorative cobra type units and NE 9th Street shall be LED acorn type units. Per BGMC 12.116.080, traffic-calming measures are required and shall be shown on preliminary plans. The applicant's traffic engineer has indicated that 85 daily, 6 new a.m. peak trips and 8 new p.m. peak trips will be generated by the proposed development. Per BGMC 12.116.175(C)(1), a traffic study is required when 10 new 10 a.m. and 10 p.m. peak trips are generated. As this project is generating less	

than those amounts, it is exempt from providing a traffic study. However, per 12.116.175(C)(2), a letter addressing trip generation, trip distribution, and other safety related issues is required. A letter was provided that shows the number of trips generated by the development going to the eight failing intersections. See below under the *Concurrency Management* section for more information on mitigation measures.

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.

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.

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.

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

Finding: The proposed development will be doing construction type work within the State's and 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: The development at full build out generate 6 a.m. peak and 8 new p.m. peak trips, which is less than the 10 a.m. and p.m. peak hour trips the code, BGMC 12.120.050(C), cites as a threshold amount for concurrency. However, this code section goes on to say that developments are not exempt from mitigation if the development impacts an intersection that is determined to be failing.

The City has eight intersections in concurrency failure:

1. SR 503 & NW Onsdorff Boulevard; a.m. peak
2. N Parkway Avenue & N Onsdorff Boulevard; a.m. peak
3. SR 503 & SW Eaton Boulevard; p.m. peak
4. SW 20th Avenue & SW Eaton Boulevard; p.m. peak
5. E Grace Avenue & E Main Street, p.m. peak
6. S Parkway Avenue & S Eaton Boulevard; p.m. peak
7. S Parkway Avenue & S Rasmussen Boulevard; p.m. peak
8. NW 29th Avenue & W Main Street (SR 502); p.m. peak

Mitigation measures are as follows:

- SR 503 & NW Onsdorff Boulevard the addition of a second southbound through lane at the intersection.
- SR 503 & NW Onsdorff Boulevard (additional mitigation); construct eastbound right-turn lane, construct second westbound left-turn lane, second southbound through-lane, and make changes to signal timing
- N Parkway Ave & N Onsdorff Boulevard; construct roundabout
- SR 503 & SW Eaton Boulevard include addition of a 100-foot eastbound right turn lane and a second westbound left turn lane.
- SW 20th Avenue & SW Eaton Boulevard construction of northbound, southbound, and westbound left-turn lanes and traffic signal.
- Grace Avenue & E Main Street a traffic signal and realignment of intersection.
- S Parkway Ave & S Eaton Blvd; westbound right turn lane
- S Parkway Ave & S Rasmussen Boulevard; install traffic signal
- NW 29th Ave & W Main Street (SR 502); install traffic signal

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	0	n/a	$4,576.23	$0.00
N Parkway Avenue & N Onsdorff Boulevard	AM	0	n/a	$3,239.44	$0.00
SR 503 & SW Eaton Boulevard	PM	n/a	3	$1,533.33	$4,599.99
SW 20th Avenue & SW Eaton Boulevard	PM	n/a	1	$2,291.40	$2,291.40
E Grace Avenue & E Main Street	PM	n/a	8	$1,721.77	$13,774.16
S Parkway Avenue & S Rasmussen Boulevard	PM	n/a	1	$3,102.10	$3,102.10

NW 29th Avenue & W Main Street (SR 502)	PM	n/a	2	$1,496.28	$2,992.56

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

Regarding the failure at S Parkway Avenue and Eaton Boulevard, the mitigation measure is not included in the City of Battle Ground's 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 Six-Year TIP. The first option is City staff would approach City Council and ask them to add this mitigation measure project once a proportionate share cost per trip is determined. If City Council approves the mitigation, then the 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 has been provided and approved by the City. City staff will be updating the TIP and presenting it to Council in the spring of 2022. The mitigation measure is a westbound right-turn lane. The proportionate share cost per new p.m. peak trip is $930.62.
2. A second option would be for the Applicant to construct the traffic signal.
3. A third option is additional information is provided that shows 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 Option #1 or #2 above for the updated mitigation measure.

Intersection	Failure	AM Site Trips	PM Site Trips	Proportionate Mitigation Share per Trip	Mitigation Cost per Intersection
S Parkway Avenue & S Eaton Boulevard	PM	n/a	1	$930.62	$930.62

The applicant will need to meet one of the three options for S Parkway Avenue & Eaton Boulevard prior to prior to prior to final plat.

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 an existing 6-inch water line in NE Grace Avenue. However, per the City's Water System Plan this line needs to be replaced and upsized. As such, the proposed project will be required to replace the existing 6-inch line to a 12-inch line from the southern property line north to NE 10th Street.

Main line extensions into the proposed development shall be an 8-inch minimum, run throughout the property and be looped where possible. This connection is subject to review and approval through the Engineering Department and shall be included in the engineering plan set.

Water system development charges are based on the water meter size.

Per BGMC 13.110.017, water lines shall be located within the City's 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 water lines constructed outside City right-of-way per BGMC 13.110.070.

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

All hydrant locations shall be shown on the final engineering plans for review and approval.

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.

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

Finding: The proposed site is located within Basin PS1A-05 of the City's Sewer Master Plan. The applicant will be required to extend an 8-inch sanitary sewer line to serve the proposed development.

Sewer Connection

1. Connection will be either to an existing 8-inch line in SE Grace Avenue or to an existing 8-inch line in the alley constructed with Grace Meadow subdivision.
2. Single-family residences require a 4-inch lateral.
3. The applicant will be required to construct the following projects, unless constructed by the City or another developer.

Per BGMC 13.120.020(B), sewer lines shall be located within the City's 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.

Sanitary sewer lines throughout the proposed subdivision shall be a minimum of 8-inches and extend to extreme property lines.

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

Finding: The City of Battle Ground has adopted by reference the 2018 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 Access Road Requirements	**Compliance:** Conditionally

Finding: Per IFC 503.1.1, fire apparatus access roads shall extend to within 150 feet of hose lay to all exterior walls of each building.

All designated fire apparatus access roads are to be designed and maintained to provide access for fire apparatus. Fire lanes shall be kept clear at all times and shall be a minimum 20 feet wide Fire apparatus access roads shall be marked with signs, striping, or painted curbs stating “No Parking-Fire Lane”.

Dead-end fire apparatus access roads in excess of 150 feet shall be provided with an approved turnaround.

Additional paved fire apparatus access along Tract A is required to meet 150-foot hose lay requirements, or each home will be required to be sprinklered. Due to the recreation component and open area required by the planning department (see Title 17), the homes will be required to be sprinklered. **Prior to building permit issuance, provide building plans for the cottage homes showing a sprinkler system.**

20 feet clear paved width is required for fire apparatus access at the entrance and exit to NE Grace Avenue. Therefore, the right-in/right-out island will need to be removed and a median will be required in NE Grace Avenue.

The alley shown to the north is required to be designated/signed as a fire lane, with corresponding signage on both sides.

15.105.100 Fire Hydrants / 15.105.180 Min. 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.

Hydrants and the water mains serving them shall be installed in accordance with City of Battle Ground requirements and the city's standard construction details. Per IFC 501.4, hydrants shall be installed and operational prior to construction.

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.

The existing hydrant shown on the west side of NE Grace Avenue meets the above spacing requirements.

4.	**Title 16 Land Divisions**
16.115.040 Preliminary Plats	**Compliance:** Yes
Finding: The request involves subdividing parcels resulting in 10 lots; therefore, this application shall be processed as a Type III land use action.	
16.125.010. Conformance to Comprehensive Plan	**Compliance:** Yes
Finding: The housing element in the city's Comprehensive Plan encourages a range of housing types to meet the needs of all citizens. Cottage Housing is not seen throughout the city and therefore this project diversifies the city's housing stock, which meets this section of code.	
16.125.030. Continuation of existing streets	**Compliance:** Yes
Finding: See 12.116 Transportation Standards.	
16.125.040. Street jogs	**Compliance:** Yes
Finding: See 12.116 Transportation Standards.	
16.125.050. General street design requirements	**Compliance:** Yes
Finding: See 12.116 Transportation Standards.	
16.125.060. Blocks	**Compliance:** Yes
Finding: See 12.116 Transportation Standards.	
16.125.070. Lot Access Requirements and Restrictions	**Compliance:** Yes
Finding: See title 17 for cottage housing standards. The remaining lot for the single family home will have access off of NE 9th Street. The lot exceeds the 20' frontage requirement.	
16.125.080. Lot Line Angles	**Compliance:** Yes
Finding: The subdivision meets this section of code.	
16.125.090. Lot Size and Width Requirements	**Compliance** Yes
Finding: See title 17 for cottage housing standards. The remaining lot for the single family home exceeds the frontage and lot size requirement for the R7 zone.	
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:

- Showing that the water design meets the requirements of the City of Battle Ground.
- Water lines shall be a minimum of 8-inches in diameter and extended to the extreme property lines of the subdivision.
- Fire hydrant requirements shall be per City of Battle Ground standards and criteria.
- All sewer lines throughout the subdivision shall be a minimum of 8-inches in diameter, unless modified by the City, 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 drawings 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 – Attached and Detached Residences**
17.106.020 Permitted uses	**Compliance:** Yes
Cottage housing is permitted outright in the R7 zone. The remaining single family detached home is also permitted outright in this zone.	
17.106.030 Dimensional requirements	**Compliance:** Yes
Dimensional requirements within residential districts shall be in accordance with Table 17.106-1.	

Residential Lot Development Standards	**R7**
Minimum average lot area (square feet)	4,500

Minimum average lot area for density transfer (square feet)		3,300
Minimum lot area (square feet)		3,000
Maximum density (units per gross acre)		7
Minimum density (units per net acre) [1]		N/A
Minimum lot frontage (feet)		20 [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 (%)		50
Maximum height (feet)		35
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.
7 Eaves, cornices, chimneys and similar projections may extend over a required front, rear, or side yard by not more than two feet per BGMC 17.129.030.

Density R7

- Maximum density at 10.5 units per gross acreage (x 1.06) is 11.13 = **11 units**.
    - Housing cottage for R7 allows 1.5 units in place of each single family unit
        - 7*1.5 = 10.5
    - The gross acreage is 1.06 acres per applicant's land surveyor.
- Minimum density requirements do not apply in the R7 zone.

At 10 units, the project has met density requirements. The other dimensional requirements for cottage homes are addressed in the cottage housing section of this report.

The remaining single family home lot is 8,579 sf, which is greater than the minimum lot area. The home shows a new driveway location at NE 9th Street. Garages must be set back 20' from the front property line. One measurement shows 19.3'.

Prior to engineering approval, label the garage footprint and provide setbacks. If the garage is less than 20' from the front property line, modify plans to meet this requirement. Any home alterations will require a building permit and the home must meet setbacks prior to final plat approval.

The plans show a 5' side yard setback and exceeds street side, rear, and front setback requirements.

17.106.060 Cottage housing standards	**Compliance:** Conditionally

A. The total floor area of each cottage shall not exceed one thousand two hundred square feet. Floor area shall not include any space with a floor-to-ceiling height of less than six feet.

Prior to final plat approval, provide a note stating "The total floor area of each cottage shall not exceed one thousand two hundred square feet. Floor area shall not include any space with a floor-to-ceiling height of less than six feet."

Prior to building permit issuance, provide building plans meeting 17.106.060 – A.

B. Cottage housing shall comply with the density provisions of the underlying zone except within the R5 and R7 districts where one and one-half cottage units are allowed in place of each allowed single-family unit.

See density analysis in 17.106.030.

C. A minimum of four and a maximum of twelve cottages are allowed in any single cluster and development.

The proposed cottage development has 9 units and satisfies this section of code.

D. The height limit is twenty-five feet; provided, that all parts of the roof above eighteen feet shall be pitched with a slope of at least 6:12.

Prior to final plat approval, provide a note stating "The height limit for cottage homes is twenty-five feet; provided, that all parts of the roof above eighteen feet shall be pitched with a slope of at least 6:12."

Prior to building permit issuance, provide building plans meeting 17.106.060 – D.

E. Cottage units shall be oriented around, and have covered porches and main entries facing, a common usable open space of at least two hundred fifty square feet per unit that is generally square or round.

Each cottage home is showing a front porch centered around a common area that exceeds 250sf per unit (minimum allowed 2,250 sf). **Prior to final plat approval, provide a plat note stating the responsible part to own and maintain common areas.**

F. Each cottage shall be provided with private use open space contiguous to the cottage of at least two hundred fifty square feet with no dimension of less than ten feet. Private open space shall be oriented to the common open space area.

Each cottage home lot exceeds the 250 sf of private open space which is oriented to the common space and has a front yard setback of 10' satisfying this requirement.

G. A covered porch of at least sixty square feet in size with a minimum dimension of six feet on any side shall be provided for each cottage.

Lots 8, 9, and 10 meet the minimum 60 sf requirement with a measurement of 6' by 10'. All other porches exceed this requirement. **Prior to building permit issuance, provide elevations that show the porch is covered.**

H. Vehicular parking shall be provided in a shared parking facility that is clustered and separated from adjacent common areas, rights-of-way and residential units by landscaping. Parking areas shall not occupy more than fifty percent of the lot frontage.

The applicant provided a shared parking lot separate from the cottage homes. **Prior to final plat approval, provide a plat note stating the parking lot shall be owned and maintained by either developer, property owners, or HOA.**

The applicant did not provide a landscape plan. **Prior to engineering approval, show landscaping around parking lot with a B2 buffer.**

B2—Medium Screen Buffer. This buffer is intended to provide a moderate degree of transitional screening between potentially incompatible zones. This buffer consists of live ground cover and trees planted every thirty lineal feet on center, filled between with evergreen shrubs which reach a minimum height of four to six feet within three years of planting.

The applicant provided a variance request because portions of the parking lot will not have the necessary landscape screening along a portion of the common area and along the side abutting the remaining single family home. The existing home meets the minimum setback requirement, so providing additional landscape for the cottage development would mean the existing house could not meet this 5' standard. Additionally, adding landscape would take away from the common open space area that benefits this community more than a landscape strip.

Type II Variance Approval Criteria. The planning director may grant a Type II variance upon demonstration by the applicant of compliance with all of the following criteria:

1. Unusual circumstances or conditions apply to the property and/or the intended use that do not apply generally to other property in the same vicinity or district; **The lot is proposed as a flag lot and the property owner would like the existing home to remain, limiting the design of this project.**
2. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant as is possessed by the owners of other properties in the same vicinity or district; **If the existing home changes homeownership and they would like additional screening, there are numerous provisions in the code that would allow them to gain this separation from the cottage development, such as a fence and landscaping on their property.**
3. The variance requested is the least necessary to relieve the unusual circumstances or conditions identified in subsection (B)(1) of this section; **Staff finds that the variance request is minimal and allows for greater benefit to the cottage development.**
4. The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which property is located; **The variance will affect the future/existing property owners and not the public welfare.**
5. Any impacts resulting from the variance are mitigated to the extent practicable; **The applicant is required to provide screening for the remaining areas of the parking lot, which provides screening to the general public (property owners to the north and south).**
6. If more than one variance is being requested, the cumulative effect of the variances results in a project that is still consistent with the overall purpose of the underlying zoning district.

Staff finds that the variance request is acceptable and recommends approval for this deviation.

I. Setbacks for the exterior of the project shall be the same as the base zoning district. There are no required setbacks for interior lot lines provided the ten-foot minimum separation to buildings shall be met.

Interior lots meet the underlying zoning setback requirement and provide 10' separation between buildings. Lot 10 does not meet the 10' street side yard setback. **Prior to engineering approval, shift lots 7, 8, and 9 so lot 10 can accommodate 4 extra feet.**

J. Interior fences may not exceed thirty-six inches in height.

Prior to final plat approval, provide a note stating "Interior fences may not exceed thirty-six inches in height."

Prior to building permit issuance, provide building plans meeting 17.106.060 – J

K. A pedestrian pathway a minimum of four feet in width shall connect the public street with all cottages and from the shared parking areas to all cottages.

The cottage home development shows a 4’ asphalt path connecting each home to the common area and to the public street. L. Each cottage shall be located on a separate lot or shall be a condominium. Each cottage home is located on a separate lot and satisfies this section of code.
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 and modifications to existing homes to comply with the requirements of BGMC 17.106.040 at building permit issuance. Additionally, the final plat will be required to state that all households will need to meet the design standards listed in this section.**
17.128.010 Purpose and applicability
Finding: The site is not greater than ten acres, does not include 50 or more units, and is not on a parent parcel with a dimension greater than a ¼ mile; therefore, this chapter does not apply.
17.131.015 General provisions. | **Compliance:** Conditionally
Finding: Prior to final site plan/engineering approval, submit a landscape plan meeting the criteria listed in this section.
17.131.016 Parking lot landscape standards | **Compliance:** Conditionally
Finding: The applicant is required to meet this section of code other than for the areas approved for a variance. **Prior to final site plan/engineering approval, submit a landscape plan meeting the following standards:** • **Show a B2 buffer along the southern parking lot boundary. The northern parking lot boundary along 9th Street should also have a B2 buffer. Shrubs should be 3’ in height along public/private streets.** • **Screening along property lines shall be a minimum six feet in height, this would require a B3 buffer on the western parking lot edge.** • **Showing 2 landscape islands meeting item 17.131.016C in this section.** • **Showing a tree in each landscape island meeting item 17.131.016D in this section.**
17.131.020 Outdoor storage screening and other standards.
Finding: The applicant did not mention garbage and recycling for the site. If the applicant decides to provide outdoor garbage/recycling receptacles, then they must meet this section of code and provide these details in the final site plan.
17.131.100 Off-site glare impacts
Finding: If the applicant wants to provide parking lot lighting, then a photometric plan must be submitted for engineering approval meeting this section of code.
17.133.040 Minimum number of parking spaces required | **Compliance:** Yes
Finding: Single-family homes are required to have 2-off street parking spaces per unit. The code does not have a separate standard for cottage housing, and therefore staff has interpreted this to mean each cottage home should provide 2-off street parking spaces. The site plan shows 18 parking stalls for the cottage housing standards. See 17.133.070 for parking lot design. The remaining home has a garage and driveway that exceeds the space needed for two cars.
17.133.070 Parking lot design standards | **Compliance:** Conditionally

The applicant is required to meet this section of code other than for the areas approved for a variance. **Prior to final site plan/engineering approval, submit a landscape plan meeting the following standards:**

- **Show a B2 buffer along the southern parking lot boundary. The northern parking lot boundary along 9th Street should also have a B2 buffer. Shrubs should be 3' in height along public/private streets.**
- **Screening along property lines shall be a minimum six feet in height, this would require a B3 buffer on the western parking lot edge.**
- **Showing 2 landscape islands meeting item 17.131.016C in this section.**
- **Showing a tree in each landscape island meeting item 17.131.016D in this section.**
- **Showing the parking lot is a paved surface and shall be contained by a curb.**

17.139 Signs.	**Compliance:** Conditionally
Finding: Directory signs depicting the site layout and listing structure address and secondary unit numbers shall be required at all public street entries to multi-tenant and/or multiple-structure complexes. Directory signs are subject to the city of Battle Ground sign code. **Prior to final site plan approval, provide directory sign placement for the cottage housing development. A separate sign permit application will be required for the directory sign and required for engineering acceptance.**	
17.143 Site Plan Approval	**Compliance:** Yes
Finding: As proposed, this application complies with this section of code.	
17.200 General Procedures	**Compliance:** Conditionally
Finding: This review followed the Type III application process listed in this chapter.	

6.	**Title 18 Environmental Protection**
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 final 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* may be required for this project.

Generally, stormwater facilities built for single-family residential subdivisions are publicly owned and maintained. However, given the layout and infrastructure being proposed, stormwater infrastructure for this project will be privately owned and maintained. Bioretention and proprietary filter cartridge treatment BMPs located in the City's right-of-way shall be privately owned and maintained.

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).

Per BGMC 18.250.310(B)(2), a maintenance covenant is required for facilities that will be maintained by private parties. The covenant shall include an agreement to transfer maintenance responsibilities to future occupants/owners. Prior to engineering acceptance, the covenant shall be recorded.

Per BGMC 18.250.320(C) a covenant for access and inspection of the facility shall be dedicated to the City.

Ensure that the location of the stormwater facilities meets the requirements listed in BGMC 18.250.330.

An NPDES permit shall be obtained and submitted prior to final engineering approval.

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.

Staff received comments from the following citizens regarding stormwater:

1. Ms. Koch: how runoff will go

Responses to citizen comments:

1. The submitted project narrative states that treatment structures along with onsite infiltration/detention trench will be used and any runoff not infiltrated will be routed to an existing stormwater system in NE Grace Avenue. Additionally, the developer is responsible to meet City of Battle Ground and Department of Ecology requirements.

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 the stream buffer, 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.

18.115 SEPA Thresholds	
18.115.020 Flexible thresholds for categorical exemptions.	**Compliance:** Conditionally

Finding: A SEPA review was not required for this project since it did not meet the thresholds. Due to the high to mod/high archaeological probability, an **archaeological predetermination report is required prior to engineering/final site plan approval or prior to ground disturbance – whichever occurs first.**	
18.270 Wetlands	
18.270.040 Wetland Delineation	**Compliance:** Conditionally
Finding: Clark County GIS has labelled the property to have wetland presence. The two lots have used the area marked as wetlands as a lawn going back 20-years per Clark County GIS. Staff conducted an on-site visit and confirmed the yard space is grass and does not contain wetland indicators. Per BGMC 18.270.030, staff has determined that the site is consistent with normal lawn landscape (grass, trees, bushes) and is therefore not subject to review under this title.	

B.	**Service Development Charges, Impact Fees, Credits**
As mentioned above in Title 13 Water & Sewer section, the applicant is required to replace and upsize the existing 6-inch line to a 12-inch. System Development Charge (SDC) credits are available for the difference in cost for upsizing to a 12-inch from an 8-inch line. The Water System Plan states that the cost of installing an 8-inch line is $384 per linear foot and $424 for 12-inch. Therefore, a maximum of $40 per linear foot of credit is available. The length and creditable cost will be finalized prior to receiving credits. Additionally, the applicant will need to provide all receipts and all other information prior to receiving any credits.	

C.	**Public Comments**
1	**Jim Darchuk –** Citizen Comment Letter – e-mail dated April 14, 2022
Staff received a comment asking about cottage housing and remaining trees. Staff responded with answers to these questions. Both the letter and staff's response has been entered in as **Exhibit 8.**	
2	**Sandra Koch –** Citizen Comment Letter – email dated April 13, 2022
Staff received a letter concerning traffic impacts, access, noise, stormwater, and privacy. The municipal code does not have an ordinance regarding trees; therefore, staff cannot require the applicant to retain the existing fir trees. Additionally, the alley serving this road is public and the applicant can make a connection through the addition of 9th Street. The rest of the letter is addressed in 18.250. **See Exhibit 9** for the entire comment letter**.**	

III. RECOMMENDATION

Staff recommends **preliminary approval** of the Grace Avenue Cottage Development. 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.

A. <u>Prior to Engineering/Final Site Plan 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 NE Grace Avenue, “Minor Arterial”, including sidewalk, planter strip, curb/gutter and asphalt.

    b. Showing NE 9th Street built to Local “A” standards including sidewalk, landscape strip, curb & gutter, and asphalt as described above in the findings section.

    c. Showing either a center median in NE Grace Avenue or a raised triangular island (pork chop) in NE 9th Street.

    d. Showing additional 5-feet of ROW dedicated to the City for NE Grace Avenue.

    e. Containing a combined landscaping and driveway plan.

    f. Containing a signing and striping plan.

    g. Showing sight distance and vision clearance triangles.

    h. Showing LED decorative cobra type units for NE Grace Avenue and LED acorn units for NE 9th Street.

    i. Showing traffic calming devices on all public streets.

    j. Showing the traffic mitigation at SR 503 & SW Eaton Boulevard or indicating that mitigation fees will be paid in lieu of the improvements.

    k. Showing the traffic mitigation at SW 20th Ave & SW Eaton Boulevard or indicating that mitigation fees will be paid in lieu of the improvements.

    l. Showing the traffic mitigation at E Grace Avenue & E Main Street or indicating that mitigation fees will be paid in lieu of the improvements.

    m. Showing the traffic mitigation at S Parkway Avenue & S Rasmussen Boulevard or indicating that mitigation fees will be paid in lieu of the improvements.

    n. Showing the traffic mitigation at NW 29th Avenue & W Main Street (SR 502) or indicating that mitigation fees will be paid in lieu of the improvements.

    o. Showing the traffic mitigation at of S Parkway Ave & S Eaton Blvd or indicating that mitigation fees will be paid in lieu of the improvements.

    p. Showing minimum 8” diameter water lines looped throughout the subdivision and extending to extreme property lines.

    q. Showing each residential lot having its own individual water service.

r. Showing easements over all water lines located outside of the City's ROW.

s. Showing existing and new hydrant locations.

t. Showing an 8-inch gravity sewer line throughout the subdivision and extending to extreme property lines.

u. Showing each residential lot having its own individual sanitary lateral.

v. Showing a stormwater facility that meets the requirements of BGMC 18.250.

w. Showing grading and erosion control in conformance with applicable city standards and standard construction details.

x. Additional paved fire apparatus access along Tract A is required to meet 150-foot hose lay requirements or sprinkler the homes.

y. 20 feet clear paved width is required for fire apparatus access at the entrance and exit to NE Grace Avenue. Remove the right-in/right-out island and provide plans showing a median in NE Grace Avenue.

z. The alley shown to the north is required to be designated/signed as a fire lane, with corresponding signage on both sides.

aa. Showing NE 9th Way as NE 9th Street.

bb. A landscape plan showing:
    a. Show a B2 buffer along the southern parking lot boundary. The northern parking lot boundary along 9th Street should also have a B2 buffer. Shrubs should be 3' in height along public/private streets.

    b. Screening along property lines shall be a minimum six feet in height, this would require a B3 buffer on the western parking lot edge.

    c. Showing 2 landscape islands meeting item 17.131.016C in this section.

    d. Showing a tree in each landscape island meeting item 17.131.016D.

cc. A site plan showing:
    a. The parking lot is paved and is contained by a curb.

    b. The placement for a directory sign for the cottage housing development.

    c. A site plan clearly stating where the garage is located and its setbacks.

dd. A modified preliminary plat:

a. Shifting lots 7, 8, and 9, so lot 10 can meet the street side yard setback of 10-feet.

b. Showing building envelopes.

c. Showing lot dimensions.

3. Provide a photometric plan for all access points, intersections, public roadways out to centerline, and any existing lights to ensure that proposed lights meet IES RP-8-00 standards. Photometric plan shall be prepared by an electrical engineer.

4. Submit a hydrology report that addresses all requirements found in BGMC 18.250.

5. Submit a SWPPP that meets the Department of Ecology requirements.

6. Submit a construction cost estimate for required public and applicable private improvements for review and approval by the City Engineering Department

7. 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 the consultant fee plus 10% plus 1.5% of estimated costs of construction.

8. Provide an archaeological predetermination report.

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

1. Receive signed and approved engineering plans from the City of Battle Ground.

2. Receive approval from WSDOT.

3. Receive an approved ROW permit from the City of Battle Ground and WSDOT.

4. Submit a surety bond meeting the requirements of BGMC 12.118.110.

5. Submit a Certificate of Liability Insurance meeting the requirements of BGMC 12.118.120.

6. Erect and conduct erosion control measures consistent with the approved Erosion Control Plan and City of Battle Ground erosion control standards.

7. 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.

8. Conduct a pre-construction conference with City engineering and planning staff. Contact the Engineering Department at (360) 342-5078 to schedule an appointment.

9. If any cultural resources are discovered in the course of undertaking the development activity, the State Department of Archaeology and Historic Preservation and the City of

Battle Ground Planning Department must be notified.

C. Prior to Creation of Impervious Surface:

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. Prior to Engineering Acceptance:

1. Construct all public improvements, if applicable, and go on a walkthrough with City of Battle Ground Engineering Staff and correct any deficiencies as determined by City staff.

2. A letter shall be provided by 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 recorded Stormwater Facility/Maintenance Covenant for review and/or approval.

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, one (1) 11x17 paper sets of As-Built record drawings and one (1) compact disc or USB flash drive version of the as-built drawings in AutoCAD, and separate/individual PDF, and TIF format files.

6. If LID improvements are incorporated into the project, provide appropriate stormwater covenants.

7. The directory sign must be installed and meet title 17.139.

E. Prior to Final Plat Approval:

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 & SW Eaton Boulevard or pay the mitigation fee of $4,599.99.

3. Construct the mitigation measures for the failing intersection of SW 20th Avenue & SW Eaton Boulevard or pay the mitigation fee of $2,291.40.

4. Construct the mitigation measures for the failing intersection of E Grace Avenue & E Main

Street or pay the mitigation fee of $13,774.16.

5. Construct the mitigation measures for the failing intersection of S Parkway Avenue & S Rasmussen Boulevard or pay the mitigation fee of $3,102.10

6. Construct the mitigation measures for the failing intersection of NW 29th Avenue &t W Main Street (SR 502) or pay the mitigation fee of $1,496.28.

7. Construct the mitigation measures for the failing intersection of S Parkway Avenue & S Eaton Boulevard or pay the mitigation fee of $930.62.

8. Submit a signed Bill of Sale for sewer, stormwater, and water systems.

9. Receive building permit and modify existing home to meet the garage setbacks, if applicable.

10. Submit a final plat:
    a. That shows easements for public utilities not located in the right-of-way.

    b. With the following note: “Fences higher than 42-inches will not be allowed in the front yards.”

    c. With the following note: “All utilities are to be located outside of the sidewalk section and to be underground where possible.”

    d. With a note specifying the party/s responsible for long-term maintenance of stormwater facilities.

    e. With the following note: “The total floor area of each cottage shall not exceed one thousand two hundred square feet. Floor area shall not include any space with a floor-to-ceiling height of less than six feet.”

    f. With the following note: “The height limit for cottage homes is twenty-five feet; provided, that all parts of the roof above eighteen feet shall be pitched with a slope of at least 6:12.”

    g. With the following note: “Cottage housing interior fences may not exceed thirty-six inches in height.”

    h. With the following note: “All future homes and modifications to existing homes must comply with the residential design requirements of BGMC 17.106.040.”

    i. With a note specifying the party/s responsible for ownership and maintenance of the shared common areas (parking lot, parking lot landscaping, shared green space).

    j. That shows where any control monuments have been placed.

    k. That shows the dedication of any public roads.

F. Prior to Building Construction:

1. Acquire the required permits as outlined in Title 15 above.

2. Provide cottage building permit plans showing the homes are sprinklered.

3. Provide documentation that the required fire hydrants have been installed, tested, and approved in accordance with City of Battle Ground engineering standards and section 15.105.180 of this Staff Report.

4. All new structures shall conform to setbacks, design, parking, and building height requirements of the underlying zoning district and cottage home requirements.

5. Submit cottage housing building plans meeting BGMC 17.106.060 – A, 17.106.060 – D, 17.106.060 – J.

6. Provide cottage housing elevations showing the front porch is covered.

7. Submit for a home alteration permit if the remaining single family home needs modifications to meet zoning setback requirements (if applicable). Contact the city's Building Department to see what plans and permits are needed.

8. Apply for a sign permit for the directory sign. Refer to BGMC 17.139 for specific requirements.

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, Washington State Department of Archaeology & Historic Preservation (DAHP) and the City of Battle Ground Planning Department must be notified.

2. All grading and filling of land must utilize only clean fill. All other materials may be considered solid waste and permit approval may be required from your local jurisdictional health department prior to filling. All removed debris resulting from this project must be disposed of at an approved site. Contact the local jurisdictional health department for proper management of these materials.

3. Provide a photometric plan for review if the application proposes adding on-site lighting (BGMC 17.131.100).

4. If providing outdoor garbage, provide a site plan and landscape plan meeting 17.131.020.

IV. EXHIBITS

Because of the size of the exhibits, they are not included with this report, but listed below. The documents are available for review at the Planning Department, 109 SW 1st Street, Suite 127, Battle Ground, WA, 98604.

Electronic copies: https://cityofbg.box.com/s/x3a56ea5pbgy0w6cn7tq0zpdy3dvxdh7

EXHIBIT #	DESCRIPTION	
1	Working Exhibit List	
2	Staff Report	
3	Narrative	Applicant's Submittal
4	Combined preliminary plan set	
5	Preliminary stormwater report	
6	Traffic report	
7	Traffic study update 4-29-22	
8	Comment Letter from Jim Darchuk	Comments Received During NOA
9	Comment Letter from Sandra Koch	
		PLACEHOLDER

V. APPEAL

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