BATTLE GROUND HEARING EXAMINER MEETING

WEDNESDAY, JUNE 26, 2019

2:00 PM

Battle Ground City Hall
Council Chambers
109 SW First Street 2ND Floor
Battle Ground, Washington 98604

Hearing Examiner Public Hearing Agenda

	INTRODUCTION BY HEARING EXAMINER	*Joe Turner, Hearing Examiner*
1.	**CEDAR HEIGHTS NORTH SUBDIVISION LUDIII: 19-0007** The applicant is proposing a 77-lot subdivision consisting of 75 single-family residential lots and 2 commercial lots on approximately 10 acres within the mixed-use residential district. The development will gain access from SE 35th Street that connects to SE Grace Avenue. The construction of SE 35th Street will include a 20-foot strip on the northern portion of parcel 194327-00.	*Emily Lutz, Assistant Planner* *Ryan Jeynes, PE Associate Civil Engineer*

- Persons requiring auxiliary aids or special arrangements in order to participate in meetings should call the City Clerk's office at (360) 342-5008 at least two business days prior to the scheduled meeting.
- This institution is an equal opportunity provider and employer.
- Información será traducida al español a petición de cityclerk.info@cityofbg.org.
- Information is available in an alternate language by request to cityclerk.info@cityofbg.org
- Información será traducida al español a petición de cityclerk.info@cityofbg.org
- Информация имеется на русском языке по запросу на cityclerk.info@cityofbg.org
- 如需相关信息的中文版本，请来函索取：cityclerk.info@cityofbg.org
- Gửi yêu cầu nhận thông tin sẵn có bằng tiếng Việt đến cityclerk.info@cityofbg.org
- Za informacije na bosanskom jeziku obratite se na adresu cityclerk.info@cityofbg.org
- Ang impormasyon ay makukuha sa Tagalog sa pamamagitan ng kahilingan sa cityclerk.info@cityofbg.org

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: Cedar Heights North Subdivision, Road Mod., SEPA, and CAR Review (LUDIII 19-0007)

Report Date: June 18, 2019

Hearing Date: June 26, 2019 @ 2:00 p.m. City Hall

Proposal: The applicant is proposing a 77-lot subdivision consisting of 75 single-family residential lots and 2 commercial lots on approximately 10 acres within the mixed-use residential district. The development will gain access from SE 35th Street that connects to SE Grace Avenue. The construction of SE 35th Street will include a 20-foot strip on the northern portion of parcel 194327-00.

Location: Parcel: 194334-000; 3416 SE Grace Avenue, Battle Ground, WA 98604

Owner: Joseph and Brenda Harriss
3416 SE Grace Avenue
Battle Ground, WA 98604

Applicant: Lucas Ralston
1440 SW Taylor St.
Portland, OR 97205

Contact: Ingrid Friedberg
Olson Engineering, Inc.
222 E. Evergreen Avenue
Vancouver, WA 98660

Staff: Emily Lutz, Assistant Planner
Ryan Jeynes, PE, Associate Civil 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 — June 18, 2019

Emily Lutz
Assistant Planner

Date

TABLE OF CONTENTS

I. BACKGROUND
- A. General Site Information
- B. Land Use Processing

II. APPLICABLE REGULATIONS/ANALYSIS
- A. Battle Ground Municipal Code
  1. Title 12 Streets and Sidewalks
  2. Title 13 Water and Sewer
  3. Title 15 Building and Construction/Fire
  4. Title 16 Land Divisions
  5. Title 17 Zoning
  6. Title 18 Environmental Protection
- B. Service Development Charges, Impact Fees, Credits
- C. Agency / Public Comments

III. RECOMMENDATION

IV. EXHIBITS

V. APPEAL

VI. PRELIMINARY PLAT

I. BACKGROUND

A. General Site Information

Size of Site:	10 acres
Existing Vegetation:	Field with mature trees, wetlands, grass, and shrubs
Existing Structures:	Single family home
Adjacent Land Uses:	Residential and Cedars Golf Course
Adjacent Zoning:	R-5, R-7, and Mixed-Use Residential
Slope:	Relatively flat
Geological Hazards:	No Mapping Indicators
Wetlands:	Presence
Flood Plain:	Outside Flood Area
Archaeology:	High Probability
Priority Habitat:	No Mapping Indicators
Soils:	Non-Hydric/DoB and Non-Hydric/HuB

B. Land Use Processing

Date Application Submitted:	April 1, 2019
Application Technically Complete:	April 26, 2019
Notice of Application:	May 8, 2019
Site Posted:	May 8, 2019
Reflector Publication:	May 8, 2019
Public Hearing:	June 26, 2019
Date Application Submitted:	April 1, 2019
Decision:	Within two weeks of public hearing

Figure 1. Location

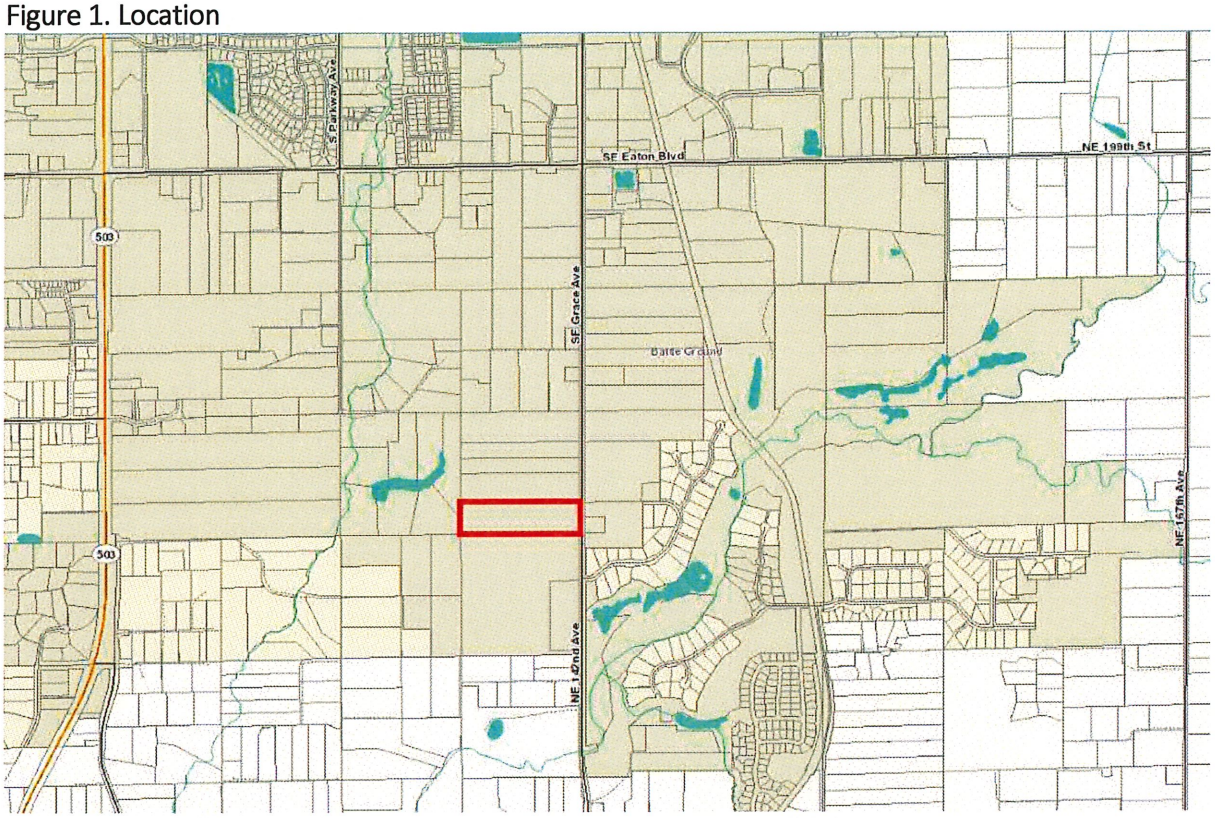


Figure 2. Site – 2018 Imagery



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: Tracts "A" and "B" identified on the preliminary plat shall be named SE 34th Street (private). SE 9th Avenue (private) shall be named SE 8th Place (private). 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 77-lot subdivision, 75 single-family residences and 2 commercial uses, is located on a parcel west of SE Grace Avenue. Access to the development will be from the creation of a new intersection at SE Grace Avenue & SE 35th Street. Half-street improvements are required for SE Grace Avenue consistent with "Major Collector Option 1" standards. Improvements include, but are not limited to, sidewalk, curb and gutter, asphalt, landscaping, and streetlights. Two (2) feet will need to be dedicated in order to meet the right-of-way width. The applicant is showing several new public streets to be built with this development: SE 35th Street and SE 6th Avenue shall be built to "Neighborhood Collector" standards; SE 34th Street (west side) and SE 8th Avenue shall be built to "Local A" standards. SE 34th Street (east side) and SE 8th Place shall be private streets built to Local A" standards as they will serve more than 5 lots/units. Regarding SE 35th Street, it shall have a minimum half-width right-of-way dimension of 34-feet: 25-feet of roadway 4-foot landscape strip and 5-foot sidewalk. The applicant shall either build SE 35th Street meeting the above requirements on the subject property or get an easement from the southern property, Cedars Heights, (parcel 194327000) depending on which subdivision constructs first. There is one location where the intersection spacing requirements is not being met; along SE 35th Street between SE 8th Place and SE 9th Avenue. The applicant's engineer submitted a road modification; see below for more information. 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 landscape 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 decorative cobra type units for SE Grace Avenue and LED acorn type units for 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).

BGMC 12.116.130(A)(3) requires the final plat have the following note: "The City of Battle Ground has no responsibility to improve or maintain the private streets, including streetlights and signs, contained within, or private streets providing access to, the property designed in this development."

BGMC 12.116.130(A)(5) requires a private road maintenance agreement.

12.116.130(A)(6) requires private street identification signs to be installed at the intersection with the public street.

The developer/contractor shall provide certification per BGMC 12.116.130(A)(7) that the private streets were constructed meeting the requirements of 12.116.140.

SE 34th Street (Tract "A") and (Tract "B") shall be private streets built to the standards of 3-4 lots/units per BGMC 12.116.140.

Per BGMC 12.116.130(A)(7), the applicant shall provide certification that private streets were built in accordance with 12.116.140.

BGMC 12.116.150 requires a note on the plat stating the responsibilities of the lot owners abutting the private street to maintain the street.

The applicant's traffic engineer has indicated that 1,057 daily, 64 new a.m. peak trips and 97 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. All 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 SE Grace Avenue 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 331-feet (north/south) by 1,294-feet

(east/west). Based on the dimensions the preliminary plat would have to provide, at a minimum, three north/south cross-circulation streets and zero east/west cross-circulation streets. The preliminary plat shows two north/south streets and one east/west streets. In order to meet the cross-circulation spacing one more north-south street is required; either SE 8th Place or SE 9th Avenue shall be extended to the north.

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 and 12.116.246.

One (1) road modification was submitted:

1. To reduce intersection spacing between SE 8th Place and SE 9th Avenue along SE 35th Street (220-feet instead of 250-feet).

Table 12.116.040(B)(2) sets the intersection spacing requirements for a couple of street classifications. SE 35th Street is classified as a "Neighborhood Collector". Therefore, the spacing of intersection along those streets shall be 250-feet. The submitted plat has the above-mentioned intersections not meeting spacing requirements. Several reasons were given for why intersection spacing cannot be met: location of an existing house that is to be saved and made part of the proposed subdivision, location of & the continuation of SE 9th Avenue from the Cedars Heights subdivision and goals & requirements of the City's Comprehensive Plan & Municipal Code. Given that a physical condition (existing home) will stay in its current location and the project layout is meeting the goals/requirements of the City, staff agrees with the applicant and approves the road modification to reduce intersection spacing to the locations and dimensions mentioned above.

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 64 new a.m. and 97 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	$4,578.23
Grace Avenue & E Main Street	PM	n/a	10	$1,721.77	$17,217.70
SR 503 & SW Eaton Boulevard	PM	n/a	33	$1,533.33	$50,599.89
SW 20th Avenue & SW Eaton Boulevard	PM	n/a	18	$2,291.40	$41,245.20

One of these strategies will need to be completed 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. However, this development is within Clark Public Utilities (CPU) service boundary. Therefore, the development shall meet the requirements of CPU for water approval.

The applicant shall show CPU approval for water design prior to receiving engineering approval from the City of Battle Ground.

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 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 shall be required to install the following sanitary sewer gravity lines: FE-26 (30-inch) and FE-27 (27-inch). Depending on the northern end location of FE-27, a portion of FE-28 (15-inch) may need to be constructed.

The current General Sewer Plan (GSP) shows FM-D (12-inch) to be located within the proposed development. As such, the applicant will be required to install the portion of the force main as shown in the GSP that lays within the proposed development.

Upgrades to PS #4 may be necessary depending on its current capacity and needed capacity to serve the proposed development. Additionally, the applicant is responsible for these sanitary sewer improvements per the current General Sewer Plan or future modifications to the General Sewer Plan that will define service to this area of Battle Ground.

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.

Per BGMC 13.137.280(A) a sampling manhole for monitoring and testing is required for commercial and industrial type uses. The proposed development will have two commercial sites; therefore, engineering staff has determined that these two sites would need to meet this requirement. Each lateral will require a monitoring manhole. All monitoring manholes require a 15-foot sewer easement for inspection. The submitted engineering plans show the installation of sampling manholes.

Sanitary sewer laterals shall be 4-inch for single-family residences and 6-inch for commercial businesses.

Any onsite septic systems shall be decommissioned per Southwest Washington Health District specifications.

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	
15.104 Building Code		**Compliance:** Conditionally

General

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 utility companies to ensure all requirements have been met.

15.105.090 Fire Apparatus Access Roads	**Compliance:** Conditionally
Findings: 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".	
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 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 77 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.	
16.125.020. Protective improvements required for topographical hazards	**Compliance:** Yes
Finding: The parcel does not contain topographical hazard areas.	
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:** Conditionally
Finding: All lots have frontage on a public or private street. The Mixed-Use Residential zoning district requires a minimum lot frontage of 16 feet for residential uses and 50 feet for commercial uses. Lot 2 does not have the required 50-feet of street frontage. A **condition** will require lot 2 to be redesigned to have 50 feet of frontage.	
16.125.080. Lot Line Angles	**Compliance:** Yes
Finding: Lot line angles are satisfied.	

16.125.090. Lot Size and Width Requirements	**Compliance:** Conditionally
Finding: As referenced in 17.122.030-1 Dimensional Requirements, the absolute minimum lot area is 2,000 square feet for residential use and 3,000 square feet for commercial use. Residential lots range between 3,506 square feet to 19,383 square feet, which satisfies the minimum residential lot area requirement. Commercial lots range between 4,102 and 5,808 square feet, which is greater than the minimum commercial lot area requirement. As mentioned before, lots have adequate frontage on a public or private street with the exception of lot 2. A **condition** will require lot 2 to be redesigned to have 50 feet of frontage.	
16.125.100. Double and reverse frontage lots	**Compliance:** NA
Finding: The applicant has not proposed double frontage or reverse frontage lots.	
16.125.110 Flag lots	**Compliance:** NA
Finding: The applicant has not proposed flag 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 the applicant shall add a note on the face of the plat 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 Clark Public Utilities and gets approval from them for the water distribution system. • Water lines shall be 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. • Showing sanitary sewer infrastructure as conditioned previously in this staff report. 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 preliminary plat shows which roads 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		
17.122.020 Permitted Uses			**Compliance:** Conditionally
Finding: Detached single-family homes are permitted outright in the MU-R district. Future commercial uses are required to comply with the uses stated in table 17.122.020-1 at site plan review.			
17.122.030-1 Dimensional Requirements			**Compliance:** Conditionally
Mixed-Use Residential		***Residential Use***	***Commercial Use***
Minimum lot area		2,000	3,000
Maximum residential density[1]		22	N/A
Minimum lot frontage		16	50
Minimum residential density		10	N/A
Setbacks	Front yard[2, 3]	10' Minimum | 20' Maximum	0' Minimum | 10' Maximum[3]
	Garage door	20'	
	Side yard	5'	0'
	Street side yard	10'	0' Minimum | 10' Maximum
	Rear yard	10'	10'
Maximum lot coverage		70%	Note 5
Maximum height[4]		45'	45'

1. The number of units per gross acre is calculated by averaging the densities of all of the various types of housing provided within the development.
2. For commercial developments within the mixed use residential district, the front yard landscaping strip shall be zero feet in those instances where the building is built at the right-of-way line.
3. Commercial structure facades shall extend to the right-of-way along at least seventy-five percent of the lot line; or commercial structure facades shall extend to within ten feet of the lot line for seventy-five percent of the lot line and the space between the building and the lot line shall be designed as an extension of the sidewalk and committed to active uses such as sidewalk cafes, vendors stands, or developed as "stopping places."
4. Building front facade height, as measured from the street grade, shall be no less than eighteen feet in height.
5. Maximum lot coverage shall be determined by compliance with screening and buffering standards contained in Chapter 17.131 BGMC, the parking and loading standards contained in Chapter 17.133 BGMC, the stormwater control ordinance contained in Chapter 18.250BGMC and all other applicable standards.
6. Refer to Table 17.131-1 for landscaping requirements.

Finding: Maximum density is 22 units per acre and the minimum density is 10 units per acre within this zone. The parcel on which the property is being developed is approximately 10 gross acres and 7.72 net acres. The maximum allowed density is 220 units and the minimum density is 77 units. The applicant has proposed 77 units and meets the minimum density requirement.

The absolute minimum lot area is 2,000 square feet for residential use and 3,000 square feet for commercial use. Residential lots range between 3,506 square feet to 19,383 square feet, which satisfies the minimum residential lot area requirement. Commercial lots range between 4,102 and 5,808 square feet, which is greater than the minimum commercial lot area requirement.

As mentioned before, lots have adequate frontage on a public or private street with the exception of lot 2. A **condition** will require lot 2 to be redesigned to have 50 feet of frontage.

All other dimensional standards including setbacks, lot coverage, and building height will be determined at the time of building permit issuance or site plan review. A **condition will require** all new structures to comply with residential and commercial dimensional requirements in the MU-R zoning district.

17.122.050 Mixed Use Development Requirements	**Compliance:** Yes
Finding: The applicant is utilizing option 1b, whereas the commercial portion does not exceed 25% of the project site. This standard is met.	
17.122.060 Mixed-Use 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. Commercial development shall comply with the design standards per BGMC 17.118.040 for site plan approval.	
17.131 Aesthetics, Buffers, Compatibility, & Landscaping Standards	**Compliance:** Conditionally
Finding: Future commercial development shall comply with the buffer standards outlined in this chapter for site plan approval.	
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. All future commercial development shall comply with table 17.133-1 for site plan approval.**	

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. For approval, 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: 3. WATER <u>Water Runoff</u> Increased stormwater runoff from new impervious surfaces on the site will occur. The applicant indicates that stormwater runoff generated by the proposed development will be done in accordance with the City of Battle Ground code. Runoff from the proposed development will be routed to off-site stormwater facilities within the Cedars Heights subdivision that have been sized to accommodate both subdivisions; Cedars Heights & Cedars Heights North. Overall discharge is to be to Type N perennial, non-fish bearing streams located within the Cedars Heights subdivision. **The applicant shall, prior to the issuance of engineering approval, submit a stormwater engineering plan and TIR prepared and stamped**	

by a professional engineer that identifies how on-site stormwater treatment and detention will occur and comply with the applicable standards within BGMC 18.250 for stormwater. The applicant shall, prior to the site disturbing activity, install silt fence, and any other necessary erosion control measures.

13. HISTORIC AND CULTURAL PRESERVATION
An archeological assessment and report were completed in August of 2018. 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.

14. TRANSPORTATION
Access to the site will be from a new street, SE 35th Street, via a new intersection with SE Grace Avenue. The applicant indicates that currently there is not a transit stop near the property. The closet one is approximately 1.3 miles to the north at the intersection of SE Grace Avenue & SE Rasmussen Boulevard.

In section 14 f. transportation, when asked how many vehicular trips per day would be generated by the project, the applicant states 1,057 new daily trips, 64 a.m. peak, and 97 p.m. peak.

16. UTILITIES
The City of Battle Ground is the public sewer and water purveyor for services areas within City limits. The City also manages storm drainage and street lighting utilities. However, this site is served by CPU water. The applicant shall get approval from CPU prior to approval from the City of Battle Ground. Sanitary sewer improvements shall be per the current General Sewer Plan or future modifications to the General Sewer Plan that will define service to this area of Battle Ground. Other utilities such as electricity, telephone, and garbage are to be provided by franchise utility providers in conformance with applicable City standards and requirements. The applicant is advised that RCW 19.27.097 requires that "each applicant for a building permit of a building necessitating potable water shall provide evidence of an adequate water supply for the intended use of the building."

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.

The proposed development will share a stormwater facility with the Cedars Heights subdivision; which is located on the adjacent parcel to the south. Depending upon the construction schedule of the two developments Cedars Heights North may have to construct the stormwater facility.

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.

Generally, stormwater facilities built for single-family residential subdivisions are publicly owned and maintained. The proposed stormwater system consists of several treatment structures located within the City's Right-Of-Way and aboveground detention facilities. The treatment structures are to be privately owned and maintained while the aboveground detention facilities will be owned and maintained by the City via placing the detention facilities within public storm tracts.

The applicant is, per BGMC 18.250.310(A), required that in order to insure satisfactory operation of the new detention facilities to maintain them for two years after completion of the project. Prior to final City acceptance of the aboveground detention facilities, the applicant shall submit a two-year maintenance contract 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, both private and public, per BGMC 18.250.310(B)(1). Since the City will be providing long-term maintenance of the detention facilities, conditions of BGMC 18.250.310(B)(3) shall be met.

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.

The detention facilities maintained by the City shall be in tracts per BGMC 18.250.320.

Per BGMC 18.250.350(A), detention facilities 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: Three category III wetlands, one category IV wetland, and one Oregon White Oak 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 wetland delineation and assessment for the 20' right of way, a critical areas report, a preliminary Oregon White Oak mitigation plan, and a preliminary wetland mitigation plan. See sections below for wetland and Oregon White Oak review.	
18.260.130 Mitigation Plan Requirements	**Compliance:** Conditionally
Prior to engineering approval, the applicant shall work with the Army Corps of Engineers and the State Department of Ecology in finalizing the Wetland Delineation and Mitigation Plan.	
18.270.040 Wetland Delineation	**Compliance:** Yes
Findings: Olson Environmental LLC delineated three wetlands within the 20' right of way: Wetland A is 1,040 square feet, Wetland B is 1,570 square feet, and Wetland C is 1,760 square feet. All three wetlands are identified as category III wetlands. Wetland A and B have a habitat score of 5 and Wetland C has a habitat function of 6. Ecological Land Services delineated one wetland within the project area. Wetland D is 434 square feet and is categorized as an isolated category IV wetland with a habitat function of 4, which is exempt per BGMC 18.270.020.	
18.270.115-120 Wetland Compensatory Mitigation	**Compliance:** Conditionally
The Preliminary Wetland Mitigation Plan dated March 12, 2019 states the proposed project will directly impact 4,804 square feet to construct SE 35th Street. The applicant also proposes to directly impact the category IV wetland on site. The applicant proposes purchasing credits for the direct impacts to the wetlands on site. **Findings: Prior to engineering approval, the applicant shall coordinate with the Army Corps of Engineers and the Washington State Department of Ecology in finalizing the Wetland Delineation and Mitigation Plan. Applicant is also required to provide a final wetland mitigation plan prior to engineering approval.**	
18.280 Fish and Wildlife Habitat Conservation Areas	

One Oregon White Oak has been identified on site and the applicant is required to meet this section of the code.
18.280.040 Fish and Wildlife Habitat Designations | **Compliance:** Conditionally
Findings: Ecological Land Services noted one on site Oregon White Oak located in the southeast corner of the site. The report notes that the removal of this tree is necessary to build street improvements to SE Grace Avenue. Per Olson Engineering's preliminary habitat mitigation plan, the applicant is proposing to plant two Oregon White Oaks in the Cedar Heights Subdivision which is located immediately south of the site. **Provide staff with a final Oregon White Oak mitigation plan prior to final site plan approval.**

B.	Service Development Charges, Impact Fees, Credits
FE-26, FE-27, FE-28, and FM-D are Sanitary Sewer System Development Charge (SDC) credit eligible projects. The General Sewer Plan states the following: FE-26 is estimated to cost $133,000.00 and is 43.61% creditable; FE-27 is estimated to cost $636,000.00 and is 100% creditable; FE-28 is estimated to cost $1,518,000.00 and is 100% creditable; FM-D is estimated to cost $1,290,000.00 and is 39.40% creditable. Should the project construct FE-26 and FE-27, then $694,001.30 is the maximum available as SDC credits. SDC credits for FE-28 and FM-D will be based upon length of pipe installed. The applicant will need to provide all receipts and all other information prior to receiving any credits.	

C.	Public/Agency Comments
1	**Kevin Jolma – Battle Ground Public Schools** – letter received May 21, 2019
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. The letter discusses the school district's plans to serve the students and states that school impact fees will be collected to help off-set the cost associated with serving the additional students. **Finding:** The applicant noted an error in the amount of impact fees calculated in the letter. Impact fees will be determined and applied at building permit issuance.	
2	**Department of Ecology** – e-mail received May 22, 2019
Ecology's letter states they will conduct a site visit with the applicant to verify wetland boundaries. **The applicant shall coordinate with the Department of Ecology in finalizing the wetland delineation and mitigation plan.** The attached letter also referenced water quality standards. **The project is conditioned to coordinate with Ecology on any necessary review and approvals.**	
	Comments Received after Deadline
3	**Ms. Murphin – Public** – E-mail received May 29, 2019
The e-mail states concerns over the current speed limit along SE Grace Ave. and street access to the subdivision. **Finding: Staff has addressed traffic and access concerns in section 12.116 of this report.**	

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. Prior to Engineering Approval:

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 SE Grace Avenue, "Major Collector Option 1", including sidewalk, planter strip, curb/gutter and asphalt.
    b. Showing adequate half-street improvements, for SE 35th Street, "Neighborhood Collector", including sidewalk, planter strip, curb/gutter and asphalt.
    c. Showing full width improvements to SE 6th Avenue to "Neighborhood Collector" standards, including sidewalk, planter strip, curb & gutter, and asphalt.
    d. Showing full width improvements to SE 34th Street (east side) and SE 8th Avenue to "Local A" standards, including sidewalk, planter strip, curb & gutter, and asphalt.
    e. Showing SE 34th Street (east side) and SE 8th Place meeting the applicable private street requirements in BGMC 12.116.140 based on 5 or more lots/units.
    f. Showing SE 34th Street (Tract "A") and (Tract "B") meeting the applicable private street requirements in BGMC 12.116.140 based on 3-4 lots/units.
    g. Showing additional 2-feet of ROW dedicated to the City for SE Grace Avenue.
    h. Containing a combined landscaping and driveway plan.
    i. Showing sight distance and vision clearance triangles.
    j. Containing a signing and striping plan.
    k. Containing a street lighting plan having LED decorative cobra type units for SE Grace Avenue and LED acorn units for the other streets.
    l. Showing traffic calming devices on all public streets.
    m. Showing driveways that meet the requirements of BGMC 12.116.243 and 12.116.246.
    n. Showing traffic mitigation at SR 503 & NW Onsdorff Boulevard, Grace Avenue & East Main Street, 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.
    o. Showing water lines extending to extreme property lines.
    p. Showing each residential lot having its own individual water service
    q. Showing FE-26 (30-inch), FE-27 (27-inch), a portion of FE-28 (15-inch), if applicable, depending on northern termination of FE-27 sewer lines being installed in SE Grace Avenue and a portion of FM-D (12-inch).
    r. Showing sewer lines extending to extreme property lines.
    s. Showing each lot having its own individual sanitary lateral.
    t. Showing each commercial lot having a sampling manhole and applicable easement.

u. Showing fire hydrants meeting spacing requirements throughout the subdivision.
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.

3. Provide a photometric plan for all access points, intersections, frontage roads out to centerline, and any existing lights to ensure that proposed lights meet IES RP-8-00 standards.
4. Submit a hydrology report that addresses all requirements found in BGMC 18.250.
5. Submit a SWPPP that meets Department of Ecology requirements.
6. Submit proof of engineering plan approval by Clark Public Utilities for the water improvements.
7. Submit a construction cost estimate for required public and applicable private improvements for review and approval by the City Engineering Department
8. 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.

B. <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 fee of $4,576.23.
3. Construct the mitigation measures for the failing intersection of Grace Avenue & East Main Street or pay the mitigation fee of $17,217.70.
4. Construct the mitigation measures for the failing intersection of SR 503 & SW Eaton Boulevard or pay the mitigation fee of $50,599.89
5. Construct the mitigation measures for the failing intersection of SW 20th Avenue & SW Eaton Boulevard or pay the mitigation fee of $41,245.20.
6. Submit a final plat:
   a. That shows easements for public utilities not located in the right-of-way.
   b. With the following note: "No fences are allowed in the sight distance triangle."
   c. With the following note: "All utilities are to be located outside of the sidewalk section and to be underground where possible."
   d. With the following note: "The City of Battle Ground has no responsibility to improve or maintain the private streets, including streetlights and signs, contained within, or private streets providing access to, the property designed in this development."
   e. With a note describing the maintenance responsibilities of each lot owner for the private streets.
   f. With a note specifying the party/s responsible for long-term maintenance of stormwater facilities.
   g. That shows where any control monuments have been placed.
   h. That shows the dedication of any public roads or alleys.
   i. Redesign lot 2 to have 50-feet in frontage.
7. Submit a two-year stormwater maintenance contract for review and/or approval.
8. If LID improvements are incorporated into the project, provide appropriate stormwater covenants.
9. Provide certification that private streets were built per BGMC 12.116.140.

10. Submit a private maintenance agreement for private streets.
11. Submit a signed Bill of Sale for sewer system.
12. Provide a final wetland mitigation plan.
13. Provide a final Oregon White Oak mitigation plan.

C. 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. Submit a letter 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.

D. Prior to Construction of the Site:

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. Contact the Planning Customer Service Clerk at (360) 342-5047 to schedule an appointment.

E. Prior to Creation of Impervious Surface:

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

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, parking, and building height requirements of the MU-R zoning district and BGMC's residential chapter.
4. Future commercial uses shall be in compliance with Table 17.122.020-1.

5. Residential buildings shall meet the design standards of BGMC 17.106.040 at building permit issuance.
6. Future commercial buildings on lots 1 and 2 shall submit for site plan review.

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. Adhere to all recommendations in the final *Critical Areas Assessment and Mitigation Plan* agreed upon with Department of Ecology and Army Corps of Engineers.
3. Adhere to the final Oregon White Oak mitigation plan.
4. Coordinate any water quality recommendations in reference to Ecology's e-mail dated May 22, 2019.
5. Applicant shall limit construction hours per BGMC, which states construction activity for commercial development may occur from 7 am to 9 pm Monday through Friday, 8 am to 9 pm on weekends.

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.

EXHIBIT #	DESCRIPTION	
A	Staff Report and Recommendation for Cedar Heights Subdivision dated April 22, 2019	
1	Application (Subdivision, Road Modification, SEPA, Critical Areas)	These Exhibits are contained in the Applicant's Submittal Packet
2	Applicant's Narrative	
3	SEPA Checklist	
4	GIS Packet	
5	Deed History	
6	Traffic Impact Study dated March 29, 2019	
7	Reduced Development Plans	
8	Geotechnical Report dated September 6, 2018	
9	Preliminary Hydrology Report - Technical Information Report dated November 1, 2018	
10	Road Modification Request dated March 29, 2019	
11	School District Letter dated November 8, 2018	
12	Cultural Resources Coversheet, August 20, 2018	
13	Wetland Delineation & Assessment – 20' ROW dated September 10, 2018	
14	Critical Areas Report dated June 24, 2016	
15	Preliminary Oregon White Oak Critical Hab. Plan dated March 20, 2019	
16	Preliminary Wetland Mitigation Plan dated March 12, 2019	
17	Letter from Battle Ground Public Schools received May 21, 2019	
18	Letter from Washington Department of Ecology received May 22, 2019	
19	E-mail from Ms. Murphin received May 29, 2019 – after comment period	
20	Revised Traffic Study dated June 13, 2019	
21	Collision Report Memo dated June 14, 2019	
22	Working Exhibit List dated June 13, 2019	

V. APPEAL

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

VI. PRELIMINARY PLAT

