



City of Battle Ground

Community Development Department
109 SW 1st Street, Suite 127, Battle Ground, WA 98604
360.342.5047

November 23, 2016

RE: Urban Growth Boundary Expansion Update

Dear Property Owner,

Your property, identified in Attachment A, was proposed to be within the City of Battle Ground's Urban Growth Boundary as part of the 2015 to 2035 Comprehensive Plan Update. This expansion request is being contested, and the City will not likely prevail in this effort. The City has a continued long term interest to grow toward the west into this area, but it will be approximately 8 years before another expansion effort can be made based on state law. In the meantime, the City is recommending that Clark County place an Urban Reserve 10-acre overlay zone in this area. While most of the properties in this area are already divided to approximate 5 acre lot sizes, this Urban Reserve overlay would assure that the properties are not further subdivided. As a result, this would allow for this area to more easily convert to urban uses in the future.

Attachments included in this letter are a map of the area, the definition of "Urban Reserve Overlay," and the section of Clark County's Code that regulates the Urban Reserve Overlay.

Please let us know of any concerns you may have or if we could answer any further questions. The Community Development Director, Erin Erdman, and I will make an effort to reach out to you either by phone or in person on November 28 or 29.

Sincerely,

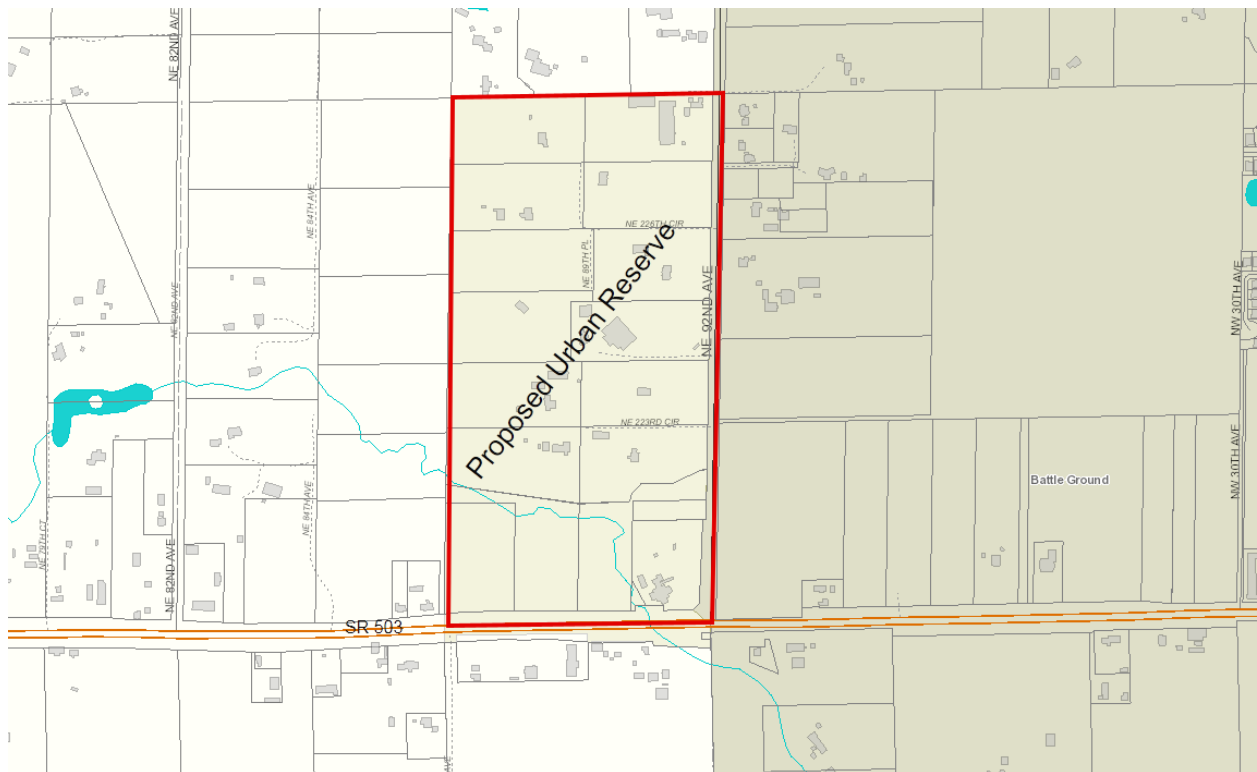
A handwritten signature in black ink, appearing to read "Sam Crummett", with a stylized flourish at the end.

Sam Crummett
Planning Supervisor

ATTACHMENT A – Map
ATTACHMENT B – Urban Reserve Definition
ATTACHMENT C – Urban Reserve Overlay Regulations

ATTACHMENT A – Map

Proposed Urban Reserve 10-acre district. This area is bordered by State Route 503 on the south and NE 92nd Avenue to the east.



ATTACHMENT B – Urban Reserve Definition

OVERLAYS

An overlay is applied on top of one or more previously established land use designations or zoning districts, establishing additional or stricter standards and criteria.

These lands are on the fringe of the Urban Growth Boundaries. This designation is intended to protect areas from premature land division and development that would preclude efficient transition to urban development. For the 2016 comprehensive plan update, the county proposes one comprehensive plan Urban Reserve overlay implemented by Urban Reserve-10 zoning overlay for future urban residential development and Urban Reserve-20 for all other types of future urban land development.

ATTACHMENT C – Urban Reserve Overlay Regulations

Clark County Code

40.250.100 Urban Reserve Overlay (UR-10, UR-20)

A. Purpose.

These lands are identified as being possible future additions to urban growth areas and may be added to the urban area as necessary through amendments to the comprehensive plan. These lands are on the fringe of the urban growth boundaries. The purpose of the urban reserve overlay is to protect areas from premature land division and development that would preclude efficient transition to urban development. The urban reserve overlay is implemented by Urban Reserve-10 (UR-10) for future urban residential development and Urban Reserve-20 for all other types of future urban development.

1. Urban Reserve-10 (UR-10). The Urban Reserve-10 overlay is to protect land identified on the fringe of urban growth boundaries from premature land division and development that would preclude efficient transition to urban development.
 2. Urban Reserve-20 (UR-20). The Urban Reserve-20 overlay is to protect rural land on the fringe of urban growth boundaries from premature land division and development that would preclude efficient transition to large-scale nonresidential development.
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B. Uses.

1. The uses set out in Table 40.250.100-1 are examples of uses allowable in the urban reserve overlay.
 2. The appropriate review authority is mandatory.
 - “P” – Uses allowed subject to approval of applicable permits.
 - “R/A” – Uses permitted upon review and approval as set forth in Section [40.520.020](#).
 - “C” – Conditional uses which may be permitted subject to the approval of a conditional use permit as set forth in Section [40.520.030](#).
 - “X” – Uses specifically prohibited.
 3. In addition to the criteria in Section [40.520.030](#), in order to be approved, the following criteria shall be met by all conditional uses:
 - a. Permanent structures or facilities shall be designed and located to provide for the orderly extension of public roads, water and sewer to the site and surrounding urban reserve properties.
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- b. All necessary road, drainage and other rights-of-way or easements necessary to ensure that future urban development will occur in an orderly manner shall be identified and approved by the county engineer and dedicated or otherwise protected.
 - c. The property owner shall submit with the conditional use application a signed agreement(s) between the property owner and the service provider(s) that obliges the property owner to connect to public sewer and water when each becomes available within three hundred (300) feet of the site. The agreements must be consistent with Section [40.370.010](#).
4. In addition to the criteria in Section [40.520.030](#), in order to be approved, the following criteria shall be met by all schools:
 - a. The proponent shall demonstrate that the proposed site is more suitable than specific alternative sites within the existing urban growth area. The proponent shall address suitability criteria, which include property size, topography, zoning, surrounding land uses, transportation (including adequacy of roads and transit services), environmental concerns and location within the area to be served.
 - b. Schools shall be located within one-quarter (1/4) mile of the urban growth boundary unless the applicant demonstrates no suitable property is available.
5. Where there are special use standards or restrictions for a listed use, the applicable code section(s) in Chapter [40.260](#), Special Uses and Standards, or other applicable chapter is noted in the “Special Standards” column.

Table 40.250.100-1. Uses.			
	UR-20	UR-10	Special Standards
1. Residential.			
a. Single-family dwellings and accessory buildings, including one (1) guest house	P	P	40.260.010
b. Family day care centers	P	P	40.260.160
c. Adult family homes	P	P	40.260.190
d. Home business – Type I	P	P	40.260.100
e. Home business – Type II	R/A	R/A	40.260.100
f. Bed and breakfast establishments (up to two (2) guest bedrooms)	R/A	R/A	40.260.050
g. Bed and breakfast establishments (three (3) or more guest bedrooms)	C	C	40.260.050
h. Garage sales	P	P	40.260.090
i. Residential care homes	C	C	40.260.180
j. Temporary dwellings	P	P	40.260.210
2. Services, Business.			
a. Commercial nurseries predominantly marketing locally produced plants and associated landscaping materials	R/A	R/A	
b. Roadside farm stand	P	P	40.260.025
c. Agricultural market	P	P	40.260.025
d. Veterinary clinics	C	C	
e. Commercial kennels on a parcel or parcels five (5) acres or more	R/A	R/A	40.260.110

Table 40.250.100-1 . Uses.			
	UR-20	UR-10	Special Standards
f. Private kennels	P	P	40.260.110
g. Animal boarding and day use facilities	P	P	40.260.040
3. Services, Amusement. ³			
a. Publicly owned recreational facilities, services, parks and playgrounds ³	P	P	40.260.157
b. Private recreation facilities, such as country clubs and golf courses, including such intensive commercial recreational uses as golf driving range, race track, amusement park, paintball facilities, or gun club ³	C	C	
c. Golf courses	C	C	
d. Equestrian facility on parcels less than five (5) acres	C	C	40.260.040
e. Equestrian facility on parcels five (5) acres or greater	P	P	40.260.040
f. Equestrian events center	C	C	40.260.040
g. Outdoor public entertainments, amusements and assemblies	R/A	R/A	Chapter 5.32
4. Services, Membership Organization.			
a. Churches	C	C	
5. Services, Educational. ³			
a. Public or private schools, but not including business, dancing or technical schools ³	C	C	40.260.160
6. Public Service and Facilities. ³			
a. Ambulance dispatch facilities ³	C	C	40.260.030
b. Government facilities ³	C ¹	C ¹	
7. Resource Activities.			
a. Agricultural and forestry, including any accessory buildings and activities	P	P	40.260.080
b. Silviculture	P	P	40.260.080
c. Housing for temporary workers	P	P	40.260.105
8. Other.			
a. Utilities, structures and uses including but not limited to utility substations, pump stations, wells, watershed intake facilities, gas and water transmission lines	P	P	40.260.240
b. Solid waste handling and disposal sites	C	C	40.260.200
c. Wireless communications facilities	P/C ²	P/C ²	40.260.250
d. Cemeteries and mausoleums, crematoria, columbaria, and mortuaries within cemeteries; provided, that no crematorium is within two hundred (200) feet of a lot in a residential district	C	C	
e. Temporary uses	P	P	40.260.220
f. Electric vehicle infrastructure	P	P	40.260.075
g. Medical marijuana collective gardens	X	X	
h. Marijuana-related facilities	X	X	

¹ Government facilities necessary to predominantly serve the area outside urban growth boundaries, including fire stations, ambulance dispatch facilities and storage yards, warehouses, or similar uses.

² See Table 40.260.250-1.

³ Once a property has been developed as a public facility, a docket is required to change the comprehensive plan designation from the current zone to the Public Facilities zone.

C. Development Standards.

1. New lots and structures and additions to structures subject to this section shall comply with the applicable standards for lots and building height, and setbacks in Tables 40.250.100-2 and 40.250.100-3 subject to the provisions of Chapter [40.200](#) and Section [40.550.020](#).

Table 40.250.100-2 . Lot Requirements.			
Overlay	Minimum Lot Area (acres)	Minimum Lot Width (feet)	Minimum Lot Depth (feet)
UR-20	20 ^{1, 3}	350 ²	None
UR-10	10 ^{1, 3}	350 ²	None

¹ Utilities, structures and uses including but not limited to utility substations, pump stations, wells, watershed intake facilities, gas and water transmission lines and telecommunication facilities may be permitted on newly approved lots of less than the minimum parcel size.

² Unless a greater width shall be required by the Clark County fire code.

³ Legal nonconforming lots are eligible for boundary line adjustments if each lot meets the minimum parcel size of the underlying zone and the lots are contiguous.

Table 40.250.100-3 . Setbacks, Lot Coverage and Building Height.						
Overlay	Minimum Setbacks ⁴				Maximum Lot Coverage	Maximum Building Height (feet)
	Front (feet)	Side		Rear (feet) ²		
		Street (feet)	Interior (feet) ¹			
UR-20	50	20, 50 ¹	20, 50	20, 50	N/A	35, 50 ³
UR-10	50	20, 50 ¹	20, 50	20, 50	N/A	35, 50 ³

¹ Side Setback. Minimum side setback on each side of the residential dwelling and incidental buildings shall be twenty (20) feet unless fire regulations require a greater setback, and fifty (50) feet for accessory buildings used for agricultural purposes. Side setbacks from abutting property zoned agricultural or forestry shall be a minimum of fifty (50) feet for all structures. Side setbacks from abutting property zoned for surface mining uses shall be one hundred fifty (150) feet, unless a lesser setback is approved per Section [40.250.022\(D\)\(2\)\(b\)](#).

² Rear Setback. Minimum rear setback for all structures when the abutting property is not zoned for natural resource or surface mining uses is twenty (20) feet unless fire regulations require a greater setback. Minimum rear setback for all structures shall be fifty (50) feet when abutting property is zoned for natural resource uses. Rear setbacks from abutting property zoned for surface mining uses shall be a minimum of one hundred fifty (150) feet for all structures, unless a lesser setback is approved per Section [40.250.022\(D\)\(2\)\(b\)](#).

³ *Thirty-five (35) feet for residential structures, fifty (50) feet for nonresidential structures.*

⁴ *Nonconforming lots subject to the provisions of Section [40.530.010\(D\)\(2\)](#).*

2. Signs. Signs shall be permitted according to the provisions of Chapter [40.310](#).

3. Off-Street Parking. Off-street parking shall be provided as required in Chapter [40.340](#).

(Amended: Ord. 2016-06-12; Ord. 2016-09-04)