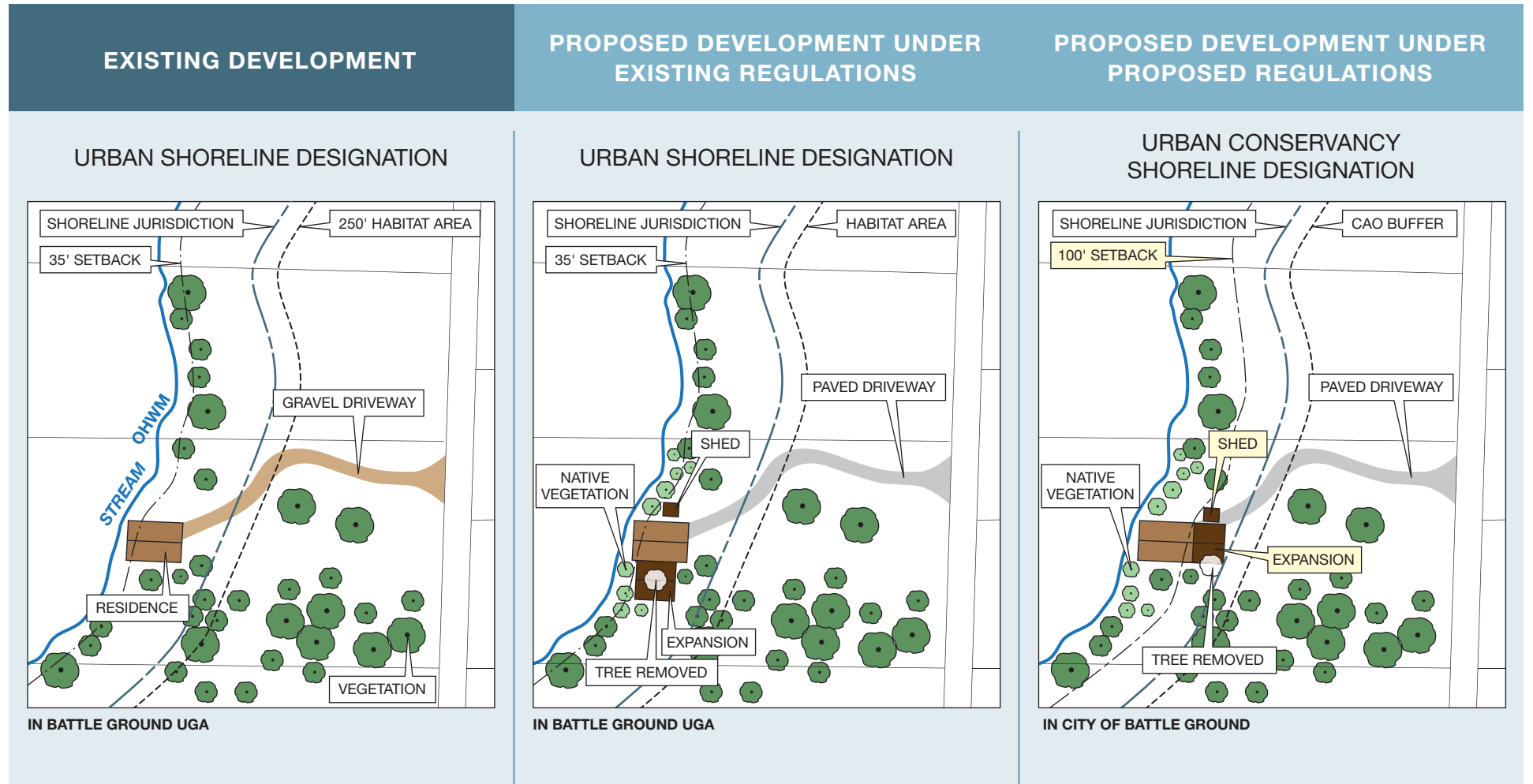


Expansion of Nonconforming Residential Development

R1-20/R-3 ZONING DISTRICT



EXISTING DEVELOPMENT

The property in this scenario is at first in the city of Battle Ground's urban growth area (UGA) and then annexed into the city. Properties in the City's UGA must comply with Clark County regulations. Once a property is annexed into the city it would have to comply with City regulations.

Under existing regulations, the property is located in an Urban Shoreline Environment Designation, zoned R1-20, and is currently developed with a single-family house and a gravel driveway. A Rural-20 (R1-20) zone allows a single-family house on a minimum lot area of 20 acres. There is a habitat area located 250' from the ordinary high water mark (OHWM) (extends to the edge of the 100-year floodplain if greater). Development within this area may be limited and may be required to retain or provide native vegetation. The property is considered nonconforming under existing regulations because the house is built within the habitat area and residential structure setback of 35'.

Under proposed regulations, the property is located in the city of Battle Ground, in an Urban Conservancy Shoreline Designation, zoned R-3, and is currently developed with a single-family house and a gravel driveway. A Residential-3 (R-3) zone allows single-family houses at a 3 unit per gross acre density. The property is considered nonconforming under proposed regulations because the house is built within a required critical area buffer and residential structure setback of 100'.

PROPOSED DEVELOPMENT

- Remodel and expand single-family house by 50% of the existing footprint, triggering a clearing review process under proposed regulations.
- Pave driveway.
- Plant native vegetation in buffer to mitigate for impacts on existing trees.

EXISTING CLARK COUNTY SMP REGULATIONS

1. Plans for residential developments should include provisions to ensure preservation of shore vegetation.
2. Residential structures must meet a minimum structure setback of 35' from the OHWM.
3. A nonconforming building may be maintained or repaired, provided the improvements do not extend or expand the nonconformity of the building.
4. The SMP does not establish specific regulations for accessory structures.
5. Facilities for storm drainage must be provided separately from sewage disposal systems, and designed to prevent degradation of water quality.

PROPOSED CITY OF BATTLE GROUND SMP REGULATIONS

1. A 250' critical area buffer from the OHWM is required. Development within these buffers may be limited and may be required to retain or provide native vegetation. Expansion of an existing home inside a buffer is allowed without a clearing review process only if the expansion does not exceed 25% of the existing footprint in 2004 or 1,000 square feet, whichever is less.
2. Residential structures must meet a minimum structure setback of 100' from the OHWM.
3. Same as Existing Regulation #3.
4. Accessory uses and facilities must be located outside setbacks and critical areas and buffers unless allowed to promote community access and recreational opportunities.
5. Same as Existing Regulation #5.