

**Chapter 17.106
RESIDENTIAL DISTRICTS (R3, R5, R7, R10,
R12, R16, R20)**

Sections:

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17.106.010 Purpose.

It is the city's intent that residential neighborhoods be developed and preserved against intrusions by incongruous land uses.

These districts are intended to: recognize, maintain and protect established residential areas; establish densities where a full range of community services and facilities are present or will be present at the time of development; and provide for additional related uses such as schools, parks, churches and other uses necessary to serve the immediate residential areas.

A. The R3, R5 and R7 districts are intended to establish and recognize existing neighborhoods that are predominantly occupied by detached residential structures. These districts allow between three and seven units per acre. New development will be predominantly detached residential with flexibility to provide attached units and allow for a variety of lot sizes. The application of the districts to individual areas will be based on existing development patterns, access to goods and services and environmental constraints.

B. The R10, R12, R16 and R20 districts are intended to establish new and recognize existing neighborhoods of higher residential densities composed of both attached and detached housing. New development is predominantly attached housing with allowances and flexibility to provide small lot detached housing. The application of the districts to individual areas will be based on existing development patterns, access to goods and services and environmental constraints. (Ord. 04-024 § 16 (part), 2004; Ord. 99-004 § 4 (part), 1999)

17.106.020 Permitted uses.

The following list includes the uses that are permitted, conditional or prohibited in the residential zones. “P” means permitted outright, “C” means permitted via a conditional use permit, “X” means prohibited.

Table 17.106-1

Permitted Uses in Residential Zones

Use	R3	R5	R7	R10	R12	R16	R20
Churches, including cemeteries and customary accessory buildings and uses, subject to BGMC 17.135.050	C	C	C	C	C	C	C
Single-family detached buildings	P	P	P	P	P	P	P
Cottage housing	P	P	P	P	P	P	X
Single-family detached buildings, existing	P	P	P	P	P	P	P
Single-family attached dwellings (townhouses)	X	X	P	P	P	P	P
Two-family dwellings (duplexes)	X	X	C	P	P	P	X
Two-family dwellings (duplexes) on corner lots	X	P	P	P	P	P	X
Manufactured homes on individual lots, subject to the requirements of BGMC 17.135.102	P	P	P	P	P	P	P
Accessory apartments, subject to BGMC 17.135.010							
Attached	P	P	P	P	P	P	P
Detached	P	P	P	P	P	P	P
Adult care homes (six or fewer residents) as defined in BGMC 17.103.020	P1	P1	P1	P1	P1	P1	P1
Group living (seven or more residents) as defined in BGMC 17.103.325	C	C	C	C	C	C	C
Transitional housing as defined in BGMC 17.103.700	X	X	X	X	X	C	C
Apartments	X	X	C	P	P	P	P
Manufactured home parks, subject to BGMC 17.135.100	X	X	X	X	C	C	C

Commercial day care centers as part of a project incorporating residential units meeting the minimum densities of Table 17.106-2	X	X	X	X	P	P	P
Family day care centers as regulated by RCW 35.63.185 and with conformity demonstrated through the city's business license program	P	P	P	P	P	P	P
Carports and garages	P	P	P	P	P	P	P
Utility storage buildings and implement sheds	P	P	P	P	P	P	P
Guest houses, but not including accessory apartments	P	P	P	X	X	X	X
Swimming pools and tennis courts	P	P	P	P	P	P	P
Gardens and noncommercial greenhouses	P	P	P	P	P	P	P
Home occupations, defined in BGMC 17.103.360 and subject to the supplementary regulations of BGMC 17.135.090	P	P	P	P	P	P	P
Clubs, lodges, fraternal institutions and other places of assembly for membership groups	C	C	C	C	C	C	C
Neighborhood retail, pursuant to BGMC 17.106.050	P	P	P	P	P	P	P
Accessory uses and structures normally incidental to one or more permitted principal uses	P	P	P	P	P	P	P
Parks, playgrounds	P	P	P	P	P	P	P
Golf courses and country clubs	C	C	C	C	C	C	C
Public and semipublic buildings, structures and uses including public and private schools	P	P	P	P	P	P	P

1. Adult care homes are permitted by right subject to an inspection by the building official for compliance with applicable state law.

(Ord. 15-04 § 23 (part), 2015; Ord. 13-07 § 16, 2013; Ord. 06-07 § 3, 2006; Ord. 05-014 § 2, 2005; Ord. 04-024 § 16 (part), 2004; Ord. 00-024 § 2 (part), 2000; Ord. 00-004 § 1(B), 2000; Ord. 99-004 § 4 (part), 1999)

17.106.030 Dimensional requirements.

Dimensional requirements within the residential districts shall be in accordance with Table 17.106-2.

Table 17.106-2

Residential Lot Development Standards

		R3	R5	R7	R10	R12	R16	R20
Minimum average lot area (square feet)		10,500	6,300	4,500	N/A	N/A	N/A	N/A
Minimum average lot area for density transfer (square feet)		8,000	4,600	3,300	N/A	N/A	N/A	N/A
Minimum lot area (square feet)		6,300	4,000	3,000	2,000	2,000	2,000	2,000
Maximum density (units per gross acre)		3	5	7	10	12	16	20
Minimum density (units per net acre) ¹		N/A	N/A	N/A	5	6	8	10
Minimum lot frontage (feet)		30	25 ²	20 ²	20 ²	16 ²	16 ²	16
Minimum setbacks (feet)	Residence front yard ³	Minimum 10'	Minimum 10'	Minimum 10'	Minimum 10'	Minimum 10'	Minimum 10'	Minimum 10'
	Garage (minimum) ⁴	20	20	20	20	20	20	20
	Side yard ⁵	5	5	5	5	5	5	5
	Street side yard	10	10	10	10	10	10	10
	Rear yard ⁴	20 ⁸	20 ⁸	10	10	10	10	10
Minimum distance		20	14	10	10	10	10	10

between principal buildings (feet)							
Maximum lot coverage (%)	35	40	45	50	60	70	80
Maximum height (feet)	35	35	35	35	45	45	45
Front yard landscape strip (feet)	N/A	N/A	N/A	N/A	10	10	10
Side yard landscape strip (feet)	N/A	N/A	N/A	N/A	5	5	5
Minimum landscaped open space (%)	N/A	N/A	N/A	20 ⁶	20 ⁶	20 ⁶	20 ⁶

- 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 For townhouse or single-family detached development, the minimum landscaped area shall apply to the project as a whole and each individual lot.
- 7 *Reserved.*
- 8 A rear yard setback abutting a park, open space, wetland, or other critical area may be reduced to ten feet.

(Ord. 16-15 § 2 (part), 2016; Ord. 13-07 § 17, 2013; Ord. 06-07 § 4, 2006; Ord. 04-024 § 16 (part),

2004: Ord. 00-024 § 2 (part), 2000; Ord. 00-004 § 1(C), 2000; Ord. 99-004 § 4 (part), 1999)

17.106.035 Density transfer provisions.

- A. To provide for the protection of natural resources and to meet the density goals of the comprehensive plan, density may be transferred from one portion of a site due to wetland, greenway or critical area regulations to other buildable portions of the site consistent with the requirements of this section.
- B. In no case shall any portion of a residential development exceed one hundred twenty percent of the density permitted by the underlying zone, and in no case shall the overall density of a residential development exceed the density permitted by the base zone.
- C. Density transfer provisions shall be limited to development within the R3, R5, and R7 zoning districts.
- D. Portions of sites identified as sensitive due to the presence of steep slopes, unstable land, historical or archaeological sites, wetlands and buffers, commons, land voluntarily or mandatorily set aside for parks and open space or other permanent physical development limitations, as may be determined or approved by the planning director or hearing examiner, may be eligible for transfer of density. Land set aside or encumbered to accommodate the facilities, utilities or rights-of-way that, including required or existing rights-of-way, stormwater facilities or other utilities required to serve the development, shall not be eligible for density transfer, except as provided for in Chapter 17.128 BGMC, Parks, Recreation and Open Spaces.
- E. The maximum number of units which can be transferred is limited to the number of whole units (fractions of units shall be rounded down) which would have been allowed on the unbuildable area described in subsection D of this section, not to exceed one hundred twenty percent of the maximum density allowed by the base zone on any portion of the site, as set forth in Table 17.106-2; provided, however, the maximum number of units shall be calculated based on the gross area of the site, minus any public road right-of-way. The maximum density allowed on any site shall not exceed that permitted by the base zone, and will be dependent upon site characteristics and other factors. Nothing in this subsection shall be construed as to guarantee a minimum density on a given site. (Ord. 04-024 § 16 (part), 2004)

17.106.040 Single-family and duplex design standards.

- A. Applicability. The provisions of this section shall apply to all new residential development projects within the city of Battle Ground.
- B. Architectural Variety. To assure variety in architecture and to reduce the dominance of garages on the streetscape, the following provisions shall apply to new single-family dwellings and duplex structures:

1. No five contiguous lots shall have repetitious facades. Each single-family residence shall contain a covered front porch or entry. Facades shall be substantially different beyond mirrored plans and shall contain at least three of the following design features:

- a. Dormers;
- b. Bay windows;
- c. Pillars or post;
- d. Varied facade with at least three offset walls;
- e. Varied rooflines such as hipped or pitched roofs;
- f. Window trim (minimum three inches wide);
- g. Decorative patterns on exterior finish (e.g., scales/shingles, wainscoting, and similar features);
- h. Use of contrasting materials, such as brick or stone, on a minimum of twenty-five percent of the facade;
- i. Other architectural elements that the planning director finds compatible with the residential character of the subdivision, not including color, glass or lighting.

2. Garages. These additional design standards are for garages and only apply to the primary front setback:

- a. Attached front-loaded garages shall be set back a minimum of four feet behind the habitable portion of the structure.
- b. Attached front-loaded garages can be set forward as long as they are no more than four feet in front of the habitable portion of the structure and at least two additional variation items from subsection (B)(1) of this section are installed.
- c. Attached side-loaded garages shall have windows, doors or other architectural treatments covering at least thirty percent of the wall facing the street.
- d. Detached garages shall be set back behind the front edge of the primary residential building unless approved by the planning director.

3. Alleys. Where houses are served by alleys, all garages and on-site parking shall be accessible from the alley and the facade of the house facing the public street shall be designed

as the front of the house including, but not limited to, a primary building entrance consisting of inward swinging door(s), porches, windows and pathways to the public sidewalks. (Ord. 16-15 § 2 (part), 2016; Ord. 15-04 § 23 (part), 2015; Ord. 13-07 § 18, 2013; Ord. 09-08 § 11, 2009; Ord. 07-15 § 6, 2007; Ord. 05-014 § 3, 2005; Ord. 04-024 § 16 (part), 2004; Ord. 01-006 § 1, 2001; Ord. 99-004 § 4 (part), 1999)

17.106.050 Neighborhood retail.

A. Neighborhood Retail. Neighborhood retail uses shall be permitted as a conditional use pursuant to Chapter 17.148 BGMC throughout all residential districts, unless the neighborhood retail site was approved through the subdivision review process, subject to the provisions of site plan approval (Chapter 17.143 BGMC). The following criteria shall be met for neighborhood retail uses:

1. Uses shall be limited to the following:
 - a. Retail sales of groceries or disposable household items;
 - b. Personal service establishments;
 - c. Professional offices;
 - d. Restaurants and other food service establishments not exceeding one thousand square feet in seating area.
2. No single building housing a collection of uses shall have more than four thousand square feet of gross floor area dedicated to nonresidential uses. All neighborhood retail uses shall be enclosed in a single building.
3. Neighborhood retail uses shall be located on a parcel that is sufficient to accommodate all required development standards and conditions but which does not exceed fifteen thousand square feet.
4. No neighborhood retail use shall be located within one-quarter mile of any other commercial retail use or commercial zone.
5. Neighborhood retail uses shall be on lots located at the corner of the intersection of two public streets, one of which shall have a functional classification of major collector or higher and both of which shall have sidewalks.
6. Buildings shall observe the setbacks required in the zone within which they are located, but shall have no parking or maneuvering separating the building and the sidewalk.
7. At least fifty percent of the street-facing facade shall be comprised of windows or open store fronts that allow views into the building. No reflective coating or other method of limiting views is

permitted.

8. Buildings shall be designed with respect to height, scale, massing and architectural feature and constructed with materials that are compatible with surrounding neighborhood architecture.

9. Signs associated with neighborhood retail uses shall not exceed thirty-two square feet in area and five feet in height, shall not be internally lit, neon or flashing, and shall be subject to all other applicable provisions of Chapter 17.139 BGMC, Signs.

10. Neighborhood retail uses shall provide parking consistent with Chapter 17.133 BGMC to a maximum of seven off-street parking spaces. On-street parking may be utilized to meet this requirement. Off-street parking shall be located to the side or rear of the building. All other provisions of Chapters 17.133 and 17.143 BGMC shall be applicable.

11. The side and rear property lines shall be improved with a B3 buffer, with fencing associated with such buffer in compliance with BGMC 17.135.080.

12. Neighborhood retail uses shall be restricted to the ground floor of the structure they occupy.

13. Residential uses are permitted on the second floors of neighborhood retail buildings.

14. Drive-through, drive-up or other similar development types are not allowed. (Ord. 04-024 § 16 (part), 2004; Ord. 99-004 § 4 (part), 1999)

17.106.060 Cottage housing standards.

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.

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.

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

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.

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.

- 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.
- 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.
- 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.
- 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.
- J. Interior fences may not exceed thirty-six inches in height.
- 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.
- L. Each cottage shall be located on a separate lot or shall be a condominium. (Ord. 09-08 § 12, 2009; Ord. 07-15 § 10, 2007; Ord. 04-024 § 16 (part), 2004)

17.106.070 Multifamily development standards.

In addition to the standards required through site plan review or other chapters of this title, the following provisions shall apply to multifamily development:

- A. Building Location and Orientation. Multifamily development shall be constructed consistent with the following requirements:
 - 1. Parking lots shall be located to the side and/or behind buildings designed pursuant to Chapter 17.133 BGMC.
 - 2. Units adjacent to public or private streets shall have the primary building entrances located on the facade facing the street or meet additional architectural variety standards.
- B. Pedestrian Access and Circulation. Pedestrian access routes shall be provided from the public street(s) to all primary building entrances in the form of a continuous separated pathway of at least five feet in width. Pedestrian routes that cross driveways or vehicular access aisles shall be designed pursuant to Chapter 17.133 BGMC.
- C. Building Modulation. Building facade modulation or appropriate architectural treatment shall occur at least every twenty-five feet along the length of facades facing adjacent properties or public streets.

Minimum modulation depth shall be three feet.

D. **Architectural Variety.** All building elevations facing a public or private street that do not provide primary entrances along the right-of-way must be designed with additional architectural features in the combination of windows, porches, and/or balconies.

E. **Roof Line Variation.** Roof lines shall be varied to break up the overall bulk and mass of multifamily buildings. Roof line variation shall be accomplished by using one or more of the following methods: vertical or horizontal offset ridge line, variations in roof pitch, or other technique shown to break up the overall bulk and mass of the building.

F. **Building Variation.** Developments with multiple structures shall use appropriate architectural variations and use of colors to differentiate buildings within the development.

G. **Recreation.** Apartment complex development of twelve units or more shall provide common open space/recreation areas on site for use and enjoyment of owners and residents within the development, according to the following minimum provisions:

1. The designated recreational area shall be a minimum of fifteen percent of the overall site area. Recreation space must be designed to serve as a centralized recreational facility, not merely leftover space along the edges of required yards and standard landscaping. This area may include open space area(s), play structures, sport courts, outdoor recreational features, trails and paths, community gardens or other similar types of facilities.

2. Open space/recreation areas do not include the following: parking lots, driveways, private/public street rights-of-way, required storage areas, etc. (Ord. 16-15 § 2 (part), 2016; Ord. 15-04 § 23 (part), 2015; Ord. 13-07 § 19, 2013; Ord. 04-024 § 16 (part), 2004)

17.106.080 Townhouse development standards.

In addition to the standards required through this chapter or other chapters of this title, the following provisions shall apply to townhouse development:

A. Each townhouse shall be located on its own lot of record created through a land division process.

B. No more than six townhouses shall be allowed in a single building.

C. Townhouse development shall be designed so that garage doors do not dominate the ground level street-facing facade. This can be accomplished by accessing garages by an alley, limiting garage doors to no greater than fifty percent of length of the street-facing building facade, or by other method approved by the review authority. (Ord. 04-024 § 16 (part), 2004)

17.106.090 Institutional and nonresidential development standards.

In order to address impacts and increased incompatibility between residential and nonresidential development, nonresidential uses and institutional uses not addressed elsewhere in this title shall comply with the following provisions:

- A. Landscaped buffers of ten feet in width and meeting the B2 standard shall be provided along all property lines which abut a residentially zoned property.
- B. A paved pedestrian connection a minimum of six feet in width shall be provided from the public street(s) serving the site to the primary building entrance.
- C. Off-street parking shall be located behind or to the side of the building.
- D. Buildings shall be oriented towards and located not more than thirty feet from the front property line, or shall be designed to provide clear and unfettered pedestrian access to the building and add design elements to the building facade that create a sense of arrival.
- E. A minimum of twenty percent of the site shall be landscaped. (Ord. 06-07 § 5, 2006; Ord. 04-024 § 16 (part), 2004)

**Chapter 17.122
MIXED USE DISTRICTS (MU-R, MU-E)**

Sections:

- [17.122.010](#) Purpose.
- [17.122.020](#) Permitted uses.
- [17.122.030](#) Dimensional requirements.
- [17.122.050](#) Mixed use development requirements.
- [17.122.060](#) Mixed use—Design standards.
- [17.122.070](#) Master planning.

17.122.010 Purpose.

A. Mixed Use Residential (MU-R). The mixed use residential district is intended to provide for a mix of complementary designed and located residential uses, including single-family and multifamily uses, attached and detached, condominiums and special living facilities, with the opportunity for retail and services as subservient uses on a project and district level (less than twenty-five percent of total development). The district should strive to achieve project sites designed for pedestrian, bicycle and vehicle access and circulation and connections to the adjacent land uses. It should also create public focal points and activity centers and provide a sense of community for the occupants and the neighborhood.

B. Mixed Use Employment (MU-E). The mixed use employment district is intended to provide a mix of mutually supporting business and professional services, research, business, and corporate offices, retail and services, with the opportunity for residential as a subservient use on a project and district level (less than twenty-five percent of the total development). (Ord. 04-024 § 20 (part), 2004)

17.122.020 Permitted uses.

The following list includes the uses that are permitted, conditional, or prohibited in the mixed use zones. “P” means permitted outright, “C” means permitted via a conditional use permit, “X” means prohibited.

Table 17.122.020-1		
Use	MU-R	MU-E
RESIDENTIAL		
1. Accessory apartments, subject to BGMC 17.135.010		

a. Attached	P	P
b. Detached	P	P
2. Apartments and condominiums (condominiums subject to BGMC 17.135.110)	P	P
3. Accessory uses and structures normally incidental to one or more permitted principal uses	P	P
4. Cooperative (marijuana)	X	X
5. Family child care home as regulated by RCW 35.63.185 and with conformity demonstrated through the city's business license program	P	P
6. Guest houses, but not including accessory apartments	P	X
7. Home occupations, defined in BGMC 17.103.360 and subject to the supplementary regulations of BGMC 17.135.090	P	P
8. Mobile home parks subject to BGMC 17.135.100	X	X
9. Manufactured home parks, subject to BGMC 17.135.100	X	X
10. Manufactured homes	X	X

on individual lots		
11. Residences for a caretaker or night watchman	P	P
12. Residential, institutionalized, such as personal-care homes, adult family homes, nursing homes, convalescent homes, group homes, continuing care retirement facilities and similar uses		
a. < 5 residents	P	P
b. 5—10 residents	P	P
c. > 10 residents	C	P
13. Single-family detached buildings	P	X
14. Single-family detached buildings, existing	P	P
15. Single-family attached dwellings (townhouses)	P	P
16. Two-family dwellings (duplexes)	P	P
17. Recreational facilities of a noncommercial nature, including parks, playfields and golf courses	P	P
18. Acid manufacture	X	X
19. Art galleries, libraries and museums	P	P

20. Asphalt plants	X	X
21. Auditoriums and civic centers	C	C
22. Automobile, boat, truck, tractor, motorcycle, recreational vehicle, manufactured home and other vehicle sales, service, rental and leasing, new and/or used	X	X
23. Bulk gasoline storage and fuel oil distributors	X	X
24. Bed and breakfast (as per BGMC 17.135.030)	P	P
25. Boarding and rooming houses	X	X
26. Business services operated in conjunction with one or more permitted uses	P	P
27. Cold storage plants, frozen food lockers and ice manufacture	X	P
28. Child day care centers	P	P
29. Colleges and universities	X	P
30. Churches, temples, synagogues and places of worship, including cemeteries and customary accessory	C	C

buildings and uses, subject to BGMC 17.135.050		
31. Clubs, lodges, fraternal institutions and other places of assembly for membership groups	C	C
32. Commercial recreation facilities, enclosed only	P	P
33. Commercial recreation facilities, unenclosed	X	C
34. Conical burners and incinerators, including biomedical waste	X	X
35. Contractor's establishments	X	X
36. Distribution facilities	X	P
37. Dog day care subject to BGMC 17.135.075	X	P
38. Dry-cleaning plants	X	X
39. Explosives manufacture and storage	X	X
40. Exterminators and pest control businesses	X	P
41. Fertilizer manufacture	X	X
42. Golf courses and country clubs	P	C
43. Hospital, health and medical clinics	P	P
44. Kennels	X	X

45. Landfills	X	X
46. Lumber yards, planing and saw mills	X	X
47. Machine shops	X	P
48. Manufacturing, fabrication, assembling and packaging activities, including accessory storage, for the following products and/or materials: cloth, fiber, fur and hair; electrical and communication equipment; cosmetics, drugs and pharmaceuticals; food, beverage, dairy and tobacco products; and medical, dental, optical precision and surgical instruments and equipment	X	P
49. Marijuana production, processing and research facilities	X	X
50. Marijuana retail, subject to BGMC 17.135.105	X	X
51. Manufacturing, fabrication, assembling, processing, canning, packaging, compounding, storage and treatment activities for the following activities and/or	X	C

materials: brick, concrete, cement, clay, mortar, plaster and tile; chemicals and floor coverings; extraction or removal of sand, gravel, topsoil, clay, dirt, precious metals, gems or other natural resources; and paper		
52. Offices	P	P
53. Paper and pulp mills	X	X
54. Parking garages and parking lots	X	P
55. Parks, playgrounds	P	P
56. Personal service establishments	P	P
57. Printing, publishing, bookbinding and blueprinting establishments	P	P
58. Preschools	P	P
59. Public and semipublic buildings, structures and uses	P	P
60. Radio and television studios	X	P
61. Radio, television and cellular phone towers and antennas	X	C
62. Recycling plants, including any processing facilities	X	X
63. Research and scientific laboratories	X	P

64. Lounges and taverns	P	P
65. Restaurants	P 1	P
66. Retail trade establishments, enclosed less than 5,000 sq. ft. in floor area	P	P
67. Retail trade establishments, enclosed from 5,001 sq. ft. to 25,000 sq. ft. in floor area	C	P
68. Retail trade establishments, enclosed from 25,001 sq. ft. to 50,000 sq. ft. in floor area	X	P
69. Retail trade gasoline sales, enclosed or unenclosed	X	P
70. Rubber manufacture	X	X
71. Schools, public, parochial, private, vocational, technical, business and others, nonprofit or operated for profit	P	P
72. Services, automotive, including gasoline sales	X	P
73. Services, business, health, miscellaneous and personal	P	P
74. Services, lodging	C	P
75. Storage buildings	X	P

and storage yards, for nonhazardous raw materials and finished products		
76. Tire retreading and recapping	X	X
77. Transportation, communication and utility facilities, not otherwise specifically permitted	C	P
78. Utilities and communication facilities, such as telephone exchanges, electric substations and public television stations	P	P
79. Warehouses, wholesale and storage establishments, mail order houses and distribution facilities occupying no more than 50,000 square feet of enclosed gross floor area	X	P
80. Welding shops	X	P
81. Wholesale distribution and warehousing facilities, including mail order houses, occupying more than 50,000 square feet	X	P
82. Small scale food and beverage manufacture such as bakeries and	P	P

microbreweries where the primary outlet for the goods is an on-site retail outlet		
83. Wineries, breweries and distilleries	X	P

1 Formula take-out food restaurants may not occupy more than fifty percent of any building within the mixed use residential zone. Only one formula take-out restaurant is permitted in any building.

(Ord. 16-15 § 5, 2016; Ord. 16-02 § 4, 2016; Ord. 04-024 § 20 (part), 2004)

17.122.030 Dimensional requirements.

Dimensional requirements within the mixed use residential and mixed use employment districts shall be in accordance with Table 17.122.030-1.

Table 17.122.030-1					
		MU-R		MU-E	
		Residential use	Commercial use	Residential use	Commercial use
Minimum lot area		2,000	3,000	2,000	6,000
Maximum residential density ¹		22	N/A	22	N/A
Minimum lot frontage		16	50	16	50
Minimum residential density		10	N/A	N/A	N/A
Setbacks	Front yard ^{2, 3}	10' minimum 20' maximum	0' minimum 10' maximum ³	10' minimum 20' maximum	0' minimum 10' maximum
	Garage door	20'		20'	
	Side yard	5	0	5	0
	Street side yard	10'	0' minimum 10' maximum	10'	0' minimum 10' maximum
	Rear yard	10'	10'	10'	10'
Maximum lot coverage		70%	Note 5	70%	Note 5

Maximum height ⁴	45	45	65	65
Minimum landscaped area	20%	20%	20%	20%

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 18.250 BGMC and all other applicable standards.

(Ord. 04-024 § 20 (part), 2004)

17.122.050 Mixed use development requirements.

A. Mixed Use Residential.

1. The intent of the mixed use residential district is to provide a mix of residential and commercial uses within one project and throughout the district. To accomplish this while providing flexibility of design, three development options are offered:
 - a. Full Residential Development (One Hundred Percent). The proposed development site shall be allowed to develop at one hundred percent residential; however, a provision shall be made, in compliance with Chapter [17.122](#) BGMC, to transfer the commercial development rights to another location within the mixed use residential district. This shall be done through the master planning process as outlined below in this section;
 - b. Residential Development (One Hundred Percent)—Commercial Provision. The proposed development shall provide for both residential uses and commercial use(s). The commercial portion of the development may occupy up to a maximum of twenty-five percent of the project site or floor area.

When twenty-five percent of the site is dedicated for commercial use, the residential component of the project is allowed to be built out at a density equivalent to one hundred percent of the gross site;

B. Mixed Use Employment. A mix of uses is not required within the mixed use employment district. Residential uses are permitted on up to twenty-five percent of the site area. (Ord. 04-024 § 20 (part), 2004)

17.122.060 Mixed use—Design standards.

A. The design standards of Chapter [17.106](#) BGMC, Residential Districts, shall apply to all proposed residential development within the mixed use districts, unless otherwise specified by this chapter.

B. The design standards of the commercial zoning district, BGMC 17.118.040, Design standards, shall apply to all proposed commercial development within the mixed use zoning districts, unless otherwise specified by this chapter.

C. The following design standards supplement those found above in subsections A and B of this section, and shall apply to all development proposed within the mixed use residential and the mixed use employment districts.

1. Commercial areas should be placed within walking distance (one-quarter mile) of residences;
2. Commercial buildings and uses should be located at the corner of the intersection of two public streets;
3. Pedestrian-scale elements such as canopies, awnings, porches, building overhangs and arcades, and outdoor seating are required along pedestrian-oriented streets;
4. All primary building pedestrian entrances and storefront windows shall face onto the primary street serving the site. If the site has multiple street frontages, the more pedestrian-oriented street shall take precedence;
5. The design character of an individual building should be compatible (share similar features such as color, scale, massing and height) with its neighbors but may also include other features or characteristics that are different;
6. Parking. The parking requirements shall be determined for mixed use developments by combining the requirements of the residential and the commercial uses, as established in Chapter 17.133 BGMC, Table 17.133-1. Off-street parking shall be located to the side or rear of the building(s);
7. Landscaping. The requirements of Chapter 17.131 BGMC, Aesthetics, Buffers, Compatibility and Landscaping Standards, shall apply to all proposed development within the mixed use districts;
8. Drive-up, -in or -through facilities are not permitted. (Ord. 04-024 § 20 (part), 2004)

17.122.070 Master planning.

A. Purpose. The purpose of the master plan is to facilitate the creation of vibrant, pedestrian-friendly, accessible neighborhood commercial areas. Its purpose is also to describe the land use parameters and relationships to guide future site development. The master plan shall, in a general manner, define the site layout by showing development areas by type of use, circulation patterns, site access, and open space areas and buffers. The master plan shall also illustrate the relationship between the site and adjoining properties.

B. Applicability. The provisions of this section, Master planning, shall be applicable to developments proposed under BGMC [17.122.050\(A\)\(1\)\(a\)](#).

C. Procedures. A master plan shall be processed as a Type III land use action, pursuant to Chapter 17.200 BGMC. The approval of a master plan shall have the effect of a general guide for future development within the property. The review of an individual phase or of the entire development as well as the review of any revision or change shall be in accordance with the review process described in Chapter 17.200 BGMC.

D. Review Standards.

1. The proposed development shall be consistent with applicable provisions of the development code.

2. The off-site commercial development shall be located in such a manner to be consistent with the purpose statement and development regulations for the mixed use residential district. The city shall consider the following in the review of the off-site commercial proposals:

a. The commercial uses's compatibility with surrounding uses, especially related to:

i. Site access, on-site circulation and off-street parking;

ii. Architectural design of buildings and harmonious use of materials;

iii. Landscaping and buffering of buildings, parking, loading and storage use;

iv. Light and shadow impacts;

v. Generation of noise and irritants such as noise, smoke, dust, odor, glare, vibration or other undesirable impacts;

vi. Number, size and location of signs;

b. The characteristics of the subject property;

- c. The characteristics of the proposed use(s);
 - d. The arrangement of buildings and open spaces as they relate to each other within the development site or development area;
 - e. Visual impact of the proposal on the surrounding area;
 - f. Public improvements proposed in connection with the use;
 - g. The public benefit by the proposed use.
3. All property identified in the master plan shall be developed in a manner consistent with the provisions of the master plan.
4. The applicant has the option of submitting a master plan concurrently with a specific site design. Other necessary applications, such as subdivision, binding site plan or site plan review may also be submitted concurrently. If submitted concurrently, the city shall review the applications concurrently. However, no site design or other approval shall be granted until such time as the master plan is approved. (Ord. 04-024 § 20 (part), 2004)

Chapter 17.137 INFILL RESIDENTIAL DEVELOPMENT

Sections:

- [17.137.010](#) Purpose and intent.
- [17.137.020](#) Infill development opportunities district overlay created.
- [17.137.030](#) Procedures.
- [17.137.040](#) Reduction in dimensional requirements for infill residential development.
- [17.137.050](#) Reduction in selected urban development improvement requirements for infill residential development.

17.137.010 Purpose and intent.

The purpose of this chapter is to implement, in the R7 district, the infill residential development policies of Battle Ground's comprehensive plan. This chapter identifies an area where infill residential development is strongly supported and relaxes development requirements in an effort to promote the construction of infill development in the city's central core area as defined. (Ord. 04-024 § 43, 2004; Ord. 96-803 § 1 (part), 1996)

17.137.020 Infill development opportunities district overlay created.

There is established an "infill residential development opportunities district overlay" that is adopted and made a part of this development code. The boundary of the infill residential development opportunities overlay shall be as shown on the official zoning map of the city of Battle Ground or on a separate map maintained in the office of the planning director. (Ord. 96-803 § 1 (part), 1996)

17.137.030 Procedures.

Developments within the infill overlay district shall be processed in a manner consistent with the type of the underlying application, pursuant to BGMC 17.200.060. (Ord. 99-008 § 2(C), 1999)

17.137.040 Reduction in dimensional requirements for infill residential development.

Notwithstanding the dimensional requirements for the R7 district as specified in BGMC [17.106.010](#), property located within the infill development opportunities overlay district and zoned R7, proposed for construction of infill residential development, shall be eligible for subdivision of land at a lot size of eighty percent of the required average minimum lot size. (Ord. 04-024 § 44, 2004; Ord. 96-803 § 1 (part), 1996)

17.137.050 Reduction in selected urban development improvement requirements for infill residential development.

Infill residential developments within the "infill residential development opportunities district overlay" shall be eligible for a reduction in the following urban development improvement requirements, on

public and private streets other than those designated as “collector” or “arterial,” as provided for in the city of Battle Ground transportation plan:

A. Sidewalk construction on abutting noncollector and nonarterial road rights-of-way. In cases where a duplex or single-family residential development is required to construct a sidewalk on abutting noncollector or nonarterial road rights-of-way pursuant to BGMC 12.116.070(A)(1)(b), and where sidewalk does not exist along said street in front of both properties abutting the subject infill residential development site on the same side of the street, infill residential development shall not be required, BGMC 12.116.070(A)(1)(b) and appropriate provisions of BGMC 16.105.020 notwithstanding, to construct a sidewalk along the noncollector and nonarterial street abutting the subject development.

B. Road improvements on abutting noncollector and nonarterial road rights-of-way. In cases where a duplex or single-family residential development is required to construct a half-street road on abutting public or private street rights-of-way pursuant to BGMC 12.116.180(A), and where said street in front of one or both properties abutting the subject development site on the same side of the street has not been improved to the subject standard, the subject development shall not be required, BGMC 12.116.180(A) and appropriate provisions of BGMC 16.105.020 notwithstanding, to construct a half-street road along the noncollector and nonarterial street abutting the subject development. (Ord. 96-803 § 1 (part), 1996)