From:	Jeffrey Delapena
To:	Heidi Pozzo
Cc:	Oliver Orjiako; Jose Alvarez
Subject:	RE: Failing Corridors and HE Decision clarification
Date:	Friday, August 7, 2026 8:37:00 AM
Attachments:	image001.png image002.png image003.png image004.png

Hello Heidi,

Thank you for your message. This will be forwarded to members of the Planning Commission.

Best,

Jeff Delapena
Program Assistant
COMMUNITY PLANNING

564.397.4558

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From: Heidi Pozzo <hcpheidi@yahoo.com>
Sent: Friday, August 7, 2026 7:34 AM
To: Jeffrey Delapena <Jeffrey.Delapena@clark.wa.gov>
Cc: Oliver Orjiako <Oliver.Orjiako@clark.wa.gov>; Jose Alvarez <Jose.Alvarez@clark.wa.gov>
Subject: Failing Corridors and HE Decision clarification

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Dear Jeff,

Please forward to the Planning Commission.

Dear Planning Commission,

My apologies for not providing you more context about the failing corridors memo and the 174th St Subdivision Hearing Examiner decision and why it is relevant to you.

The failing corridors memo was prepared by PLS and shows **corridors that are failing based on 27 traffic studies**. The studies are prepared under Clark County requirements that project 3 years out into the future. Any road improvements that are reasonably funded on the 6 year TIP are reflected as built out based on the concurrency code section 40.350.020 F(6). Developments that have been approved but not built are added to current traffic counts and a 2% background growth rate is added to project increased traffic volumes across the three years. This approach provides the full picture. Developments are built out and roads are built out, allowing for the volume to capacity test.

What the failing corridors memo demonstrates, based on underlying traffic studies, is that **after the I-5 interchange is completed, the roads next to I-5 are realigned and 179th is widened through 29th, several road segments fail.**

Throughout the memo, the traffic engineer discusses a **literal interpretation of the concurrency code would result in development denials** (described as a de facto moratorium).

The Hearing Examiner approved the development by **allowing Staff not to follow the code as written** in a variety of ways, including changing the road capacities prescribed in section 40.350.020 G(1)(a) and using intersection mobility to excuse volume to capacity failures. Staff shared that under the Public Works Director's authority under F(9), these actions are allowable. Nothing was put on the record showing a Public Works Director directive/approval, no policy manual, nothing to support a deviation from the code as written. The Hearing Examiner did not respond to the legal analysis that F(9) relates to the volume inputs in section F and cannot allow the Director's discretion to change capacities or allow volume to capacity exceedances prescribed in section G. This is one of the items at issue in the appeal.

The net effect of the Hearing Examiner decision is **reading concurrency out of the code**. The limits defined in section G that allow development and

infrastructure to remain in balance are no longer functional as prescribed in the code.

Looking at the Comp Plan, within the 20 year projections, **there was no analysis of intersections and segments that are on the 6 year TIP (FEIS p. 132-133)**. It is assumed they will satisfy the deficiencies.

Why is this relevant to you?

Concurrency is a GMA requirement. Concurrency lives in the Comp Plan and flows down to the code.

Based on the current code, no more developments should be approved. The road that is designed and not yet built is over capacity around the I-5 interchange. That's what the traffic studies on developments that have been approved say.

Rather than look at whether housing, transportation and financing are in balance, **you are being asked to approve further density on a corridor that has documented road segments that exceed the current standard of .9 volume to capacity after the road improvements are made.**

Having as many segments as are shown as failing in the failing corridors memo should concern you. It's a sign the concurrency code is functioning as intended by flagging issues that need to be resolved. However, those flags that require development to stop aren't being followed. That should concern you too.

Hopefully that provides more context.

And to clarify a comment that was made last night, I assume there was a miscommunication somewhere about the build out of 179th and the I-5 interchange. You were told the build out would cure the issues with volume to capacity exceeding .9. They will not. As noted above, all the traffic studies assume the improvements on the 6 year TIP are in place and operating. The volume to capacity test fails on that basis.

Best,

Heidi