From: Jeffrey Delapena
To: "Heidi Pozzo"
Cc: Oliver Orjiako; Jose Alvarez
Subject: RE: Comp Plan Index: Morphing of Concurrency Report
Date: Monday, September 14, 2026 8:38:00 AM

Hello Heidi,

Thank you for providing these comments and attachments. Confirming these have all been received and will be added to the Comprehensive Plan Index of Record.

Best,

Jeff Delapena
Program Assistant
COMMUNITY PLANNING

564.397.4558

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-----Original Message-----
From: Heidi Pozzo <hcpheidi@yahoo.com>
Sent: Sunday, September 13, 2026 2:35 PM
To: Jeffrey Delapena <Jeffrey.Delapena@clark.wa.gov>
Cc: Oliver Orjiako <Oliver.Orjiako@clark.wa.gov>; Jose Alvarez <Jose.Alvarez@clark.wa.gov>
Subject: Comp Plan Index: Morphing of Concurrency Report

EXTERNAL: This email originated from outside of Clark County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Jeff,

Please find attached a memo on the morphing of the concurrency reports. I've uploaded several documents to the link you provided me with on Sept 13 just before 2:30 pm. Some were previously included in my submissions and I have noted that in the document. If you could add the documents in the following order, starting with the document/memo attached, then the four traffic studies in P059078 (which has 4 concurrency reports), then Ex 52, then Ex 140, then PLD 2025-00114 Heartwood North, then Livingston Meadows, then Pleasant Wood North, then Anderson Dental, then Ex 135, then Ex 136. For inclusion to the Comp Plan Index of Record.

Thank you,

Heidi

Compliance Without a Standard

Clark County staff have been overriding the corridor concurrency standard for years. When a Hearing Examiner finally asked what in the code authorizes it, they rewrote the methodology in the middle of the hearing.

Submitted for the index of record — Clark County Comprehensive Plan

CCC 40.350.020(G)(1)(a) provides that the volume-to-capacity ratio for each roadway segment of regional significance "shall not exceed nine-tenths (0.9), when measured independently for each direction of travel." Under (E)(1) and (E)(3), meeting that standard is the condition on the Public Works Director's authority to issue a concurrency approval.

The standard is applied one development at a time, in the concurrency review that precedes each land use approval. That is where it is being set aside. Staff have been clearing segments above the 0.9 maximum for years, on the reasoning that good intersection level of service means the corridor is not deficient. No provision of the code was cited for it, and no one asked.

At the April 23, 2026 hearing on the 174th Street Subdivision, PLD-2026-00002, the Hearing Examiner read (G)(1)(a) aloud, observed that it says nothing about level of service at the intersections at either end, and asked staff how the corridor findings were reached under that language. After a few comments, staff asked to take the matter to a manager during the open record. The county's letter of May 21 records the inquiry and responds to it (Exhibit 136).

Twenty-eight days later the county reissued the staff report with a rewritten corridor section — a new theory of how road capacity is determined, and a first-ever citation to CCC 40.350.020(F)(9). That text became the county's boilerplate, and it has continued to shift since.

> By introducing the Concurrency Corridors section, staff have effectively written **(G)(1)(a) out of the code** and substituted a practice of their own, leaning on a provision meant to address volume.

Fourteen concurrency findings are examined below, June 2023 through August 2026, for developments in the Salmon Creek and Fairgrounds area. Five segments exceeded the standard in the April 8 report for the 174th Street Subdivision and the same five exceeded it in the May 21 reissue. Both corridor sections are reproduced in full below — the April version as the before report, the May version as the after report.

BEFORE

Exhibit 52 — Concurrency Staff Report, 174th Street Subdivision. Prepared April 8, 2026; signed April 21; issued April 22. Corridor section, complete and verbatim.

> **Concurrency Corridors**
>
> Evaluation of the concurrency corridor capacity levels represented in the County Code yielded capacity at acceptable levels except for the NE 179th Street road segment between NE Delfel Road and Interstate 5; between Interstate 5 and NE 15th Avenue, the NE 10th Avenue road segment between NE 189th Street and NE 179th Street, between NE 199th Street to NE 194th Street; and the NE 15th Avenue road segment between NE 179th Street and NE 174th Street in the buildout year.

> The traffic study indicates that the above corridors will have a volume to capacity (v/c) ratio of greater than 0.9 in the 2028 buildout horizon.
>
> Staff investigated the operations of these corridors to determine if there were mitigation measures warranted.
>
> Staff reviewed the LOS and volumes reported at the NE 179th Street intersections used in the corridor evaluation and found that, in the 2028 buildout horizon, the signalized intersections at the Interstate 5 Northbound and Southbound ramps had approach delays that did not exceed the maximum delay. Staff also evaluated the signalized intersections at NE 179th Street/NE 15th Avenue and found the approach delays did not exceed the maximum delay in the AM or PM peak hours. Staff has determined, during the concurrency evaluation, that these intersections will comply with the adopted Concurrency standards for signalized intersections.
>
> Since the signalized and unsignalized intersections bounding the corridor segments analyzed are anticipated to operate at levels that meet or exceed concurrency standards in the buildout horizon, staff believes that the reported v/c ratio over the NE 179th Street, NE 10th Avenue, and NE 15th Avenue corridors does not represent roadway deficiencies, rather corridor mobility facilitated with good intersection LOS. Therefore, staff concludes that no further analysis or mitigation is required with this development.
>
> It should be noted that the reported v/c in the applicant's traffic study should be used as an indicator that these roadway segments should be subjected to site-specific study with a more detailed operational analysis before any major design, reconstruction, or investment decisions are made.

336 words. No provision of the Clark County Code is cited anywhere in this section. Staff Engineer Craig Kathol; Manager David Jardin; signed 4/21/26. RECOMMENDATION: DENIAL — on the unrelated ground that a volunteer mitigation letter for NE 179th Street/NE 50th Avenue had not been filed. The applicant filed that letter on April 9, 2026. The corridor findings above were not a basis for the denial.

The before language was boilerplate, not analysis of this corridor.

The section reproduced above was not written for the 174th Street Subdivision. The same text appears in the concurrency findings for Four Creeks North (December 24, 2025), Three Creeks East and Kozy Manor Estates (both January 7, 2026) — different applicants, traffic studies by different firms, developments with no relationship to one another. Only the street names change. It carried an error with it: the intersections relied on to clear the corridors are described as signalized and measured against the signalized standard at CCC 40.350.020(G)(1)(b), which caps delay at two cycle lengths or 240 seconds, when the traffic study models them as roundabouts in the 2028 buildout year. A roundabout has no cycles. The same error appears in the other findings carrying this language. It was raised in written comments on the before report and corrected in the after report.

AFTER

Exhibit 140 — Concurrency Staff Report, same subdivision, reissued under the open record May 21, 2026. Corridor section, complete and verbatim.

> **Concurrency Corridors**
>
> In accordance with CCC 40.350.020(F)(9), the Public Works Director acknowledges that a variety of factors can influence the operating performance of transportation corridors. These factors are considered when determining compliance with, or acceptable levels of service under, CCC 40.350.020(G), which establishes baseline service levels under ideal conditions.

In addition to the performance of intersections that bound the corridor being evaluated, such as intersection level of service and queueing, there are real-world conditions that also affect roadway capacity. These may include, but are not limited to:

- Lane width
- Presence or absence of shoulders
- Heavy vehicle volumes
- Roadway grades
- Number and spacing of intersections and/or driveway accesses

When necessary, these real-world influences may also be considered and may warrant adjustments as part of the broader evaluation of corridor operations. The Highway Capacity Manual (HCM), a nationally accepted reference, provides adjustment factors for these real-world conditions and supports their application in operational analyses.

The corridor volume-to-capacity (v/c) ratio serves as a key engineering indicator of operational performance. Although drivers do not directly perceive the numerical v/c value, it provides insight into where roadway operations may begin to degrade and where additional analysis should be focused—particularly at intersections, which are typically the first points in the roadway network to experience breakdown and noticeable delay as traffic volumes increase.

It should also be noted that baseline corridor level-of-service thresholds may appear to be exceeded even when intersection operations remain within acceptable limits. In such cases, higher corridor volumes may simply indicate that intersections are operating efficiently enough to allow more vehicles to pass through with minimal delay, thereby increasing the overall throughput of the corridor.

Corridor Finding

Evaluation of the concurrency corridor capacity levels represented in the County Code yielded capacity at acceptable levels except for the NE 179th Street road segment between NE Delfel Road and Interstate 5; between Interstate 5 and NE 15th Avenue, the NE 10th Avenue road segment between NE 189th Street and NE 179th Street, between NE 199th Street to NE 194th Street; and the NE 15th Avenue road segment between NE 179th Street and NE 174th Street in the buildout year. It should be noted that, although NE 174th Street is identified in the applicant's traffic study, the suggested intersection of NE 15th Avenue/NE 174th Street does not exist. The next regionally significant intersection on NE 15th Avenue that would be considered is NE 173rd Street/NE 15th Avenue. This intersection is stop controlled on NE 173rd Street on approach to NE 15th Avenue. Therefore, because NE 15th Avenue is unrestricted and will allow free flow traffic, it is anticipated that the LOS at the NE 173rd Street/NE 15th Avenue intersection will be a LOS A in the 2028 buildout horizon.

The traffic study indicates that the above corridors will have a volume to capacity (v/c) ratio of greater than 0.9 in the 2028 buildout horizon.

Staff investigated the operations of the corridor to determine if there were mitigation measures warranted.

Staff reviewed the LOS and volumes reported at the intersections used in the corridor evaluation and found that, in the 2028 buildout horizon, the roundabout controlled intersections of NE 179th Street/NE Delfel Road, NE 179th Street and the I-5 SB off/on ramps, NE 179th Street/I-5 NB on/off ramp, NE 179th Street/NE 15th Avenue are anticipated to operate at a LOS D or better.

Review of NE 10th Avenue road segment between NE 189th Street and NE 179th Street, and between NE 199th Street and NE 194th Street found that the intersections of NE 10th Avenue/NE 199th Street, a signalized intersection, is anticipated to operated at a LOS B or better

> in the 2028 buildout horizon. Since NE 10th Avenue/NE 189th Street and NE 10th Avenue/NE 194th Street are stop controlled side streets where the NE 10th Avenue corridor will be unrestricted and free flow, NE 10th Avenue is anticipated to operate at a LOS A on approach to these intersections in the 2028 buildout horizon.
>
> Further, since the roundabout controlled intersections are anticipated to operate at a LOS D or better in the builout horizon and the stop controlled side street intersections are anticipated to operate at a LOS A, staff believes that the reported v/c ratio over the NE 179th Street, NE 10th Avenue, and NE 15th Avenue corridors do not represent roadway deficiencies, rather corridor mobility facilitated with good intersection LOS. Therefore, staff concludes that no further analysis is required.
>
> It should be noted that the reported v/c in the applicant's traffic study should be used as an indicator that this roadway segment should be subjected to site-specific study with a more detailed operational analysis before any major design, reconstruction, or investment decisions are made.

779 words. Same form, same staff engineer, same manager; signed 5/21/26. RECOMMENDATION: APPROVED WITH CONDITIONS.

The conclusion stayed. The authority under it appeared for the first time.

The failing segments are the same five, listed in the same order, and the sentence reporting them is word for word the same. So is the phrase that clears them: the reported v/c does not "represent roadway deficiencies, rather corridor mobility facilitated with good intersection LOS." That phrase appears nowhere in the Clark County Code. What is new is the authority underneath it.

- **Code authority appeared where there had been none.** The before report cites no provision at all. The after report opens with CCC 40.350.020(F)(9), which lets the Public Works Director consider "any other factors." That subsection has been in the code since 2011 — Section F was last amended by Ord. 2011-08-08 — and it appears in no concurrency finding examined here before May 21, 2026. This is the first appearance of any code authority for the corridor departure in any of them.
- **The override was extended to road capacity.** The before report rests on intersection performance. The after report adds a theory that capacity itself may be adjusted for lane width, shoulders, heavy vehicles, grades and access spacing using Highway Capacity Manual factors. Exhibit 135, filed the same day, calls the county's code minimums "significantly underestimated" and puts NE 179th Street near 1,700 passenger cars per hour per lane. CCC 40.350.020(G)(1)(a) addresses those same variables and goes the other way: where a roadway is not fully built out to county standards, capacity is set by current condition — 800 vehicles per hour per lane, 700, or 600, by lane width and shoulder. Nothing in the code produces a capacity above the Table 40.350.020-1 value.

Then it kept moving

The after language became the county's boilerplate, and it kept shifting. By July the findings had added a sentence describing what the evaluation is:

> Staff performed an evaluation **outside of the code's prescriptive measures** on corridor capacity in compliance with CCC 40.350.020(F)(9)…

Livingstone Meadows, PLD-2025-00106, Finding 21, July 8, 2026; identical in NW 9th Avenue Subdivision, August 7, 2026.

By the end of August the hedge was gone, and the boilerplate states the rule outright:

> These factors may be considered and applied **in lieu of the code-prescribed threshold values** when determining compliance with, or acceptable levels of service under, CCC 40.350.020(G)…

Andersen Dental, PSR-2026-00006, August 31, 2026.

That is the county's own characterization of what it is doing. The factors no longer inform the standard; they displace its threshold values. The same findings call the code's capacity figures "prescriptive capacity thresholds" — a word absent from CCC 40.350.020 that in ordinary use means only what the code requires. And the finding now opens by asking whether mitigation is warranted — the test the code sets at (G)(1)(c) for unsignalized intersections. (G)(1)(a) has no mitigation trigger. It states a maximum.

What the reports listed below show is not language added here and there, but one block of boilerplate replacing another. Through April 2026 the earlier paragraph ran finding after finding with the street names swapped. On May 21 the after language appeared in the middle of an open hearing record — and the same day in Heartwood North, a separate subdivision before a different hearing examiner, moving toward decision while the code question raised in the 174th case was still unresolved. From that date forward the new text runs the same way, in the same position, for unrelated developments in the same part of the county, residential and commercial alike. CCC 40.350.020 was not amended between the two.

A compliance finding with no number in it

A concurrency staff report exists to tell a decision-maker whether a development meets the standard. That is its function in the review: the Hearing Examiner, the Council and the public rely on it to know whether the corridors serving a development are within the adopted maximum. The corridor standard is a number — 0.9, measured independently for each direction of travel — and answering the question requires two figures and a comparison. Neither figure appears in any finding examined here.

What appears instead is the language of a technical determination. When a corridor passes, the finding carries the full authority preamble and then reports that "prescriptive evaluation" showed acceptable levels. When a corridor fails the adopted standard, the same preamble is followed by intersection delay, queueing and throughput reasoning, and a conclusion that the ratio reflects mobility rather than deficiency. Both read as engineering findings of compliance. Only one of them is. A reader cannot tell which without reaching the last sentence, and in neither case is a ratio given.

> **Not one finding states the volume, the capacity, or the resulting ratio for a single segment.**

No roadway classification cited to Table 40.350.020-1. No capacity figure. No directional volume, though the code requires the ratio be measured independently for each direction. No computed ratio. No delay in seconds, and no level-of-service letter for the corridor. For all the Highway Capacity Manual language the after report adds, no finding performs the adjustment it invokes, and no segment is ever shown to fall under 0.9.

It was not always this way. Legacy Village II (June 2023) reports a v/c of 1.13 on NE 134th Street westbound — the figure, the segment and the direction. Salmon Creek Terrace (March 2024) reports 1.03, 0.99 and 1.24. Mill Creek Terrace (June 2024) clears five segments but reports them only as "greater than 0.9." From there the values disappear. Each of those findings carries the same conclusion sentence as the 2025 and 2026 set, over the same Traffic Engineering Section Manager's signature; they are cited for the rationale they apply and the figures they disclose, not for whether any was correctly decided, since none discloses the reserved trips and in-process developments counted and the earliest rest on counts taken during the COVID period.

A segment at 1.24 is 38 percent above the maximum. It was cleared on the same sentence used at 0.91, and in the findings as now written a reader could not tell the two apart.

Why this belongs in the record

Staff have substituted their own judgment for an adopted standard. The 0.9 maximum is not guidance. Under CCC 40.350.020(E)(1) no development application may be approved until a concurrency approval issues, and under (E)(3) the Public Works Director issues one where the development's impacts do not cause operating levels to fall below the standards in Section G. Nothing in the section authorizes a departure from those standards on engineering judgment.

The code also says who may change the standard. (G)(3) requires the Council to review corridor operating levels annually; (G)(4) reserves to the Council the authority to act on failing corridors; and under (G)(2) the level-of-service standards are to be applied and interpreted as stated in the administrative manual required by (N)(1) and (N)(3). None of that happened. CCC 40.350.020 was not amended, the manual was not adopted or updated, and a public records request for the annual Council reviews returned no responsive records for the six-year period requested.

This is a comprehensive plan proceeding, and no change to CCC 40.350.020 is before the Council in it. The 0.9 maximum the Council adopted is the standard now and will remain the standard when this plan is adopted. What the record shows is that staff are not applying it — they have changed their methodology and substituted their own judgment for the code, development by development, without the Council being asked for anything. The remedy is not a new standard. It is that the adopted one be applied as written.

Documents examined

Earlier concurrency findings applying the same rationale

- Legacy Village II, PLD-2022-00120 — June 21, 2023 (v/c 1.13 reported; COVID-period counts)
- South Ridge Central Apartments, PSR-2023-00158 — October 17, 2023 (corridors passed; no preamble)
- Salmon Creek Terrace, PLD-2023-00069 — March 12, 2024 (v/c 1.03, 0.99, 1.24 reported)
- Mill Creek Terrace, PLD-2024-00015 — June 19, 2024 (five segments, NE 179th corridor)

Concurrency findings carrying the before language

- Four Creeks North Subdivision, PLD-2025-00040 — December 24, 2025 (submitted to Comp Plan Index 8-31-26)
- Three Creeks East — January 7, 2026 (submitted to Comp Plan Index 8-31-26)
- Kozy Manor Estates, PLD-2025-00014 — January 7, 2026 (submitted to Comp Plan Index 8-31-26)
- 174th Street Subdivision, PLD-2026-00002 — Exhibit 52, prepared April 8, 2026; signed April 21; issued April 22, 2026 (denial). Submitted with this filing.

Concurrency findings carrying the after language

- 174th Street Subdivision, PLD-2026-00002 — Exhibit 140, reissued under the open record May 21, 2026 (approved with conditions). Submitted with this filing.
- Heartwood North, PLD-2025-00114 — May 21, 2026
- Livingstone Meadows, PLD-2025-00106 — July 8, 2026 (Finding 21)
- NW 9th Avenue Subdivision, PLD-2025-00021 — August 7, 2026 (Exhibit 47 in that case file) (submitted to Comp Plan Index 9-8-26)
- Pleasant Wood North Subdivision, PLD-2026-00021 — August 26, 2026
- Andersen Dental, PSR-2026-00006 — August 31, 2026

Supporting letters, Clark County land use case PLD-2026-00002 174th St. Subdivision

- Exhibit 135 — Transportation Division Manager letter on roadway capacity, May 21, 2026
- Exhibit 136 — Traffic Engineering Section Manager letter responding to the Hearing Examiner's inquiry, May 21, 2026

The legal analysis of CCC 40.350.020(F)(9) was submitted to this record on September 3, 2026.

ATTACHMENT C
TYPE III DEVELOPMENT & ENVIRONMENTAL REVIEW STAFF REPORT & RECOMMENDATION

(Concurrency Review)
Form DS1402A

Project Name:	**Salmon Creek Terrace**
Case Number:	**PLD-2023-00069**
Manager:	David Jardin
Report Issue Date:	March 12, 2024
Vesting Date:	March 17, 2023

DECISION
Approved with Conditions

Traffic Engineering Section Manager:
Date Signed: 3/12/24

Major Issues, Analysis & Conclusions

TRANSPORTATION CONCURRENCY:

Finding 1: Trip Generation
Concurrency staff has reviewed the proposed Salmon Creek Terrace development traffic study dated February 6, 2023 prepared by Charbonneau Engineering LLC. The traffic study submitted indicates that the proposed development will construct a total of 64 apartment units on 3.17 acres. The applicant's traffic study has estimated the a.m. peak hour trip generation at 25, the p.m. peak-hour trip generation at 32 trips and an average daily trip generation (ADT) of 422 trips. The trip generation was estimated using the nationally accepted data published by the *Institute of Transportation Engineers Trip Generation Manual 11th Edition*. The proposed development site is located at 13915 NE 29th Avenue in Vancouver.

The applicant has submitted a traffic study under the provisions of Clark County Code section 40.350.020 (D)(1).

Finding 2: Site Access
Traffic conditions are usually expressed using a scale that quantifies the ability of a facility to meet the needs and expectations of the driver. This scale is graded from A to F and is referred to as level-of-service (LOS). A driver who experiences an LOS A condition would expect little delay. A driver who experiences an LOS E condition would expect significant delay, but the traffic facility would be just within its capacity to serve the needs of the driver. A driver who experiences an LOS F condition would expect significant delay with traffic demand exceeding the capacity of the facility with the result being growing queues of traffic.

Congestion, or concurrency, level of service (LOS) standards are not applicable to accesses that are not regionally significant; however, the LOS analysis provides information on the potential congestion and safety problems that may occur in the vicinity of the site.

The applicant's plan shows that access will come from the terminus of NE 30th Avenue, a public road within the DLS Estates Phase I subdivision north of the subject site.

NE 29th Avenue is classified as an Urban Minor Arterial (M-2cb). The applicant's plan also shows that there will be no direct access from the proposed development to NE 29th Street. NE 29th Avenue will be accessed through the neighboring subdivision north of the proposed development.

The applicant's study evaluated the level of service and found that the private road intersection with NE 29th Avenue will have an estimated LOS C, or better in the 2026 build-out horizon. The study also shows that the LOS was evaluated during the a.m. and p.m. peak hour traffic conditions in existing and build-out scenarios. County Staff concurs with the traffic study findings.

Finding 3: Clark County Concurrency
The proposed development is required to meet the standards established in CCC 40.350.020(G) for corridors and intersections of regional significance within 1 mile of the proposed development.

Signalized Intersections
The County's model evaluated the operating levels, travel speeds and delay times for the regionally significant signalized intersections. This analysis showed that individual movements during peak hour traffic conditions had approach delays that did not exceed the maximum 240 seconds, or 2 cycles, of delay in the build-out year.

Therefore, County Staff has determined that this development will comply with adopted Concurrency standards for signalized intersections.

Unsignalized Intersections
County Staff has evaluated the operating levels and standard delays represented in the County's model. The County's model yielded operating levels and standard delay times with a LOS better than the minimum allowable LOS E for unsignalized intersections.

The County has determined that this development can comply with adopted Concurrency Standards for unsignalized intersections.

Concurrency Corridors
Evaluation of the concurrency corridor capacity levels represented in the County Code yielded capacity at acceptable levels except for NE 134th Street between NE 23rd Avenue and NE 29th Avenue, NE 134th Street between NE 29th Avenue and NE Salmon Creek Avenue, and NE 139th Street between NE 20th Avenue and NE 23rd Avenue.

NE 134th Avenue
The traffic study indicates that NE 134th Street road segment between NE 23rd Avenue and NE 29th Avenue will have a volume to capacity (v/c) ratio of 1.03 during the AM peak hour and 0.96 during the PM peak hour in the 2026 buildout horizon. The traffic study also indicates that the NE 134th Street road segment between NE 29th Avenue and NE Salmon Creek Avenue will have a v/c ratio of 0.99 during the AM peak hour and 0.96 during the PM peak hour.

Staff reviewed the LOS and volumes reported at the intersections used in the corridor evaluation and found that, in the 2026 buildout horizon, the signalized intersections of NE 134th Street/NE 23rd Avenue and NE 134th Street/NE 29th Avenue are anticipated to have approach delays that do not exceed the maximum 240 seconds.

NE 139th Street
The traffic study indicates that NE 139th Street road segment between NE 20th Avenue and NE 23rd Avenue will have a v/c ratio of 1.24 during the PM peak hour in the 2026 buildout horizon.

Staff reviewed the LOS and volumes reported at the intersections used in the corridor evaluation and found that, in the 2026 buildout horizon, the signalized intersections of NE 139th Street/NE 20th Avenue and NE 134th Street/NE 23rd Avenue are anticipated to have approach delays that do not exceed the maximum 240 seconds.

Staff also reviewed the operations of the NE 134th Street and NE 139th Street corridors and found that there were no observations or reports of long vehicle delays, queuing, or stopped traffic because of roadway deficiencies for roadways under county jurisdiction. Further, since the signalized intersections analyzed are anticipated to have approach delays that do not exceed the maximum 240 seconds, or 2 signal cycles of delay in the buildout horizon, staff believes that the v/c ratio over the NE 134th Street and NE 139th Street corridors do not represent roadway deficiencies, rather corridor mobility facilitated with good intersection LOS. Therefore, staff concludes that no further analysis is required.

It should be noted that the reported v/c in the applicant's traffic study should be used as an indicator that these roadway segments should be subjected to site-specific study with a more detailed operational analysis before any major design, reconstruction, or investment decisions are made.

Summary
The County has determined that this development can comply with adopted Concurrency Standards for corridors, signalized and unsignalized intersections under County jurisdiction.

SAFETY:

Where applicable, a traffic study shall address the following safety issues:

- traffic signal warrant analysis,
- turn lane warrant analysis,
- crash history analysis,
- roadside safety (clear zone) evaluation,
- vehicle turning movements, and
- any other issues associated with highway safety.

Mitigation for off-site safety deficiencies may only be a condition of approval on development in accordance with CCC 40.350.030(B)(6) The code states that "nothing in this section shall be construed to preclude denial of a proposed development where off-site road conditions are inadequate to provide a minimum level of service as specified in Section 40.350.020 or a *significant* traffic or safety hazard *would be caused or materially aggravated* by the proposed development; provided, that the applicant may voluntarily agree to mitigate such direct impacts in accordance with the provisions of RCW 82.02.020."

Finding 4: Turn Lane Warrants

Turn lane warrants are evaluated at unsignalized intersections to determine if a separate left or right turn lane is needed on the uncontrolled roadway.

Staff used the information as presented to evaluate and validate the need for turn lanes using the guidance found in the Washington State Department of Transportation (WSDOT) Design Manual. Staff found that with the low right and left turning traffic volumes, turn lanes would not be warranted at the public road intersections entering the proposed development. Because of this, staff concurs with the traffic engineer's traffic study finding.

Finding 5: Historical Accident Situation

The Institute of Transportation Engineers (ITE) *Traffic Access and Impact Studies for Site Development – A Recommended Practice* states that "Accident rates vary, but any intersection will more than one accident per million entering vehicles is worth of additional analysis." This ITE recommended practice has been used by county staff to determine the scope, or level of analysis required regarding crash history. Because of this, a crash rate of one crash per million entering vehicles has become the threshold to determine if further crash history evaluation is warranted. This is provided that staff has not identified a crash trend that would be exacerbated by the development regardless of the threshold.

The applicant's traffic study analyzed the crash history as obtained from Washington State Department of Transportation (WSDOT) for the period January 2017 through December 2021.

The intersection crash rates, for the study intersections do not exceed thresholds that would warrant additional analysis. The applicant's study did not recommend any safety mitigations as a part of this development. Staff concurs with the applicant's finding.

Finding 6: Roadside Safety *(Clear Zone)* Evaluation

The *Institute of Transportation Engineers (ITE) Traffic Engineering Handbook 6th Edition*, states that "The *clear roadside concept…*is applied to improve safety by providing an un-encumbered roadside recovery area that is as wide as practical…". Further, this concept

"allows for errant vehicles leaving the roadway for whatever reason and supports a roadside designed to minimize the serious consequences of roadway departures."

Further, as adopted by Clark County Code (CCC) 40.350.030(C)(1)(b), the *Washington State Department of Transportation (WSDOT) Design Manual, Chapter 1600* states that "A clear roadside border area is a primary consideration when analyzing potential roadside and median features. The intent is to provide as much clear, traversable area for a vehicle to recover as practicable given the function of the roadway and the potential tradeoffs. The Design Clear Zone is used to evaluate the adequacy of the existing clear area and proposed modifications of the roadside. When considering the placement of new objects along the roadside or median, evaluate the potential for impacts and try to select locations with the least likelihood of an impact by an errant vehicle."

"For managed access state highways within an urban area, it might not be practicable to provide the Design Clear Zone distances shown in Exhibit 1600-2. Roadways within an urban area generally have curbs and sidewalks and might have objects such as trees, poles, benches, trash cans, landscaping and transit shelters along the roadside."

The applicant shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Section 1600) in the final engineering design of all proposed roadways and frontage improvements. (See Transportation Concurrency A-1.b)

Finding 7: Vehicle Turning Movements

It shall be noted that, the curb return radii listed above are minimum criteria and are intended for normal conditions, per CCC 40.350.030 (C)(3). CCC 40.350.030 (C)(3) also states, "The responsible official may require higher standards for unusual site conditions."

The applicant will need to submit construction plans that show the design of the intersection geometry will accommodate all applicable design vehicles for review and approval. The plans will also need to show that all applicable design vehicles have the ability to enter and exit the development minimizing impact to opposing travel lanes. This may result in no on-street parking areas on NE 30th Avenue at/near the intersection with NE 141st Street and at the proposed driveway access from the southern terminus of NE 130th Street. (See Transportation Concurrency A-1.c).

Finding 8: Sight Distance

Sight distance issues are addressed by other Development Engineering Staff; therefore, this issue will not be addressed here.

Conclusion

In summary, Concurrency Staff recommends approval of the development application with the following conditions.

Conditions of Approval

A	**Final Construction/Site Plan Review** **Review & Approval Authority: Development Engineering**

Prior to construction, a Final Construction Plan shall be submitted for review and approval to Development Engineering, consistent with the approved preliminary plan and the following conditions of approval:

A-1 Final Transportation Plan/Off Site (Concurrency) –

a. The applicant shall submit a signing and striping plan for review and approval. This plan shall show signing and striping and all installation or modifications to traffic control devices in the public right-of-way required for frontage improvements and any off-site improvements. The applicant shall obtain a work order with Clark County to reimburse the County for required signing, striping and all installation or modifications to traffic control devices in the public right-of-way. The final traffic control plans (signing, striping, signals, ITS, etc.) can be approved only after the developer provides signed reimbursable work order(s) to the county's traffic engineer reviewing the plans.

b. The applicant shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Section 1600) in the final engineering design of all proposed roadways and frontage improvements. (See Finding 6)

a. The applicant shall submit construction plans that show all applicable design vehicles can enter and exit the development minimizing impact to opposing travel lanes. This may result in no on-street parking areas on NE 30th Avenue at/near the intersection with NE 141st Street and at the proposed driveway access from the southern terminus of NE 130th Street. (See Finding 7).

B Prior to Construction of Development
Review & Approval Authority: Development Inspection

Prior to construction, the following conditions shall be met:

B-1 Transportation (Concurrency) – NONE

C Provisional Acceptance of Development
Review & Approval Authority: Development Inspection

Prior to provisional acceptance of development improvements by Development Engineering, construction shall be completed consistent with the approved final construction/site plan and the following conditions of approval:

C-1 Transportation (Concurrency) - NONE

D Final Plat Review & Recording
Review & Approval Authority: Development Engineering

D-1 Transportation (Concurrency) – NONE

E Building Permits
Review & Approval Authority: Customer Service

Prior to issuance of a building permit, the following conditions shall be met:

E-1 Transportation (Concurrency) – NONE

F Occupancy Permits
Review & Approval Authority: Building

Prior to issuance of an occupancy permit, the following conditions shall be met:

F-1 Final Transportation Plan/Off Site (Concurrency) – NONE

ATTACHMENT C
TYPE III DEVELOPMENT & ENVIRONMENTAL REVIEW STAFF REPORT & RECOMMENDATION

(Concurrency Review)
Form DS1402A

Project Name:	**Legacy Village II**
Case Number:	**PLD-2022-00120**
Staff Engineer:	David Jardin
Team Leader	Jennifer Reynolds, PE
Report Issue Date:	June 21, 2023
Vesting Date:	March 31, 2023

DECISION
Approved with Conditions

Development Engineering Team Leader Initials: _____

Date Signed: 06/21/2023

Major Issues, Analysis & Conclusions

TRANSPORTATION CONCURRENCY:

As a result of the current school, service-oriented facility and other closures required by Washington State and Clark County officials due to COVID-19, there has been a noticeable decline in traffic volume on the road systems in Clark County. This reduced traffic volume is expected over an extended time frame with no end date certain. Even though there have been closures throughout the county and the reduced traffic volume is expected over a long duration, development applications are still being prepared for submittal.

The applicant's traffic engineer Kittelson & Associates has used the county prepared document that provides guidance on traffic count data collection and processing during

this unprecedented nationwide event. Staff has reviewed their methodology for traffic count data collection and processing and concurs with their process.

Finding 1: Trip Generation
Concurrency staff has reviewed the proposed Legacy Village Subdivision II traffic study dated December 21, 2022 prepared by Kittelson & Associates. The traffic study submitted indicates that the proposed development will divide 2.38 acres into 28 residential townhouse lots. The applicant's traffic study has estimated the a.m. peak hour trip generation at 10, the p.m. peak-hour trip generation at 11 trips and an average daily trip generation (ADT) of 127 trips. The trip generation was estimated using the nationally accepted data published by the *Institute of Transportation Engineers Trip Generation Manual 11th Edition*. The proposed development site is located at 13815 NE 29th Avenue in Vancouver.

The applicant has submitted a traffic study under the provisions of Clark County Code section 40.350.020 (D)(1).

Finding 2: Site Access
Traffic conditions are usually expressed using a scale that quantifies the ability of a facility to meet the needs and expectations of the driver. This scale is graded from A to F and is referred to as level-of-service (LOS). A driver who experiences an LOS A condition would expect little delay. A driver who experiences an LOS E condition would expect significant delay, but the traffic facility would be just within its capacity to serve the needs of the driver. A driver who experiences an LOS F condition would expect significant delay with traffic demand exceeding the capacity of the facility with the result being growing queues of traffic.

Congestion, or concurrency, level of service (LOS) standards are not applicable to accesses that are not regionally significant; however, the LOS analysis provides information on the potential congestion and safety problems that may occur in the vicinity of the site.

The applicant's plan shows the extension of an interior private road from the previously approved Legacy Village Subdivision, south of the subject site, into the proposed development. The extension of this private road will serve as access for lots within the proposed subdivision. NE 29th Avenue is classified as an Urban Minor Arterial (M-2cb). The applicant's plan also shows that there will be no direct access from the proposed development to NE 29th Street. NE 29th Avenue will be accessed through the previously approved neighboring subdivision south of the proposed development.

The applicant's study evaluated the level of service and found that the private road intersection with NE 29th Avenue will have an estimated LOS C, or better in the 2025 build-out horizon. The study also shows that the LOS was evaluated during the a.m. and p.m. peak hour traffic conditions in existing and build-out scenarios. County Staff concurs with the traffic study findings.

Finding 3: Clark County Concurrency
The proposed development is required to meet the standards established in CCC 40.350.020(G) for corridors and intersections of regional significance within 1 mile of the proposed development.

Signalized Intersections
The County's model evaluated the operating levels, travel speeds and delay times for the regionally significant signalized intersections. This analysis showed that individual

movements during peak hour traffic conditions had approach delays that did not exceed the maximum 240 seconds, or 2 cycles, of delay in the build-out year.

Therefore, County Staff has determined that this development will comply with adopted Concurrency standards for signalized intersections.

Unsignalized Intersections
County Staff has evaluated the operating levels and standard delays represented in the County's model. The County's model yielded operating levels and standard delay times with a LOS better than the minimum allowable LOS E for unsignalized intersections.

The County has determined that this development can comply with adopted Concurrency Standards for unsignalized intersections.

Concurrency Corridors
Evaluation of the concurrency corridor capacity levels represented in the County Code yielded capacity at acceptable levels except for NE 134th Street in the westbound direction between NE 23rd Avenue and NE 20th Avenue.

The traffic study indicates that NE 134th Street road segment between NE 20th Avenue and NE 23rd Avenue will have a volume to capacity (v/c) ratio of 1.13 during the PM peak hour in the 2025 buildout horizon in the westbound direction.

Staff reviewed the LOS and volumes reported at the intersections used in the corridor evaluation and found that, in the 2025 buildout horizon, the signalized intersection of NE 134th Street/NE 23rd Avenue is anticipated to operate at a LOS C or better. Further staff found that the vehicle volumes over the corridor segment of NE 134th Street between NE 20th Avenue and NE 23rd Avenue were affected by the southbound on, and northbound off-ramp of Interstate 205. These on and off-ramps add and/or remove vehicle volume in the middle of the road segment.

Staff also reviewed the operations of the NE 134th Street corridor and found that there were no observations or reports of long vehicle delays, queuing, or stopped traffic because of roadway deficiencies for roadways under county jurisdiction. Further, since the signalized intersection of NE 134th Street/NE 23rd Avenue is anticipated to operate at a LOS C or better in the buildout horizon, staff believes that the v/c ratio over the NE 134th Street corridor in the westbound direction does not represent roadway deficiencies, rather corridor mobility facilitated with good intersection LOS. Therefore, staff concludes that no further analysis is required.

It should be noted that the reported v/c in the applicant's traffic study should be used as an indicator that this roadway segment should be subjected to site-specific study with a more detailed operational analysis before any major design, reconstruction, or investment decisions are made.

Summary
The County has determined that this development can comply with adopted Concurrency Standards for corridors, signalized and unsignalized intersections under County jurisdiction.

SAFETY:

Where applicable, a traffic study shall address the following safety issues:

- traffic signal warrant analysis,
- turn lane warrant analysis,
- crash history analysis,
- roadside safety (clear zone) evaluation,
- vehicle turning movements, and
- any other issues associated with highway safety.

Mitigation for off-site safety deficiencies may only be a condition of approval on development in accordance with CCC 40.350.030(B)(6) The code states that "nothing in this section shall be construed to preclude denial of a proposed development where off-site road conditions are inadequate to provide a minimum level of service as specified in Section 40.350.020 or a *significant* traffic or safety hazard *would be caused or materially aggravated* by the proposed development; provided, that the applicant may voluntarily agree to mitigate such direct impacts in accordance with the provisions of RCW 82.02.020."

Finding 4: Turn Lane Warrants

Turn lane warrants are evaluated at unsignalized intersections to determine if a separate left or right turn lane is needed on the uncontrolled roadway.

Staff used the information as presented to evaluate and validate the need for turn lanes using the guidance found in the Washington State Department of Transportation (WSDOT) Design Manual. Staff found that with the low right and left turning traffic volumes, turn lanes would not be warranted at the public road intersections entering the proposed development. Because of this, staff concurs with the traffic engineer's traffic study finding.

Finding 5: Historical Accident Situation

The Institute of Transportation Engineers (ITE) *Traffic Access and Impact Studies for Site Development – A Recommended Practice* states that "Accident rates vary, but any intersection will more than one accident per million entering vehicles is worth of additional analysis." This ITE recommended practice has been used by county staff to determine the scope, or level of analysis required regarding crash history. Because of this, a crash rate of one crash per million entering vehicles has become the threshold to determine if further crash history evaluation is warranted. This is provided that staff has not identified a crash trend that would be exacerbated by the development regardless of the threshold.

The applicant's traffic study analyzed the crash history as obtained from Washington State Department of Transportation (WSDOT) for the period January 2015 through December 2019.

The intersection crash rates, for the study intersections do not exceed thresholds that would warrant additional analysis. The applicant's study did not recommend any safety mitigations as a part of this development. Staff concurs with the applicant's finding.

Finding 6: Roadside Safety *(Clear Zone)* Evaluation

The *Institute of Transportation Engineers (ITE) Traffic Engineering Handbook 6th Edition*, states that "The *clear roadside concept…*is applied to improve safety by providing an un-encumbered roadside recovery area that is as wide as practical…". Further, this concept

"allows for errant vehicles leaving the roadway for whatever reason and supports a roadside designed to minimize the serious consequences of roadway departures."

Further, as adopted by Clark County Code (CCC) 40.350.030(C)(1)(b), the *Washington State Department of Transportation (WSDOT) Design Manual, Chapter 1600* states that "A clear roadside border area is a primary consideration when analyzing potential roadside and median features. The intent is to provide as much clear, traversable area for a vehicle to recover as practicable given the function of the roadway and the potential tradeoffs. The Design Clear Zone is used to evaluate the adequacy of the existing clear area and proposed modifications of the roadside. When considering the placement of new objects along the roadside or median, evaluate the potential for impacts and try to select locations with the least likelihood of an impact by an errant vehicle."

"For managed access state highways within an urban area, it might not be practicable to provide the Design Clear Zone distances shown in Exhibit 1600-2. Roadways within an urban area generally have curbs and sidewalks and might have objects such as trees, poles, benches, trash cans, landscaping and transit shelters along the roadside."

The applicant shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Section 1600) in the final engineering design of all proposed roadways and frontage improvements. (See Transportation Concurrency A-1.b)

Finding 7: Vehicle Turning Movements

It shall be noted that, the curb return radii listed above are minimum criteria and are intended for normal conditions, per CCC 40.350.030 (C)(3). CCC 40.350.030 (C)(3) also states, "The responsible official may require higher standards for unusual site conditions."

The applicant will need to submit construction plans that show the design of the intersection geometry will accommodate all applicable design vehicles for review and approval. The plans will also need to show that all applicable design vehicles have the ability to enter and exit the development minimizing impact to opposing travel lanes. This may result in no on-street parking areas on the proposed private road, at/near the public road intersection. (See Transportation Concurrency A-1.c).

Finding 8: Sight Distance

Sight distance issues are addressed by other Development Engineering Staff; therefore, this issue will not be addressed here.

Conclusion

In summary, Concurrency Staff recommends approval of the development application with the following conditions.

Conditions of Approval

A Final Construction Review for Land Division
Review & Approval Authority: Development Engineering

Prior to construction, a Final Construction Plan shall be submitted for review and approval to Development Engineering, consistent with the approved preliminary plan and the following conditions of approval:

A-1 Final Transportation Plan/Off Site (Concurrency) –

a. The applicant shall submit a signing and striping plan for review and approval. This plan shall show signing and striping and all installation or modifications to traffic control devices in the public right-of-way required for frontage improvements and any off-site improvements. The applicant shall obtain a work order with Clark County to reimburse the County for required signing, striping and all installation or modifications to traffic control devices in the public right-of-way. The final traffic control plans (signing, striping, signals, ITS, etc.) can be approved only after the developer provides signed reimbursable work order(s) to the county's traffic engineer reviewing the plans.

b. The applicant shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Section 1600) in the final engineering design of all proposed roadways and frontage improvements. (See Finding 6)

a. The applicant shall submit construction plans that show all applicable design vehicles can enter and exit the development minimizing impact to opposing travel lanes. This may result in no on-street parking areas on the proposed private road, at/near the public road intersection. (See Finding 7).

B Prior to Construction of Development
Review & Approval Authority: Development Inspection

Prior to construction, the following conditions shall be met:

B-1 Transportation (Concurrency) – NONE

C Provisional Acceptance of Development
Review & Approval Authority: Development Inspection

Prior to provisional acceptance of development improvements by Development Engineering, construction shall be completed consistent with the approved final construction/site plan and the following conditions of approval:

C-1 Transportation (Concurrency) - NONE

D Final Plat Review & Recording
Review & Approval Authority: Development Engineering

Prior to final plat approval and recording, the following conditions shall be met:

D-1 Transportation (Concurrency) – NONE

E Building Permits
Review & Approval Authority: Customer Service

Prior to issuance of a building permit, the following conditions shall be met:

E-1 Transportation (Concurrency) – NONE

F Occupancy Permits
Review & Approval Authority: Building

Prior to issuance of an occupancy permit, the following conditions shall be met:

F-1 Final Transportation Plan/Off Site (Concurrency) – NONE

ATTACHMENT C
TYPE III DEVELOPMENT & ENVIRONMENTAL REVIEW STAFF REPORT & RECOMMENDATION

(Concurrency Review)
Form DS1402A

Project Name:	**Mill Creek Terrace**
Case Number:	**PLD-2024-00015**
Manager:	David Jardin
Report Issue Date:	June 19, 2024
Vesting Date:	March 22, 2024

DECISION
Approved with Conditions

Traffic Engineering Section Manager:

Date Signed: 6/19/24

Major Issues, Analysis & Conclusions

TRANSPORTATION CONCURRENCY:

Finding 1: Trip Generation

County concurrency staff has reviewed the proposed Mill Creek Terrace Subdivision Traffic Impact Study dated November 2023 prepared by Kittelson & Associates. The traffic study submitted indicates that the proposed development will divide 16.61 acres into 111 residential cottage lots. The applicant's traffic study has estimated the net new a.m. peak hour trip generation at 76, the p.m. peak-hour trip generation at 102 trips and an average daily trip generation (ADT) of 1,028 trips. The trip generation was estimated using the

nationally accepted data published by the *Institute of Transportation Engineers 11th Edition*. The proposed development site is located on parcels 181442000 and 18144010, 3516 and 3612 NE 179th Street Ridgefield, respectively.

The applicant has submitted a traffic study under the provisions of Clark County Code section 40.350.020 (D)(1).

Finding 2: Site Access

Traffic conditions are usually expressed using a scale that quantifies the ability of a facility to meet the needs and expectations of the driver. This scale is graded from A to F and is referred to as level-of-service (LOS). A driver who experiences a LOS A condition would expect little delay. A driver who experiences a LOS E condition would expect significant delay, but the traffic facility would be just within its capacity to serve the needs of the driver. A driver who experiences a LOS F condition would expect significant delay with traffic demand exceeding the capacity of the facility with the result being growing queues of traffic.

Congestion, or concurrency, level of service (LOS) standards are not applicable to accesses that are not regionally significant; however, the LOS analysis provides information on the potential congestion and safety problems that may occur in the vicinity of the site.

The applicant's plan shows that the existing full movement driveway access locations will be closed, and a full-movement public local residential access road will be constructed to intersect with NE 179th Street approximately 150 feet east of the west property line of the subject site. This proposed local residential access road onto NE 179th Street will provide a primary public road access to the subject site.

The applicant's plan also shows that the construction of the public local residential access road will extend north from NE 179th Street into the proposed development. An interior local residential road network will also be constructed to serve as the primary public road access for the proposed lots within the development.

The applicant's study evaluated the level of service and found that the proposed new full-movement public road intersection with NE 179th Street will have an estimated LOS C or better, in the 2026 build-out horizon. The study also shows that the LOS was evaluated during the a.m. and p.m. peak hour traffic conditions in existing and build-out scenarios. County Staff concurs with the traffic study findings.

Finding 3: Clark County Concurrency

The proposed development is required to meet the standards established in CCC 40.350.020(G) for corridors and intersections of regional significance within 2 miles of the proposed development.

Signalized Intersections

Staff evaluated the operating levels and delay times for the regionally significant signalized intersections under Clark County jurisdiction. This analysis showed that individual movements during peak hour traffic conditions had approach delays that did not exceed the maximum 240 seconds, or 2 cycles, of delay in the build-out year.

Therefore, County Staff has determined that this development will comply with adopted

Concurrency standards for signalized intersections.

Unsignalized Intersections
Staff evaluated the operating levels and delay times for the regionally significant unsignalized intersections under Clark County jurisdiction. This analysis showed operating levels and standard delay times with a LOS better than the minimum allowable LOS E except for the following intersections NE 50th Avenue/NE 159th Street, NE 72nd Avenue/NE 159th Street, and NE 50th Avenue/NE Salmon Creek Avenue.

The applicant has submitted a traffic study that reports anticipated levels-of-service on individual intersection approaches. These approaches were reported to have a level-of-service "F" in the PM peak hour 2026 evaluation year with the proposed development. The intersection approaches are the eastbound and westbound approach of NE 50th Avenue/NE 159th Street, the eastbound and westbound approach of NE 72nd Avenue/NE 159th Street, and NE 50th Avenue/NE Salmon Creek Avenue.

The applicant's traffic study has analyzed the impacts of the proposed development on the intersection approaches, listed above. Staff used the applicant's information to determine if mitigation requirements would be warranted per CCC 40.350.020 (G)(1)(c), which states:

"All unsignalized intersections of regional significance in the unincorporated county shall achieve LOS E standards or better (if warrants are not met). If warrants are met, unsignalized intersections of regional significance shall achieve LOS D standards or better. Intersection control or mitigation of unsignalized intersections shall be at the discretion of the Public Works Director and shall not obligate the county to meet this LOS standard. However, proposed developments shall not be required to mitigate their impacts in order to obtain a concurrency approval unless:

(1) The proposed development adds at least five (5) peak period trips to a failing intersection approach; and

(2) The worst movement on the failing approach is worsened by the proposed development. In determining whether the movement is worsened, the Public Works Director shall consider trip volume, delay, and any other relevant factors."

Staff compared the anticipated impacts against the criteria in the code section listed above and found that because the proposed development will not be sending at least 5 peak hour development generated trips to the failing approaches, none of the criterion was met.

The County has determined that this development can comply with adopted Concurrency Standards for unsignalized intersections.

Concurrency Corridors
Evaluation of the concurrency corridor capacity levels represented in the County Code yielded capacity at acceptable levels except for the NE 199th Street road segment between NE 72nd Avenue and NE 112th Avenue; NE 179th Street road segment between the I-5 northbound ramp terminal and NE 12th Avenue (future intersection); NE 15th Avenue road segment(future corridor) between NE 199th Street and NE 179th Street; NE 72nd Avenue road segment between NE 179th Street and NE 159th Street; and, NE 72nd Avenue road segment between NE 159th Street and NE 139th Street in the buildout year.

The traffic study indicates that the NE 199th Street road segment between NE 72nd Avenue and NE 112th Avenue; NE 179th Street road segment between the I-5 northbound ramp terminal and NE 12th Avenue (future intersection); NE 15th Avenue road segment(future corridor) between NE 199th Street and NE 179th Street; NE 72nd Avenue road segment between NE 179th Street and NE 159th Street; and, NE 72nd Avenue road segment between NE 159th Street and NE 139th Street will have a volume to capacity (v/c) ratio of greater than 0.9 in the 2026 buildout horizon.

Staff investigated the operations of these corridors to determine if there were mitigation measures warranted.

Staff reviewed the LOS and volumes reported at the NE 72nd Avenue intersections used in the corridor evaluation and found that, in the 2026 buildout horizon, the signalized intersections at NE 199th Street and NE 179th Street had approach delays that did not exceed the maximum delay. Staff has determined, during the concurrency evaluation, that these intersections will comply with the adopted Concurrency standards for signalized intersections. Staff's review also found that the unsignalized intersection of NE 72nd Avenue/NE 159th Street, in the north and southbound directions, will operate at a LOS A in the build out horizon.

Review of NE 199th Street road segment from NE 72nd Avenue east toward NE 112th Avenue found that the signalized intersection of NE 72nd Avenue/NE 199th Street will comply with Concurrency standards, as mentioned above.

The intersections analyzed on the NE 179th Street road segment between the I-5 northbound ramp terminal and NE 15th Avenue are anticipated to operate at a LOS B or better in the build out horizon.

The intersections analyzed on the NE 15th Avenue/NE 10th Avenue road segment between NE 199th Street and NE 179th Street are anticipated to operate at a LOS B or better in the build out horizon.

Since the signalized and unsignalized intersections bounding the corridor segments analyzed are anticipated to operate at levels that meet or exceed concurrency standards in the builout horizon, staff believes that the reported v/c ratio over the NE 199th Street, NE 179th Street, NE 15th Avenue/NE 10th Avenue, and NE 72nd Avenue corridors does not represent roadway deficiencies, rather corridor mobility facilitated with good intersection LOS. Therefore, staff concludes that no further analysis is required.

It should be noted that the reported v/c in the applicant's traffic study should be used as an indicator that these roadway segments should be subjected to site-specific study with a more detailed operational analysis before any major design, reconstruction, or investment decisions are made.

Summary
The County has determined that this development can comply with adopted Concurrency Standards for corridors, signalized and unsignalized intersections under County jurisdiction.

SAFETY:

Where applicable, a traffic study shall address the following safety issues:

- traffic signal warrant analysis,
- turn lane warrant analysis,
- crash history analysis,
- roadside safety (clear zone) evaluation,
- vehicle turning movements, and
- any other issues associated with highway safety.

Mitigation for off-site safety deficiencies may only be a condition of approval on development in accordance with CCC 40.350.030(B)(6) The code states that "nothing in this section shall be construed to preclude denial of a proposed development where off-site road conditions are inadequate to provide a minimum level of service as specified in Section 40.350.020 or a *significant* traffic or safety hazard *would be caused or materially aggravated* by the proposed development; provided, that the applicant may voluntarily agree to mitigate such direct impacts in accordance with the provisions of RCW 82.02.020."

Finding 4: Turn Lane Warrants

Turn lane warrants are evaluated at unsignalized intersections to determine if turn lanes are needed on the uncontrolled roadway.

The applicant's traffic study evaluated the need for turn lanes based on the Washington State Department of Transportation (WSDOT) Design Manual. The applicant's engineer concluded that a dedicated eastbound left turn lane on NE 179th Street at the proposed public local residential access road would be recommended.

The applicant has submitted a road modification request to allow a full-movement public road intersection on NE 179th Street with relief from the Median and Channelization Policy. This road modification is being evaluated under a different heading. Therefore, the Median and Channelization Policy and any access restrictions will not be addressed here.

Although the applicant's engineer showed that a dedicated eastbound left turn lane is warranted under the 2026 build out condition, if a full-movement access is allowed a dedicated eastbound left-turn lane should not be installed. Staff believes that because the full-movement intersection with NE 179th Street is an interim condition, construction of the recommended eastbound left-turn lane could not be used and would have to be removed as a part of a planned NE 179th Street capital improvement project. The NE 179th Street capital improvement project is identified on the County's Capital Facilities Plan and will be constructed as an arterial as identified in the County's Arterial Atlas. When constructed, NE 179th Street will include dedicated turn lanes at regionally significant intersections and raised median along the corridor to manage access and increase mobility.

The applicant's study also evaluated the need for a westbound right-turn lane on NE 179th Street at the proposed local residential access road intersection. The traffic engineer concluded that the volume-based evaluation did not satisfy the warrant criteria. Therefore, a dedicated westbound right-turn lane was not recommended. Staff concurs with the applicant's findings.

Finding 5: Historical Accident Situation

The Institute of Transportation Engineers (ITE) *Traffic Access and Impact Studies for Site Development – A Recommended Practice* states that "Accident rates vary, but any

intersection will more than one accident per million entering vehicles is worth of additional analysis." This ITE recommended practice has been used by county staff to determine the scope, or level of analysis required regarding crash history. Because of this, a crash rate of one crash per million entering vehicles has become the threshold to determine if further crash history evaluation is warranted. This is provided that staff has not identified a crash trend that would be exacerbated by the development regardless of the threshold.

The applicant's traffic study analyzed the crash history as obtained from the Washington State Department of Transportation (WSDOT) for the period between January 2018 through December 2022.

The intersection crash rates for the study intersections did not exceed one crash per million entering vehicles warranting additional analysis.

The applicant's study did not recommend any safety mitigations as a part of this development. Staff concurs with the applicant's finding.

Finding 6: Roadside Safety *(Clear Zone)* Evaluation

The *Institute of Transportation Engineers (ITE) Traffic Engineering Handbook 6th Edition*, states that "The *clear roadside concept…*is applied to improve safety by providing an un-encumbered roadside recovery area that is as wide as practical…". Further, this concept "allows for errant vehicles leaving the roadway for whatever reason and supports a roadside designed to minimize the serious consequences of roadway departures."

Further, as adopted by Clark County Code (CCC) 40.350.030(C)(1)(b), the *Washington State Department of Transportation (WSDOT) Design Manual, Chapter 1600* states that "A clear roadside border area is a primary consideration when analyzing potential roadside and median features. The intent is to provide as much clear, traversable area for a vehicle to recover as practicable given the function of the roadway and the potential tradeoffs. The Design Clear Zone is used to evaluate the adequacy of the existing clear area and proposed modifications of the roadside. When considering the placement of new objects along the roadside or median, evaluate the potential for impacts and try to select locations with the least likelihood of an impact by an errant vehicle."

"For managed access state highways within an urban area, it might not be practicable to provide the Design Clear Zone distances shown in Exhibit 1600-2. Roadways within an urban area generally have curbs and sidewalks and might have objects such as trees, poles, benches, trash cans, landscaping and transit shelters along the roadside."

The applicant shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Section 1600.04) in the final engineering design of all proposed roadways and frontage improvements. (See Transportation Concurrency A-1.b)

Finding 7: Vehicle Turning Movements

The applicant's narrative does not indicate the types of vehicles that may serve the proposed development. Curb return radii will need to comply with County requirements.

It shall be noted that, the curb return radii listed in the Clark County Code are minimum criteria and are intended for normal conditions, per CCC 40.350.030 (C)(3). CCC 40.350.030 (C)(3) also states, "The responsible official may require higher standards for

unusual site conditions."

The applicant will need to submit construction plans that show the design of the intersection geometry will accommodate all applicable design vehicles for review and approval. The plans will also need to show that all applicable design vehicles can enter and exit the development while minimizing the turning movement impacts to opposing or adjacent travel lanes, which may result in no parking and/or maneuvering areas near the public road intersections. Please note that applicable design vehicles include but are not limited to passenger vehicles and waste management vehicles. (See Transportation Concurrency A-1.c).

Finding 8: Sight Distance

Sight distance issues are addressed by other Development Engineering Staff; therefore, this issue will not be addressed here.

Conclusion
In summary, Concurrency Staff recommends approval of the development application with the following conditions.

Conditions of Approval

A Final Construction/Site Plan Review
Review & Approval Authority: Development Engineering

Prior to construction, a Final Construction Plan shall be submitted for review and approval to Development Engineering, consistent with the approved preliminary plan and the following conditions of approval:

A-1 Final Transportation Plan/Off Site (Concurrency):

a. The applicant shall submit a signing and striping plan for review and approval. This plan shall show signing and striping and all related features for required frontage improvements and any off-site improvements. The applicant shall obtain a work order with Clark County to reimburse the County for required signing and striping.

b. The applicant shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Section 1600.04) in the final engineering design of all proposed roadways and frontage improvements. (See Finding 6)

c. The applicant shall submit construction plans that show the design of the intersection geometry will accommodate all applicable design vehicles for review and approval, unless modified by the County Engineer. The plans will also need to show that all applicable design vehicles can enter and exit the development minimizing impact to opposing travel lanes. This may result in no parking and/or maneuvering areas near public road intersections. Please note that applicable design vehicles include but are not limited to passenger

vehicles and waste management vehicles. (See Finding 7).

B Prior to Construction of Development
Review & Approval Authority: Development Inspection

Prior to construction, the following conditions shall be met:

B-1 Transportation (Concurrency) – NONE

C Provisional Acceptance of Development
Review & Approval Authority: Development Inspection

Prior to provisional acceptance of development improvements by Development Engineering, construction shall be completed consistent with the approved final construction/site plan and the following conditions of approval:

C-1 Transportation (Concurrency) - NONE

D Final Plat Review & Recording
Review & Approval Authority: Development Engineering

Prior to final plat approval and recording, the following conditions shall be met:

D-1 Transportation (Concurrency) – NONE

E Building Permits
Review & Approval Authority: Customer Service

Prior to issuance of a building permit, the following conditions shall be met:

E-1 Transportation (Concurrency) – NONE

F Occupancy Permits
Review & Approval Authority: Building

Prior to issuance of an occupancy permit, the following conditions shall be met:

F-1 Final Transportation Plan/Off Site (Concurrency) – NONE

G Development Review Timelines & Advisory Information
Review & Approval Authority: None - Advisory to Applicant

G-1 Transportation (Concurrency) – NONE

ATTACHMENT C
TYPE II DEVELOPMENT & ENVIRONMENTAL REVIEW STAFF REPORT & RECOMMENDATION

(Concurrency Review)
Form DS1401C

Project Name:	**South Ridge Central Apartments**
Case Number:	**PSR-2023-00158**
Staff Engineer:	David Jardin
Team Leader	Jennifer Reynolds, PE
Report Issue Date:	October 17, 2023
Vesting Date:	July 28, 2023

DECISION
Approved with Conditions

Development Engineering Team Leader Initials: JSR

Date Signed: 10/17/2023

Major Issues, Analysis & Conclusions

TRANSPORTATION CONCURRENCY:

Finding 1: Trip Generation

County concurrency staff has reviewed the proposed South Ridge Central Apartments Traffic Impact Study dated June 20, 2023 prepared by Kittelson & Associates. The traffic study submitted indicates that the proposed development will construct up to 132 apartment units on 6.42 acres. The applicant's traffic study has estimated the net new a.m. peak hour trip generation at 64, the p.m. peak-hour trip generation at 77 trips and an average daily trip generation (ADT) of 890 trips. The trip generation was estimated using the nationally accepted data published by the *Institute of Transportation Engineers 11th Edition*. The proposed development site is located at 2004 NE 179th Street in Ridgefield.

The applicant has submitted a traffic study under the provisions of Clark County Code section 40.350.020 (D)(1).

Finding 2: Site Access

Traffic conditions are usually expressed using a scale that quantifies the ability of a facility to meet the needs and expectations of the driver. This scale is graded from A to F and is referred to as level-of-service (LOS). A driver who experiences a LOS A condition would expect little delay. A driver who experiences a LOS E condition would expect significant delay, but the traffic facility would be just within its capacity to serve the needs of the driver. A driver who experiences a LOS F condition would expect significant delay with traffic demand exceeding the capacity of the facility with the result being growing queues of traffic.

Congestion, or concurrency, level of service (LOS) standards are not applicable to accesses that are not regionally significant; however, the LOS analysis provides information on the potential congestion and safety problems that may occur in the vicinity of the site.

The applicant's traffic study indicates that there is an existing temporary full movement driveway onto NE 179th Street, an urban principal arterial (Pr-4cb). This temporary full movement driveway access location was constructed with the previously approved and constructed apartment complex west of the subject site. This proposed full movement driveway will provide primary ingress and egress to the subject site.

The applicant's plan also shows a right-in/right-out driveway access to NE 179th Street on the east side of the subject site. This proposed driveway access onto NE 179th Street, if approved would provide a secondary driveway access location to the subject site.

The applicant's study evaluated the level of service and found that the driveway access locations to the subject site, existing and proposed will have an estimated LOS E or better, in the 2026 build-out horizon. The study also shows that the LOS was evaluated during the a.m. and p.m. peak hour traffic conditions in existing and build-out scenarios. County Staff concurs with the traffic study findings.

Finding 3: Clark County Concurrency

The proposed development is required to meet the standards established in CCC 40.350.020(G) for corridors and intersections of regional significance within 2 miles of the proposed development.

Signalized Intersections

The County's model evaluated the operating levels, travel speeds and delay times for the regionally significant signalized intersections. This analysis showed that individual movements during peak hour traffic conditions had approach delays that did not exceed the maximum 240 seconds, or 2 cycles, of delay in the build-out year.

Therefore, County Staff has determined that this development will comply with adopted Concurrency standards for signalized intersections.

Unsignalized Intersections

County Staff has evaluated the operating levels and standard delays represented in the

County's model. The County's model yielded operating levels and standard delay times with a LOS better than the minimum allowable LOS E except for the following intersections NE 50th Avenue/NE 159th Street, NE 50th Avenue/NE 179th Street, and NE 50th Avenue/NE Salmon Creek Avenue.

The applicant has submitted a traffic study that reports anticipated levels-of-service on individual intersection approaches. These approaches were reported to have a level-of-service "F" in the 2026 evaluation year with the proposed development. The intersection approaches are the eastbound and westbound approach of NE 50th Avenue/NE 159th Street, the eastbound and northbound approach of NE 50th Avenue/NE 179th Street, and NE 50th Avenue/NE Salmon Creek Avenue.

The applicant's traffic study has analyzed the impacts of the proposed development on the intersection approaches, listed above. Staff used the applicant's information to determine if mitigation requirements would be warranted per CCC 40.350.020 (G)(1)(c), which states:

"All unsignalized intersections of regional significance in the unincorporated county shall achieve LOS E standards or better (if warrants are not met). If warrants are met, unsignalized intersections of regional significance shall achieve LOS D standards or better. Intersection control or mitigation of unsignalized intersections shall be at the discretion of the Public Works Director and shall not obligate the county to meet this LOS standard. However, proposed developments shall not be required to mitigate their impacts in order to obtain a concurrency approval unless:

(1) The proposed development adds at least five (5) peak period trips to a failing intersection approach; and

(2) The worst movement on the failing approach is worsened by the proposed development. In determining whether the movement is worsened, the Public Works Director shall consider trip volume, delay, and any other relevant factors."

Staff compared the anticipated impacts against the criteria in the code section listed above and found that because the proposed development will not be sending at least 5 peak hour development generated trips to the failing approaches, none of the criterion was met.

The County has determined that this development can comply with adopted Concurrency Standards for unsignalized intersections.

Concurrency Corridors
Evaluation of the concurrency corridor capacity levels as represented in the County Code yielded capacity at acceptable levels.

Summary
The County has determined that this development can comply with adopted Concurrency Standards for corridors, signalized and unsignalized intersections under County jurisdiction.

SAFETY:

Where applicable, a traffic study shall address the following safety issues:
- traffic signal warrant analysis,

- turn lane warrant analysis,
- crash history analysis,
- roadside safety (clear zone) evaluation,
- vehicle turning movements, and
- any other issues associated with highway safety.

Mitigation for off-site safety deficiencies may only be a condition of approval on development in accordance with CCC 40.350.030(B)(6) The code states that "nothing in this section shall be construed to preclude denial of a proposed development where off-site road conditions are inadequate to provide a minimum level of service as specified in Section 40.350.020 or a *significant* traffic or safety hazard *would be caused or materially aggravated* by the proposed development; provided, that the applicant may voluntarily agree to mitigate such direct impacts in accordance with the provisions of RCW 82.02.020."

Finding 4: Turn Lane Warrants

Turn lane warrants are evaluated at unsignalized intersections to determine if turn lanes are needed on the uncontrolled roadway.

The applicant's traffic study evaluated the need for turn lanes based on the Washington State Department of Transportation (WSDOT) Design Manual. The applicant's engineer concluded that turn lanes at the proposed site access locations on 179th Street would not be recommended because the access locations are temporary and will be removed when the interior public street network is available for use. Staff concurs with the applicant's findings.

It should be noted that the county has a capital improvement project along the NE 179th Street corridor that will construct a 4-lane principal arterial with dedicated center turn lanes, at regionally significant intersections, and raised medians along the corridor to manage access and increase mobility.

Finding 5: Historical Accident Situation

The Institute of Transportation Engineers (ITE) *Traffic Access and Impact Studies for Site Development – A Recommended Practice* states that "Accident rates vary, but any intersection will more than one accident per million entering vehicles is worth of additional analysis." This ITE recommended practice has been used by county staff to determine the scope, or level of analysis required regarding crash history. Because of this, a crash rate of one crash per million entering vehicles has become the threshold to determine if further crash history evaluation is warranted. This is provided that staff has not identified a crash trend that would be exacerbated by the development regardless of the threshold.

The applicant's traffic study analyzed the crash history as obtained from the Washington State Department of Transportation (WSDOT) for the period between January 2018 through December 2022.

The intersection crash rates for the study intersections did not exceed one crash per million entering vehicles warranting additional analysis except for NW 11th Avenue/NW 179th Street. Staff validated the applicant's crash data showing that the last documented crashes occurred in July 2022. In August 2022, the NW 11th Avenue/NW 179th Street intersection was converted from a 2-way stop controlled intersection to an all-way stop in order to facilitate reducing crashes at this intersection. Since July 2022 there have been no documented

crashes at this intersection suggesting that the implementation of an all-way stop was successful in reducing the potential for crashes at the intersection NW 11th Avenue/NW 179th Street.

The applicant's study did not recommend any safety mitigations as a part of this development. Staff concurs with the applicant's finding.

Finding 6: Roadside Safety *(Clear Zone)* Evaluation

The *Institute of Transportation Engineers (ITE) Traffic Engineering Handbook 6th Edition*, states that "The *clear roadside concept…*is applied to improve safety by providing an un-encumbered roadside recovery area that is as wide as practical…". Further, this concept "allows for errant vehicles leaving the roadway for whatever reason and supports a roadside designed to minimize the serious consequences of roadway departures."

Further, as adopted by Clark County Code (CCC) 40.350.030(C)(1)(b), the *Washington State Department of Transportation (WSDOT) Design Manual, Chapter 1600* states that "A clear roadside border area is a primary consideration when analyzing potential roadside and median features. The intent is to provide as much clear, traversable area for a vehicle to recover as practicable given the function of the roadway and the potential tradeoffs. The Design Clear Zone is used to evaluate the adequacy of the existing clear area and proposed modifications of the roadside. When considering the placement of new objects along the roadside or median, evaluate the potential for impacts and try to select locations with the least likelihood of an impact by an errant vehicle."

"For managed access state highways within an urban area, it might not be practicable to provide the Design Clear Zone distances shown in Exhibit 1600-2. Roadways within an urban area generally have curbs and sidewalks and might have objects such as trees, poles, benches, trash cans, landscaping and transit shelters along the roadside."

The applicant shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Section 1600.04) in the final engineering design of all proposed roadways and frontage improvements. (See Transportation Concurrency A-1.b)

Finding 7: Vehicle Turning Movements

The applicant's narrative does not indicate the types of vehicles that may serve the proposed development. Curb return radii will need to comply with County requirements.

It shall be noted that, the curb return radii listed in the Clark County Code are minimum criteria and are intended for normal conditions, per CCC 40.350.030 (C)(3). CCC 40.350.030 (C)(3) also states, "The responsible official may require higher standards for unusual site conditions."

The applicant will need to submit construction plans that show the design of the intersection geometry will accommodate all applicable design vehicles for review and approval. The plans will also need to show that all applicable design vehicles can enter and exit the development while minimizing the turning movement impacts to opposing or adjacent travel lanes, which may result in no parking and/or maneuvering areas near the driveway intersections with the public road network. Please note that applicable design vehicles include but are not limited to passenger vehicles and waste management vehicles. (See Transportation Concurrency A-1.c).

Finding 8: Sight Distance

Sight distance issues are addressed by other Development Engineering Staff; therefore, this issue will not be addressed here.

Conclusion
In summary, Concurrency Staff recommends approval of the development application with the following conditions.

Conditions of Approval

A Final Construction/Site Plan Review
Review & Approval Authority: Development Engineering

Prior to construction, a Final Construction Plan shall be submitted for review and approval to Development Engineering, consistent with the approved preliminary plan and the following conditions of approval:

A-1 Final Transportation Plan/Off Site (Concurrency):

a. The applicant shall submit a signing and striping plan for review and approval. This plan shall show signing and striping and all related features for required frontage improvements and any off-site improvements. The applicant shall obtain a work order with Clark County to reimburse the County for required signing and striping.

b. The applicant shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Section 1600.04) in the final engineering design of all proposed roadways and frontage improvements. (See Finding 6)

c. The applicant shall submit construction plans that show the design of the intersection geometry will accommodate all applicable design vehicles for review and approval, unless modified by the County Engineer. The plans will also need to show that all applicable design vehicles can enter and exit the development minimizing impact to opposing travel lanes. This may result in no parking and/or maneuvering areas near the driveway access to the public road network. Please note that applicable design vehicles include but are not limited to passenger vehicles and waste management vehicles. (See Finding 7).

B Prior to Construction of Development
Review & Approval Authority: Development Inspection

Prior to construction, the following conditions shall be met:

B-1 Transportation (Concurrency) – NONE

C Provisional Acceptance of Development
Review & Approval Authority: Development Inspection

Prior to provisional acceptance of development improvements by Development Engineering, construction shall be completed consistent with the approved final construction/site plan and the following conditions of approval:

C-1 Transportation (Concurrency) - NONE

D Final Plat Review & Recording
Review & Approval Authority: Development Engineering

Prior to final plat approval and recording, the following conditions shall be met:

D-1 Transportation (Concurrency) – NONE

E Building Permits
Review & Approval Authority: Customer Service

Prior to issuance of a building permit, the following conditions shall be met:

E-1 Transportation (Concurrency) – NONE

F Occupancy Permits
Review & Approval Authority: Building

Prior to issuance of an occupancy permit, the following conditions shall be met:

F-1 Final Transportation Plan/Off Site (Concurrency) – NONE

ATTACHMENT C
TYPE III DEVELOPMENT & ENVIRONMENTAL REVIEW STAFF REPORT & RECOMMENDATION

(Concurrency Review)
Form DS1402A

Project Name:	**174th Street Subdivision**
Case Number:	**PLD-2026-00002**
Staff Engineer:	Craig Kathol
Manager:	David Jardin
Report Issue Date:	April 8, 2026
Vesting Date:	January 26, 2026

DECISION
Denial

Traffic Engineering Section Manager: 

Date Signed: 4/21/26

Major Issues, Analysis & Conclusions

TRANSPORTATION CONCURRENCY:

Finding 1: Trip Generation

County concurrency staff has reviewed the proposed 174th Street Subdivision Traffic Impact Study dated December 24, 2025, prepared by Lancaster Mobley. The traffic study submitted indicates that the proposed development will divide 27.06 acres into 100 single-

Exhibit 52

family detached houses. The applicant's traffic study has estimated the net new a.m. peak hour trip generation at 69, p.m. peak-hour trip generation at 92 trips, and an average daily trip generation (ADT) of 926 trips. The trip generation was estimated using the nationally accepted data published by the *Institute of Transportation Engineers 11th Edition*. The proposed development site is located on parcels 181696000, 181711000, 181721000, 181731000, 181764000, 181765000, and 181766000 in unincorporated Clark County.

The applicant has submitted a traffic study under the provisions of Clark County Code section 40.350.020 (D)(1).

Finding 2: Site Access

Traffic conditions are usually expressed using a scale that quantifies the ability of a facility to meet the needs and expectations of the driver. This scale is graded from A to F and is referred to as level-of-service (LOS). A driver who experiences a LOS A condition would expect little delay. A driver who experiences a LOS E condition would expect significant delay, but the traffic facility would be just within its capacity to serve the needs of the driver. A driver who experiences a LOS F condition would expect significant delay with traffic demand exceeding the capacity of the facility with the result being growing queues of traffic.

Congestion, or concurrency, level of service (LOS) standards are not applicable to accesses that are not regionally significant; however, the LOS analysis provides information on the potential congestion and safety problems that may occur in the vicinity of the site.

The applicant's plan shows that NE 174th Street, a public Urban Collector road will be the primary ingress and egress for the entire site from NE 50th Avenue. NE 174th Street will intersect with NE 44th Way to the east and branch out into an interior road network.

The applicant's plan shows an interior public local residential access road network will be constructed to serve as the primary public road access for the proposed lots within the development. These public local residential roads will be comprised of NE 173rd Street, NE 42nd Way, NE 43rd Way, NE 169th Street, NE 170th Street and NE 45th Avenue.

The applicant's plan also shows an interior private loop road on the north and south sides of the proposed development. These private loop roads will be comprised of NE 43rd Loop and NE 44th Loop.

The applicant's study evaluated the level of service and found that the proposed site access at NE 174th Street will have an estimated LOS A in the 2028 build-out horizon. The study also shows that the LOS was evaluated during the a.m. and p.m. peak hour traffic conditions. County Staff concurs with the traffic study findings.

Finding 3: Clark County Concurrency

The proposed development is required to meet the standards established in CCC 40.350.020(G) for corridors and intersections of regional significance within 2 miles of the proposed development.

Signalized Intersections

Staff evaluated the operating levels and delay times for the regionally significant signalized intersections under Clark County jurisdiction. This analysis showed that individual

movements during peak hour traffic conditions had approach delays that did not exceed the maximum 240 seconds, or 2 cycles, of delay in the build-out year.

Therefore, County Staff has determined that this development will comply with adopted Concurrency standards for signalized intersections.

Unsignalized Intersections

Staff evaluated the operating levels and delay times for the regionally significant unsignalized intersections under Clark County jurisdiction. This analysis showed operating levels and standard delay times with a LOS better than the minimum allowable LOS E except for NE 179th Street/NE 50th Avenue and NE 159th Street/NE 72nd Avenue in the PM peak hour.

NE 179th Street/NE 50th Avenue

The applicant's traffic study has analyzed the impacts of the proposed development on the intersection approaches, at NE 179th Street/NE 50th Avenue. Staff used this information to determine if mitigation requirements would be warranted per CCC 40.350.020 (G)(1)(c), which states:

"All unsignalized intersections of regional significance in the unincorporated county shall achieve LOS E standards or better (if warrants are not met). If warrants are met, unsignalized intersections of regional significance shall achieve LOS D standards or better. Intersection control or mitigation of unsignalized intersections shall be at the discretion of the Public Works Director and shall not obligate the county to meet this LOS standard. However, proposed developments shall not be required to mitigate their impacts in order to obtain a concurrency approval unless:

(1) The proposed development adds at least five (5) peak period trips to a failing intersection approach; and

(2) The worst movement on the failing approach is worsened by the proposed development. In determining whether the movement is worsened, the Public Works Director shall consider trip volume, delay, and any other relevant factors."

Staff compared the anticipated impacts against the criteria in the code section listed above and found that both of the criterion was met. The applicant's traffic study suggests that coordination with a previously approved development would be conducted to install a northbound dedicated left-turn lane in-lieu of a northbound right turn lane. However, none of the submitted information indicates that the applicant proposes to install the northbound dedicated left-turn lane to mitigate the impacts of their development at the NE 50th Avenue/NE 179th Street intersection.

Because the applicant's traffic study showed that this off-site, regionally significant intersection does not comply with the required minimum level-of-service, and the applicant has not shown compliance with CCC 40.350.030(B)(6)(a) that states that the applicant may volunteer mitigation, staff cannot show that the proposed development can comply with concurrency requirements. Therefore, staff recommends denial.

Note: As of the issuance of this staff report, the applicant has not submitted any additional information to show compliance with CCC 40.350.020 and CCC 40.350.030(B)(6)(a).

NE 159th Street/NE 72nd Avenue

The applicant's traffic study has analyzed the impacts of the proposed development on the intersection approaches, at NE 159th Street/NE 72nd Avenue. Staff used this information to determine if mitigation requirements would be warranted per CCC 40.350.020 (G)(1)(c), which states:

"All unsignalized intersections of regional significance in the unincorporated county shall achieve LOS E standards or better (if warrants are not met). If warrants are met, unsignalized intersections of regional significance shall achieve LOS D standards or better. Intersection control or mitigation of unsignalized intersections shall be at the discretion of the Public Works Director and shall not obligate the county to meet this LOS standard. However, proposed developments shall not be required to mitigate their impacts in order to obtain a concurrency approval unless:

(1) The proposed development adds at least five (5) peak period trips to a failing intersection approach; and

(2) The worst movement on the failing approach is worsened by the proposed development. In determining whether the movement is worsened, the Public Works Director shall consider trip volume, delay, and any other relevant factors."

Staff compared the anticipated impacts against the criteria in the code section listed above and found that none of the criterion was met. Because the criteria was not met, staff has determined that mitigation is not warranted at this intersection.

The County has determined that this development can comply with adopted Concurrency Standards for unsignalized intersections.

Concurrency Corridors

Evaluation of the concurrency corridor capacity levels represented in the County Code yielded capacity at acceptable levels except for the NE 179th Street road segment between NE Delfel Road and Interstate 5; between Interstate 5 and NE 15th Avenue, the NE 10th Avenue road segment between NE 189th Street and NE 179th Street, between NE 199th Street to NE 194th Street; and the NE 15th Avenue road segment between NE 179th Street and NE 174th Street in the buildout year.

The traffic study indicates that the above corridors will have a volume to capacity (v/c) ratio of greater than 0.9 in the 2028 buildout horizon.

Staff investigated the operations of these corridors to determine if there were mitigation measures warranted.

Staff reviewed the LOS and volumes reported at the NE 179th Street intersections used in the corridor evaluation and found that, in the 2028 buildout horizon, the signalized intersections at the Interstate 5 Northbound and Southbound ramps had approach delays that did not exceed the maximum delay. Staff also evaluated the signalized intersections at NE 179th Street/NE 15th Avenue and found the approach delays did not exceed the maximum delay in the AM or PM peak hours. Staff has determined, during the concurrency evaluation, that these intersections will comply with the adopted Concurrency standards for signalized intersections.

Since the signalized and unsignalized intersections bounding the corridor segments analyzed are anticipated to operate at levels that meet or exceed concurrency standards

in the buildout horizon, staff believes that the reported v/c ratio over the NE 179th Street, NE 10th Avenue, and NE 15th Avenue corridors does not represent roadway deficiencies, rather corridor mobility facilitated with good intersection LOS. Therefore, staff concludes that no further analysis or mitigation is required with this development.

It should be noted that the reported v/c in the applicant's traffic study should be used as an indicator that these roadway segments should be subjected to site-specific study with a more detailed operational analysis before any major design, reconstruction, or investment decisions are made.

Summary
The County has determined that this development can comply with adopted Concurrency Standards for corridors, signalized and unsignalized intersections under County jurisdiction.

SAFETY:

Where applicable, a traffic study shall address the following safety issues:
- traffic signal warrant analysis,
- turn lane warrant analysis,
- crash history analysis,
- roadside safety (clear zone) evaluation,
- vehicle turning movements, and
- any other issues associated with highway safety.

Mitigation for off-site safety deficiencies may only be a condition of approval on development in accordance with CCC 40.350.030(B)(6) The code states that "nothing in this section shall be construed to preclude denial of a proposed development where off-site road conditions are inadequate to provide a minimum level of service as specified in Section 40.350.020 or a *significant* traffic or safety hazard *would be caused or materially aggravated* by the proposed development; provided, that the applicant may voluntarily agree to mitigate such direct impacts in accordance with the provisions of RCW 82.02.020."

Finding 4: Turn Lane Warrants

Turn lane warrants are evaluated at unsignalized intersections to determine if turn lanes are needed on the uncontrolled roadway.

The applicant's traffic study evaluated the need for turn lanes based on the Washington State Department of Transportation (WSDOT) Design Manual. The applicant's engineer concluded that left-turn lane warrants are not projected to be met at the proposed site access location. However, the previously approved PLD-2022-00121 Viers PUD Subdivision was conditioned to construct a dedicated northbound left turn lane with a minimum of 100 feet of vehicle storage shall be constructed on NE 50th Avenue at NE 174th Street. Because the proposed subdivision will add to the vehicle volume that triggered the northbound left turn lane warrant under PLD-2022-00121, the applicant will be required to ensure that this dedicated northbound left turn lane on NE 50th Avenue at NE 174th Street is constructed and operational prior to final plat approval. This determination has been made based on CCC 40.350.020(E)(2) that states "The concurrency determination for multiple development applications impacting the same transportation corridors or intersections shall be tested

chronologically…"

Therefore, the applicant shall ensure construction drawings are submitted for review and approval. The construction drawings shall provide a signing and striping plan that shows a dedicated northbound left turn lane with associated turn lane tapers on NE 50th Avenue at NE 174th Street. The dedicated northbound left turn lane shall have a minimum of 100 feet of vehicle storage. The north and southbound lane widths on NE 50th Avenue shall also be maintained along with the associated shoulders. The construction drawings shall also address roadside safety and clear zone requirements. These improvements may require additional right-of-way on NE 50th Avenue.

Finding 5: Historical Accident Situation

The Institute of Transportation Engineers (ITE) *Traffic Access and Impact Studies for Site Development – A Recommended Practice* states that "Accident rates vary, but any intersection will more than one accident per million entering vehicles is worth of additional analysis." This ITE recommended practice has been used by county staff to determine the scope, or level of analysis required regarding crash history. Because of this, a crash rate of one crash per million entering vehicles has become the threshold to determine if further crash history evaluation is warranted. This is provided that staff has not identified a crash trend that would be exacerbated by the development regardless of the threshold.

The applicant's traffic study analyzed the crash history as obtained from the Washington State Department of Transportation (WSDOT) for the period between January 2020 through December 2024.

The intersection crash rates for the study intersections did not exceed one crash per million entering vehicles warranting additional analysis.

The applicant's study did not recommend any safety mitigations as a part of this development. Staff concurs with the applicant's finding.

Finding 6: Roadside Safety *(Clear Zone)* Evaluation

The *Institute of Transportation Engineers (ITE) Traffic Engineering Handbook 6th Edition*, states that "The *clear roadside concept*…is applied to improve safety by providing an un-encumbered roadside recovery area that is as wide as practical…". Further, this concept "allows for errant vehicles leaving the roadway for whatever reason and supports a roadside designed to minimize the serious consequences of roadway departures."

Further, as adopted by Clark County Code (CCC) 40.350.030(C)(1)(b), the *Washington State Department of Transportation (WSDOT) Design Manual, Chapter 1600* states that "A clear roadside border area is a primary consideration when analyzing potential roadside and median features. The intent is to provide as much clear, traversable area for a vehicle to recover as practicable given the function of the roadway and the potential tradeoffs. The Design Clear Zone is used to evaluate the adequacy of the existing clear area and proposed modifications of the roadside. When considering the placement of new objects along the roadside or median, evaluate the potential for impacts and try to select locations with the least likelihood of an impact by an errant vehicle."

"For managed access state highways within an urban area, it might not be practicable to provide the Design Clear Zone distances shown in Exhibit 1600-2. Roadways within an urban area generally have curbs and sidewalks and might have objects such as trees, poles, benches, trash cans, landscaping and transit shelters along the roadside."

The applicant shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Section 1600) in the final engineering design of all proposed roadways and frontage improvements.

Finding 7: Vehicle Turning Movements

It shall be noted that, the road and driveway approach standards listed in the Clark County Code are minimum criteria and are intended for normal conditions, per CCC 40.350.030 (C)(3). CCC 40.350.030 (C)(3) also states, "The responsible official may require higher standards for unusual site conditions."

The applicant will need to submit construction plans that show the design of the intersection geometry will accommodate all applicable design vehicles for review and approval. The plans will also need to show that all applicable design vehicles can enter and exit the development minimizing impact to opposing travel lanes. This may result in no on-street parking areas on local residential access roads, at/near public road intersections.

Finding 8: Sight Distance

Sight distance issues are addressed by other Development Engineering Staff; therefore, this issue will not be addressed here.

Conclusion

In summary, because the applicant has not volunteered/proposed any mitigation to show compliance with CCC 40.350.020, Concurrency Staff cannot determine that the proposed development will comply or can comply with CCC 40.350.020 and CCC 40.350.030(B)(6). Therefore, concurrency staff recommends **DENIAL** of the development application.

ATTACHMENT C
TYPE III DEVELOPMENT & ENVIRONMENTAL REVIEW STAFF REPORT & RECOMMENDATION

(Concurrency Review)
Form DS1402A

Project Name:	**174th Street Subdivision**
Case Number:	**PLD-2026-00002**
Staff Engineer:	Craig Kathol
Manager:	David Jardin
Report Issue Date:	May 21, 2026 (Reissue under open record)
Vesting Date:	January 26, 2026

DECISION
Approved with Conditions

Traffic Engineering Section Manager: 

Date Signed: 5/21/26

Major Issues, Analysis & Conclusions

TRANSPORTATION CONCURRENCY:

Finding 1: Trip Generation

County concurrency staff has reviewed the proposed 174th Street Subdivision Traffic Impact Study dated December 4, 2025, prepared by Lancaster Mobley. The traffic study submitted indicates that the proposed development will divide 27.06 acres into 100 single-family detached houses. The applicant's traffic study has estimated the net new a.m. peak hour trip generation at 69, p.m. peak-hour trip generation at 92 trips, and an average daily

Exhibit 140

trip generation (ADT) of 926 trips. The trip generation was estimated using the nationally accepted data published by the *Institute of Transportation Engineers 11th Edition*. The proposed development site is located on parcels 181696000, 181711000, 181721000, 181731000, 181764000, 181765000, and 181766000 in unincorporated Clark County.

The applicant has submitted a traffic study under the provisions of Clark County Code section 40.350.020 (D)(1).

Finding 2: Site Access

Traffic conditions are usually expressed using a scale that quantifies the ability of a facility to meet the needs and expectations of the driver. This scale is graded from A to F and is referred to as level-of-service (LOS). A driver who experiences a LOS A condition would expect little delay. A driver who experiences a LOS E condition would expect significant delay, but the traffic facility would be just within its capacity to serve the needs of the driver. A driver who experiences a LOS F condition would expect significant delay with traffic demand exceeding the capacity of the facility with the result being growing queues of traffic.

Congestion, or concurrency, level of service (LOS) standards are not applicable to accesses that are not regionally significant; however, the LOS analysis provides information on the potential congestion and safety problems that may occur in the vicinity of the site.

The applicant's plan shows that NE 174th Street, a public Urban Collector road will be the primary ingress and egress for the entire site from NE 50th Avenue. NE 174th Street will intersect with NE 44th Way to the east and branch out into an interior road network.

The applicant's plan shows an interior public local residential access road network will be constructed to serve as the primary public road access for the proposed lots within the development. These public local residential roads will be comprised of NE 173rd Street, NE 42nd Way, NE 43rd Way, NE 169th Street, NE 170th Street and NE 45th Avenue.

The applicant's plan also shows an interior private loop road on the north and south sides of the proposed development. These private loop roads will be comprised of NE 43rd Loop and NE 44th Loop.

The applicant's study evaluated the level of service and found that the proposed site access at NE 174th Street will have an estimated LOS A in the 2028 build-out horizon. The study also shows that the LOS was evaluated during the a.m. and p.m. peak hour traffic conditions. County Staff concurs with the traffic study findings.

Finding 3: Clark County Concurrency

The proposed development is required to meet the standards established in CCC 40.350.020(G) for corridors and intersections of regional significance within 2 miles of the proposed development.

Signalized Intersections

Staff evaluated the operating levels and delay times for the regionally significant signalized intersections under Clark County jurisdiction. This analysis showed that individual movements during peak hour traffic conditions had approach delays that did not exceed the maximum 240 seconds, or 2 cycles, of delay in the build-out year.

Therefore, County Staff has determined that this development will comply with adopted Concurrency standards for signalized intersections.

Unsignalized Intersections
Staff evaluated the operating levels and delay times for the regionally significant unsignalized intersections under Clark County jurisdiction. This analysis showed operating levels and standard delay times with a LOS better than the minimum allowable LOS E except for NE 179th Street/NE 50th Avenue and NE 159th Street/NE 72nd Avenue in the PM peak hour.

NE 179th Street/NE 50th Avenue
The applicant's traffic study has analyzed the impacts of the proposed development on the intersection approaches, at NE 179th Street/NE 50th Avenue. Staff used this information to determine if mitigation requirements would be warranted per CCC 40.350.020 (G)(1)(c), which states:

"All unsignalized intersections of regional significance in the unincorporated county shall achieve LOS E standards or better (if warrants are not met). If warrants are met, unsignalized intersections of regional significance shall achieve LOS D standards or better. Intersection control or mitigation of unsignalized intersections shall be at the discretion of the Public Works Director and shall not obligate the county to meet this LOS standard. However, proposed developments shall not be required to mitigate their impacts in order to obtain a concurrency approval unless:

(1) The proposed development adds at least five (5) peak period trips to a failing intersection approach; and

(2) The worst movement on the failing approach is worsened by the proposed development. In determining whether the movement is worsened, the Public Works Director shall consider trip volume, delay, and any other relevant factors."

Staff compared the anticipated impacts against the criteria in the code section listed above and found that both of the criterion was met. The applicant's traffic study suggests that coordination with a previously approved development would be conducted to install a northbound dedicated left-turn lane in-lieu of a northbound right turn lane. The applicant has submitted a volunteer letter which volunteers the following mitigation at the NE 179th Street/NE 50th Avenue intersection:

- Widen the south leg of the intersection to accommodate one dedicated northbound left-turn lane, one shared northbound through/right-turn lane, and one southbound receiving lane.
- Stripe approximately 90 feet of northbound left-turn queue storage, consistent with the design of the dedicated left-turn lanes installed on the eastbound and westbound approaches at the intersection.

Because the applicant's traffic study showed that this off-site, regionally significant intersection does not comply with the required minimum level-of-service, and the applicant has shown compliance with CCC 40.350.030(B)(6)(a) that states that the applicant may volunteer mitigation, staff believes that the applicant has shown that the proposed development can comply with concurrency requirements. Therefore, staff recommends approval. (See Transportation Concurrency A-1.b and D-1.b)

NE 159th Street/NE 72nd Avenue
The applicant's traffic study has analyzed the impacts of the proposed development on the intersection approaches, at NE 159th Street/NE 72nd Avenue. Staff used this information to determine if mitigation requirements would be warranted per CCC 40.350.020 (G)(1)(c), which states:

"All unsignalized intersections of regional significance in the unincorporated county shall achieve LOS E standards or better (if warrants are not met). If warrants are met, unsignalized intersections of regional significance shall achieve LOS D standards or better. Intersection control or mitigation of unsignalized intersections shall be at the discretion of the Public Works Director and shall not obligate the county to meet this LOS standard. However, proposed developments shall not be required to mitigate their impacts in order to obtain a concurrency approval unless:

(1) The proposed development adds at least five (5) peak period trips to a failing intersection approach; and

(2) The worst movement on the failing approach is worsened by the proposed development. In determining whether the movement is worsened, the Public Works Director shall consider trip volume, delay, and any other relevant factors."

Staff compared the anticipated impacts against the criteria in the code section listed above and found that none of the criterion was met. Because the criteria was not met, staff has determined that mitigation is not warranted at this intersection.

The County has determined that this development can comply with adopted Concurrency Standards for unsignalized intersections.

Concurrency Corridors
In accordance with CCC 40.350.020(F)(9), the Public Works Director acknowledges that a variety of factors can influence the operating performance of transportation corridors. These factors are considered when determining compliance with, or acceptable levels of service under, CCC 40.350.020(G), which establishes baseline service levels under ideal conditions. In addition to the performance of intersections that bound the corridor being evaluated, such as intersection level of service and queueing, there are real-world conditions that also affect roadway capacity. These may include, but are not limited to:

- Lane width
- Presence or absence of shoulders
- Heavy vehicle volumes
- Roadway grades
- Number and spacing of intersections and/or driveway accesses

When necessary, these real-world influences may also be considered and may warrant adjustments as part of the broader evaluation of corridor operations. The Highway Capacity Manual (HCM), a nationally accepted reference, provides adjustment factors for these real-world conditions and supports their application in operational analyses.

The corridor volume-to-capacity (v/c) ratio serves as a key engineering indicator of operational performance. Although drivers do not directly perceive the numerical v/c value, it provides insight into where roadway operations may begin to degrade and where additional

analysis should be focused—particularly at intersections, which are typically the first points in the roadway network to experience breakdown and noticeable delay as traffic volumes increase.

It should also be noted that baseline corridor level-of-service thresholds may appear to be exceeded even when intersection operations remain within acceptable limits. In such cases, higher corridor volumes may simply indicate that intersections are operating efficiently enough to allow more vehicles to pass through with minimal delay, thereby increasing the overall throughput of the corridor.

Corridor Finding
Evaluation of the concurrency corridor capacity levels represented in the County Code yielded capacity at acceptable levels except for the NE 179th Street road segment between NE Delfel Road and Interstate 5; between Interstate 5 and NE 15th Avenue, the NE 10th Avenue road segment between NE 189th Street and NE 179th Street, between NE 199th Street to NE 194th Street; and the NE 15th Avenue road segment between NE 179th Street and NE 174th Street in the buildout year. It should be noted that, although NE 174th Street is identified in the applicant's traffic study, the suggested intersection of NE 15th Avenue/NE 174th Street does not exist. The next regionally significant intersection on NE 15th Avenue that would be considered is NE 173rd Street/NE 15th Avenue. This intersection is stop controlled on NE 173rd Street on approach to NE 15th Avenue. Therefore, because NE 15th Avenue is unrestricted and will allow free flow traffic, it is anticipated that the LOS at the NE 173rd Street/NE 15th Avenue intersection will be a LOS A in the 2028 buildout horizon.

The traffic study indicates that the above corridors will have a volume to capacity (v/c) ratio of greater than 0.9 in the 2028 buildout horizon.

Staff investigated the operations of the corridor to determine if there were mitigation measures warranted.

Staff reviewed the LOS and volumes reported at the intersections used in the corridor evaluation and found that, in the 2028 buildout horizon, the roundabout controlled intersections of NE 179th Street/NE Delfel Road, NE 179th Street and the I-5 SB off/on ramps, NE 179th Street/I-5 NB on/off ramp, NE 179th Street/NE 15th Avenue are anticipated to operate at a LOS D or better.

Review of NE 10th Avenue road segment between NE 189th Street and NE 179th Street, and between NE 199th Street and NE 194th Street found that the intersections of NE 10th Avenue/NE 199th Street, a signalized intersection, is anticipated to operated at a LOS B or better in the 2028 buildout horizon. Since NE 10th Avenue/NE 189th Street and NE 10th Avenue/NE 194th Street are stop controlled side streets where the NE 10th Avenue corridor will be unrestricted and free flow, NE 10th Avenue is anticipated to operate at a LOS A on approach to these intersections in the 2028 buildout horizon.

Further, since the roundabout controlled intersections are anticipated to operate at a LOS D or better in the builout horizon and the stop controlled side street intersections are anticipated to operate at a LOS A, staff believes that the reported v/c ratio over the NE 179th Street, NE 10th Avenue, and NE 15th Avenue corridors do not represent roadway deficiencies, rather corridor mobility facilitated with good intersection LOS. Therefore, staff concludes that no further analysis is required.

It should be noted that the reported v/c in the applicant's traffic study should be used as an indicator that this roadway segment should be subjected to site-specific study with a more detailed operational analysis before any major design, reconstruction, or investment decisions are made.

Summary
The County has determined that this development can comply with adopted Concurrency Standards for corridors, signalized and unsignalized intersections under County jurisdiction.

SAFETY:

Where applicable, a traffic study shall address the following safety issues:
- traffic signal warrant analysis,
- turn lane warrant analysis,
- crash history analysis,
- roadside safety (clear zone) evaluation,
- vehicle turning movements, and
- any other issues associated with highway safety.

Mitigation for off-site safety deficiencies may only be a condition of approval on development in accordance with CCC 40.350.030(B)(6) The code states that "nothing in this section shall be construed to preclude denial of a proposed development where off-site road conditions are inadequate to provide a minimum level of service as specified in Section 40.350.020 or a *significant* traffic or safety hazard *would be caused or materially aggravated* by the proposed development; provided, that the applicant may voluntarily agree to mitigate such direct impacts in accordance with the provisions of RCW 82.02.020."

Finding 4: Turn Lane Warrants

Turn lane warrants are evaluated at unsignalized intersections to determine if turn lanes are needed on the uncontrolled roadway.

The applicant's traffic study evaluated the need for turn lanes based on the Washington State Department of Transportation (WSDOT) Design Manual. The applicant's engineer concluded that left-turn lane warrants are not projected to be met at the proposed site access location. However, the previously approved PLD-2022-00121 Viers PUD Subdivision was conditioned to construct a dedicated northbound left turn lane with a minimum of 100 feet of vehicle storage shall be constructed on NE 50th Avenue at NE 174th Street. Because the proposed subdivision will add to the vehicle volume that triggered the northbound left turn lane warrant under PLD-2022-00121, the applicant will be required to ensure that this dedicated northbound left turn lane on NE 50th Avenue at NE 174th Street is constructed and operational prior to final plat approval. This determination has been made based on CCC 40.350.020(E)(2) that states "The concurrency determination for multiple development applications impacting the same transportation corridors or intersections shall be tested chronologically…"

Therefore, the applicant shall ensure construction drawings are submitted for review and approval. The construction drawings shall provide a signing and striping plan that shows a dedicated northbound left turn lane with associated turn lane tapers on NE 50th Avenue at

NE 174th Street. The dedicated northbound left turn lane shall have a minimum of 100 feet of vehicle storage. The north and southbound lane widths on NE 50th Avenue shall also be maintained along with the associated shoulders. The construction drawings shall also address roadside safety and clear zone requirements. These improvements may require additional right-of-way on NE 50th Avenue. (See Transportation Concurrency A-1.c and D-1.a)

Finding 5: Historical Accident Situation

The Institute of Transportation Engineers (ITE) *Traffic Access and Impact Studies for Site Development – A Recommended Practice* states that "Accident rates vary, but any intersection will more than one accident per million entering vehicles is worth of additional analysis." This ITE recommended practice has been used by county staff to determine the scope, or level of analysis required regarding crash history. Because of this, a crash rate of one crash per million entering vehicles has become the threshold to determine if further crash history evaluation is warranted. This is provided that staff has not identified a crash trend that would be exacerbated by the development regardless of the threshold.

The applicant's traffic study analyzed the crash history as obtained from the Washington State Department of Transportation (WSDOT) for the period between January 2020 through December 2024.

The intersection crash rates for the study intersections did not exceed one crash per million entering vehicles warranting additional analysis.

The applicant's study did not recommend any safety mitigations as a part of this development. Staff concurs with the applicant's finding.

Finding 6: Roadside Safety *(Clear Zone)* Evaluation

The *Institute of Transportation Engineers (ITE) Traffic Engineering Handbook 6th Edition*, states that "The *clear roadside concept*…is applied to improve safety by providing an un-encumbered roadside recovery area that is as wide as practical…". Further, this concept "allows for errant vehicles leaving the roadway for whatever reason and supports a roadside designed to minimize the serious consequences of roadway departures."

Further, as adopted by Clark County Code (CCC) 40.350.030(C)(1)(b), the *Washington State Department of Transportation (WSDOT) Design Manual, Chapter 1600* states that "A clear roadside border area is a primary consideration when analyzing potential roadside and median features. The intent is to provide as much clear, traversable area for a vehicle to recover as practicable given the function of the roadway and the potential tradeoffs. The Design Clear Zone is used to evaluate the adequacy of the existing clear area and proposed modifications of the roadside. When considering the placement of new objects along the roadside or median, evaluate the potential for impacts and try to select locations with the least likelihood of an impact by an errant vehicle."

"For managed access state highways within an urban area, it might not be practicable to provide the Design Clear Zone distances shown in Exhibit 1600-2. Roadways within an urban area generally have curbs and sidewalks and might have objects such as trees, poles, benches, trash cans, landscaping and transit shelters along the roadside."

The applicant shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Section 1600.04) in the final engineering design of all proposed roadways and frontage improvements. (See Transportation Concurrency A-1.d)

Finding 7: Vehicle Turning Movements

It shall be noted that, the road and driveway approach standards listed in the Clark County Code are minimum criteria and are intended for normal conditions, per CCC 40.350.030 (C)(3). CCC 40.350.030 (C)(3) also states, "The responsible official may require higher standards for unusual site conditions."

The applicant will need to submit construction plans that show the design of the intersection geometry will accommodate all applicable design vehicles for review and approval. The plans will also need to show that all applicable design vehicles can enter and exit the development minimizing impact to opposing travel lanes. This may result in no on-street parking areas on local residential access roads, at/near public road intersections. (See Transportation Concurrency A-1.e).

Finding 8: Sight Distance

Sight distance issues are addressed by other Development Engineering Staff; therefore, this issue will not be addressed here.

In summary, Concurrency Staff recommends approval of the development application with the following conditions.

Conditions of Approval

A Final Construction/Site Plan Review
Review & Approval Authority: Development Engineering

Prior to construction, a Final Construction Plan shall be submitted for review and approval to Development Engineering, consistent with the approved preliminary plan and the following conditions of approval:

A-1 Final Transportation Plan/Off Site (Concurrency):

a. The applicant shall submit a signing and striping plan for review and approval. This plan shall show signing and striping and all related features for required frontage improvements and any off-site improvements. The applicant shall obtain a work order with Clark County to reimburse the County for required signing and striping.

b. The applicant shall ensure construction plans are submitted for review and approval. The construction plans shall provide a signing and striping plan that shows a dedicated northbound left turn lane and shared northbound through/right lane with associated turn lane tapers on NE 179th Street/NE 50th Avenue. The plans shall also show one southbound receiving lane. The plans shall show that

the dedicated northbound left turn lane and shared through/right lane will have approximately 90 feet of storage, consistent with the design of the dedicated left-turn lanes installed on the eastbound and westbound approaches at the intersection. The north and southbound lane widths on NE 50th Avenue shall also be maintained along with the associated shoulders. The plans shall show all necessary pavement widening and associated tapers to facilitate the required turn lane. Tapers and signage shall comply with the Clark County Standard Details (T-11.0 through T-11.3), the Washington State Department of Transportation (WSDOT) Design Manual, and Manual on Uniform Traffic Control Devices (MUTCD) as applicable. The construction drawings shall also address roadside safety and clear zone requirements. (See Finding 3)

c. The applicant shall ensure construction plans are submitted for review and approval. The construction plans shall provide a signing and striping plan that shows a dedicated northbound left turn lane with associated turn lane tapers on NE 50th Avenue at NE 174th Street. The plans shall show that the dedicated northbound left turn lane will have a minimum of 100 feet of vehicle storage. The north and southbound lane widths on NE 50th Avenue shall also be maintained along with the associated shoulders. The plans shall show all necessary pavement widening and associated tapers to facilitate the required turn lane. Tapers and signage shall comply with the Clark County Standard Details (T-11.0 through T-11.3), the Washington State Department of Transportation (WSDOT) Design Manual, and Manual on Uniform Traffic Control Devices (MUTCD) as applicable. The construction drawings shall also address roadside safety and clear zone requirements. (See Finding 4)

d. The applicant shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Section 1600.04) in the final engineering design of all proposed roadways and frontage improvements. (See Finding 6)

e. The applicant shall submit construction plans that show the design of the intersection geometry will accommodate all applicable design vehicles for review and approval, unless modified by the County Engineer. The plans will also need to show that all applicable design vehicles can enter and exit the development minimizing impact to opposing travel lanes. This may result in no parking and/or maneuvering areas near public road intersections. Please note that applicable design vehicles include but are not limited to passenger vehicles and waste management vehicles. (See Finding 7).

B Prior to Construction of Development
Review & Approval Authority: Development Inspection

Prior to construction, the following conditions shall be met:

B-1 Transportation (Concurrency) – NONE

C Provisional Acceptance of Development
Review & Approval Authority: Development Inspection

Prior to provisional acceptance of development improvements by Development Engineering, construction shall be completed consistent with the approved final construction/site plan and the following conditions of approval:

C-1 Transportation (Concurrency) - NONE

D Final Plat Review & Recording
Review & Approval Authority: Development Engineering

Prior to final plat approval and recording, the following conditions shall be met:

D-1 Transportation (Concurrency)

a. Prior to the approval of the final plat, a dedicated northbound left turn lane with a minimum of 100 feet of vehicle storage shall be constructed and operational on NE 50th Avenue at NE 174th Street.

b. Prior to the approval of the final plat, a dedicated northbound left turn lane and shared through/right lane with a minimum of 90 feet of vehicle storage shall be constructed and operational on NE 50th Avenue at NE 179th Street.

E Building Permits
Review & Approval Authority: Customer Service

Prior to issuance of a building permit, the following conditions shall be met:

E-1 Transportation (Concurrency) – NONE

F Occupancy Permits
Review & Approval Authority: Building

Prior to issuance of an occupancy permit, the following conditions shall be met:

F-1 Final Transportation Plan/Off Site (Concurrency) – NONE

ATTACHMENT C
TYPE III DEVELOPMENT & ENVIRONMENTAL REVIEW STAFF REPORT & RECOMMENDATION

(Concurrency Review)
Form DS1402A

Project Name:	**Heartwood North**
Case Number:	**PLD-2025-00114**
Staff Engineer:	Craig Kathol
Manager:	David Jardin
Report Issue Date:	May 21, 2026
Vesting Date:	September 11, 2025

DECISION
Approved with Conditions

Traffic Engineering Section Manager: 

Date Signed: **5/27/26**

Major Issues, Analysis & Conclusions

TRANSPORTATION CONCURRENCY:

Finding 1: Trip Generation

County concurrency staff has reviewed the proposed Heartwood North Subdivision Traffic Impact Study dated February 12, 2026 prepared by Kittelson & Associates. The traffic study submitted indicates that the proposed development will divide 33.12 acres into a residential subdivision with up to 146 single-family detached homes. The applicant's traffic

study has estimated the net new a.m. peak hour trip generation at 103, p.m. peak-hour trip generation at 136 trips, and an average daily trip generation (ADT) of 1,327 trips. The trip generation was estimated using the nationally accepted data published by the *Institute of Transportation Engineers 12th Edition*. The proposed development site is located on parcels 200330000, 986053591, and 986055197 in unincorporated Clark County.

The applicant has submitted a traffic study under the provisions of Clark County Code section 40.350.020 (D)(1).

Finding 2: Site Access

Traffic conditions are usually expressed using a scale that quantifies the ability of a facility to meet the needs and expectations of the driver. This scale is graded from A to F and is referred to as level-of-service (LOS). A driver who experiences a LOS A condition would expect little delay. A driver who experiences a LOS E condition would expect significant delay, but the traffic facility would be just within its capacity to serve the needs of the driver. A driver who experiences a LOS F condition would expect significant delay with traffic demand exceeding the capacity of the facility with the result being growing queues of traffic.

Congestion, or concurrency, level of service (LOS) standards are not applicable to accesses that are not regionally significant; however, the LOS analysis provides information on the potential congestion and safety problems that may occur in the vicinity of the site.

The applicant's plan shows that NE 138th Avenue will extend south and NE 112th Street will extend east from the existing road stubs and connect to an interior public local residential access road network. NE 109th Street will extend to the east and connect with the existing NE 111th Street. Both NE 109th Street and NE 111th Street are classified as a public Urban Collector road (C-2).

The applicant's plan shows an interior public local residential access road network that is comprised of A Street, B Street, C Street, D Street, A Avenue, B Avenue, C Avenue, and D Avenue.

The applicant's study evaluated the level of service and found that the intersections of NE 111th Street/NE 152nd Avenue and NE 114th Street/NE 132nd Avenue, that provide development access to the larger street network, will have an estimated LOS B in the 2029 build-out horizon. The study also shows that the LOS was evaluated during the a.m. and p.m. peak hour traffic conditions. County Staff concurs with the traffic study findings.

Finding 3: Clark County Concurrency

The proposed development is required to meet the standards established in CCC 40.350.020(G) for corridors and intersections of regional significance within 2 miles of the proposed development.

Signalized Intersections
Staff evaluated the operating levels and delay times for the regionally significant signalized intersections under Clark County jurisdiction. This analysis showed that individual movements during peak hour traffic conditions had approach delays that did not exceed the maximum 240 seconds, or 2 cycles, of delay in the build-out year.

Therefore, County Staff has determined that this development will comply with adopted Concurrency standards for signalized intersections.

Unsignalized Intersections
Staff evaluated the operating levels and delay times for the regionally significant unsignalized intersections under Clark County jurisdiction. This analysis showed operating levels and standard delay times with a LOS better than the minimum allowable LOS E except for NE 119th Street/NE 132nd Avenue in the AM and PM peak hour and NE 119th Street/NE 124th Avenue in the AM and PM peak hours.

NE 119th Street/NE 132nd Avenue
The applicant's traffic study has analyzed the impacts of the proposed development on the intersection approaches, at NE 119th Street/NE 132nd Avenue. Staff used this information to determine if mitigation requirements would be warranted per CCC 40.350.020 (G)(1)(c), which states:

"All unsignalized intersections of regional significance in the unincorporated county shall achieve LOS E standards or better (if warrants are not met). If warrants are met, unsignalized intersections of regional significance shall achieve LOS D standards or better. Intersection control or mitigation of unsignalized intersections shall be at the discretion of the Public Works Director and shall not obligate the county to meet this LOS standard. However, proposed developments shall not be required to mitigate their impacts in order to obtain a concurrency approval unless:

(1) The proposed development adds at least five (5) peak period trips to a failing intersection approach; and

(2) The worst movement on the failing approach is worsened by the proposed development. In determining whether the movement is worsened, the Public Works Director shall consider trip volume, delay, and any other relevant factors."

Staff compared the anticipated impacts against the criteria in the code section listed above and found that both of the criterion was met. The applicant's traffic study suggests that the following minimum modifications to the NE 119th Street/NE 132nd Avenue intersection are required to accommodate Heartwood North site-generated traffic:

- Widen the northbound NE 132nd Avenue approach within the existing public right-of-way to provide a northbound left-turn lane with at least 150 feet of storage and a shared through/right-turn lane.

Because the Heartwood North Subdivision has direct impact on the NE 119th Street/NE 132nd Avenue intersection, the applicant has prepared and submitted a volunteer letter dated April 13, 2026, (Exhibit 26), in order to show compliance with concurrency.

In order to achieve these improvements and maintain consistency in the roadway, the applicant will need to submit construction plans showing construction of a northbound left turn lane and shared through/right lane at the intersection of NE 119th Street/NE 132nd Avenue. The construction drawings shall include but not be limited to:

- Widening NE 132nd Avenue from NE 119th Street to the south property line of parcel number 200328000 to accommodate 3 - 12-foot lanes along with maintaining a 6-foot bicycle lane, on the west side of NE 132nd Avenue, and

edge line striping and 2-foot shoulder and any necessary drainage structures and/or ditch line on the east side of NE 132nd Avenue.

- Edge of pavement return with a 35-foot radius on NE 132nd Avenue at NE 119th Street.
- Striping of a separate left-turn lane and shared through/right-turn lane on the northbound approach along NE 132nd Avenue with at least 150 feet of storage. The plans shall show all necessary pavement widening and associated tapers to facilitate the required turn lane. Tapers and signage shall comply with the Clark County Standard Details (T-11.0 through T-11.3), the Washington State Department of Transportation (WSDOT) Design Manual, and Manual on Uniform Traffic Control Devices (MUTCD) as applicable. The construction drawings shall also address roadside safety and clear zone requirements. (See Finding 3)
- Stormwater shall be addressed as necessary per the Clark County Stormwater Manual.

Because the applicant's traffic study showed that this off-site, regionally significant intersection does not comply with the required minimum level-of-service, and the applicant has volunteered mitigation as a part of the proposed development, in compliance with CCC 40.350.030(B)(6)(a) that states that the applicant may volunteer mitigation, staff believes that the applicant has shown that the proposed development can comply with concurrency requirements. Therefore, staff recommends approval. (See Transportation Concurrency A-1.b and D-1.a)

NE 119th Street/NE 124th Avenue
The applicant's traffic study has analyzed the impacts of the proposed development on the intersection approaches, at NE 119th Street/NE 124th Avenue. Staff used this information to determine if mitigation requirements would be warranted per CCC 40.350.020 (G)(1)(c), which states:

"All unsignalized intersections of regional significance in the unincorporated county shall achieve LOS E standards or better (if warrants are not met). If warrants are met, unsignalized intersections of regional significance shall achieve LOS D standards or better. Intersection control or mitigation of unsignalized intersections shall be at the discretion of the Public Works Director and shall not obligate the county to meet this LOS standard. However, proposed developments shall not be required to mitigate their impacts in order to obtain a concurrency approval unless:

(1) The proposed development adds at least five (5) peak period trips to a failing intersection approach; and

(2) The worst movement on the failing approach is worsened by the proposed development. In determining whether the movement is worsened, the Public Works Director shall consider trip volume, delay, and any other relevant factors."

This intersection is projected to have a LOS E in the AM and PM peak hours for the 2029 background and buildout scenario. Because traffic signal warrants were met for this intersection, staff compared the anticipated impacts against the criteria in the code section listed above and found that none of the criterion was met. Because the criteria was not met, staff has determined that mitigation is not warranted at this intersection.

The County has determined that this development can comply with adopted Concurrency

Standards for unsignalized intersections.

Concurrency Corridors
In accordance with CCC 40.350.020(F)(9), the Public Works Director acknowledges that a variety of factors can influence the operating performance of transportation corridors. These factors are considered when determining compliance with, or acceptable levels of service under, CCC 40.350.020(G), which establishes baseline service levels under ideal conditions.

In addition to the performance of intersections that bound the corridor being evaluated, such as intersection level of service and queueing there are real-world influences that also affect roadway capacity. The methodology to apply these real-world influences is established in the Highway Capacity Manual (HCM), produced by the Transportation Research Board (TRB) of the National Academies of Sciences, Engineering, and Medicine. This HCM methodology applies adjustment factors to reflect these real-world influences and supports their application in operational analyses. These may include, but are not limited to:

- Lane width
- Presence or absence of shoulders
- Heavy vehicle volumes
- Roadway grades
- Number and spacing of intersections and/or driveway accesses

When necessary, these real-world influences may also be considered and may warrant adjustments as part of the broader evaluation of corridor operations.

The corridor volume-to-capacity (v/c) ratio serves as a key engineering indicator of operational performance. Although drivers do not directly perceive the numerical v/c value, it provides insight into where roadway operations may begin to degrade and where additional analysis should be focused, particularly at intersections, which are typically the first points in the roadway network to experience breakdown and noticeable delay as traffic volumes increase.

It should also be noted that baseline corridor level-of-service thresholds may appear to be exceeded even when intersection operations remain within acceptable limits. In such cases, higher corridor volumes may simply indicate that intersections are operating efficiently enough to allow more vehicles to pass through with minimal delay, thereby increasing the overall throughput of the corridor. This throughput of the corridor along with acceptable levels of service at the intersections that bound the corridor being evaluated allow the Public Works Director and supporting staff to create an affirmative finding of compliance with CCC 40.350.020(G)(1)(a) and Table 40.350.020-1.

Corridor Finding
Evaluation of the concurrency corridor capacity levels represented in the County Code yielded capacity at acceptable levels except for the NE 119th Street road segment between NE 117th Avenue (SR 503) and NE 124th Avenue, and the NE 99th Street road segment between NE 117th Avenue (SR 503) and NE 124th Avenue in the buildout year.

The traffic study indicates that the above corridors will have a volume to capacity (v/c) ratio of greater than 0.9 in the 2029 buildout horizon.

Staff investigated the operations of these corridors to determine if there were mitigation

measures warranted.

Staff reviewed the LOS and volumes reported at the NE 119th Street/SR 503 and NE 119th Street/NE 124th Avenue intersections found that, in the 2029 buildout horizon, the signalized intersection of NE 119th Street/SR 503 is expected to operate with approach delays that do not exceed the maximum 240 seconds, or 2 cycles, of delay. The uncontrolled eastbound and westbound approaches of the NE 119th Street/NE 124th Avenue intersection are anticipated to operate at a LOS A.

Further, since the signalized intersection of NE 119th Street/SR 503 and the uncontrolled intersection approaches of NE 119th Street/NE 124th Avenue are anticipated to operate at acceptable levels in the buildout horizon, staff believes that the reported v/c ratio over the NE 119th Street corridor does not represent roadway deficiencies, rather corridor mobility facilitated with good intersection LOS. Therefore, staff concludes that no further analysis is required.

Staff also reviewed the LOS and volumes reported at the NE 99th Street intersections used in the corridor evaluation and found that, in the 2029 buildout horizon, the signalized intersections at NE 99th Street/SR 503 and NE 99th Street/NE 124th Avenue had approach delays that did not exceed the maximum delay. Since the signalized intersections bounding the corridor segments analyzed are anticipated to operate at levels that meet or exceed concurrency standards in the buildout horizon, staff believes that the reported v/c ratio over the NE 119th Street and NE 99th Street corridors does not represent roadway deficiencies, rather corridor mobility facilitated with good intersection LOS. Therefore, staff concludes that no additional analysis or mitigation is required with this development.

Summary
The County has determined that this development can comply with adopted Concurrency Standards for corridors, signalized and unsignalized intersections under County jurisdiction.

SAFETY:

Where applicable, a traffic study shall address the following safety issues:
- traffic signal warrant analysis,
- turn lane warrant analysis,
- crash history analysis,
- roadside safety (clear zone) evaluation,
- vehicle turning movements, and
- any other issues associated with highway safety.

Mitigation for off-site safety deficiencies may only be a condition of approval on development in accordance with CCC 40.350.030(B)(6) The code states that “nothing in this section shall be construed to preclude denial of a proposed development where off-site road conditions are inadequate to provide a minimum level of service as specified in Section 40.350.020 or a *significant* traffic or safety hazard *would be caused or materially aggravated* by the proposed development; provided, that the applicant may voluntarily agree to mitigate such direct impacts in accordance with the provisions of RCW 82.02.020.”

Finding 4: Turn Lane Warrants

Turn lane warrants are evaluated at unsignalized intersections to determine if turn lanes are needed on the uncontrolled roadway.

Staff evaluated the need for right and left turn lanes on NE 107th Street, classified as an urban collector, using the information provided in the applicant's traffic study and the guidance from the Washington State Design Manual. This evaluation showed that dedicated turn lanes would not be warranted at the site access to the proposed development.

Therefore, dedicated right and left turn lanes are not required as a part of this development.

Finding 5: Historical Accident Situation

The Institute of Transportation Engineers (ITE) *Traffic Access and Impact Studies for Site Development – A Recommended Practice* states that "Accident rates vary, but any intersection with more than one accident per million entering vehicles is worth additional analysis." This ITE recommended practice has been used by county staff to determine the scope, or level of analysis required regarding crash history. Because of this, a crash rate of one crash per million entering vehicles has become the threshold to determine if further crash history evaluation is warranted. This is provided that staff has not identified a crash trend that would be exacerbated by the development regardless of the threshold.

The applicant's traffic study analyzed the crash history as obtained from the Washington State Department of Transportation (WSDOT) for the period between January 2020 through December 2024.

The intersection crash rates for the study intersections did not exceed one crash per million entering vehicles warranting additional analysis except for NE 117th Avenue (SR 503)/NE 99th Street.

According to the Heartwood North Traffic Impact Study, of the 75 crashes at the intersection:

- 18 involved rear-end crashes along the northbound and southbound NE 117th Avenue approaches.
- 17 involved northbound left-turns and southbound through movements.
- 13 involved southbound left-turns and northbound through movements.

The study reports a majority of the crashes at this intersection occurred on NE 117th Avenue (SR 503) which is under WSDOT jurisdiction.

The applicant's study did not recommend any safety mitigations as a part of this development.

Staff has reviewed the applicant's traffic study for development related trip assignments at the intersection of NE 99th Street/SR 503 and found that a total of 43 AM and 56 PM peak hour trips will be added. Staff found that these additional trips would not:

- Degrade the level-of-service of NE 99th Street/SR 503 to unacceptable levels
- Create/cause a significant traffic or safety hazard
- Materially aggravate a traffic or safety hazard.

Based on the information reported in the applicant's traffic study and as analyzed by staff against CCC 40.350.030(B)(6)(a), staff concurs with the applicant's finding to not recommend safety mitigations at the NE 99th Street/SR 503 as a part of this development.

Finding 6: Roadside Safety *(Clear Zone)* Evaluation

The *Institute of Transportation Engineers (ITE) Traffic Engineering Handbook 6th Edition*, states that "The *clear roadside concept*…is applied to improve safety by providing an un-encumbered roadside recovery area that is as wide as practical…". Further, this concept "allows for errant vehicles leaving the roadway for whatever reason and supports a roadside designed to minimize the serious consequences of roadway departures."

Further, as adopted by Clark County Code (CCC) 40.350.030(C)(1)(b), the *Washington State Department of Transportation (WSDOT) Design Manual, Chapter 1600* states that "A clear roadside border area is a primary consideration when analyzing potential roadside and median features. The intent is to provide as much clear, traversable area for a vehicle to recover as practicable given the function of the roadway and the potential tradeoffs. The Design Clear Zone is used to evaluate the adequacy of the existing clear area and proposed modifications of the roadside. When considering the placement of new objects along the roadside or median, evaluate the potential for impacts and try to select locations with the least likelihood of an impact by an errant vehicle."

"For managed access state highways within an urban area, it might not be practicable to provide the Design Clear Zone distances shown in Exhibit 1600-2. Roadways within an urban area generally have curbs and sidewalks and might have objects such as trees, poles, benches, trash cans, landscaping and transit shelters along the roadside."

The applicant shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Section 1600) in the final engineering design of all proposed roadways and frontage improvements. (See Transportation Concurrency A-1.c)

Finding 7: Vehicle Turning Movements

It shall be noted that, the road and driveway approach standards listed in the Clark County Code are minimum criteria and are intended for normal conditions, per CCC 40.350.030 (C)(3). CCC 40.350.030 (C)(3) also states, "The responsible official may require higher standards for unusual site conditions."

The applicant will need to submit construction plans that show the design of the intersection geometry will accommodate all applicable design vehicles for review and approval. The plans will also need to show that all applicable design vehicles can enter and exit the development having adequate sight distance and while minimizing impact to opposing travel lanes. This may result in no parking and/or maneuvering areas near public road intersections and within areas necessary to maintain required sight distance. Please note that applicable design vehicles include but are not limited to passenger vehicles and waste management vehicles. (See Transportation Concurrency A-1.d).

Finding 8: Sight Distance

Sight distance issues are addressed by other Development Engineering Staff; therefore, this issue will not be addressed here.

Conclusion

In summary, Concurrency Staff recommends approval of the development application with the following conditions.

Conditions of Approval

A Final Construction/Site Plan Review
Review & Approval Authority: Development Engineering

Prior to construction, a Final Construction Plan shall be submitted for review and approval to Development Engineering, consistent with the approved preliminary plan and the following conditions of approval:

A-1 Final Transportation Plan/Off Site (Concurrency):

a. The applicant shall submit a signing and striping plan for review and approval. This plan shall show signing and striping and all installation or modifications to traffic control devices in the public right-of-way required for frontage improvements and any off-site improvements. The applicant shall obtain a work order with Clark County to reimburse the County for required signing, striping and all installation or modifications to traffic control devices in the public right-of-way. The final traffic control plans (signing, striping, signals, ITS, etc.) can be approved only after the developer provides signed reimbursable work order(s) to the county's traffic engineer reviewing the plans.

b. The applicant shall submit construction plans showing construction of a northbound left turn lane and shared through/right lane at the intersection of NE 119th Street/NE 132nd Avenue. The construction drawings shall include but not be limited to:

- Widening NE 132nd Avenue from NE 119th Street to the south property line of parcel number 200328000 to accommodate 3 - 12-foot lanes along with maintaining a 6-foot bicycle lane on the west side of NE 132nd Avenue, and edge line striping and 2-foot shoulder and any necessary drainage structures and/or ditch line on the east side of NE 132nd Avenue.
- Edge of pavement return with a 35-foot radius on NE 132nd Avenue at NE 119th Street.
- Striping of a separate left-turn lane and shared through/right-turn lane on the northbound approach along NE 132nd Avenue with at least 150 feet of storage. The plans shall show all necessary pavement widening and associated tapers to facilitate the required turn lane. Tapers and signage shall comply with the Clark County Standard Details (T-11.0 through T-11.3), the Washington State Department of Transportation (WSDOT) Design Manual, and Manual on Uniform Traffic Control Devices (MUTCD) as applicable. The construction drawings shall also address roadside safety and clear zone requirements. (See Finding 3)
- Stormwater shall be addressed as necessary per the Clark County Stormwater Manual.

c. The applicant shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Section 1600) in the final engineering design of all proposed roadways and frontage improvements. (See Finding 6)

d. The applicant shall submit construction plans that show the design of the intersection geometry will accommodate all applicable design vehicles for review and approval, unless modified by the County Engineer. The plans will also need to show that all applicable design vehicles can enter and exit the development having adequate sight distance and while minimizing impact to opposing travel lanes. This may result in no parking and/or maneuvering areas near public road intersections and within areas necessary to maintain required sight distance. Please note that applicable design vehicles include but are not limited to passenger vehicles and waste management vehicles. (See Finding 7).

B Prior to Construction of Development
Review & Approval Authority: Development Inspection

Prior to construction, the following conditions shall be met:

B-1 Transportation (Concurrency) – NONE

C Provisional Acceptance of Development
Review & Approval Authority: Development Inspection

Prior to provisional acceptance of development improvements by Development Engineering, construction shall be completed consistent with the approved final construction/site plan and the following conditions of approval:

C-1 Transportation (Concurrency) - NONE

D Final Plat Review & Recording
Review & Approval Authority: Development Engineering

Prior to final plat approval and recording, the following conditions shall be met:

D-1 Transportation (Concurrency)

a. Prior to the approval of the final plat, a dedicated northbound left turn lane and shared through/right turn lane with a minimum of 150 feet of vehicle storage shall be constructed and operational on NE 132nd Avenue at NE 119th Street.

E Building Permits
Review & Approval Authority: Customer Service

Prior to issuance of a building permit, the following conditions shall be met:

E-1 Transportation (Concurrency) – NONE

F Occupancy Permits
Review & Approval Authority: Building

Prior to issuance of an occupancy permit, the following conditions shall be met:

F-1 Final Transportation Plan/Off Site (Concurrency) – NONE

Type III Land Division and Environmental Review Staff Report and Recommendation

Project Name:	**Livingstone Meadows Subdivision**
Case Numbers:	PLD-2025-00106, WHR-2025-00353
Location:	2419 & 2525 NE 144th Street, Parcels 117895200, 117895201, 117895202, and 117895206 in the Southeast quarter of Section 23, Township 3, Range 1 East of the Willamette Meridian
Request:	Subdivide roughly 4.8 acres into 22 lots for single-family detached units in the R1-7.5 zone
Applicant:	August Development 18718 NE 74th Court Battle Ground, WA 98604 **Email** - arthur@augustnw.com
Contact:	PLS Engineering Attn: Travis Johnson, PE 604 W Evergreen Boulevard Vancouver, WA 98660 **Phone** - 360.944.6519 **Email** - pm@plsengineering.com
Owner:	Terry or Susane Rosenquist 2525 NE 14th Street Vancouver, WA 98686

Recommendation

Approval, with conditions

Land Use Manager's Initials: BD **Date issued: July 8, 2026**

Public Hearing date: July 23, 2026

County Review Staff	Name	Phone	Email Address
Community Development			
Land Use Manager	Brent Davis	564.397.4152	brent.davis@clark.wa.gov
Land Use Planner	Richard Daviau	564.397.4895	richard.daviau@clark.wa.gov

Community Development
1300 Franklin Street, Vancouver, Washington
Phone: 564.397.2375 Fax: 564.397-2011
www.clark.wa.gov/development

For an alternate format, contact the Clark County ADA Compliance Office.
Phone: 564.397.2322
Relay: 711 or (800) 833-6384
E-mail: ADA@clark.wa.gov

Fire Marshal's Office	Jason Knoble	564.397.3318	jason.knoble@clark.wa.gov
Engineering Team Leader	Naomi Patibandla	564.397.4630	naomi.patibandla@clark.wa.gov
Engineer	Chase Davison	360.818.3236	chase.davison@clark.wa.gov
Concurrency Engineer	Craig Kathol	564.397.4347	craig.kathol@clark.wa.gov
Review Biologist	Lance Watt	564.397.5601	lance.watt@clark.wa.gov

Comp Plan Designation: UL

Applicable Law
Clark County Code: Title 15 (Fire), 40.100 (Definitions), 40.200 (General Provisions), 40.220.010 (Low-Density Residential), 40.260.155 (Narrow Lots), 40.320 (Landscaping), 40.350 (Transportation), 40.350.020 (Transportation Concurrency), 40.370 (Sewer & Water), 40.386 (Storm Water & Erosion Control), 40.445 (Wetlands and Fish and Wildlife Habitat Conservation Areas), 40.500 and 40.510 (Procedures), 40.540.040 (Subdivision), 40.550 (Road Modifications), 40.570 (SEPA), 40.570.080 (SEPA Archaeological), 40.610 (Impact Fees), Title 24 (Public Health), RCW 58.17, and the Clark County Comprehensive Plan

Neighborhood Association
Four Creeks

Vesting
An application is reviewed against the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted. If a pre-application conference is required, the application shall earlier contingently vest on the date the fully complete pre-application is filed. Contingent vesting requires that a fully complete application for substantially the same proposal is filed within 180 calendar days of the date the county issues its pre-application conference report. Contingent vesting does not apply to stormwater or concurrency standards.

A pre-application conference (PAC) was held on this matter and was determined contingently vested, but a complete application was not submitted within the required 180 days from issuance of the PAC report. Therefore, the application is vested on the fully complete submittal date November 26, 2025. Vesting does not apply to stormwater standards. There are no known disputes regarding vesting.

Time Limits
The application was determined to be fully complete on December 15, 2025. The application was on hold for the applicant to submit an early issue response. The code requirement for issuing a decision within 92 days lapses on August 10, 2026.

Public Notice
Notice of application, public hearing, and likely SEPA determination was sent to the applicant and property owners within 500 feet of the site, and SEPA Agencies on June 23, 2026. The applicant posted one sign on the subject property on June 23, 2026.

Public Comments
The county has received a public comment from a nearby neighbor (see Exhibits 32). Concerns include bald eagles that are present utilizing the mature tree canopy immediately adjacent to the western portion of the site. Also, mature evergreen trees exist along the shared fence line along the western edge of proposed Lot 7 and the root system should be protected.

The review biologist, Lance Watt, submitted the following response to the critical area concerns brought up by the public commentor:

> The Clark County "Wetlands and Fish and Wildlife Habitat Conservation Areas" code (CCC 40.445) regulates priority habitat and species as described by the Washington Department of Fish and Wildlife (WDFW). Bald eagles are no longer regulated as a priority habit/species by WDFW. The applicant is responsible for determining applicability and complying with federal regulations under the Bald and Golden Eagle and Migratory Bird Protraction Acts and will want to coordinate with U.S. Fish and Wildlife Service on this issue.
>
> Regarding the comment about the mature trees and locations, County staff are not certified arborists or surveyors. Onsite the protected habitats were identified as individual Oregon white oak trees as well as priority Logs and snags, as defined by the Washington Department of Fish and Wildlife. At the site visit with WDFW staff no mention of other priority habitats was mentioned; County staff are also unaware of any additional comments from WDFW through the SEPA review process.

Staff will address any other comments that may come in prior to and at the public hearing.

Project Overview
The subject site is located on the south side of NE 144th Street, at NE 25th Avenue. The site contains two existing single-family residences, one of which will be removed and the other will be retained on proposed lot 13. The proposed development will be served by Fire District 6, Clark Regional Wastewater for public sewer and Clark Public Utilities for public water.

The applicant proposes to subdivide the site into 22 lots for single-family detached residences using the narrow lot standards in the R1-7.5 zone. Most lots will take access off the proposed internal public access road/joint driveways. Lots 15, 17, and 18 will access NE 25th Avenue and Lot 1 will access NE 144th Street. Priority Habitat identified as Individual Oregon white oak trees, priority logs, and priority snags are located on the site and are protected by the County Wetlands and Fish and Wildlife Habitat Conservation Areas Ordinance.

The following is a land use table of the site and surrounding properties:

Compass	Comp Plan	Zoning	Current Land Use
Site	UL	R1-7.5	Single-family residential
North	UL	R1-7.5	Single-family residential
South	UL	R-22	Multi-family residential
East	UL	R1-7.5	Single-family residential
West	UL	R1-7.5	Single-family residential

Staff Analysis

Staff first analyzed the proposal in light of the 16 topics from the Environmental Checklist (see list below). The purpose of this analysis was to identify any potential adverse environmental impacts that may occur without the benefit of protection found within existing ordinances.

1. Earth
2. Air
3. Water
4. Plants
5. Animals
6. Energy and Natural Resources
7. Environmental Health
8. Land and Shoreline Use
9. Housing
10. Aesthetics
11. Light and Glare
12. Recreation
13. Historic and Cultural Preservation
14. Transportation
15. Public Services
16. Utilities

Staff then reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts could be mitigated by the requirements of the code. Staff's analysis also reflects review of agency and public comments received during the comment period, and knowledge gained through a site visit.

Major Issues

Only the major issues, errors in the development proposal, and/or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposal not discussed below comply with the applicable code requirements.

Land Use

Finding 1 - Uses

Single-family detached housing is allowed in the R1-7.5 zone pursuant to CCC Table 40.220.010-1.

Finding 2 - Lot Standards

Pursuant to Table 40.220.010-2, the R1-7.5 zone requires an the average lot area of 6,500 square feet and a maximum average lot size of 10,500. The smallest lot in the proposed subdivision is 4,418 square feet and the largest lot is 27,255 square feet. The average minimum lot size is 7,101 square feet.

The R1-7.5 zone requires an average lot width of 50 feet and lot depth of 90 feet. The plan depicts lots which meet these standards with the exception of lot width for five lots. The applicant has proposed a Type II Variance for lot width for five lots (See Finding 3, below).

Finding 3 - Lot Width Variance

The applicant is requesting a variance to the lot width for five lots. The minimum lot width for the R1-7.5 zone is 50 feet. This would be a 6% variance for Lots 6 and 7, a 10% variance for Lots 10 and 11, and a 4% variance for Lot 17. Although all five lots are 10% or less, a Type II variance is required because it's for multiple lots. CCC 40.550.020.A.4 indicates four specific criteria for the review and approval of a Type II variance:

a) Granting the variance(s) will not substantially detract from the livability or appearance of a residential area or from the desired character of a nonresidential area, or the variance(s) will substantially enhance the livability or appearance of a residential area or the desired

character of a nonresidential area, such as by preserving or protecting significant natural, scenic, historic, cultural, open space or energy resources.

Analysis:
Staff finds the proposed variance for the five lots will not be noticeable outside of the development. Screening along the southern portion of the development, the many oak trees being preserved within the development, and the abutting roads will help shield these slightly narrower lots. The proposed plat will not substantially detract from the livability or appearance of the residential area.

b) If variances to more than one regulation are being requested, the cumulative effect of the variances shall be consistent with the purpose of the zone in which the site is situated.

Analysis:
A variances to only lot width are proposed; therefore, this criterion is not applicable.

c) Adverse impacts resulting from the variance(s) are mitigated to the extent practical.

Analysis:
Staff notes that with a lot size average of over 7,100 square feet, the applicant is not maximizing density and could potentially obtain more lots. Less lots will help decrease a negative visual impact. The preservation of many White Oak trees will not only provide habitat areas, but also general screening or shielding of the development for those properties outside the proposed plat. Staff finds that the plat as proposed will not result in adverse impacts from the variance.

d) The variance(s) does not substantially impair or impede the availability or safety of access that would otherwise exist for vehicles or for pedestrians, or alternative access is provided.

Analysis:
The proposed variance has no impact on access; therefore, will not substantially impair or impede access safety for vehicles or for pedestrians.

Based on the above, staff finds the proposed administrative variance should be approved.

Finding 4 - Setbacks
The following minimum setbacks apply to the proposed lots (See CCC Table 40.220.010-3):

- Ten-foot front setback
- Eighteen-foot garage setback
- Ten-foot Street side setback
- Five-foot side setback
- Ten-foot rear setback

Front setbacks shall be measured from the edge of any street right-of-way, street tract, street easement, or driveway easement that provides access to the lot, including any separate pedestrian easement that may exist between a street and the front setback line.

Setbacks and lot coverage requirements shall be met at the time of building permit review. (See Condition B-5)

Finding 5 - Existing Residential Structures
The site contains two existing single-family residences. One existing residence will be removed and the other existing residence will remain on proposed lot 13.

The structures to be removed shall be prior to construction plan approval complying with Clark County Building Division, state/federal requirements. (See Condition B-6)

Finding 6 - State Platting Standards (RCW 58.17)
With conditions of approval, staff finds the proposed subdivision will make appropriate provisions for public health, safety, and general welfare of the community. Proof of adequate water and sewer service, as well as treatment of any increase of stormwater runoff will be provided, to protect groundwater supply and integrity. Impact Fees will also be required to contribute a proportionate share toward the costs of school and transportation provisions, maintenance and services.

The site is located in the Vancouver School District. The applicant has submitted a letter from school district that indicates that student from this development will be bused to all three schools (see Tab 20 of the application submittal). Staff finds this satisfies safe walking conditions for students who only walk to school (see RCW 58.17.050).

Finding 7 - Landscaping
According to Table 40.320.010-1, L1 landscape buffer is required along the south boundary line of the proposed development, and the applicant proposes existing vegetation to meet this requirement. The applicant needs to show this existing vegetation on the final plans to confirm it complies with screening requirements. (See Condition A-2)

Prior to the issuance of a Certificate of Occupancy for future homes on each lot(s), the applicant shall submit a copy of the approved landscape plan(s) with a letter signed and stamped by a landscape architect licensed in the state of Washington certifying that the landscape and irrigation (if any) have been installed in accordance with the attached approved plan(s) and verifying that any plant substitutions are comparable to the approved plantings and suitable for the site, (see Condition F-2)

Conclusion (Land Use)
Staff concludes that the proposed preliminary plan, subject to conditions, meets land use requirements of the Clark County Code.

Archaeology
Finding 8 - Archaeology
The development site is located within a high probability area for archaeological resources, as designated on the Archaeological Predictive Model Map of the Clark County. The applicant submitted an archaeological pre-determination to the Washington State Department of Archaeology and Historic Preservation (DAHP) prior to submittal of the application. DAHP received public notice and a copy of the SEPA checklist and has not provided comment.

A note on the final construction plans and the final plat will be required that in the event that archaeological or historic materials are discovered during project activities, work in the immediate vicinity must stop and the area secured. The concerned tribes cultural staff, cultural committee, and DAHP shall be notified. Failure to comply with these State

requirements may constitute a Class C Felony, subject to imprisonment and/or fines. (See Condition A-3 and Plat Note D-6a)

Wetland & Habitat Review

Finding 9 - Habitat Determination

The site is subject to a previous Habitat Determination WHR-2025-00247 issued on September 18, 2025, except as amended by this permit. The June 17, 2026 Critical Areas Report and Oak Mitigation/Conservation Plan prepared by AshECO notes that the previously identified oak #24 was determined by the arborist to not be an oak; County staff concur with the June 17, 2026 report for oak, snag, and log classifications. The site contains priority Oregon white oak woodland habitat as well as priority Snags/Log habitat as shown in the Habitat Determination Map (Exhibit 46).

The Washington Department of Fish and Wildlife identify Oregon white oak woodlands as stands of pure oak or oak/conifer associations where canopy coverage of the oak component of the stand is 25%; or where total canopy coverage of the stand is <25%, but oak accounts for at least 50% of the canopy coverage present. (The latter is often referred to as an oak savanna). In non-urbanized areas west of the Cascades, priority oak habitat is stands 0.4 ha (1 ac) in size. In urban or urbanizing areas, single oaks, or stands of oaks <0.4 ha (1 ac), may also be considered priority habitat when found to be particularly valuable to fish and wildlife (i.e., they contain many cavities, have a large diameter at breast height [dbh], are used by priority species, or have a large canopy). The subject parcel is within an urban or urbanizing area. The forested portions of the site as shown in the provided map meet the criteria for individual Oregon white oak trees and are thus afforded protection as priority non-riparian habitat which required mapping the oak driplines versus the associated canopy trees.

During the site visit, County staff identified three priority snags and 3 priority logs. WDFW defines Priority Snags/Logs as follows: Snags and logs occur within a variety of habitat types that support trees. Trees are considered snags if they are dead or dying and exhibit sufficient decay characteristics to enable cavity excavation/use by wildlife. Priority snags have a diameter at breast height of> 51 cm (20 in) in western Washington and> 30 cm (12 in) in eastern Washington, and are> 2 m (6.5 ft) in height. Priority logs are> 30 cm (12 in) in diameter at the largest end, and > 6 m (20 ft) long. Abundant snags and logs can be found in old-growth and mature forests or unmanaged forests of any age; in damaged, burned, or diseased forests; and in riparian areas. Priority snag and log habitat includes individual snags and/or logs, or groups of snags and/or logs of exceptional value to wildlife due to their scarcity or location in a particular landscape. Areas with abundant, well-distributed snags and logs are also considered priority snag and log habitat. Examples include large, sturdy snags adjacent to open water, remnant snags in developed or urbanized settings, and areas with a relatively high density of snags. The snags and logs would be regulated by the Clark County Wetland/Habitat Ordinance. The applicant is responsible for the delineation of the Oregon White Oak canopies and priority snags/logs on the construction plans and final plat.

The Priority Habitat and Species Areas shall be shown on any future plans relying on this determination/permit with a note describing limitations on clearing and development activities in these areas, (see Condition A-5.a).

Finding 10 – Development Envelopes
Development envelopes can clearly avoid the Oregon white oak woodland and habitat mitigation areas, however, the envelopes proposed need to be shown on the Final Plat in order for requirements for further analysis and standard approval conditions can be waived pursuant to CCC 40.445.030.B.2.g.

Development envelopes that clearly avoid the Oregon white oak woodland and mitigation areas shall be shown on the Final Plat with a note describing limitations on clearing and development activities outside these envelopes, (see Condition D-1.a and Plat Note D-6.j).

Finding 11 – Avoidance & Minimization
The Wetland/Habitat Conservation Ordinance follows a hierarchy of impacts with the first being avoidance of all impacts within a priority habitat area, if possible (CCC 40.445.030.B). Under CCC 40.445.030(B)(1), the applicant must demonstrate that a range of project alternatives have been given substantive consideration with the intent to avoid or minimize impacts to fish and wildlife habitat conservation areas. The applicant may avoid a habitat permit by mapping the locations of these priority habitat types and establishing development envelopes that clearly show the wetland, wetland buffer, and habitat areas are not impacted or disturbed. In the event that avoidance is not possible, County staff shall determine if the proposed development meets the Minimization criteria identified in the Wetland/Habitat Ordinance. The applicant shall provide documentation that the any impacts have been minimized in order to justify their purpose and need for the impact. Any adverse priority habitat impacts (including clearing of native vegetation, grading, impervious surface, conversion to lawn, etc.) shall require justification for the impact as well as a wetland and/or habitat permit with applicable mitigation provided in a mitigation plan. The type of permit shall be determined by the amount of impact proposed to the habitat resource. Impacts less than 1/10th of an acre would be a Level 1 review; impacts over 1/10th of an acre would be a Level 2 review. The applicant shall follow the specific performance standards for priority habitat per CCC 40.445.030.C.3. Storm water designs and outflows also need to avoid adverse impacts to priority habitat areas, wetlands, and wetland buffers. All proposed impacts will need to be accounted for in the wetland and/or habitat permit with applicable mitigation.

The applicant has provided a preliminary plat and mitigation plan which shows impacts to priority oaks onsite as well as movement of priority snags and logs. Given the lot requirements and required infrastructure improvements, it appears that some habitat impacts may be unavoidable. After consult with Wetland/Habitat Review management about the applicability of Oregon white oak avoidance/minimization standards, County staff concur with the analysis provided to justify the impact. the proposed development meets the avoidance and minimization standards in CCC 40.445.030.B.1. The applicant has applied for the subject permit for the priority habitat impacts.

Any additional impacts to the mitigation area or priority habitat in future plans shall require additional Wetland/Habitat Review and permitting.

No clearing or development, outside of what is shown for the provided preliminary plat and mitigation plan shall occur within any mitigation areas or priority habitat areas. No additional priority habitat outside of what is shown in the subject permit shall be impacted or removed as a result of this permit, (see Condition H-6).

Finding 12 - Habitat Impacts
Temporary habitat impacts are expected as a result of constructing the proposed project. Areas which will be trenched and/or temporarily impacted shall be returned to a pre-disturbance grade. These areas shall retain the native topsoil during construction and replace the topsoil when construction is complete.

After grading, the area shall be reseeded with a native seed mix which is appropriate for the hydrology of the site. The areas disturbed shall have 100% native grass/herbaceous coverage after 1 year; in the event that this is not met, the area shall be reseeded and monitoring shall continue until the area has 100% vegetated coverage, (see Condition H-3).

The applicant has provided a preliminary plat and plan set as well as a June 17, 2026 Critical Areas Report and Oak Mitigation/Conservation Plan prepared by AshECO Solutions which shows the removal of Oregon white oaks #8 and #9, impacts within the driplines of oaks (#10, #18-22, #34, #36, #37, #41) and movement of 3 priority logs and 3 priority snags to facilitate the lot development and associated infrastructure. Some of the Oregon white oak habitat areas onsite have invasive blackberry and ivy with some scattered and native undergrowth. The June 17, 2026 mitigation plan notes 790 sf (0.018 ac) of total physical impacts to Oaks #8 and #9 and 974 sf (0.022 ac) of total temporal oak impacts for unavoidable impacts within the oak driplines. County staff concur with these impacts.

Finding 13 – Habitat Mitigation
Prior to acceptance of the Final Plat, the applicant shall provide an oak assessment report prepared by an ISA certified arborist which shall include photographs and a post-construction assessment prepared by an ISA certified arborist of the oak retention areas. This assessment shall include the health of each tree and if they were adversely impacted by the development as well as a baseline for the oak canopy for the future stand release. Adverse impacts to the oaks shall require additional Wetland/Habitat Review as well as potential permitting and mitigation, (see Condition D-1.b).

The Final Plat shall include a note which includes the oak minimization measures proposed by the Arborist in the June 17, 2026 Critical Areas Report and Oak Mitigation/Conservation Plan prepared by AshECO Solutions. This shall be specific to lots which have oak habitat onsite and shall include a restriction on irrigation or turf grasses within the oak dripline, as well as maintaining these areas in a natural state. (See Condition D-1.c)

The Final Plat shall include a note which states that the Oregon white oak trees, priority snags, and priority logs do not meet the standard of a hazard per the Wetland/Habitat Code. Any impacts to an Oregon white oak, priority log, or priority snag shall require additional wetland/habitat review as well as potential permitting and/or mitigation, (see Condition D-1.d).

The applicant shall retain the priority logs within an Oregon white oak habitat area or the proposed Tract A. If the priority logs fall apart upon transport then the applicant shall create priority logs which meet the Washington Department of Fish and Wildlife (WDFW) definition within the above mentioned areas. The applicant shall retain any cut portions of the snags as large woody debris (as intact as possible) within an Oregon white oak habitat area or the proposed Tract A. The snags shall be countersunk within the mitigation areas noted above per

the methods in the June 17, 2026 AshECO Solutions mitigation plan. If snags cannot be transported and installed then new snags shall be created within Tract A which meet the WDFW definition for a priority snag; the cut portion of the snag shall be retained as large woody debris. The created snags shall be trees of a similar size and type as those which were removed. (See Condition A-5.b)

The applicant has provided a June 17, 2026 Critical Areas Report and Oak Mitigation/Conservation Plan prepared by AshECO Solutions which indicates that three priority logs and three priority snags will be moved in order to facilitate Lot development and the required infrastructure. County staff concur with this approach.

The applicant shall retain any cut portions of the snags as large woody debris (as intact as possible) within an Oregon white oak habitat area or the proposed Tract A. The snags shall be countersunk within the mitigation areas noted above per the methods in the June 17, 2026 AshECO Solutions mitigation plan. If snags cannot be transported and installed then new snags shall be created within Tract A which meet the WDFW definition for a priority snag; the cut portion of the snag shall be retained as large woody debris. The created snags shall be trees of a similar size and type as those which were removed, (see Condition A-5.c).

The physical loss of Oregon white oaks #8 and #9 is detailed in the June 17, 2026 Critical Areas Report and Oak Mitigation/Conservation Plan prepared by AshECO Solutions. This physical loss shall require mitigation per the Wetland/Habitat Ordinance (CCC 40.445) as well as under the Washington Fish and Wildlife (WDFW) Guidance document for Oregon white oak. The applicant has proposed to purchase 0.10 oak credits from the Wapato Oak Bank in order to offset this impact. In conference with Wetland/Habitat Review staff a purchase of 0.10 credits is acceptable.

Prior to Final Engineering, the applicant shall provide proof of 0.10 credits from the Wapato Oak bank. Alternate oak banks may be considered with approval from Wetland/Habitat Review staff, (see Condition A-5.f).

The applicant shall retain the cut portions of Oak #8 and #9 as large woody debris (as intact as possible) within an Oregon white oak habitat area, (see Condition A-5.d).

For the temporal loss of oak related to the required infrastructure improvements (974 sf) the applicant has proposed a combination of mitigation as recommended in the WDFW guidance document which includes stand release for the remaining oaks by removing competing vegetation, removal of invasive species within the oak driplines, and enhancement underneath the oak driplines. The mitigation plan notes that mulch may be added as an enhancement effort within the oak driplines. County staff concur with this mitigation approach for the temporal impacts. The applicant shall abide by the oak impact minimization measures provided by the arborist and included within the June 17, 2026 mitigation plan. The applicant shall monitor the oaks within the development post-construction as noted in this permit to ensure that the development has not adversely impacted the oaks.

Prior to Final Engineering Approval the applicant shall provide an oak assessment report prepared by an ISA certified arborist which shall include photographs and a pre-construction

assessment prepared by an ISA certified arborist of the oak retention areas, (see Condition A-5.e).

The final grading/engineering plans shall include a note which clearly specifies the property line delineation and fencing requirements and well as oak specific protection measures identified by the arborist in the June 17, 2026 Critical Areas Report and Oak Mitigation/Conservation Plan prepared by AshECO Solutions, (see Condition A-5.g).

A note on the Final engineering/grading plans which requires an ISA certified arborist shall be present to establish the required tree protection fencing as well as for any work which requires impacts to the tree (canopy or roots), (see Condition A-5.h).

The proposed habitat June 17, 2026 Critical Areas Report and Oak Mitigation/Conservation Plan prepared by AshECO Solutions will result in no net loss of habitat functions and values and meets the approval criteria in CCC 40.445.030.

Finding 14 – Maintenance & Monitoring

After installation of the mitigation, maintenance and monitoring are required in order to ensure long term performance of the mitigation. Per Table 40.445.030-1 Tree protection areas shall be monitored for a period of 5 years with canopy release being measured for 10 years; the snags and large woody debris may be monitored for one year. The mitigation shall be monitored and maintained as noted above after approval of an As-Built. Monitoring reports consisting of photographs and a count of live trees/shrubs shall be submitted to Wetland/Habitat Review staff no later than November 1 following the following growing seasons (year 1, 2, 3, 5, 7, 10). Monitoring shall begin when the as-built is accepted and the year 1 report shall be due after the first growing season after planting. Monitoring reports shall be submitted to Wetland/Habitat Review staff no later than November 1 following each growing season. A Monitoring Review fee will be required to verify the reports.

The monitoring report shall utilize the following minimum performance standards:

1. Year 1: 100% retained oak survival; verification of snags and large woody debris. verification of mulch and/or native plants within oak driplines. assessment from and ISA certified arborist on the health/condition of oaks onsite.
2. Year 2: 100% retained oak survival; verification of mulch and/or native plants within oak driplines. verification of mulch and/or native plants within oak driplines. assessment from and ISA certified arborist on the health/condition of oaks onsite.
3. Year 3: 100% retained oak survival; verification of mulch and/or native plants within oak driplines. verification of mulch and/or native plants within oak driplines. assessment from and ISA certified arborist on the health/condition of oaks onsite.
4. Year 5: 100% retained oak survival; verification of mulch and/or native plants within oak driplines. Presence of Oregon white oak-associated wildlife species in enhanced habitat. verification of mulch and/or native plants within oak driplines. assessment from and ISA certified arborist on the health/condition of oaks onsite.
5. Year 7: 100% retained oak survival; verification of mulch and/or native plants within oak driplines. Evidence of an increase in OWO canopy coverage based on initial baseline conditions. Presence of Oregon white oak-associated wildlife species in enhanced habitat.

6. Year 10: 100% retained oak survival; verification of mulch and/or native plants within oak driplines. Evidence of an increase in OWO canopy coverage based on initial baseline conditions. Presence of Oregon white oak-associated wildlife species in enhanced habitat.
7. non-native species <20% aerial coverage, including blackberry, holly, ivy, and reed canary grass.

Any areas not meeting this standard shall be reassessed with County Wetland/Habitat staff, with maintenance and monitoring continuing until the standard has been met.

Routine maintenance of the site is necessary to ensure the integrity and success of the mitigation area which includes, but is not limited to, removing non-native species and weeds, irrigation (if required), and plant replacement to meet the performance standards. Adaptive management and alternate species may be considered if plantings are not meeting the above listed standards in consultation with County Wetland/Habitat Review staff.

A maintenance financial assurance shall be required for the maintenance/monitoring period which shall be done at the time the As-Built has been accepted, (see Condition H-4).

Finding 15 – Mitigation As-Built
A Mitigation As-Built report shall be submitted to the County Wetland/Habitat Review staff prior to Final Engineering approval as approved in the mitigation plan (per this permit); amendments may be made with a Final Wetland/Habitat Permit. The As-Built submittal can be postponed a specified date with written approval from a County Biologist and a financial assurance. The As-Built needs to include documentation of any revisions to or deviations from the approved plan, demonstrating that any changes meet the requirements of CCC 40.445, (see Condition A-5.i).

The As-Built shall show and provide pictures of the priority snags. The As-Built shall show and provide pictures of the priority logs and cut portions of the snags and Oaks 8 and 9 which are retained as large woody debris either within the oak dripline or on the southwestern portion of the project within the stormwater area. A site visit shall be required to verify the mitigation and oak retention area, (see Condition A-5.j).

Finding 16 – Final Permit Review
Staff concludes that the proposed preliminary mitigation plan is feasible.

Approval of a Final Habitat Permit shall be required if there are additional impacts proposed within the mitigation area, priority habitat areas during Final Engineering which were not part of the preliminary approval. The application shall include a revised mitigation plan that meets the standards for the Wetland/Habitat Ordinance, (see Condition H-5).

Finding 17 – Financial Assurance
Prior to construction, the applicant shall install the required mitigation per the June 17, 2026 mitigation plan prepared by AshECO Solutions. If the mitigation cannot be installed prior to Construction approval then, the mitigation shall be installed the next planting season; additionally, a performance financial assurance which covers the proposed costs of the mitigation would be required and shall be submitted to County Wetland/Habitat Review staff

for approval. Unless the proposed mitigation is constructed and an as-built is approved, a performance assurance for the mitigation shall be required, (see Condition B-7).

Finding 18 – Standard Conditions
Prior to Final plat and pursuant to CCC 40.445.030.B.2.d, a conservation covenant shall be recorded in a form approved by the Prosecuting Attorney as adequate to incorporate the other restrictions of this section and to give notice of the requirement to obtain a habitat permit prior to engaging in regulated activities within a priority habitat area. The covenant shall show the location of all mitigation areas and priority habitat areas. The covenant shall include the minimization measures for post-development provided within the June 17, 2026 Critical Areas Report and Oak Mitigation/Conservation Plan prepared by AshECO Solutions within the oak driplines.

The final plat shall include a note with the restrictions to priority habitat areas per this covenant, (see Condition D-1.e).

Prior to final plat and pursuant to CCC 40.445.030.B.2.c, small signs shall be posted at and perpetually maintained at locations along the outer perimeter of the wetland buffer/habitat mitigation area approved by the responsible official and as shown in the June 17, 2026 Critical Areas Report and Oak Mitigation/Conservation Plan prepared by AshECO Solutions worded substantially as follows:

> Protected Critical Area –
> Please retain in a natural state
> (see Condition D-1.f)

In addition to the signs, where oaks occur within proposed Lots, the applicant shall also have some other type of prominent physical demarcation along the upland boundary of the priority habitat area and shall be installed and thereafter maintained. Such demarcation may consist of logs, a tree or hedge row, fencing, or other prominent physical marking approved by the responsible official, (see Condition D-1.g).

Pursuant to CCC 40.445.030.B.2.d, the Final Plat shall clearly show all mitigation areas, wetland, wetland buffer, streams, and priority habitat areas, (see Condition D-1.h).

The final plat shall include a note referencing any restrictions of any clearing or development within these critical areas, (see Condition D-1.i).

Conclusion (Habitat)
Staff concludes that the proposed preliminary mitigation plan is feasible and recommends approval of the proposed plat subject to conditions. In addition to the conditions above, also see Conditions B-8, B-9, B-10, B-11, B12 & B-13.

Transportation & Stormwater
Development Engineering staff have reviewed the application and determined that the proposed development plan is feasible and can meet the approval criteria with conditions of approval. A complete analysis of the applicable criteria and recommended conditions of approval will be provided as a separate exhibit prior to the public hearing.

Transportation Concurrency

Finding 19 - Trip Generation

Concurrency staff has reviewed the proposed Livingstone Meadows Subdivision traffic study dated November 5, 2025 (Exhibit 1, Tab 14) by Lancaster Mobley. The traffic study submitted indicates that the proposed development will develop 18 single family detached houses and 4 duplexes (8 dwelling units), for a total of 26 dwelling units on approximately 4.96 acres located on tax lots 117895200, 117895201, 117895202, and 117895206 in Vancouver. The applicant's traffic study has estimated the net new a.m. peak hour trip generation at 16, the p.m. peak-hour trip generation at 20 trips and an average daily trip generation (ADT) of 210 trips. The trip generation was estimated using the nationally accepted data published by the *Institute of Transportation Engineers 11th Edition*.

The applicant has submitted a traffic study under the provisions of Clark County Code section 40.350.020 (D)(1).

Finding 20 - Site Access

Traffic conditions are usually expressed using a scale that quantifies the ability of a facility to meet the needs and expectations of the driver. This scale is graded from A to F and is referred to as level-of-service (LOS). A driver who experiences a LOS A condition would expect little delay. A driver who experiences a LOS E condition would expect significant delay, but the traffic facility would be just within its capacity to serve the needs of the driver. A driver who experiences a LOS F condition would expect significant delay with traffic demand exceeding the capacity of the facility with the result being growing queues of traffic.

Congestion, or concurrency, level of service (LOS) standards are not applicable to accesses that are not regionally significant; however, the LOS analysis provides information on the potential congestion and safety problems that may occur in the vicinity of the site.

The applicant's plan shows that NE 24th Circle will be constructed as a private road and will provide primary ingress and egress for the proposed development. NE 24th Circle, as shown, will connect to the public road network at NE 25th Avenue.

The applicant's study evaluated the level of service at the NE 144th Street/NE 25th Avenue intersection and found that it will have an estimated LOS A in the 2028 build-out horizon. The study also shows that the LOS was evaluated during the a.m. and p.m. peak hour traffic conditions in existing and build-out scenarios. County Staff concurs with the traffic study findings.

Finding 21 - Clark County Concurrency

The proposed development is required to meet the standards established in CCC 40.350.020(G) for corridors and intersections of regional significance within 1 mile of the proposed development.

Signalized Intersections

Staff evaluated the operating levels and delay times for the regionally significant signalized intersections under Clark County jurisdiction through the 2028 total traffic scenario and concurs with the applicant's findings that the signalized approach delay will not exceed 240 seconds, or 2 cycles.

Therefore, county staff has determined that this development will comply with adopted concurrency standards for signalized intersections.

Unsignalized Intersections
Staff reviewed the trip distributions and assignments as reported in the applicant's traffic study and concur with the applicant's information. Staff found that based on the reported trip distributions and assignments, the regionally significant unsignalized intersections within the study radius will not add 5 peak trips to any approach. Because the proposed development will not exceed the prescriptive threshold standards identified in CCC 40.350.020(G)(1)(c) and would not be required to mitigate development impacts, no further analysis was required.

Therefore, the staff has determined that this development can comply with adopted concurrency standards for unsignalized intersections.

Concurrency Corridors
In accordance with CCC 40.350.020(F)(9), the Public Works Director acknowledges that a variety of factors can influence the operating performance of transportation corridors. These factors are considered when determining compliance with, or acceptable levels of service under, CCC 40.350.020(G), which establishes baseline service levels under ideal conditions.

In addition to the performance of intersections that bound the corridor being evaluated, such as intersection level of service and queueing there are existing influences that also affect roadway capacity. The methodology to apply these existing influences is established in the Highway Capacity Manual (HCM), produced by the Transportation Research Board (TRB) of the National Academies of Sciences, Engineering, and Medicine. This HCM methodology applies adjustment factors to reflect these existing influences and supports their application in operational analyses. These may include, but are not limited to:

- Lane width
- Presence or absence of shoulders
- Heavy vehicle volumes
- Roadway grades
- Number and spacing of intersections and/or driveway accesses

When necessary, these existing influences may also be considered and may warrant adjustments as part of the broader evaluation of corridor operations.

The corridor volume-to-capacity (v/c) ratio serves as a key engineering indicator of operational performance. Although drivers do not directly perceive the numerical v/c value, it provides insight into where roadway operations may begin to degrade and where additional analysis should be focused, particularly at intersections, which are typically the first points in the roadway network to experience breakdown and noticeable delay as traffic volumes increase.

It should also be noted that baseline corridor level-of-service thresholds may appear to be exceeded even when intersection operations remain within acceptable limits. In such cases, higher corridor volumes may simply indicate that intersections are operating efficiently enough to allow more vehicles to pass through with minimal delay, thereby increasing the overall throughput of the corridor. This throughput of the corridor along with acceptable levels of service at the intersections that bound the corridor being evaluated allow the Public Works

Director and supporting staff to create an affirmative finding of compliance with CCC 40.350.020(G)(1)(a) and Table 40.350.020-1.

Corridor Finding
Evaluation of the concurrency corridor capacity levels as reported in the applicant's traffic study against the prescriptive capacity thresholds in the county code yielded capacity at acceptable levels within the study area except for the NE 139th Street road segment from NE 20th Avenue to NE 23rd Avenue in the PM peak hour for the buildout year.

The traffic study indicates that the above corridor will have a volume to capacity (v/c) ratio of greater than 0.9 in the 2028 buildout horizon when evaluating volumes against the prescriptive capacity thresholds listed in the county code.

Staff performed an evaluation outside of the code's prescriptive measures on corridor capacity in compliance with CCC 40.350.020(F)(9), recognizing that existing factors would have impact on the operating level of the transportation corridor. Staff's evaluation looked at the overall roadway operations by considering the bounding intersections where mobility typically starts to breakdown causing congestion due to poor levels of service and/or queueing issues.

NE 139th Street is classified as an Urban Collector (C-2cb) and is built out to its ultimate width between NE 20th Avenue and NE 23rd Avenue. NE 139th Street has a cross-section geometry that includes two eastbound lanes and one westbound lane. At the intersection NE 20th Avenue/NE 139th Street the east leg is configured with:

- 2 eastbound receiving lanes
- 2 dedicated westbound left turn lanes
- 2 dedicated westbound through lanes
- 1 dedicated westbound right turn lane; and,
- 6-foot wide bike lanes on both sides

The westbound signalized approach is expected to operate at a LOS D in the PM peak period with an average approach delay of 37 seconds. Staff's review found that there were no queueing issues that would create congestion and minimize corridor throughput.

Staff also compared the approach delays and level of service between the 2028 background scenario and buildout scenario for the intersection of NE 139th Street/NE 20th Avenue and found that the delay and LOS were identical for the eastbound and westbound approaches at this intersection. This comparison shows that this development does not cause a significant traffic or safety hazard nor would it materially add to the v/c ratio along this segment of NE 139th Street.

Therefore, the county has determined that this development can comply with adopted concurrency standards for regionally significant corridors.

Summary
The County has determined that this development can comply with adopted Concurrency Standards for corridors, signalized and unsignalized intersections under County jurisdiction.

SAFETY:

Where applicable, a traffic study shall address the following safety issues:
- traffic signal warrant analysis,
- turn lane warrant analysis,
- crash history analysis,
- roadside safety (clear zone) evaluation,
- vehicle turning movements, and
- any other issues associated with highway safety.

Mitigation for off-site safety deficiencies may only be a condition of approval on development in accordance with CCC 40.350.030(B)(6) The code states that "nothing in this section shall be construed to preclude denial of a proposed development where off-site road conditions are inadequate to provide a minimum level of service as specified in Section 40.350.020 or a *significant* traffic or safety hazard *would be caused or materially aggravated* by the proposed development; provided, that the applicant may voluntarily agree to mitigate such direct impacts in accordance with the provisions of RCW 82.02.020."

Finding 22 - Turn Lane Warrants
Turn lane warrants are evaluated at unsignalized intersections to determine if a separate left or right turn lane is needed on the uncontrolled roadway.

Staff evaluated the need for right and left turn lanes using the information provided in the applicant's traffic study and the guidance from the Washington State Design Manual. This evaluation showed that dedicated turn lanes would not be warranted.

Therefore, dedicated right and left turn lanes are not required as a part of this development.

Finding 23 - Historical Accident Situation
The Institute of Transportation Engineers (ITE) *Traffic Access and Impact Studies for Site Development – A Recommended Practice* states that "Accident rates vary, but any intersection with more than one accident per million entering vehicles is worth of additional analysis." This ITE recommended practice has been used by county staff to determine the scope, or level of analysis required regarding crash history. Because of this, a crash rate of one crash per million entering vehicles has become the threshold to determine if further crash history evaluation is warranted. This is if staff has not identified a crash trend that would be exacerbated by the development regardless of the threshold.

The applicant's traffic study analyzed the crash history as obtained from Washington State Department of Transportation (WSDOT) for the period January 2020 through December 2024.

The intersection crash rates, for the study intersections do not exceed thresholds that would warrant additional analysis. The applicant's study did not recommend any safety mitigations as a part of this development. Staff concurs with the applicant's findings.

Finding 24 - Roadside Safety *(Clear Zone)* Evaluation
The *Institute of Transportation Engineers (ITE) Traffic Engineering Handbook 6th Edition*, states that "The *clear roadside concept*…is applied to improve safety by providing an un-encumbered roadside recovery area that is as wide as practical…". Further, this concept "allows

for errant vehicles leaving the roadway for whatever reason and supports a roadside designed to minimize the serious consequences of roadway departures."

Further, as adopted by Clark County Code (CCC) 40.350.030(C)(1)(b), the *Washington State Department of Transportation (WSDOT) Design Manual, Chapter 1600* states that "A clear roadside border area is a primary consideration when analyzing potential roadside and median features. The intent is to provide as much clear, traversable area for a vehicle to recover as practicable given the function of the roadway and the potential tradeoffs. The Design Clear Zone is used to evaluate the adequacy of the existing clear area and proposed modifications of the roadside. When considering the placement of new objects along the roadside or median, evaluate the potential for impacts and try to select locations with the least likelihood of an impact by an errant vehicle."

"For managed access state highways within an urban area, it might not be practicable to provide the Design Clear Zone distances shown in Exhibit 1600-2. Roadways within an urban area generally have curbs and sidewalks and might have objects such as trees, poles, benches, trash cans, landscaping and transit shelters along the roadside."

The applicant shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Section 1600) in the final engineering design of all proposed roadways and frontage improvements. (See Condition A-6.b)

Finding 25 - Vehicle Turning Movements
It shall be noted that, the curb return radii listed above are minimum criteria and are intended for normal conditions, per CCC 40.350.030 (C)(3). CCC 40.350.030 (C)(3) also states, "The responsible official may require higher standards for unusual site conditions."

The applicant will need to submit construction plans that show the design of the intersection geometry will accommodate all applicable design vehicles for review and approval. The plans will also need to show that all applicable design vehicles can enter and exit the development minimizing impact to travel lanes along the subject site frontage. This may result in no parking areas along NE 24th Circle at/near the intersection with NE 25th Avenue. Applicable design vehicles may include but are not limited to fire vehicles and waste management vehicles. (See Transportation Concurrency A-6.c).

Finding 26 - Sight Distance
Sight distance issues are addressed by other Development Engineering Staff; therefore, this issue will not be addressed here.

Conclusion (Transportation Concurrency)
In summary, Concurrency Staff recommends approval of the development application with the conditions contained herein.

Fire Protection
Finding 27 - Review Process
This application was reviewed by Jason Knoble in the Fire Marshal's Office. Jason can be reached at (564) 397-3318 or e-mail at Jason.knoble@clark.wa.gov. Where there are

difficulties in meeting these conditions or if additional information is required, contact Jason in the Fire Marshal's office immediately.

Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process.

Finding 28 - Fire Flow/Hydrants

Fire flow in the amount of 1000 gallons per minute supplied at 20 psi for 60 minutes duration is required for this application. Prior to final approval submit proof from the water purveyor indicating that the required fire flow is available at the site. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval.

Fire hydrants are required for this application. Either the indicated number or the spacing of the fire hydrants is inadequate. Provide fire hydrants such that the maximum spacing between hydrants does not exceed 700 feet and such that no lot or parcel is in excess of 500 feet from a fire hydrant as measured along approved fire apparatus access roads. The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact Fire District # 6 at 360-576-1195 to arrange for location approval. Unless waived by the fire district chief fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. Provide and maintain a three-foot clear space around the entirety of every fire hydrant. (See Conditions A-4, D-2, and F-1)

Homes exceeding 3600 square feet including attached garages will require additional fire protection features up to and including a residential fire sprinkler system when adequate public water and a hydrant is not within required distances.

Finding 29 - Fire Apparatus Access

Fire apparatus access is required for this application. The roadways and maneuvering areas as indicated in the application adequately provide required fire apparatus access. Provide fire apparatus access roads with an unobstructed width of not less than 20 feet, an unobstructed vertical clearance of not less than 13.5 feet, with an all-weather driving surface and capable of supporting the imposed loads of fire apparatus. Approved fire apparatus turnarounds are required for this project. The indicated provisions for turning around fire apparatus are adequate. (See Condition H-1)

No gate may be installed across a required fire department access road or driveway without first obtaining a permit from the fire marshal’s office. Inspection and testing of the gate will be required. Split gates with a divided entry and exit side will need 15 feet on either side for a total gate width of 30 feet. (See Condition D-3)

Parking is prohibited on access roads that are less than twenty-four (24) feet wide. Roads that are less than twenty-four (24) feet wide shall be posted "NO PARKING-FIRE LANE". (See Condition H-1)

Conclusion (Fire Protection)

Staff finds that the proposed preliminary plan, subject to conditions, meets the fire protection requirements of the Clark County Code.

Water and Sewer Service

Finding 30

The site will be served by Clark Public Utilities for public water and Clark Regional Wastewater for public sewer. Letters from both purveyors confirm that public water and sewer service is available to the subject site. The applicant shall comply with all requirements of the water and sewer purveyor. (See Condition D-4)

Impact Fees

Finding 31 - Impact Fees

All residential lots created by this plat will produce impacts on schools, parks, and traffic, and are subject to School (SIF), and Traffic Impact Fees (TIF) in accordance with CCC 40.610. The plat will be subject to an impact fee reduction due to the one existing residence that will be removed. The proposed lots will pay the following impact fees:

- Mt Vista sub-area with a TIF of $ 8,520.88 per dwelling
- Vancouver District, with a SIF of $2,786.09 per dwelling
- Park District 10, with a SIF of $ 3,852.00 per dwelling

The amounts listed above are an estimate using the current impact fee rates and are subject to change. As found in CCC40.610.040, impact fees are calculated using the rates in effect at the time of building permit issuance. (See Conditions D-5f, D-6i & E-2)

SEPA

No substantive SEPA issues have been raised in the record that are not addressed in Clark County Code. Pursuant to WAC 197-11-158 and CCC 40.570.020.E, compliance with Clark County Code is therefore deemed sufficient to warrant a Determination of Non-significance for this application.

SEPA Determination

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS = Determination of Significance** - The impacts cannot be mitigated through conditions of approval and, therefore, require the preparation of an Environmental Impact Statement (EIS);
- **MDNS = Mitigated Determination of Non-Significance** - The impacts can be addressed through conditions of approval; or,
- **DNS = Determination of Non-Significance** - The impacts can be addressed by applying the Clark County Code.

The likely SEPA Determination of Non-Significance (DNS) in the Notice of Development Review Application issued on June 23, 2026 is hereby final.

SEPA Appeal Process
An appeal of this SEPA determination and any required mitigations, must be filed with the Department of Community Development within fourteen (14) calendar days from the date this notice. The hearing examiner shall hear appeals in a public hearing. Notice of the appeal hearing shall be mailed to parties of record, but shall not be posted or published.

A **procedural SEPA appeal** is an appeal of the determination (i.e., determination of significance, determination of non-significance, or mitigated determination of non-significance).

A **substantive SEPA appeal** is an appeal of the conditions required to mitigate for probable significant issues not adequately addressed by existing Clark County Code or other law. Issues of compliance with existing approval standards and criteria can still be addressed in the public hearing without an appeal of this SEPA determination.

A **procedural or substantive appeal** must be filed within fourteen (14) calendar days of this determination, together with the appeal fee. Such appeals will be considered at a scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

Appeals must be in writing and should contain the following information:
- Case number designated by the county
- Name of the applicant
- Name of each petitioner
- Signature of each petitioner or his or her duly authorized representative
- A statement showing the following:
  - That each petitioner is entitled to file the appeal as an interested party in accordance with CCC 40.510.020(H) or 40.510.030(H)
  - The reasons why the SEPA determination is in error
- The appeal fee

Refer to the *Appeals* handout https://clark.wa.gov/media/document/57535 and https://clark.wa.gov/community-development/land-use-forms-and-fees for more information and fees.

The decision of the Hearing Examiner is final unless:
- A motion for reconsideration is filed within fourteen (14) days of written notice of the decision, as provided under Clark County Code, Section 2.51.160; or,
- An appeal is filed with Clark County Superior Court.

Staff Contact Person: Richard Daviau, 564.397.4895

Responsible Official: David Kuhnhausen, Community Development Director

Recommendation
Based upon the proposed plan (Exhibit 23) and the findings and conclusions stated above, staff recommends the Hearing Examiner **APPROVES** request provided the applicant can address the guest parking and water availability issues. This is subject to the understanding that the application is required to adhere to all applicable codes and laws, and is subject to the following conditions of approval.

Conditions of Approval

A	**Final Construction Review for Land Division** **Review and Approval Authority: Development Engineering**

Prior to construction, a Final Construction Plan shall be submitted for review and approval, consistent with the approved preliminary plan and the following conditions of approval:

A-1 **Retaining Walls -** A building permit is required for retaining walls greater than 4 feet tall or when the wall is surcharged. All retaining walls shall be shown in sufficient detail on the engineering plans including any required easements, for staff to assess their impact on adjacent roads, structures, and public and private utilities.

A-2 **Landscaping -** The applicant shall show the existing vegetation that will comply with the southern buffer on the final plans to confirm it complies with screening requirements (see Finding 7).

A-3 **Archaeology** - The following note shall be placed on the construction plans "Should archaeological materials (e.g. bones, shell, stone tools, beads, ceramics, old bottles, hearths, etc.) be observed during project activities, all work in the immediate vicinity should stop and the State Department of Archaeology and Historic Preservation (360-586-3065), the County planning office, and the affected Tribe(s) should be contacted immediately. If any human remains are observed, all work should cease and the immediate area secured. Local law enforcement, the county medical examiner (360-397-8405), State Physical Anthropologist, Department of Archaeology and Historic Preservation (360-586-3534), the County planning office, and the affected Tribe(s) should be contacted immediately. Compliance with all applicable laws pertaining to archaeological resources (RCW 27.53, 27.44 and WAC 25-48) and human remains (RCW 68.50) is required. Failure to comply with this requirement could constitute a Class C Felony."

A-4 **Fire Protection Requirements**

a. Fire flow in the amount of 1,000 gallons per minute supplied at 20 psi for 60 minutes duration is required for this application. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval.

b. Unless waived by the fire district chief fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. Provide and maintain a three-foot clear space around the entirety of every fire hydrant. Homes exceeding 3600 square feet including attached garages will require additional fire protection features up to and including a residential fire sprinkler system when adequate public water and a hydrant is not within required distances.

c. Provide fire apparatus access roads with an unobstructed width of not less than 20 feet, an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface and capable of supporting the imposed loads of fire apparatus. No gate may be installed across a required fire department access road or driveway without first obtaining a permit from the fire marshal's office. Inspection and testing

of the gate will be required. Split gates with a divided entry and exit side will need 15 feet on either side for a total gate width of 30 feet.

A-5 Oak Habitat

a. The Priority Habitat and Species Areas shall be shown on any future plans relying on this determination/permit with a note describing limitations on clearing and development activities in these areas, (see Finding 9).

b. The applicant shall retain the priority logs within an Oregon white oak habitat area or the proposed Tract A. If the priority logs fall apart upon transport then the applicant shall create priority logs which meet the Washington Department of Fish and Wildlife (WDFW) definition within the above mentioned areas. This shall be documented in the As-Built, (see Finding 13).

c. The applicant shall retain any cut portions of the snags as large woody debris (as intact as possible) within an Oregon white oak habitat area or the proposed Tract A. The snags shall be countersunk within the mitigation areas noted above per the methods in the June 17, 2026 AshECO Solutions mitigation plan. If snags cannot be transported and installed then new snags shall be created within Tract A which meet the WDFW definition for a priority snag; the cut portion of the snag shall be retained as large woody debris. The created snags shall be trees of a similar size and type as those which were removed. This shall be documented in the As-Built, (see Finding 13).

d. The applicant shall retain the cut portions of Oak #8 and #9 as large woody debris (as intact as possible) within an Oregon white oak habitat area. This shall be documented in the As-Built, (see Finding 13).

e. Prior to Final Engineering Approval the applicant shall provide an oak assessment report prepared by an ISA certified arborist which shall include photographs and a pre-construction assessment prepared by an ISA certified arborist of the oak retention areas, (see Finding 13).

f. Prior to Final Engineering, the applicant shall provide proof of 0.10 credits from the Wapato Oak bank. Alternate oak banks may be considered with approval from Wetland/Habitat Review staff, (see Finding 13).

g. The final grading/engineering plans shall include a note which clearly specifies the property line delineation and fencing requirements and well as oak specific protection measures identified by the arborist in the June 17, 2026 Critical Areas Report and Oak Mitigation/Conservation Plan prepared by AshECO Solutions, (see Finding 13).

h. A note on the Final engineering/grading plans which requires an ISA certified arborist shall be present to establish the required tree protection fencing as well as for any work which requires impacts to the tree (canopy or roots), (see Finding 13).

i. A Mitigation As-Built report shall be submitted to the County Wetland/Habitat Review staff prior to Final Engineering approval as approved in the mitigation plan (per this permit); amendments may be made with a Final Wetland/Habitat Permit. The As-Built submittal can be postponed a specified date with written approval from a County Biologist and a financial assurance. The As-Built needs to include documentation of any revisions to or deviations from the approved plan, demonstrating that any changes meet the requirements of CCC 40.445, (see Finding 15).

j. The As-Built shall show and provide pictures of the priority snags. The As-Built shall show and provide pictures of the priority logs and cut portions of the snags and Oaks 8 and 9 which are retained as large woody debris either within the oak dripline or on the southwestern portion of the project within the stormwater area. A site visit shall be required to verify the mitigation and oak retention area, (see Finding 15).

A-6 Final Transportation Plan/Off Site (Concurrency) – The applicant shall submit and obtain County approval of a final transportation design in conformance to CCC 40.350 and the following conditions of approval:

a. The applicant shall submit a signing and striping plan for review and approval. This plan shall show signing and striping and all installation or modifications to traffic control devices in the public right-of-way required for frontage improvements and any off-site improvements. The applicant shall obtain a work order with Clark County to reimburse the County for required signing, striping and all installation or modifications to traffic control devices in the public right-of-way. The final traffic control plans (signing, striping, signals, ITS, etc.) can be approved only after the developer provides signed reimbursable work order(s) to the county's traffic engineer reviewing the plans.

b. The applicant shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Section 1600) in the final engineering design of all proposed roadways and frontage improvements. (See Finding 24)

c. The applicant shall submit construction plans that show that all applicable design vehicles can enter and exit the development minimizing impact to travel lanes along the subject site frontage. This may result no parking areas along NE 24th Circle at/near the intersection with NE 25th Avenue and on NE 25th Avenue at/near the intersection with NE 144th Street. Applicable design vehicles may include but are not limited to fire vehicles and waste management vehicles. (See Finding 25)

B	**Prior to Construction of Development** **Review and Approval Authority: Development Inspection**

Prior to construction, the following conditions shall be met:

B-1 Pre-Construction Conference - Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the County.

B-2 Traffic Control Plan: Prior to issuance of any building or grading permits for the development site, the applicant shall obtain written approval from Clark County

Department of Public Works of the applicant's Traffic Control Plan (TCP). The TCP shall govern all work within or impacting the public transportation system.

B-3 **Erosion Control -** Prior to construction or any land disturbance, erosion/sediment controls shall be in place per the approved erosion control plan. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists. Erosion control facilities shall not be removed without county approval.

B-4 **Road Closures** - Any request by the developer or developer's contractor to close a road will be reviewed by county staff. The developer shall provide a memorandum to the County Engineer justifying the reasons for needing the road closure, specifically including explanation as to why the closure is necessary and construction cannot occur under traffic, such as flagger controlled alternating one way traffic next to the construction. The memorandum shall include the ENG number and title of the project, location of the requested road closure, anticipated date of start of closure, requested closure time length, explanation of the public outreach that the contractor will perform, full detour mapping, and other information as appropriate. Road Closures are approved specifically by the County Council by resolution, as described in WAC 308-330-270(7). The process for county takes at least 6 weeks for writing the staff report, resolution and internal review. Depending on the complexity of the request from the developer and the council's time availability, this can take over 12 weeks to process from start to finish. It is the developer's responsibility to ensure that the process is completed prior to needing the road closure enacted. The contractor shall be responsible for all costs associated with county staff time to process the request via reimbursable work order and all notifications required by law in local newspapers as required by RCW 47.48 Notice of Closure or Restriction. Requesting a road closure is no guarantee that a road closure will be approved by the county.

B-5 Setbacks and lot coverage requirements shall be met at the time of building permit review (see Finding 4).

B-6 The existing home (not to remain) shall be removed prior to construction plan approval complying with Clark County Building Division, state/federal requirements (see Finding 5).

B-7 **Oak Habitat** - The applicant shall install the required mitigation per the June 17, 2026 mitigation plan prepared by AshECO Solutions. If the mitigation cannot be installed prior to Construction approval then, the mitigation shall be installed the next planting season; additionally, a performance financial assurance which covers the proposed costs of the mitigation would be required and shall be submitted to County Wetland/Habitat Review staff for approval. Unless the proposed mitigation is constructed and an as-built is approved, a performance assurance for the mitigation shall be required, (see Finding 17).

B-8 **Oak Habitat** - The applicant shall only impact the areas shown in the provided plans, the June 17, 2026 Critical Areas Report and Oak Mitigation/Conservation Plan prepared by AshECO Solutions, and subject permit. The priority habitat area and any

mitigation area shall be maintained in a natural state. The applicant shall retain all native vegetation on site that is outside of the indicated development area but within the priority habitat and mitigation area shown in the provided June 17, 2026 Critical Areas Report and Oak Mitigation/Conservation Plan prepared by AshECO Solutions. Any changes to the development layout causing greater impacts to the priority habitat area or mitigation area beyond what is approved herein on the provided plans shall be subject to the June 17, 2026 Critical Areas Report and Oak Mitigation/Conservation Plan prepared by AshECO Solutions shall require additional habitat review by County staff and may include additional permits and/or mitigation.

B-9 **Oak Habitat** - Excluding non-native vegetation removal, clearing of native vegetation within the mitigation area shall be prohibited. No native trees or shrubs, snags, or large woody debris shall be removed from the priority habitat area or mitigation area for installing the required enhancement plantings. Invasive species (including non-native blackberries, ivy, holly, etc.) may be removed provided that ground disturbing heavy machinery (scraping, ripping, etc.) is not used. Cutting, mowing, and ground disturbance with hand tools is allowed; efforts shall be made to prevent injury to neighboring native vegetation.

B-10 **Oak Habitat** - Incidental damage to the surrounding native vegetation in the mitigation area which was not accounted for as a part of this permit shall be mitigated by replanting with native vegetation of like kind.

B-11 **Oak Habitat –** The applicant shall utilize best management practices to control erosion and prevent sediment from entering the mapped mitigation area and priority habitat area.

B-12 **Oak Habitat -** Prior to construction, a permanent physical demarcation along the upland boundary of the priority habitat area and shall be installed and thereafter maintained. Such demarcation may consist of logs, a tree or hedge row, fencing, or other prominent physical marking approved by the responsible official

B-13 **Oak Habitat -** Prior to construction the applicant shall install tree protection fencing around the protected Oregon white oak trees under the guidance of an ISA certified arborist and AshECO Solutions.

C	**Provisional Acceptance of Development** **Review and Approval Authority: Development Inspection**

Prior to provisional acceptance of development improvements, construction shall be completed consistent with the approved final construction / land division plan and the following conditions of approval:

C-1 None

D	**Final Plat Review & Recording** **Review and Approval Authority: Development Engineering**

Prior to final plat approval and recording, the following conditions shall be met:

D-1 **Oak Habitat:**

a. Development envelopes that clearly avoid the Oregon white oak woodland and mitigation areas shall be shown on the Final Plat with a note describing limitations on clearing and development activities outside these envelopes, (see Finding 10).

b. Prior to acceptance of the Final Plat, the applicant shall provide an oak assessment report prepared by an ISA certified arborist which shall include photographs and a post-construction assessment prepared by an ISA certified arborist of the oak retention areas. This assessment shall include the health of each tree and if they were adversely impacted by the development as well as a baseline for the oak canopy for the future stand release. Adverse impacts to the oaks shall require additional Wetland/Habitat Review as well as potential permitting and mitigation, (see Finding 13).

c. The Final Plat shall include a note which includes the oak minimization measures proposed by the Arborist in the June 17, 2026 Critical Areas Report and Oak Mitigation/Conservation Plan prepared by AshECO Solutions. This shall be specific to lots which have oak habitat onsite and shall include a restriction on irrigation or turf grasses within the oak dripline, as well as maintaining these areas in a natural state, (see Finding 13).

d. The Final Plat shall include a note which states that the Oregon white oak trees, priority snags, and priority logs do not meet the standard of a hazard per the Wetland/Habitat Code. Any impacts to an Oregon white oak, priority log, or priority snag shall require additional wetland/habitat review as well as potential permitting and/or mitigation, (see Finding 13).

e. Pursuant to CCC 40.445.030.B.2.d, a conservation covenant shall be recorded in a form approved by the Prosecuting Attorney as adequate to incorporate the other restrictions of this section and to give notice of the requirement to obtain a habitat permit prior to engaging in regulated activities within a priority habitat area. The covenant shall show the location of all mitigation areas and priority habitat areas. The covenant shall include the minimization measures for post-development provided within the June 17, 2026 Critical Areas Report and Oak Mitigation/Conservation Plan prepared by AshECO Solutions within the oak driplines.

The final plat shall include a note with the restrictions to priority habitat areas per this covenant, (see Finding 18).

f. Pursuant to CCC 40.445.030.B.2.c, small signs shall be posted at and perpetually maintained at locations along the outer perimeter of the wetland buffer/habitat mitigation area approved by the responsible official and as shown in the June 17, 2026 Critical Areas Report and Oak Mitigation/Conservation Plan prepared by AshECO Solutions worded substantially as follows:

Protected Critical Area –
Please retain in a natural state
(see Finding 18).

g. In addition to the signs, where oaks occur within proposed Lots, the applicant shall also have some other type of prominent physical demarcation along the upland boundary of the priority habitat area and shall be installed and thereafter maintained. Such demarcation may consist of logs, a tree or hedge row, fencing, or other prominent physical marking approved by the responsible official, (see Finding 18).

h. Pursuant to CCC 40.445.030.B.2.d, the Final Plat shall clearly show all mitigation areas, wetland, wetland buffer, streams, and priority habitat areas, (see Finding 18).

i. The final plat shall include a note referencing any restrictions of any clearing or development within these critical areas, (see Finding 18).

D-2 Water mains supplying fire flow and fire hydrants shall be installed, approved and operational.

D-3 No gate may be installed across a required fire department access road or driveway without first obtaining a permit from the fire marshal's office. Inspection and testing of the gate will be required. Split gates with a divided entry and exit side will need 15 feet on either side for a total gate width of 30 feet.

D-4 Water and sewer
The applicant shall provide documentation from the water and sewer purveyor that all water and sewer connections have been installed and approved. The applicant shall comply with all requirements of the water and sewer purveyor. (See Finding 30)

D-5 Developer Covenant - A *Developer Covenant to Clark County* shall be submitted for recording to include the following:

a. Private Road Maintenance Covenant - A private road maintenance covenant shall be submitted to the responsible official for approval and recorded with the County Auditor. The covenant shall set out the terms and conditions of responsibility for maintenance, maintenance methods, standards, distribution of expenses, remedies for noncompliance with the terms of the agreement, right of use easements, and other considerations, as required under 40.350.030(C)(4)(g).

b. Joint Driveway Maintenance Covenant - A private joint driveway maintenance covenant shall be submitted to the responsible official for approval and recorded with the County Auditor. The covenant shall set out the terms and conditions of responsibility for maintenance, maintenance methods, standards, distribution of expenses, remedies for noncompliance with the terms of the agreement, right of use easements, and other considerations, as required under 40.350.030(C)(4)(g).

c. Critical Aquifer Recharge Areas: "The dumping of chemicals into the groundwater and the use of excessive fertilizers and pesticides shall be avoided. Homeowners are encouraged to contact the State Wellhead Protection program at (206) 586-9041 or the Washington State Department of Ecology at 800-RECYCLE for more information on groundwater /drinking supply protection."

d. Erosion Control: "Building permits for lots on the plat shall comply with the approved erosion control plan on file with Clark County Building Safety and put in place prior to construction."

e. Responsibility for Stormwater Facility Maintenance: For stormwater facilities for which the county will not provide long-term maintenance, the developer shall make arrangements with the existing or future (as appropriate) occupants or owners of the subject property for assumption of maintenance to the county's Stormwater Facilities Maintenance Manual as adopted by Chapter 13.26A. The responsible official prior to county approval of the final stormwater plan shall approve such arrangements. Final plats shall specify the party(s) responsible for long-term maintenance of stormwater facilities within the Developer Covenants to Clark County. The county may inspect privately maintained facilities for compliance with the requirements of this chapter. If the parties responsible for long-term maintenance fail to maintain their facilities to acceptable standards, the county shall issue a written notice specifying required actions to be taken in order to bring the facilities into compliance. If these actions are not performed in a timely manner, the county shall take enforcement action and recover from parties responsible for the maintenance in accordance with Section 32.04.060.

f. Impact Fees: "In accordance with CCC 40.610 impact fees for each dwelling in this subdivision shall be assessed for impacts on schools, parks and transportation

facilities based for the following districts: Vancouver School District (SIF), Park District #10 (PIF), and Mt Vista Sub-area (TIF). As found in CCC40.610.040, impact fees are calculated using the rates in effect at the time of building permit issuance."

D-6 Plat Notes - The following notes shall be placed on the final plat:

a. Archaeological: "If any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Department of Archaeology and Historic Preservation in Olympia and Clark County Community Development shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines."

b. Sidewalks: "Prior to issuance of occupancy permits, sidewalks shall be constructed along all the respective lot frontages."

c. Utilities: "An easement is hereby reserved under and upon the exterior six (6) feet at the front boundary lines of all lots for the installation, construction, renewing, operating and maintaining electric, telephone, TV, cable, water and sanitary sewer services. Also, a sidewalk easement, as necessary to comply with ADA slope requirements, shall be reserved upon the exterior six (6) feet along the front boundary lines of all lots adjacent to public streets."

d. Driveways: "All residential driveway approaches entering public roads are required to comply with CCC 40.350."

e. Sight Distance: "All sight distance triangles shall be maintained."

f. Private Roads: "Clark County has no responsibility to improve or maintain the private roads contained within or private roads providing access to the property described in this development. Any private access street shall remain a private street unless it is upgraded to public street standards at the expense of the developer or abutting lot owners to include hard surface paving and is accepted by the county for public ownership and maintenance."

g. Roof and Crawl Space Drains: "Roof and crawl space drains for all lots of the development shall be installed in accordance with the approved As-Built plans, unless a revised plan is approved by the county. These stormwater systems will be owned and maintained by the property owner(s) on whose lot the stormwater system is located."

h. Privately Owned Stormwater Facilities: "The following party(s) is responsible for long-term maintenance of the privately owned stormwater facilities: _____."

i. Impact Fees: "In accordance with CCC 40.610 impact fees for each dwelling in this subdivision shall be assessed for impacts on schools, parks and transportation facilities based for the following districts: Vancouver School District (SIF), Park District #10 (PIF), and Mt Vista Sub-area (TIF). As found in CCC40.610.040, impact fees are calculated using the rates in effect at the time of building permit issuance."

j. Habitat: Development envelopes that clearly avoid the Oregon white oak woodland and mitigation areas shall be shown on the Final Plat with a note describing limitations on clearing and development activities outside these envelopes.

E	**Building Permits** **Review and Approval Authority: Permit Services**

Prior to issuance of a building permit, the following conditions shall be met:

E-1 **Roof and Crawl Space Drains** - Roof and crawl space drains shall be installed in accordance with the approved As-Built plans, unless a revised plan is approved by the county. These stormwater systems will be owned and maintained by the property owner on whose lot the stormwater system is located.

E-2 **Impact Fees** - Impact fees shall be assessed for impacts on schools, parks and transportation facilities based for the following districts: Vancouver School District (SIF), Park District #10 (PIF) and Mt Vista Sub-area (TIF). As found in CCC40.610.040, impact fees are calculated using the rates in effect at the time of building permit issuance."

F	**Occupancy Permits** **Review and Approval Authority:**

Prior to issuance of an occupancy permit, the following conditions shall be met:

F-1 **Fire Protection –** A three (3) -foot clear space shall be provided around the circumference of al fire hydrants. (See Finding 28)

F-2 Landscaping – Prior to the issuance of a Certificate of Occupancy for future homes on each lot(s), the applicant shall submit a copy of the approved landscape plan(s) with a letter signed and stamped by a landscape architect licensed in the state of Washington certifying that the landscape and irrigation (if any) have been installed in accordance with the attached approved plan(s) and verifying that any plant substitutions are comparable to the approved plantings and suitable for the site, (see Finding 7).

G	**Development Review Timelines & Advisory Information** **Review and Approval Authority: Advisory to Applicant**

G-1 Land Division - Within seven (7) years of preliminary plan approval, a Fully Complete application for Final Plat review shall be submitted.

G-2 Department of Ecology Permit for Construction Stormwater - A permit from the Department of Ecology (DOE) is required if:

- The construction project disturbs one or more acres of land through clearing, grading, excavating, or stockpiling of fill material; **AND**
- There is a possibility that stormwater could run off the development site during construction and into surface waters or conveyance systems leading to surface waters of the state.

The cumulative acreage of the entire project whether in a single or in a multiphase project will count toward the one acre threshold. This applies even if the applicant is responsible for only a small portion (less than one acre) of the larger project planned over time. **The applicant shall contact DOE for further information**.

G-3 Building and Fire Safety

Building and fire, life, and safety requirements must be addressed through specific approvals and permits. This decision may reference general and specific items related to structures and fire, life, and safety conditions, but they are only for reference in regards to land use conditions. It is the responsibility of the owner, agent, tenant, or applicant to insure that Building Safety and Fire Marshal requirements are in compliance or brought into compliance. Land use decisions do not waive any building or fire code requirements.

H	**Post Development Requirements** **Review and Approval Authority: As specified below**

H-1 Fire Marshal Requirements -

a. A three (3) –foot clear spaces shall be maintained around the circumference of all fire hydrants.

b. Access roads shall maintain an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13.5 feet with an all-weather driving surface capable of supporting the imposed loads of fire apparatus.

c. Parking is prohibited on access roads that are less than twenty-four (24) feet wide. "NO PARKING – FIRE LANE" signs shall be maintained.

H-2 Landscape Maintenance - Maintenance of landscaped areas is the ongoing responsibility of the property owner. Required landscaping must be continuously maintained in a healthy manner. Plants that die must be replaced with in-kind materials unless otherwise authorized by the responsible official. Vegetation shall be controlled by pruning, trimming or otherwise so that it will not interfere with the maintenance or repair of any public utility, restrict pedestrian or vehicular access, or obstruct sight distance at intersections as provided in Section 40.320.020.

H-3 Oak Habitat - Temporary habitat impacts are expected as a result of constructing the proposed project. Areas which will be trenched and/or temporarily impacted shall be returned to a pre-disturbance grade. These areas shall retain the native topsoil during construction and replace the topsoil when construction is complete. After grading, the area shall be reseeded with a native seed mix which is appropriate for the hydrology of the site. The areas disturbed shall have 100% native grass/herbaceous coverage after 1 year; in the event that this is not met, the area shall be reseeded and monitoring shall continue until the area has 100% vegetated coverage, (see Finding 12).

H-4 Oak Habitat - After installation of the mitigation, maintenance and monitoring are required in order to ensure long term performance of the mitigation. Per Table 40.445.030-1 Tree protection areas shall be monitored for a period of 5 years with canopy release being measured for 10 years; the snags and large woody debris may be monitored for one year. The mitigation shall be monitored and maintained as noted above after approval of an As-Built. Monitoring reports consisting of photographs and a count of live trees/shrubs shall be submitted to Wetland/Habitat Review staff no later than November 1 following the following growing seasons (year 1, 2, 3, 5, 7, 10). Monitoring shall begin when the as-built is accepted and the year 1 report shall be due after the first growing season after planting. Monitoring reports shall be submitted to Wetland/Habitat Review staff no later than November 1 following each growing season. A Monitoring Review fee will be required to verify the reports.

The monitoring report shall utilize the following minimum performance standards:
1. Year 1: 100% retained oak survival; verification of snags and large woody debris. verification of mulch and/or native plants within oak driplines. assessment from and ISA certified arborist on the health/condition of oaks onsite.
2. Year 2: 100% retained oak survival; verification of mulch and/or native plants within oak driplines. verification of mulch and/or native plants within oak driplines. assessment from and ISA certified arborist on the health/condition of oaks onsite.
3. Year 3: 100% retained oak survival; verification of mulch and/or native plants within oak driplines. verification of mulch and/or native plants within oak driplines. assessment from and ISA certified arborist on the health/condition of oaks onsite.
4. Year 5: 100% retained oak survival; verification of mulch and/or native plants within oak driplines. Presence of Oregon white oak-associated wildlife species in enhanced habitat. verification of mulch and/or native plants within oak driplines. assessment from and ISA certified arborist on the health/condition of oaks onsite.
5. Year 7: 100% retained oak survival; verification of mulch and/or native plants within

oak driplines. Evidence of an increase in OWO canopy coverage based on initial baseline conditions. Presence of Oregon white oak-associated wildlife species in enhanced habitat.
6. Year 10: 100% retained oak survival; verification of mulch and/or native plants within oak driplines. Evidence of an increase in OWO canopy coverage based on initial baseline conditions. Presence of Oregon white oak-associated wildlife species in enhanced habitat.
7. non-native species <20% aerial coverage, including blackberry, holly, ivy, and reed canary grass.

Any areas not meeting this standard shall be reassessed with County Wetland/Habitat staff, with maintenance and monitoring continuing until the standard has been met.

Routine maintenance of the site is necessary to ensure the integrity and success of the mitigation area which includes, but is not limited to, removing non-native species and weeds, irrigation (if required), and plant replacement to meet the performance standards. Adaptive management and alternate species may be considered if plantings are not meeting the above listed standards in consultation with County Wetland/Habitat Review staff.

A maintenance financial assurance shall be required for the maintenance/monitoring period which shall be done at the time the As-Built has been accepted.
(See Finding 14)

H-5 **Oak Habitat** - Approval of a Final Habitat Permit shall required if there are additional impacts proposed within the mitigation area or priority habitat areas during Final Engineering which were not part of the preliminary approval. The application shall include a revised mitigation plan that meets the standards for the Wetland/Habitat Ordinance, (see Finding 16).

H-6 **Oak Habitat** - No clearing or development, outside of what is shown for the provided preliminary plat and mitigation plan shall occur within any mitigation areas or priority habitat areas. No additional priority habitat outside of what is shown in the subject permit shall be impacted or removed as a result of this permit, (see Finding 11).

H-7 **Oak Habitat -** Eagle Nesting/Roosting - If state or federal permits are required to ensure the protection of bald eagle nest/roost trees near this site, the developer, builders and property owners, as applicable, shall obtain and continually meet all conditions of those permits.

Note: Any additional information submitted by the applicant within fourteen (14) calendar days prior to or after issuance of this report, may not be considered due to time constraints. In order for such additional information to be considered, the applicant may be required to request a "hearing extension" or "open record" and shall pay the associated fee.

Hearing Examiner Decision and Appeal Process

This report to the Hearing Examiner is a recommendation from the Land Use Review program of Clark County, Washington.

The examiner may adopt, modify or reject this recommendation. The examiner will render a decision within 14 calendar days of closing the public hearing. Clark County will mail a copy of the decision to the applicant and neighborhood association within 7 days of receipt from the Hearing Examiner. All parties of record will receive a notice of the final decision within 7 days of receipt from the Hearing Examiner.

Motion for Reconsideration
Any party of record to the proceeding before the Hearing Examiner may file with the responsible official a motion for reconsideration of an examiner's decision within fourteen (14) calendar days of written notice of the decision.

A party of record includes the applicant and those individuals who signed the sign-in sheet or presented oral testimony at the public hearing, and/or submitted written testimony prior to or at the Public Hearing on this matter.

The motion must be accompanied by the applicable fee and identify the specific authority within the Clark County Code or other applicable laws, and/or specific evidence, in support of reconsideration. A motion may be granted for any one of the following causes that materially affects their rights of the moving party:

- Procedural irregularity or error, clarification, or scrivener's error, for which no fee will be charged;
- Newly discovered evidence, which the moving party could not with reasonable diligence have timely discovered and produced for consideration by the examiners;
- The decision is not supported by substantial evidence in the record; or,
- The decision is contrary to law.

Any party of record may file a written response to the motion if filed within fourteen (14) calendar days of filing a motion for reconsideration.

The examiner will issue a decision on the motion for reconsideration within twenty-eight (28) calendar days of filing of a motion for reconsideration.

Appeal Rights
Any party of record to the proceeding before the hearings examiner may appeal any aspect of the Hearing Examiner's decision, except the SEPA determination (i.e., procedural issues), to the Superior Court.

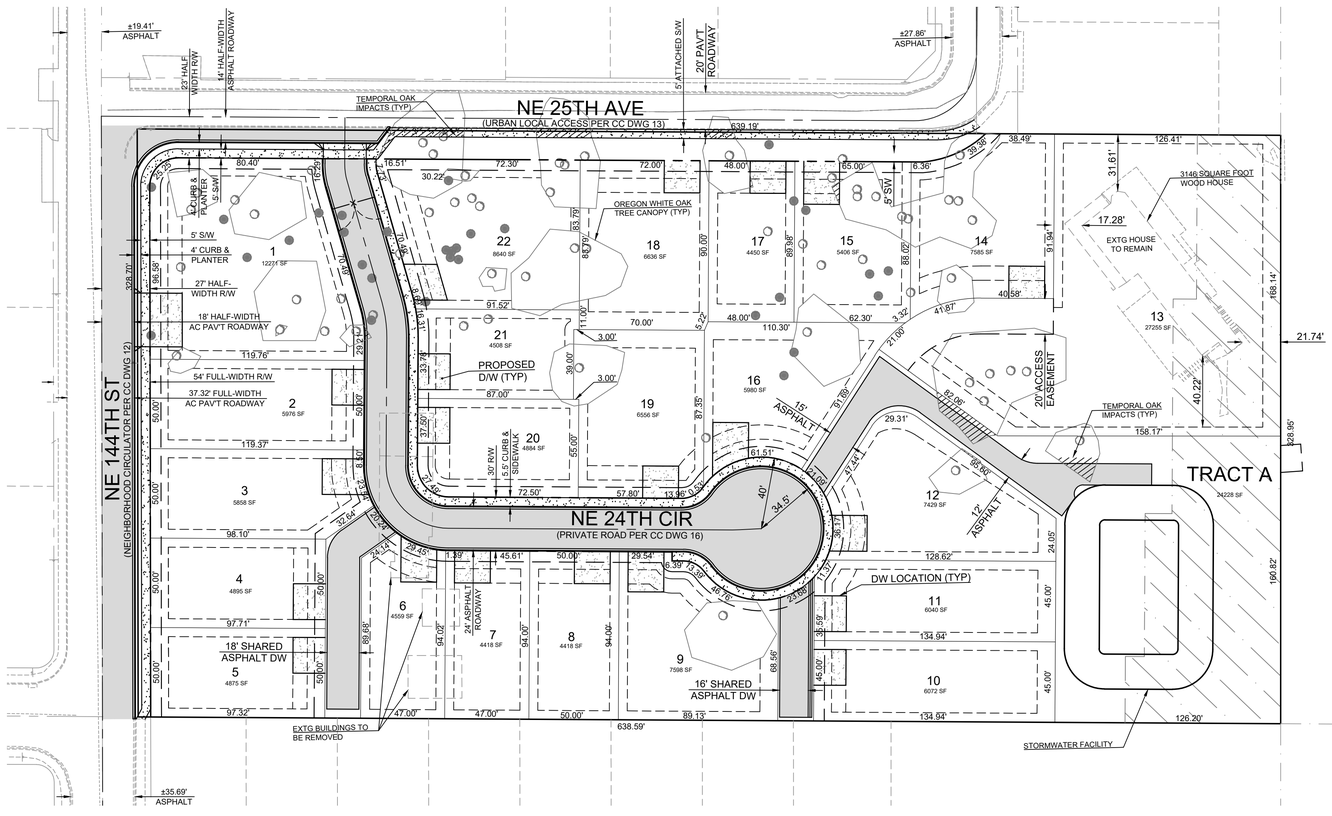
See the *Appeals* handout https://clark.wa.gov/media/document/57535 and https://clark.wa.gov/community-development/land-use-forms-and-fees for more information and fees.

Attachments

- Copy of Proposed Preliminary Plan

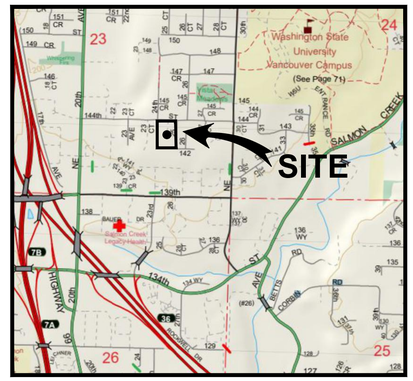
Livingstone Meadows Subdivision

Located in the SE ¼ of Section 23, T3N, R1E, W.M.
Vancouver, Washington



Scale 1" = 40'

40 20 0 40



VICINITY MAP
NOT TO SCALE

APPLICANT:
August Development
18718 NE 74th Court
Battle Ground, WA 98604
arthur@augustnw.com

OWNERS:
Lacamas Land Properties LLC
18211 NE Fourth Plain Road
Vancouver, WA 98682

Terry & Suzanne Rosenquist
2525 NE 144th Street
Vancouver, WA 98686

PROJECT CONTACT:
PLS Engineering
Jayson Taylor, PE
604 W Evergreen Blvd
Vancouver, WA 98660
(360) 944-6519
pm@plsengineering.com

SITE LOCATION:
Site Address:
2419 and 2525 NE 144th Street
Vancouver, WA 98686

Parcel #'s: 117895201, 117895200, 117895202, 117895206

Total Area: 4.82 Acres - 210,004 sqft

117895201 - 0.96 Acres (41,997 sqft)
117895200 - 2.54 Acres (110,447 sqft)
117895202 - 0.64 Acres (28,061 sqft)
117895206 - 0.68 Acres (29,499 sqft)

GENERAL NOTES

LAND USE:
The applicant is proposing a 22 lot subdivision for single-family detached units in an R1-7.5 zone. Single family detached dwellings are an allowed use in the R1-7.5 zone. The site is currently occupied by two-single family residences and is relatively flat across most of the site, with some slopes on the south portion of the site. Existing vegetation includes grass, trees, shrubs and Oregon white oaks. One home will remain on lot 13 while the other home will be removed. The minimum average lot size in this district is 6,500 sf and an average of 7,101 sf is proposed.

Minimum lot width = 50' (45' proposed with 10% variance)
Minimum lot depth = 90'
Setbacks:
- Front = 10'
- Garage = 18'
- Rear = 10'
- Side = 5'
- Street Side = 10'

Maximum building lot coverage = 50%

TRANSPORTATION:
NE 144th Street borders the north portion of the site. Half-width improvements are proposed meeting standard detail #12 (Urban Neighborhood Circulator).

NE 25th Ave abuts the site to the east. Half-width improvements are proposed meeting standard detail #13. Flex zones are utilized to minimize oak impacts on this Local access Road.

A new private street is proposed to serve many of the internal lots. This roadway will be designed to meet standard detail #16 (Urban Private Road with Parking Lane).

All roads providing access to the site have a minimum 20' paved width or better. There are no roads within 500' proposed for access that exceed 15% grade.

C-Tran operates routes on NE 29th Avenue and NE 20th Avenue, to the east and west of the site. The nearest bus route is near the intersection of NE 20th Avenue and NE 144th Street approximately 0.3 miles to the west.

UTILITIES:
The future homes will be connected to public water and sewer service. Water service will be provided by Clark Public Utilities. Sewer service will be provided by Clark Regional. Connection points are within adjacent roadways.

Storm water will be collected, treated, and routed to an onsite storm water detention facility located on the south end of the site.

CRITICAL AREAS:
The site contains an area of slopes greater than 15% and a mapped severe erosion hazard along the south portion of the site. Clark County GIS maps the site as being within an area of moderate to high archaeological probability. The site is also within a Category 2 Recharge Area. Multiple Oregon white oaks are located onsite, and the applicant plans to retain all regulated oak trees with only temporal impacts to the driplines.

Legend	
Proposed Asphalt	
Proposed Concrete	

PLS ENGINEERING
Engineering - Surveying - Planning | 604 W. Evergreen Blvd., Vancouver, WA 98660 | PH (360) 944-6519 | Fax (360) 944-6539

Preliminary Plat For:
Livingstone Meadows Subdivision
A Subdivision Located In Clark County, Washington

Revisions		
1	11/12/2025	Preliminary Submittal
2		
3		
4		
5		
6		

TRAVIS G. JOHNSON — STATE OF WASHINGTON — 43929 — REGISTERED PROFESSIONAL ENGINEER
6-4-26

Project No. 3872

SCALE:	H: 1" = 40' V: N/A
DESIGNED BY:	ACM
DRAFTED BY:	ACM
REVIEWED BY:	TGJ

03
05

Type III Land Division Staff Report and Recommendation

Project Name:	**Pleasant Wood North Subdivision**
Case Number:	**PLD-2026-00021**
Location:	5319 NE 129th Circle, Vancouver, WA
Parcel Number:	198831010
Request:	The applicant is proposing a 29-lot subdivision for single-family detached dwelling units on approximately 3.40 acres, located in the R1-7.5 zone, utilizing the Compact Lot Development and Narrow Lot Development Standards.
Owners:	Veach Development PO Box 821303 Vancouver, WA 98682
Applicant:	Bridger Homes Joel Hollingsworth PO Box 821303 Vancouver, WA 98682 360.998.0671 joel.hollingsworth40@gmail.com
Contact:	SGA Engineering Scott Taylor 2005 Broadway Street Vancouver, WA 98663 360.993.0911 staylor@sgaengineering.com

Recommendation
Approval

Land Use Review Manager's Initials: ZD **Date issued:** **August 26, 2026**

Public Hearing date: **September 10, 2026**

Exhibit 49

Community Development
1300 Franklin Street, Vancouver, Washington
Phone: (360) 397-2375 Fax: (360) 397-2011
www.clark.wa.gov/development

For an alternate format, contact the Clark County ADA Compliance Office.
Phone: (360)397-2322
Relay: 711 or (800) 833-6384
E-mail: ADA@clark.wa.gov

County Review Staff Department/Program	Name	Phone	Email Address
Community Development			
Land Use Review Manager	Brent Davis	564.397.4152	brent.davis@clark.wa.gov
Land Use Review Planner	Wendy Baird	564.397.4499	wendy.baird@clark.wa.gov
Fire Marshal's Office	Jason Knoble	564.397.3318	jason.knoble@clark.wa.gov
Engineering Manager	Naomi Patibandla	564.397.4630	naomi.patibandla@clark.wa.gov
Engineer	Allister Dawson, PMP,EIT	564.397.4342	allister.dawson@clark.wa.gov
Concurrency Engineer	Craig Kathol, EIT	564.397.4347	craig.kathol@clark.wa.gov

Comp Plan Designation: Urban Low Density Residential (UL)

Applicable Laws

Clark County Code:
Title 14 (Building Safety)
Title 14.07 (Grading, Excavation, Fill & Stockpile)
Title 15 (Fire Prevention)
40.200 (General Provisions)
40.220.010 (Low-Density Residential Districts)
40.260.072 (Compact Lot Developments)
40.260.155 (Narrow Lot Development Standards)
40.310 (Signs)
40.320 (Landscaping)
40.340 (Parking and Loading)
40.350 (Transportation & Circulation)
40.350.015 (Pedestrian/Bicycle Circulation Standards)
40.350.020 (Transportation Concurrency)
40.350.030 (Streets & Roads)
40.360 (Solid Waste and Recycling)
40.370 (Sewer and Water)
40.386 (Storm Water & Erosion Control)
40.500 and 40.510 (Procedures)
40.510.030 (Type III Process)
40.540 (Boundary Line Adjustments & Land Divisions)
40.540.040 (Subdivisions)
40.610 (Impact Fees)
Title 24 (Public Health)
RCW 58.17, and the Clark County Comprehensive Plan.

Neighborhood Association

Pleasant Highlands Neighborhood Association

Vesting

An application is reviewed against the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted. If a pre-application conference is required, the application shall earlier contingently vest on the date the fully complete pre-application is filed. Contingent vesting requires that a fully complete application for substantially the same proposal is filed within 180 calendar days of the date the county issues its pre-application conference report. Contingent vesting does not apply to stormwater or concurrency standards.

A pre-application conference on this matter was held on October 23, 2025. This pre-application conference application was sufficiently complete to qualify for contingent vesting pursuant to CCC 40.510.020(G) or 030(G) as applicable.

The fully complete application was submitted on February 12, 2026, and determined Fully Complete on March 23, 2026. The fully complete application submittals items were received within the required 180 days from issuance of the Pre-Application Conference Report. Therefore, the application is vested on September 26, 2025. There are no disputes regarding vesting.

Time Limits
The application was determined to be fully complete on March 23, 2026. The applicant was asked to submit additional information which extended the deadline by 82 days. Therefore, the code requirement for issuing a decision within 92 days lapses on September 13, 2026. The state requirement for issuing a decision within 120 calendar days, lapses on October 11, 2026

Public Notice A Notice of Type III Application, along with the application and public hearing was mailed to the applicant, Pleasant Highlands Neighborhood Association and property owners within 500 feet of the site on April 2, 2026. A revised notice of hearing was mailed to the applicant, NE Pleasant Highlands Neighborhood association and property owners within 500 feet of the site on April 22, 2026. A cancellation of hearing was mailed to the applicant, Pleasant Highlands Neighborhood Association, property owners within 500 feet of the site and "Parties of Record on May 21, 2026 (Exhibit 31). A revised notice of public hearing was mail to the applicant, Pleasant Highlands Neighborhood Association and property owners within 500 feet of the site on August 25, 2026 (Exhibit 47). A sign was posted on the subject property on May 9, 2026 (Exhibit 28 & 29). The applicant updated the hearing date on the posted sign August 12, 2026 (Exhibit 44).

Public Comments
The following exhibits were received:
Exhibits 6 - 8 (dated April 9, 2026 - April 15, 2026), exhibits 10 & 11 dated (April 20, 2026), exhibits 23 - 27 (dated May 6, 2026 – May 7, 2026) and exhibit 33 (dated May 20, 2026).

Traffic safety on NE 129th Street, which is a narrow road already posted "No Parking" on both sides due to constrained width. The proposed 29-home development would route all vehicle traffic onto this street through two narrow access points on one street, significantly increasing daily traffic volume on a road that already requires vehicles to yield when large trucks are present.

A Traffic Impact Analysis on all adjoining streets, including NE 130th Ave, NE 55th Ave, and NE 52nd Ave. which will bear the increased traffic most acutely. NE 130th Street is a bottleneck for access to our small street. There is barely enough room for cars to get through the street when cars are parking on either side of the road. Two cars have been broadsided by people driving too recklessly or fast down our street.

Speed mitigation should be included in development on 129th street for safety of pedestrians, children, elders, and families with increased daily traffic, to maintain the safe and peaceful living within the neighborhood. The proposed development along 129th Street would turn the dead-end street into a 4-way intersection, which would increase the road noise with the removal of trees, and destroy the natural habitat of native animals in the area. Is the site required to be fenced. We urge preservation of existing vegetation, stormwater management,

wildlife and air and noise pollution. Responsible development should prioritize minimizing harm to established natural resources bordering the proposed development site.

Adequate on-site parking — NE 129th Street is posted "No Parking" on both sides for its entire length, meaning there is no on-street overflow available for residents or guests of the new development. The proposed 9 guest stalls for 29 homes is insufficient given this reality, and we ask that the Hearings Examiner require meaningful on-site guest parking that is contained in the neighborhood and not rely on any street parking on 129th St., NE 55th Ave., or NE 52nd Ave. At the very least a Traffic Impact Study needs to be implemented by the county and reasonable and safe standards that will protect both existing and new potential homeowners. A Traffic Impact Analysis on all adjoining streets, including NE 130th Avenue, NE 55th Avenue and NE 52nd Avenue should be required. Concerns regarding parking, emergency access, pedestrian safety, children and other concerns do not seem to be considered with this proposal.

Conditions should be required to ensure the development transitions thoughtfully into the existing neighborhood at its NE 129th Street edge: (1) a planting strip with street trees along the full NE 129th Street frontage, spaced to county standards, providing canopy and visual continuity with the existing streetscape; (2) a defined perimeter landscape buffer along the northern and street-facing edges of the subdivision, including shrub plantings or equivalent screening between the compact lots and the public street; (3) a consistent fencing standard along the entire perimeter of the development — specifying height, material, and setback — so the subdivision presents a coherent, maintained appearance in line with neighborhood standards rather than an uncoordinated mix of individual lot treatments over time.

The density/lot size of this project is consistent with the character of the surrounding area. The county's specific zoning for this area states its purpose is "to achieve the density goals of the comprehensive plan with respect to the urban area, while preserving environmentally sensitive lands and the livability of the low-density residential neighborhoods, while also maintaining compatibility with existing residence." I don't believe any objective observer would claim this site plan maintains compatibility with existing residences. Furthermore, if this project is approved, I request that the developer be required to provide access for all traffic from the north side of their property (NE 129th Street) and not NE 129th Circle, which is a private drive.

Balance of building versus open space: what is the process that ensures ongoing livability within a residential area that safeguards some portion of the natural beauty of our surroundings.

Staff Comments

Staff are limited to comment solely on whether the proposed development meets the minimum requirements of Clark County Code. Staff cannot comment on such topics such as: decreased property value, increased crime, compromised privacy for existing developments, and other similar concerns brought forth by neighbors. Staff has found that the proposal meets the minimum standards for Land Use, Compact Lot & Narrow Lot Development Standards, Transportation and Circulation, Stormwater and Erosion Control, and other applicable code sections as conditioned in this report (please see the rest of the staff report for more detailed discussions on specific code requirements).

Project Overview
The applicant is proposing a 29-lot subdivision for single family detached homes utilizing the compact lot and narrow lot development standards. The site is 3.40 acres and is located within the R1-7.5 zone. The project is proposing to dedicate right-of-way resulting in a new site area of 108,077 square feet (2.48 acres). The proposal includes a stormwater tract located north of proposed lot 29 and south of NE 129th Street.

The site contains a 1997 single family residence (C97H0129, File 77421) and outbuildings, all of which will be removed per the applicant's narrative. The site is considered one legal lot of record and is known as Lot 3, recorded in Book 2 Page 709 in 1992.

Site topography is relatively flat across the west half of the site (approximately 1%) and transitions into a shallow depression at the central north side of the site and adjacent to the existing residence. A gentle downward slope is located at the southeast corner to the center (approximately 10%) with a total elevation change of about 18 feet, with a 6-foot elevation change that slopes from the NE corner to the SW corner of the lot. The site consists of lawn grass surrounding the existing residence and with mature evergreen/deciduous trees across the east half. The site is located within a High Archaeological Probability area and Archaeological Site Buffer.

The existing single-family residence access from NE 129th Circle onto NE 50th Avenue via private access and utility easement located along the northern property line. This development is providing two separate access points along the northern property line onto NE 129th Street.

The subject sites are serviced by Fire District 5, Battle Ground School District, Clark Regional Wastewater sewer system, and Clark Public Utilities water system.

The application includes a Subdivision application; a SEPA submittal was not required for this proposal as the site does not contain wetlands and the number of proposed lots is 30 or less.

Comprehensive Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Land Use
Site	Urban Low	R1-7.5	Single Family Residence
North	Urban Low	R1-7.5	Single Family Residences (Pleasant Hollow Ph 1)
East	Urban Low	R1-7.5	Single Family Residence
South	Urban Low	R1-7.5	Single Family Residences
West	Urban Low	R1-7.5	Single Family Residence

Major Issues
Only the major issues, errors in the development proposal, and/or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposal not discussed below comply with the applicable code requirements.

Land Use

Finding 1 - Purpose/ Uses

Pursuant to CCC 40.220.010.A.1; R1-7.5 district is intended to provide for a mix of single-family and middle housing types in a low-density context at a neighborhood scale. Establish higher 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 and utility uses necessary to serve immediate residential areas.

Per Table 40.220.010-1.1.a; Single-family detached dwelling units are permitted outright, in addition, the applicant is utilizing the Compact Lot Development Standards and the Narrow Lot Development standards per CCC 40.260.072 & 40.260.155.

Finding 2 - Development Standards

Pursuant to CCC 40.220.010.C.1; new lots and structures and additions to structures subject to this chapter shall comply with the applicable standards for lots, building height and setbacks in Tables 40.220.010-2 and 40.220.010-3, subject to the provisions of Chapter 40.200 and Section 40.550.020.

Table 40.220.010-2 prescribes a residential density range single-family detached in the R1-7.5 zone of 6.7-4.1 dwelling units per acre. The maximum and minimum density is for the purpose of calculating density for compact lot developments. Densities shall be calculated based on the gross area of the site minus any public rights-of-way, private road easements, or street tracts.

Per the applicant's revised plans (Exhibit 43), the gross area of the site is 3.40 acres, with 2.48 net acres after removing right-of-way and street tracts (.92 acres of right-of-way dedication). At 2.48 net acres (x) times the maximum units of 6.7 equals 16 units. At 2.48 net acres (x) times the minimum units of 4.1 units equal 10 units. The allowed units within the R1-7.5 zone is between 16 and 10 units per acre. See Compact Finding 4.D.1 below for increased density.

Finding 3 - Potential Encroachment

A boundary survey for the site identifies a potential fence encroachment along the eastern boundary of the site (See Exhibit 10). Based on information submitted with the application packet, it is unclear whether ownership of the area is under dispute. This situation needs to be resolved prior to filing the final plat. (See Condition D-2)

It should be noted there are three possible ways to resolve the issue arising from the fence encroachment. These include:

- **a.** The owner of the property being platted may deed the area beyond the fence to the neighboring property owner through a boundary line adjustment/quit claim deed.

- **b.** Record a document signed by the other property owners stating that they recognize that it is not their property and will not attempt to take that property through an adverse possession claim.

- **c.** If the neighbor will not accept a quit claim and will not sign an agreement to relinquish any claim, the final plat may show the gross area (to the deed line) and show the net area (to the fence or other encroached area) with the provision that the net area will meet minimum lot size and dimensions in the event of loss of the

disputed area. A plat alteration process could still be required if platted property is lost.

40.260.072 Compact Lot Development Standards (numbering is by code section)
The purposes of the compact lot development provisions are to encourage development of underutilized and challenged parcels within developed portions of the low-density residential districts by providing flexibility for smaller, more efficient housing. To diversify the county's housing stock by providing a variety of housing types, sizes and price points that responds to changing household sizes and ages, such as retirees, small families, and single-parent households. To encourage development in existing residential areas by allowing a density bonus and design flexibility. To mitigate potential impacts of density and narrow lots through site design balancing community connections and privacy, and to integrate developments into existing neighborhoods.

Finding 4 - Applicability
Pursuant to CCC 40.260.072.B.1(a-b)

1. Compact lot developments are permitted on parcels created prior to the adoption date of the ordinance codified in this section if the parcel is three (3) acres or smaller in area, excluding any critical areas, public rights-of-way, private road easements, or street tracts; and the proposed development can and will be served by urban services at the time of final plat or development approval.

   The site is Lot 3 recorded in Short Plat Book 2 Page 709, recorded October 21, 1992, by Clark County Auditor's number 9210210360 and is considered a legal lot of record currently being 3.383 acres in size.

   The applicant's revised plan (Exhibit 43) indicates the site is 3.40 acres and the proposed public right-of-way and street tracts is 0.92 acres, reducing the site to 2.48 acres for the net area; therefore, meets the criteria as required per CCC 40.260.072.B.1.

   The site shall be served by public water and sewer at the time of final plat. (See Water & Sewer Finding 1)

If at time of final review and the net acres exceed more than 3 acres a new preliminary review application and approval shall be required. (See Conditions A-1.a & D-1.a)

2. Compact lot developments may not be used in conjunction with a planned unit development per Section 40.520.080.

   The applicant is not proposing a planned unit development.

3. Compact lot developments shall also be subject to the narrow lot standards of Section 40.260.155. (See Narrow Lot Development Standard Finding 5 below)

C. Review Required.
A site plan is required that meets the requirements of Section 40.260.155.C.1. The site plan shall be submitted with the preliminary land division application.

The applicant submitted a revised site plan (Exhibit 43). (See Narrow Lot Development Standard Finding 5 below)

D. Development Standards.

1. Compact lot developments may include single-family detached dwellings at up to two hundred percent (200%) of the maximum density of the underlying zone, including any accessory dwelling units.

   The underlying zone requires a density that ranges from 4.1 – 6.7 units per acre, and with the compact standards, may be increased to 200% equaling a maximum density of 13.4 units per acre. At 2.48 net acres (x) times the maximum units of 6.7 equals 16 units (x) times 200% is 33 units. The applicant proposes 29 lots and 29 detached single-family residences, meeting this criteria.

2. Minimum lot area and lot dimensions for single-family detached dwellings shall be as follows:

Table 40.260.072-1. Compact Lot Standards

Subject	**R1-7.5**	**Proposed**
Minimum average lot area (sq. ft.)	3,250	3,618 sf
Minimum average lot width (feet)	25’	34’
Minimum average lot depth (feet)	50’	86.5
Maximum building height for dwelling (feet)	35’	To be reviewed at time of building application
Maximum building height for detached garage (feet)	18’	To be reviewed at time of building application
Front setback for dwelling (feet)	10’	10’
Front setback to garage door (feet)	18’	18’
Street side setback (feet) Lots 1, 15 & 16	10’	10’
Side setback (feet)(interior)	3’	5’
Rear setback (with no alley) (interior 5’)(perimeter 10’)	5’ (10’ along perimeter)	5’ (10’ along perimeter)
Maximum lot coverage	60%	To be reviewed at time of building application

3. Notwithstanding the setbacks in Table 40.260.072-1, setbacks from the exterior perimeter of the development site shall meet the applicable minimum setbacks for single-family detached dwellings in the underlying zone with no setback less than ten (10) feet.

   The applicant revised Preliminary Plat (Exhibit 43, Page 2.0) indicates setbacks from the exterior perimeter of the development site, all lots within this proposal has a

minimum setback of ten (10) feet along the perimeter of the development. Meeting this criteria.

The street side setback of 10 feet is required for proposed lots 1, 9, 15, 16 and 22, the applicants revised Narrow Lot Plan (Exhibit 43 Page 2.0) meets this criteria.

4. Additional types of middle housing dwellings may be included within a compact lot development subject to the development standards of the underlying zone; no additional density bonus or modifications to dimensional standards shall apply to lots created for middle housing.

The applicant did not propose any additional housing types for this development.

E. Main Entrances.
Main entrances shall be visible from the street and must have a porch or entry set back no more than eight (8) feet from the longest street-facing wall of the structure. The entry must: face the street, open onto the porch, or be oriented at an angle of not more than forty-five (45) degrees from the street-facing facade. Corner lot homes may be oriented to either street.

The applicant provided a conceptual building plan, (Exhibit 21) This plan indicates a covered porch entry appearing to be no more than eight (8) feet from the longest street facing wall of the structure and facing the street. Since these plans are conceptual plans, a condition shall be placed to ensure this standard is met. (See Condition E-1.a)

F. Garages.
The width of the garage door facing the street may be up to sixty percent (60%) of the lot width or ten (10) feet, whichever is greater. Garage width limitations do not apply to residential development accessed through rear alleys, or where the garage is located in the rear of the lot.

The applicant provided a conceptual building plan, (Exhibit 21). This plan shows the garage door facing the street. Since these plans are conceptual plans, a condition shall be placed to ensure garage doors facing the street may be up to sixty percent (60%) of the lot width or ten (10) feet, whichever is greater is met. (See condition E-1.b)

40.260.155 Narrow Lot Development Standards (numbering is by code section)
Finding 5 - Site Plan
C. Review Required
1.a-i A site plan is required that demonstrates that utilities, driveways, street trees, and other features have been located and designed to minimize conflicts with one another. The site plan shall be submitted with the preliminary land division application and shall be incorporated into the final construction plan set.

The applicant provided an updated site plan (Exhibit 43, Page 6.0) with the requirements CCC 40.260.155.C.1.a-4. The applicant shall incorporate one site plan into the final construction plan set and final plat plan set. The final site plan shall include the requirements of CCC 40.260.155.C.1.a-i. (See Conditions A-1.d & D-1.b)

2.a-b Development on corner lots shall meet minimum sight distance requirement of Section 40.350.030.B.8 and corner lot driveways shall meet the requirements in Section 40.350.030.B.4.b.1.b.

Corner lot driveways shall be a minimum of forty (40) feet from the projected curb line or edge of pavement, as measured to the nearest edge of the driveway, or in cases where this may be impractical, the driveway may be limited to twenty (20) feet in width and located five (5) feet from the property line away from the intersection or as a twenty-five (25) foot wide shared driveway at this property line. Where a residential corner lot is located at the intersection of a nonarterial or noncollector street with an arterial street, the corner clearance requirements of Section 40.350.030(B)(4)(c)(2)(f) shall apply to the nonarterial or noncollector street.

Proposed lot 1, 9, 15, 16 & 22 are corner lots, corner lot driveways shall be limited to 20 feet in width and located 5 feet from the property line away from the intersection. (See Conditions A-1.c, D-1.c & E-1.c)

3.b. Guest parking shall be provided at a minimum ratio of one guest parking space for every three narrow lots in the development. Such spaces may be located on-street (on local access streets only) or in common off-street parking areas.

Twenty-four (24) of the residential lots proposed are under 40 feet in width, divided by 3, the project would require eight (8) guest parking spaces; the applicants revised plan (Exhibit 43 Page 6.0) provides for nine (9) guest parking spaces on the south side of NE 129th Street (Urban Local Residential Access), meeting this standard.

3.c. Common off-street parking areas shall meet the following:

(1) Parking and maneuvering areas shall meet the applicable requirements in Chapter 40.340 and screening requirements in Section 40.320.010(E).

(2) Such spaces may be designed to allow backing movements directly into local access streets other than collectors or arterials.

(3) Parking areas shall be owned and maintained by a homeowners' association, or a maintenance agreement shall be recorded with the plat.

The applicant is not proposing any off-street parking.

3.d. On-street parking shall meet the following:

(1) Single on-street parallel parking spaces between driveways shall be at least seventeen (17) feet in length, measured from the top of the slope of the driveway wing. Two (2) or more consecutive on-street parallel parking spaces shall require two (2) additional feet between each space.

(2) Angled or head in parking "bulb outs" may be provided on local access streets provided:

(a) Such parking shall be within the street right-of-way or street tract; and

(b) Backing over sidewalks is prohibited.

(3) On-street parking to meet the guest parking requirements of this section shall not require creation of a neighborhood parking plan under Section 40.340.030.

The applicant's plan provides 19 foot parallel on-street parking along the south side of NE 129th Street. The applicants plan meets this criteria.

4. Street Trees.
a. Unless the requirements of Chapter 40.320 require a higher level of landscaping, a minimum of one (1) tree shall be provided along the street frontage of each narrow lot; provided, that sight distance triangles are not obstructed.

The applicants landscape plan (Exhibit 43 Page 5.0) shows the location of one (1) tree, along the street frontage of each narrow lot, with a total of 29 trees. At time of Final Construction and Final Plat, the Landscape plan shall provide the indicated street trees. (See Conditions A-1.d & D-1.d)

5. Solid Waste and Recycling Collection.
b. Designated collection points shall be located adjacent to alleys or streets, but shall not obstruct sidewalks, bike lanes, or vision clearance triangles.

The revised narrative (Exhibit 17) states that solid waste and recycling collection will be picked up at each lot at the curb; therefore, meeting this standard.

7. Shared Driveways
a. Shared driveways may be used to provide access to a maximum of four (4) lots.
b. Shared driveway approaches for two (2) abutting lots sharing one (1) curb cut shall meet the specifications in Figure 40.260.155-4 or 40.260.155-5.
c. Shared driveways which provide access to more than two (2) lots shall be at least twelve (12) feet wide and shall be within an easement at least twenty (20) feet wide.

The applicant's plans do not provide shared driveways

9. Driveway Requirements in Single-Family Detached Developments. In order to provide flexibility in site design, driveway locations for non-corner lots in single-family detached developments are not required on the site plan, provided:

a. Detached sidewalks that meet ADA requirements are provided; and

b. Guest parking requirements for the development are shown to be met by one (1) or more of the following methods:

(1) Designated on-street parking areas that will not be subject to future driveway placement; or

(2) Provision of common off-street parking areas.

c. Driveway locations shall be shown for all corner lots, regardless of the other provisions of this subsection.

The applicants' site plan (Exhibit 93) provides the driveway location for each lot with a minimum width of 18 feet within the proposed development and on-street guest parking; therefore, meeting this standard.

Finding 6 - Landscaping
40.320.010.C Required landscaping and screening shall be located on the perimeter of a lot or parcel. Required landscaping and screening shall not be located on a public right-of- way or private street easement, unless authorized under Section 40.320.020.

According to Table 40.320.010-1, no landscape buffer is required between the proposed development and the abutting properties, which are similarly zoned R1-7.5.

E. Landscaping and Screening Standards for Parking, Loading, and Drive-Through Areas.
1. A minimum five (5) foot wide strip landscaped to at least an L2 standard shall be provided where vehicle parking, loading, or drive-through facilities abut a public road right-of-way.

The applicants' final site plan and landscape plan shall provide a 5-foot-wide strip landscape to at least and L2 standard per 40.320.010.E.1. (See Conditions A-1.e & D-1.e)

In accordance with CCC 40.320.010.G.6, maintenance of landscaped areas is the ongoing responsibility of the property owner. Required landscaping must be continuously maintained in a healthy manner. Plants that die must be replaced with in-kind materials unless otherwise authorized by the responsible official. Vegetation shall be controlled by pruning, trimming or otherwise so that it will not interfere with the maintenance or repair of any public utility, restrict pedestrian or vehicular access, or obstruct sight distance at intersections. *(See Condition H-1)*

In order to ensure that the landscape has been installed in conformance with the approved landscape plan(s) the applicant shall submit a copy of the approved landscape plan(s) with a letter signed and stamped by a landscape architect licensed in the state of Washington certifying that the landscape and irrigation (if any) have been installed in accordance with the attached approved plan(s) and verifying that any plant substitutions are comparable to the approved plantings and suitable for the site. Any substituted plants shall be no smaller than those shown on the approved plan(s) and shall have similar characteristics in terms of height, drought tolerance and suitability for screening. (See Condition D-1.f)

Finding 7 - Safe Walking Conditions
According to state platting laws (RCW 58.17.110) appropriate provisions shall be made to assure safe walking conditions for students who only walk to and from school. The subject development is located within the Battle Ground School District, and specifically within the boundaries of Pleasant Valley Elementary, Pleasant Valley Middle School and Prairie High School.

Pursuant to RCW 58.17.110, appropriate provisions shall be made to assure safe walking conditions for students who walk to and from school within one (1) development of any public school. This development is located within one mile of the existing schools, the applicant submitted a letter from Battle Ground Public Schools (Exhibit 1, Tab "Q") indicating that all students will be bussed; therefore, meeting this requirement.

Finding 8 - Existing Residence
The site contains one existing single-family home constructed in 1997 (C97H0129) and the site includes associated outbuildings that are proposed to be removed with this development.

These structures shall be removed prior to provisional acceptance, complying with demolition permits from Clark County Building Divisions, Labor and Industries and state/federal permit requirements. (See Condition C-1.a)

Finding 9 - Plat Alteration – Proposed Stormwater Tract
The applicant proposal is to develop lot 3 recorded in Short Plat Book 2, Page 709 (Exhibit 46). The original plat recorded in Book 2 Page 709 contains a 30-foot cul-de-sac bulb located on lot 3. The applicant is proposing a stormwater track that is located within the existing lot 3 without a plat alteration. The applicant is proposing to vacate the easement located within the existing lot 3 with agreements from the adjacent property owners (Lot 1 and 2 of Short Plat, Book 2, Page 709). The cul-de-sac bulb is located on the original plat but was never constructed.

Clark County Fire Marshal (Exhibit 37.a) indicated if access to lot 1 & 2 of the original plat is viewed as a shared driveway, the existing loop driveway located on lot 2 of the original plat is adequate for a turnaround.

Please see Transportation & Circulation Finding 3

With this preliminary land division proposal, the applicant is requesting to eliminate the existing cul-de-sac bulb that would overlay into the stormwater tract. The two adjacent property owners provide written statements (Exhibits 41 & 42) that they agree to the removal of the existing cul-de-sac bulb. Prior to Final Plat recording it is the applicant's responsibility to obtain and record a revised access easement that provides the current land owners of lot 1 and 2 (recorded in Book 2 Page 709). The applicant shall submit an updated recorded easement prior to final plat showing the removal of any encumbrances on Lubbers Short Plat Lot 3. (See Condition D-1.g)

Finding 10 - County/State Platting Standards
With conditions of approval, staff finds the proposed subdivision will make appropriate provisions for the public health, safety and general welfare of the community. Connection to public water and sewer facilities, as well as treatment of any future stormwater runoff will be provided to protect groundwater supply and integrity. Impact fees will also be required to ensure that the development will contribute a proportionate share toward the costs of school, park and transportation facilities, maintenance and services.

Finding 11 - SEPA
CCC 40.570 - For residential structures in WAC 197-11-800(1)(b)(i), thirty (30) or fewer single-family residential dwelling units shall be exempt within unincorporated urban areas designated by the comprehensive plan; within designated urban reserve and rural areas, twenty (20) or fewer dwelling units shall be exempt.

The applicant's proposal provides twenty-nine (29) detached single family residential units/lots and one (1) stormwater tract. The proposal is exempt from SEPA as it meets the criteria listed in WAC 197-11-800(1)(b)(i).

Conclusion (Land Use)
Staff concludes that the proposed preliminary plan, subject to conditions, meets land use requirements of the Clark County Code.

Archaeology
Finding 1 - Applicability
The development site is located within a high probability area for the discovery of archaeological resources and within a Archaeological Site Buffer, as designated on the Archaeological Predictive Model Map of the Clark County.

A note will be required on the final engineering plans and final plat that if resources are discovered during ground disturbance, work shall stop and both DAHP and the county shall be notified. In addition, the same note shall be placed on the final plat. (See Condition A-2.a and Plat Note D-6.a)

Conclusion (Archaeology)
Staff finds that the proposed preliminary plan, subject to conditions, meets archaeology requirements of the Clark County Code.

Transportation & Circulation
Finding 1 - Pedestrian/Bicycle Circulation
Pedestrian circulation facilities in compliance with the Americans with Disabilities Act (ADA) and CCC 40.350.015 are required for this development. The applicant is proposing sidewalks on all public roads in accordance with the standards. All proposed pedestrian facilities shall be constructed to comply with ADA standards. The applicant shall show the construction of end of sidewalk ramps where pedestrian facilities temporarily terminate at the plat boundary. *(See Conditions A-3.a & A-3.b)*

Per the WSDOT design manual as adopted under CCC 40.350.030(C)(1)(b)(1) new construction projects shall provide curb ramps oriented in each direction of pedestrian travel within the width of the crosswalk it serves, and if receiving ramps do not exist, they shall be constructed as part of the new development. The applicant will need to show on the final construction plans that pedestrian ramps will comply with the WSDOT Design Manual. *(See Condition A-3.c)*

Finding 2 - Road Circulation Plan
Cross-circulation is required by CCC 40.350.030(B)(2). The site currently does not meet the maximum 800-foot block length nor 3,200-foot block perimeter. The applicant is providing a public on-site road network that will allow for subsequent developments to meet cross-circulation standards.

Finding 3 - Roads/Frontage Improvements
Road improvements and design are required to comply with CCC 40.350.010(B)(5), CCC Table 40.350.030-2, and CCC Table 40.350.030-3.

NE 129th Street is classified as an Urban Local Residential Access. The minimum half-width requirements include 23-feet of right-of-way, 14-feet of paved roadway width, curb/gutter, and a 5-foot sidewalk per Clark County Standard Detail Drawing 13. The applicant is proposing to construct half-width frontage improvements in compliance with the standard detail. *(See Conditions A-3.d & D-3.a)*

NE 54th Avenue and NE 55th Avenue are proposed as (on-site) Urban Local Residential Access. The minimum full-width requirements include 46-feet of right-of-way, 28-feet of paved roadway width, curb/gutter, and a 5-foot sidewalk per Clark County Standard Detail Drawing 13. The applicant is proposing to construct frontage improvements in compliance with the standard details. *(See Conditions A-3.e & D-3.b)*

NE 128th Street is proposed as (on-site) Urban Local Residential Access. The minimum partial-width requirements include 23-feet of right-of-way, 14-feet of paved roadway width, curb/gutter, and a 5-foot sidewalk per Clark County Standard Detail Drawing 13. Partial width roads shall have a minimum pavement width of 20 feet; additional right-of-way dedication will be required to accommodate the minimum pavement width. The applicant is proposing to construct frontage improvements in compliance with the standard details. *(See Conditions A-3.f, A-3.g & D-3.c)*

Roads shall be tapered according to accepted engineering practices and supplemental standards in Section 40.350.030(C)(1)(b). *(See Condition A-3.h)*

Where frontage improvements are required, the county will perform pavement deflection testing to determine the adequacy of the existing pavement. Where remaining life of the pavement is less than 5 years, the developer shall construct the roadway to current standards to the centerline or 22 feet, whichever is less. If remaining life is greater than 5 years, the road shall be cut back to a location where the structure is sound and the widening constructed. However, in no case shall the reconstruction be less than 4 feet in width from the existing edge of pavement to the new edge of pavement or face of curb. The county may require reconstruction to the centerline or 22 feet, whichever is less, if the review authority determines the geometrics or other existing features are inadequate. *(See Condition A-3.i)*

Per CCC Table 40.350.030-3, the minimum intersection spacing between intersections along a Local Residential Access road is 100 feet. The applicant's proposal shows compliance with this standard. The applicant shall provide dimensions on the final site plan between all existing and proposed road intersections to confirm that the development meets this criteria. *(See Condition A-3.j)*

Per 40.350.030.B.9.b.2, If a road serving more than eighteen (18) dwelling units or more than one hundred fifty (150) feet in length temporarily terminates at a property boundary, a temporary turnaround shall be constructed near the plat boundary. There is an existing private temporary turnaround easement on this parcel as part of the Lubbers Short Plat (Book 2, Page 709), however, it appears that the turnaround was constructed on Lot 2 and therefore the existing easement on this parcel (Lot 3) is no longer needed. The applicant has coordinated with the current owners of Lot 1 and Lot 2 [Exhibits 41 & 42] from this existing short plat, as well as the Fire Marshal and have agreed to dissolve this portion of the easement that would

encumber the future Storm Tract A. No turnarounds are required as a part of this development. *(See Condition D-3.d)*

Parking is prohibited on any road less than 24 feet wide. Signing and Striping plans shall include appropriate measures on partial width roads. The applicant shall propose "No Parking" signs along both sides of the entire length of partial-width roads less than 24 feet in width. *(See Condition A-3.k)*

Finding 4 - Access Management

Per CCC 40.350.030(B)(4)(b)(1)(a), excepting the bulbs of cul-de-sacs, driveways serving single-family residential lots shall be located a minimum of 5 feet from an interior side property line or zero feet as a shared driveway approach. Individual lot driveways are proposed throughout the development. These driveways shall be 5 feet from an interior property line. *(See Condition A-3.l)*

The applicant shall show on the final construction plans that all driveway approaches comply with Clark County Standard Detail F14/F15, or approved equivalent. *(See Condition A-3.m)*

Per CCC 40.350.030(B)(4)(b)(1)(b), corner lot driveways (on local access roads) shall be a minimum of 40 feet from the projected curb line or edge of pavement, as measured to the nearest edge of the driveway, or in cases where lots less than 40 feet wide are allowed driveways shall be limited to 20 feet in width and located 5 feet from the property line farthest from the intersection or as a 25 foot wide shared driveway at this property line. *(See Condition A-3.n)*

Finding 5 - Sight Distance

The approval criteria for sight distances are found in CCC 40.350.030(B)(8). This section establishes minimum sight distances at intersections and driveways. Additional building setbacks may be required for corner lots in order to maintain adequate sight distance. The final engineering plans shall show sight distance triangles for driveways that are proposed to remain. Landscaping, trees, utility poles, and miscellaneous structures will not be allowed to impede required sight distance requirements at all proposed driveway approaches and intersections.

The applicant's engineer has submitted a *Sight Distance Evaluation* [Exhibit 1, Tab R]. In this document it refers to a nearby intersection of NE 50th Avenue and NE 130th Street, however, staff does not think that this applies to this development. NE 129th Street is currently divided with a fence between public and private and therefore sight distance was unable to be determined during this preliminary review of the site.

The applicant will need to submit final construction drawings for review and approval. These plans will need to show sight distance triangles at all intersections. The plans will also need to show objects that are within the sight distance triangle. Notes on the plans shall indicate the vegetation within the sight distance triangle that needs to be maintained, trimmed, or removed. Sight distance shall be verified once construction is complete. *(See Conditions A-3.o, A-3.p, C-2.a & D-4)*

Conclusion (Transportation & Circulation):
Staff concludes that the proposed preliminary plan, subject to the conditions, meets the transportation requirements of the Clark County code.

STORMWATER & EROSION CONTROL:
Finding 6 - Stormwater Applicability
The provisions of Clark County Code Chapter 40.386, as amended by Ordinance No. 2021-06-02, shall apply to all new development, redevelopment, land disturbing activities and drainage projects consistent with the Clark County's NPDES Phase I Municipal Stormwater Permit and Clark County Stormwater Manual (2021). The project adds more than 5,000 square feet of new hard surface; therefore, the applicant shall comply with Minimum Requirements #1 through 9. *(See Condition A-5.a)*

No new development or redevelopment shall be allowed to materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots. *(See Condition A-5.b)*

Finding 7 - Stormwater Proposal
The site has one existing residence to be demolished. The majority of the site generally slopes from east to west with elevations ranging from 217 to 238 feet.

The applicant provided a revised *Preliminary Stormwater Technical Information Report* prepared by SGA Engineering, dated May 4, 2026 [Exhibit 19]. The proposal is for a 29-lot subdivision that includes new public roads, associated parking and utilities. This will result in approximately 2.85 acres of new hard surface.

On-Site Stormwater Management (MR#5) will be met for all hard surfaces by satisfying the LID Performance Standard by infiltrating stormwater in T5.10B, Downspout Full Infiltration Trenches for roofs & BMP R5.11, Infiltration Trenches for the remaining hard surfaces. Lawn and landscaped areas will utilize BMP T5.13, Post-Construction Soil Quality and Depth. *(See Condition A-5.c)*

Runoff Treatment (MR#6) is triggered due to more than 5,000 SF of pollution generating hard surfaces. Proprietary treatment BMP T12.10, StormFilter catch basins are proposed for treatment of the frontage improvements and the proposed driveways. *(See Conditions A-5.d & A-5.e)*

Flow Control (MR#7) will be met by infiltrating stormwater in T5.10B, Downspout Full Infiltration Trenches for roofs & BMP R5.11, Infiltration Trenches for the remaining hard surfaces., sized to meet the Standard Flow Control Requirement by achieving 100% infiltration. *(See Condition A-5.f)*

The stormwater facilities located within the public right-of-way and public tracts shall be owned and maintained by the county. Stormwater facilities located on private tracts and individual lots shall be owned and maintained by the property owner. The applicant shall identify on the final construction plans ownership and maintenance responsibilities for each of the proposed stormwater facilities. *(See Conditions A-5.g, A-5.h & D-5.c)*

The applicant shall submit an offsite analysis with the Final TIR prepared in accordance with Book 1, Chapter 5 of the CCSM 2021 for all outfall locations from the site. The applicant has done a preliminary review. *(See Condition A-5.i)*

Finding 8 - Infiltration and Groundwater
The applicant has submitted a revised *Geotechnical Engineering Study with Infiltration,* prepared by Soil and Water Technologies, dated December 17, 2025 [Exhibit 1, Tab H]. The report indicates that groundwater was not encountered in any of the test and infiltration pits (I-1 and I-2) up to a depth of 20 feet below ground surface (bgs). Infiltration testing on site determined that the site has unfactored infiltration rates of up to 5.5 inches per hour (iph) at a depth of 11 feet below ground surface.

The groundwater assessment in the final TIR shall adhere to the requirements of Section 2.3.5 of Book 1 of the 2021 Clark County Stormwater Manual. The groundwater elevation and minimum separation from the bottom of the infiltration facilities to the seasonal high groundwater elevation shall be identified on the final construction plans. Tested and design infiltration rates shall be identified on the final construction plans. The applicant shall show on the final construction plans that all stormwater facility setbacks are met unless a Geotechnical Engineer recommends that setbacks can be reduced. *(See Conditions A-5.j, A-5.k, A-5.l, A-5.m, C-3.a & C-3.b)*

The applicant shall submit calculations to show that the drainage design for roadways and parking lot is in compliance with CCSM Book 2, Chapter 7. *(See Conditions A-5.n & A-5.o)*

Conclusion (Stormwater):
Staff concludes that the proposed preliminary stormwater plan, subject to conditions, is feasible. Therefore, the requirements of the preliminary plan review criteria are satisfied.

Transportation Concurrency
Finding 1 - Trip Generation
Concurrency staff has reviewed the traffic study dated November 26, 2025 prepared by Kelly Engineering, for the proposed Pleasant Woods North Subdivision. The applicants traffic study indicates that the proposed development will divide 3.38 acres into 29 single family residences. One existing single-family residence will be demolished. The applicant's traffic study has estimated the net new a.m. peak-hour trip generation at 19, p.m. peak-hour trip generation at 26 trips, and an average daily trip generation (ADT) of 264 trips. The trip generation was estimated using the nationally accepted data published by the *Institute of Transportation Engineers 11th Edition*. The proposed development site is located at 5319 NE 129th Circle in Vancouver (Parcel 198831-010).

The applicant has submitted a traffic study under the provisions of Clark County Code section 40.350.020 (D)(1).

Finding 2 - Site Access
Traffic conditions are usually expressed using a scale that quantifies the ability of a facility to meet the needs and expectations of the driver. This scale is graded from A to F and is referred to as level-of-service (LOS). A driver who experiences an LOS A condition would expect little delay. A driver who experiences an LOS E condition would expect significant delay, but the traffic facility

would be just within its capacity to serve the needs of the driver. A driver who experiences an LOS F condition would expect significant delay with traffic demand exceeding the capacity of the facility with the result being growing queues of traffic.

Congestion, or concurrency, level of service (LOS) standards are not applicable to accesses that are not regionally significant; however, the LOS analysis provides information on the potential congestion and safety problems that may occur in the vicinity of the site.

The applicant is proposing two new public road accesses on NE 129th Street that will create a public loop road through the development. NE 54th Avenue, NE 55th Avenue, and NE 128th Street will serve as the primary ingress and egress to the site. These roads will be constructed to the Urban Local Residential Access Road Standard, Clark County Standard Drawing 13.

The proposed development will use existing public residential local access roads within the adjacent neighborhoods to access the larger road network at the intersection of NE 130th Street/NE 50th Avenue.

The applicant's study evaluated the level of service and found that the intersection of NE 130th Street/NE 50th Avenue will have an estimated LOS B or better in the 2028 build-out horizon. The study also shows that the LOS was evaluated during the a.m. and p.m. peak hour traffic conditions for the build-out scenario. County Staff concurs with the traffic study findings.

Finding 3 - Clark County Concurrency
The proposed development is required to meet the standards established in CCC 40.350.020(G) for corridors and intersections of regional significance within 1 mile of the proposed development.

Signalized Intersections
Staff evaluated the operating levels and delay times for the regionally significant signalized intersections under Clark County jurisdiction. This analysis showed that individual movements during peak hour traffic conditions had approach delays that did not exceed the maximum 240 seconds, or 2 cycles, of delay in the build-out year.

Therefore, County Staff has determined that this development will comply with adopted Concurrency standards for signalized intersections.

Unsignalized Intersections
County Staff has evaluated the operating levels and standard delays represented in the traffic study. The traffic study indicated operating levels and standard delay times with a LOS better than the minimum allowable LOS E for unsignalized intersections except for the intersection of NE 139th Street/NE 72nd Avenue in the PM peak hour.

Staff investigated the level-of-service for each approach for the intersection of NE 139th Street/NE 72nd Avenue and found that the eastbound and westbound approaches have a LOS E while the northbound and southbound approaches have a LOS A for the PM peak hour in the buildout scenario.

CCC 40.350.020(G)(1)(c) states that proposed developments shall not be required to mitigate their impacts in order to obtain a concurrency approval unless:

(1) The proposed development adds at least five (5) peak period trips to a failing intersection approach; and
(2) The worst movement on the failing approach is worsened by the proposed development. In determining whether the movement is worsened, the Public Works Director shall consider trip volume, delay, and any other relevant factors.

Based on county staff's evaluation of the applicant's traffic study against CCC 40.350.020(G)(1)(c), staff found the following:

- The proposed Pleasant Woods North Subdivision will NOT send at least five (5) peak period trips to the eastbound or westbound approach of NE 139th Street/NE 72nd Avenue.

Staff concluded that the applicant's traffic study showed compliance with CCC 40.350.020 (G)(1)(c) by not sending at least 5 peak period trips to the failing approach. Therefore, no further analysis is required. Staff concurs with the applicant's findings.

Therefore, the County has determined that this development can comply with adopted Concurrency Standards for unsignalized intersections.

Concurrency Corridors
In accordance with CCC 40.350.020(F)(9), the Public Works Director acknowledges that a variety of factors can influence the operating performance of transportation corridors. These factors are considered when determining compliance with, or acceptable levels of service under, CCC 40.350.020(G), which establishes baseline service levels under ideal conditions.

In addition to the performance of intersections that bound the corridor being evaluated, such as intersection level of service and queueing there are real-world influences that also affect roadway capacity. The methodology to apply these real-world influences is established in the Highway Capacity Manual (HCM), produced by the Transportation Research Board (TRB) of the National Academies of Sciences, Engineering, and Medicine. This HCM methodology applies adjustment factors to reflect these real-world influences and supports their application in operational analyses. These may include, but are not limited to:

- Lane width
- Presence or absence of shoulders
- Heavy vehicle volumes
- Roadway grades
- Number and spacing of intersections and/or driveway accesses

When necessary, these real-world influences may also be considered and may warrant adjustments as part of the broader evaluation of corridor operations.

The corridor volume-to-capacity (v/c) ratio serves as a key engineering indicator of operational performance. Although drivers do not directly perceive the numerical v/c value, it provides insight into where roadway operations may begin to degrade and where additional analysis should be focused, particularly at intersections, which are typically the first points in the roadway network to experience breakdown and noticeable delay as traffic volumes increase.

It should also be noted that baseline corridor level-of-service thresholds may appear to be exceeded even when intersection operations remain within acceptable limits. In such cases, higher corridor volumes may simply indicate that intersections are operating efficiently enough to allow more vehicles to pass through with minimal delay, thereby increasing the overall throughput of the corridor. This throughput of the corridor along with acceptable levels of service at the intersections that bound the corridor being evaluated allow the Public Works Director and supporting staff to create an affirmative finding of compliance with CCC 40.350.020(G)(1)(a) and Table 40.350.020-1.

Corridor Finding
Prescriptive evaluation of the concurrency corridor capacity levels against those represented in the County Code showed that the corridors were operating at acceptable levels.

Summary
The County has determined that this development can comply with adopted Concurrency Standards for corridors, signalized and unsignalized intersections under County jurisdiction.

SAFETY:

Where applicable, a traffic study shall address the following safety issues:
- traffic signal warrant analysis,
- turn lane warrant analysis,
- crash history analysis,
- roadside safety (clear zone) evaluation,
- vehicle turning movements, and
- any other issues associated with highway safety.

Mitigation for off-site safety deficiencies may only be a condition of approval on development in accordance with CCC 40.350.030(B)(6) The code states that "nothing in this section shall be construed to preclude denial of a proposed development where off-site road conditions are inadequate to provide a minimum level of service as specified in Section 40.350.020 or a *significant* traffic or safety hazard *would be caused or materially aggravated* by the proposed development; provided, that the applicant may voluntarily agree to mitigate such direct impacts in accordance with the provisions of RCW 82.02.020."

Finding 4 - Turn Lane Warrants
Turn lane warrants are evaluated at unsignalized intersections to determine if a separate left or right turn lane is needed on the uncontrolled roadway.

Staff used the information as presented to evaluate and validate the need for turn lanes using the guidance found in the Washington State Department of Transportation (WSDOT) Design Manual. Staff found that with the low right and left turning traffic volumes, turn lanes would not be warranted at the public road intersections entering the proposed development. Because of this, staff concurs with the traffic engineer's traffic study finding.

Finding 5 - Historical Accident Situation
The Institute of Transportation Engineers (ITE) *Traffic Access and Impact Studies for Site Development – A Recommended Practice* states that "Accident rates vary, but any intersection will more than one accident per million entering vehicles is worth of additional analysis." This ITE recommended practice has been used by county staff to determine the scope, or level of analysis required regarding crash history. Because of this, a crash rate of one crash per million entering vehicles has become the threshold to determine if further crash history evaluation is warranted. This is provided that staff has not identified a crash trend that would be exacerbated by the development regardless of the threshold.

The applicant's traffic study analyzed the crash history as obtained from the Washington State Department of Transportation (WSDOT) for the period between September 2022 and September 2025.

The study concluded that the intersection crash rates for the study intersections do not exceed one crash per million entering vehicles and do not warrant additional analysis. Staff concurs with the applicant's findings. Therefore, no further analysis is required.

Finding 6 - Roadside Safety *(Clear Zone)* Evaluation
The *Institute of Transportation Engineers (ITE) Traffic Engineering Handbook 6th Edition*, states that "The *clear roadside concept*…is applied to improve safety by providing an un-encumbered roadside recovery area that is as wide as practical…". Further, this concept "allows for errant vehicles leaving the roadway for whatever reason and supports a roadside designed to minimize the serious consequences of roadway departures."

Further, as adopted by Clark County Code (CCC) 40.350.030(C)(1)(b), the *Washington State Department of Transportation (WSDOT) Design Manual, Chapter 1600* states that "A clear roadside border area is a primary consideration when analyzing potential roadside and median features. The intent is to provide as much clear, traversable area for a vehicle to recover as practicable given the function of the roadway and the potential tradeoffs. The Design Clear Zone is used to evaluate the adequacy of the existing clear area and proposed modifications of the roadside. When considering the placement of new objects along the roadside or median, evaluate the potential for impacts and try to select locations with the least likelihood of an impact by an errant vehicle."

"For managed access state highways within an urban area, it might not be practicable to provide the Design Clear Zone distances shown in Exhibit 1600-2. Roadways within an urban area generally have curbs and sidewalks and might have objects such as trees, poles, benches, trashcans, landscaping and transit shelters along the roadside."

The applicant shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Section 1600) in the final engineering design of all proposed roadways and frontage improvements. (*See Condition A-8.b*)

Finding 7 - Vehicle Turning Movements
It shall be noted that, the road and driveway approach standards listed in the Clark County Code are minimum criteria and are intended for normal conditions, per CCC 40.350.030 (C)(3). CCC 40.350.030 (C)(3) also states, "The responsible official may require higher

standards for unusual site conditions."

The applicant will need to submit construction plans that show the design of the intersection geometry will accommodate all applicable design vehicles for review and approval. The plans will also need to show that all applicable design vehicles can enter and exit the development minimizing impact to opposing travel lanes. This may result in no on-street parking areas on local residential access roads, at/near public road intersections. (See Condition A-8.c)

Finding 8 - Sight Distance
Sight distance issues are addressed by other Development Engineering Staff; therefore, this issue will not be addressed here.

Conclusion (Transportation Concurrency):
Staff concludes that the proposed preliminary plan, subject to conditions, meets the transportation requirements of the Clark County Code.

Fire Protection
Finding 1 - Building Construction
Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process. *(See Condition G-4)*

Finding 2 - Fire Flow
Fire flow in the amount of 1,000 gallons per minute supplied at 20 psi for 60 minutes duration is required for this application. Prior to final approval submit proof from the water purveyor indicating that the required fire flow is available at the site. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval. *(See Conditions A-9.a, D-7.a & D-7.b)*

Finding 3 - Fire Hydrants
Fire hydrants are required for this application. The indicated number and spacing of the fire hydrants is adequate. *(See Condition A-9.b)*

The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact Fire District # 5 via the Vancouver Fire Marshal's Office at 360-487-7260 to arrange for location approval. *(See Condition A-9.c)*

Unless waived by the fire district chief fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. *(See Condition A-9.d)*

Provide and maintain a three-foot clear space around the entirety of every fire hydrant. *(See Conditions A-9.e & H-2.a)*

Finding 4 - Fire Apparatus Access
Fire apparatus access is required for this application. The roadways and maneuvering areas as indicated in the application adequately provide required fire apparatus access. Provide fire apparatus access roads with an unobstructed width of not less than 20 feet, an unobstructed

vertical clearance of not less than 13.5 feet, with an all-weather driving surface and capable of supporting the imposed loads of fire apparatus. *(See Conditions A-9.f & H-2.b)*

Finding 5 - Fire Apparatus Turnaround
Approved fire apparatus turnarounds are required for this project. The indicated provisions for turning around fire apparatus are adequate. *(See Conditions A-9.g)*

Finding 6 - Fire Sprinklers
Homes exceeding 3,600 square feet including attached garages will require additional fire protection features up to and including a residential fire sprinkler system when adequate public water and a hydrant is not within required distances. *(See Condition E-4.a)*

Finding 7 - Gates
No gate may be installed across a required fire department access road or driveway without first obtaining a permit from the fire marshal's office. Inspection and testing of the gate will be required. Split gates with a divided entry and exit side will need 15 feet on either side for a total gate width of 30 feet. *(See Conditions E-4.b & H-2.c)*

Finding 8 - Parking
Parking is prohibited on access roads that are less than twenty-four (24) feet wide. Roads that are less than twenty-four (24) feet wide shall be posted "NO PARKING-FIRE LANE". *(See Conditions D-7.c & H-2.d and Plat Note D-6.k)*

Conclusion (Fire Protection)
Staff finds that the proposed preliminary plan, subject to conditions, meets the fire protection requirements of the Clark County Code.

Water & Sewer Service
Finding 1 - Service Availability
The site will be served by Clark Regional Wastewater sewer systems and Clark Public Utilities water. Letters from the above districts confirm that services are available to the site (Exhibit 1, Tab "M"). Prior to final plat approval, documentation is required from Clark Regional Wastewater District and Clark Public Utilities that utilities have been installed and approved. *(See Conditions D-8.a & D-8.b)*

Finding 2 - Public Health Site Evaluation
The applicant submitted a letter from Clark County Public Health (Exhibit 1, Tab "O"). Existing individual on-site sewage system (OSS) is listed on the application and there are county records indicating an on-site sewage system is at the site. A site visit on 01-08-26 did verify evidence of an on-site sewage system known as ON0011465. This OSS will be required to be abandoned prior to final plat (Mylar) approval. Any other on-site sewage system discovered during development must be properly abandoned with written notice provided to Clark County Public Health and the locations marked on the final plat (Mylar). *(See Condition D-8.c)*

Please provide written notification describing the actions taken to legally abandon the system with pumper's receipt attached. Proper system abandonment requires tank pumping by a licensed pumper, removing the tank or breaking in the tank lids, punching a hole in the bottom, and filling the cavities with rock, sand or compacted soil. Cesspools, drywells, or

pump chambers discovered during development must also be abandoned in this manner. *(See Condition C-4.a)*

The proposed development shall connect to an approved public sewer system. A copy of the final acceptance letter from the sanitary sewer purveyor or the equivalent must be submitted along with the final plat. *(See Condition D-8.d)*

Finding 3 - Water System
Existing individual wells are not indicated on the application. There were no county records documenting wells at the site and a site visit on 01/08/26 did not discover evidence of a well. The lot and home is old enough that a well may have been drilled- any well identified during development must be properly decommissioned per WAC 173-160-381 by a Washington licensed well driller with written notice provided to Clark County Public Health and the well locations marked on the final plat (Mylar). *(See Conditions C-4.a & D-8.e)*

The proposed development must connect to an approved public water system. A copy of the final acceptance letter from the purveyor or the equivalent must be submitted along with the final plat. *(See Condition D-8.d)*

Finding 4 - Final Approval
Final Health Department approval shall be required prior to final plat. *(See Condition D-8.f)*

Conclusion (Sewer and Water)
Staff finds that the proposed preliminary plan, subject to conditions, meets water and sewer service requirements of the Clark County Code.

Impact Fees
Finding 1 - Impact Fees
All residential lots created by this plat will produce impacts on schools, parks, and traffic, and are subject to School (SIF), and Traffic Impact Fees (TIF) in accordance with CCC 40.610. The proposed unit lots will pay the following impact fees (the applicant will receive an impact fee reduction for the existing residence and must select the lot that fees will not apply during the final plat review):

- Mt. Vista with a TIF of $8,520.88 per dwelling
- Battle Ground School District, with a SIF of $10,760.00 per dwelling
- Park District 8, with a SIF of $3,959.00 per dwelling

The amounts listed above are an estimate using the current impact fee rates and are subject to change. As found in CCC40.610.040, impact fees are calculated using the rates in effect at the time of building permit issuance. *(See Conditions E-5.a, D-5.d, and Plat Note D-6.i)*

Finding 2 - Existing Residences
The development has one (1) existing 1997 (C97H0129, File 77421) single family residence proposed for removal; therefore, impact fees for one (1) resulting lot will be waived for this dwelling. The final plat shall designate for which specific lot the impact fees will be waived. *(See Conditions E-5.b, D-5.d, and Plat Note D-6.j)*

Conclusion (Impact Fees)
Staff finds that the proposed preliminary plan, subject to conditions, meets impact fee requirements of the Clark County Code.

A **procedural or substantive appeal** must be filed within fourteen (14) calendar days of this determination, together with the appeal fee. Such appeals will be considered at a scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

Appeals must be in writing and should contain the following information:

- Case number designated by the county
- Name of the applicant
- Name of each petitioner
- Signature of each petitioner or his or her duly authorized representative
- A statement showing the following:
  - That each petitioner is entitled to file the appeal as an interested party in accordance with CCC 40.510.020(H) or 40.510.030(H)
  - The reasons why the SEPA determination is in error
- The appeal fee

Refer to the *Appeals* handout https://clark.wa.gov/media/document/57535 and https://clark.wa.gov/community-development/land-use-forms-and-fees for more information and fees.

The decision of the Hearing Examiner is final unless:
- A motion for reconsideration is filed within fourteen (14) days of written notice of the decision, as provided under Clark County Code, Section 2.51.160; or,
- An appeal is filed with Clark County Superior Court.

Staff Contact Person: Wendy Baird, Project Planner II, 564.397.4499

Responsible Official: David Kuhnhausen, Community Development Director

Recommendation
Based upon the proposed development plans known as Exhibit 43 and the findings and conclusions stated above, staff recommend the Hearing Examiner **APPROVES** this request, subject to the understanding that the application is required to adhere to all applicable codes and laws and is subject to the following conditions of approval.

Conditions of Approval

A	**Final Construction Review for Land Division** **Review and Approval Authority: Development Engineering, Land Use, Fire Marshal & Transportation Concurrency**

Prior to construction, a Final Construction Plan shall be submitted for review and approval, consistent with the approved preliminary plan and the following conditions of approval:

A-1 Land Use:

a. Net Area - If at time of final review and the net acres exceed more than 3 acres a new preliminary review application and approval shall be required. *(See Land Use Finding 4.1)*

b. Site Plan - The applicant shall incorporate a separate site plan into the final construction plan set. The final site plan shall provide the requirements of CCC 40.260.155.C.1.a-i. *(See Land Use Finding 5.C.1)*

c. Proposed lot 1, 9, 15, 16 & 22 are corner lots, corner lot driveways shall be limited to 20 feet in width and located 5 feet from the property line away from the intersection. *(See Land Use Finding 5.C-2)*

d. Street Trees **-** Street trees shall be provided as required, along with the type and location of trees at time of Final Construction and shown on the Landscape plans. *(See Land Use Finding 5.C.4.a)*

e. Landscape - The applicant shall submit a landscape plan that meets the requirements as listed in Table 40.320.010-1 and Section 40.320.010.E. *(See Land Use Finding 6)*

A-2 Archaeology:

a. A note shall be placed on the face of the final construction plans as follows: "If any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Department of Archaeology and Historic Preservation in Olympia, the Cowlitz Indian Tribe, and Clark County shall be notified. Failure to comply with these state requirements may constitute a Class C Felony, subject to imprisonment and/or fines." *(See Archaeological Finding 1)*

A-3 Final Transportation Plan/On-Site - The applicant shall submit and obtain County approval of a final transportation design in conformance to CCC 40.350 and the following conditions of approval:

a. The applicant shall show on the final construction plans that all proposed pedestrian facilities will be constructed to comply with ADA standards. *(See Transportation & Circulation Finding 1)*

b. The applicant shall show the construction of end of sidewalk ramps where pedestrian facilities temporarily terminate at the plat boundary. *(See Transportation & Circulation Finding 1)*

c. The applicant shall show all curb ramps will be constructed in compliance with the WSDOT Design Manual. *(See Transportation & Circulation Finding 1)*

d. NE 129th Street is classified as an "Urban Local Residential Access" half-width improvements are required consisting of 23 feet of right-of-way dedication, 14-feet of roadway width, curb/gutter, and a 5-foot sidewalk. *(See Transportation & Circulation Finding 3)*

e. NE 54th Avenue and NE 55th Avenue are proposed as "Urban Local Residential Access" full-width improvements are required consisting of 46 feet of right-of-way dedication, 28-feet of roadway width, curb/gutter, and a 5-foot sidewalk. *(See Transportation & Circulation Finding 3)*

f. NE 128th Street is proposed as "Urban Local Residential Access" partial-width improvements are required consisting of 35 feet of right-of-way dedication, 20-feet of roadway width, curb/gutter, and a 5-foot sidewalk. *(See Transportation & Circulation Finding 3)*

g. All roads shall have a minimum pavement width of 20 feet *(See Transportation & Circulation Finding 3)*

h. The applicant shall show on the final construction plans that roadways are tapered according to accepted engineering practices and supplemental standards in Section 40.350.030(C)(1)(b). *(See Transportation & Circulation Finding 3)*

i. The applicant shall show on the final construction plans a pavement section for NE 129th Street that is in compliance with the results of pavement deflection testing as prescribed by CCC 40.350.030(B)(5)(a)(6). *(See Transportation & Circulation Finding 3)*

j. The applicant shall provide dimensions on the final site plan between all existing and proposed road intersections to show how the development meets the criteria in Table 40.350.030-3. *(See Transportation & Circulation Finding 3)*

k. All partial width roads less than 24 feet in width shall be marked with "No Parking" signs or similar control measures. *(See Transportation & Circulation Finding 3)*

l. The applicant shall show on the final construction plans that all driveway approaches are spaced 5 feet from any property line, or as approved by the County engineer for narrow lots. *(See Transportation & Circulation Finding 4)*

m. The applicant shall show on the final construction plans that all driveway approaches comply with Clark County Standard Detail F14/F15, or approved equivalent. *(See Transportation & Circulation Finding 4)*

n. The applicant shall show on the final construction plans that all corner lot driveways will comply with CCC 40.350.030(B)(4(b)(1)(b). *(See Transportation & Circulation Finding 4)*

o. The applicant shall show the sight distance triangles at all intersections on the final construction plans. *(See Transportation & Circulation Finding 5)*

p. The applicant shall remove vegetation within the right-of-way to maximize sight distance to the east and west of the proposed intersection of NE 54th Avenue and NE 55th Avenue with NE 129th Street. *(See Transportation & Circulation Finding 5)*

A-4 Transportation:

a. Signing and Striping Plan: If applicable, the applicant shall submit a signing and striping plan and a reimbursable work order, authorizing County Road Operations to perform any signing and pavement striping required within the County right-of-way. This plan and work order shall be approved by the Department of Public Works prior to final engineering approval.

A-5 Final Stormwater Plan - The applicant shall obtain county approval of a drainage plan designed in conformance to CCC 40.386, as amended by Ordinance No. 2021-06-02, and the following conditions of approval:

a. The applicant shall submit final construction plans and a final Technical Information Report (TIR) that addresses Stormwater Minimum Requirements #1 though #9. *(See Stormwater & Erosion Control Finding 6)*

b. The applicant shall demonstrate that the development will not materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots. *(See Stormwater & Erosion Control Finding 6)*

c. [MR #5] The applicant shall provide a final Technical Information Report that demonstrates compliance with the LID Performance Standard. *(See Stormwater & Erosion Control Finding 7)*

d. [MR #6] The applicant shall provide a final Technical Information Report that demonstrates compliance with the Basic Treatment requirement. *(See Stormwater & Erosion Control Finding 7)*

e. [MR #6] The applicant shall submit documentation from the stormwater treatment system manufacturer indicating that any proprietary stormwater treatment devices were sited and sized appropriately. *(See Stormwater & Erosion Control Finding 7)*

f. [MR #7] The applicant shall provide a final technical information Report that demonstrates compliance with the Standard Flow Control requirement. *(See Stormwater & Erosion Control Finding 7)*

g. The applicant shall identify on the final construction plans ownership and maintenance responsibilities for each of the proposed stormwater facilities. *(See Stormwater & Erosion Control Finding 7)*

h. A stormwater easement shall be shown on all private/joint stormwater facilities not in the public right-of-way or in a tract. *(See Stormwater & Erosion Control Finding 7)*

i. The applicant shall submit an offsite analysis with the Final TIR prepared in accordance with Book 1, Chapter 5 of the CCSM 2021 for all outfall locations from the site. *(See Stormwater & Erosion Control Finding 7)*

j. Stormwater facility setbacks shall be met and shown on the final construction plans, unless a reduced setback is recommended by a geotechnical engineer. *(See Stormwater & Erosion Control Finding 8)*

k. Seasonal groundwater monitoring data (October 1 through April 30) or other approved methods under Book 1, Section 4.3.1.2 of the CCSM for identifying groundwater elevations shall be submitted with the TIR to ensure appropriate groundwater separation for all stormwater facilities. *(See Stormwater & Erosion Control Finding 8)*

l. The required minimum vertical separation from the bottom of any infiltration facility to the seasonal high groundwater elevation shall be shown on the final construction plans. *(See Stormwater & Erosion Control Finding 8)*

m. The unfactored and design infiltration rates used to size any infiltration facility shall be identified on the final construction plans. *(See Stormwater & Erosion Control Finding 8)*

n. Drainage design for roadways for the 10 year storm, street ponding shall be limited to 1/2 of the roadway area and shall not exceed the capacity of the inlet or produce a flow depth of greater than 0.12 feet at the edge of the travel lane in accordance with Book 2, Chapter 7 of the CCSM. *(See Stormwater & Erosion Control Finding 8)*

o. For roadway flooding conditions during the 100 year storm, the equivalent width of one travel lane shall remain open to emergency vehicles at all times. A travel lane will be considered to be open to emergency vehicles if the maximum depth of flow in the lane does not exceed 0.5 feet in accordance with Book 2, Chapter 7 of the CCSM. *(See Stormwater & Erosion Control Finding 8)*

A-6 **Erosion Control Plan** - The applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 40.386, as amended by Ordinance No. 2021-06-02.

A-7 ***Excavation and Grading*** - *Excavation/grading shall be performed in compliance with CCC14.07.*

A-8 Final Transportation Plan/Off Site (Concurrency)

a. The applicant shall submit a signing and striping plan for review and approval. This plan shall show signing and striping and all installation or modifications to traffic control devices in the public right-of-way required for frontage improvements and any off-site improvements. The applicant shall obtain a work order with Clark County to reimburse the County for required signing, striping and all installation or modifications to traffic control devices in the public right-of-way. The final traffic control plans (signing, striping, signals, ITS, etc.) can be approved only after the developer provides signed reimbursable work order(s) to the county's traffic engineer reviewing the plans.

b. The applicant shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Section 1600) in the final engineering design of all proposed roadways and frontage improvements. *(See Transportation Concurrency Finding 6)*

c. The applicant shall submit construction plans that show all applicable design vehicles can enter and exit the development minimizing impact to opposing travel lanes. This may result in no on-street parking areas on local residential access roads, at/near public road intersections. *(See Transportation Concurrency Finding 7)*

A-9 Fire Protection:

a. Fire flow in the amount of 1,000 gallons per minute supplied at 20 psi for 60 minutes duration is required for this application. *(See Fire Protection Finding 2)*

b. Fire hydrants are required for this application. *(See Fire Protection Finding 3)*

c. The local fire district chief approves the exact locations of fire hydrants. *(See Fire Protection Finding 3)*

d. Unless waived by the fire district chief fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. *(See Fire Protection Finding 3)*

e. Provide and maintain a three-foot clear space around the entirety of every fire hydrant. *(See Fire Protection Finding 3)*

f. Access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13.5 feet with an all-weather driving surface capable of supporting the imposed loads of fire apparatus. *(See Fire Protection Finding 4)*

g. Approved fire apparatus turnarounds are required for this project. The indicated provisions for turning around fire apparatus are adequate. *(See Fire Protection Finding 5)*

B	**Prior to Construction of Development** **Review and Approval Authority: Development Inspection and Wetland & Habitat**

Prior to construction, the following conditions shall be met:

B-1 **Traffic Control Plan** – Prior to impacting the public roadway for the development site, the applicant shall obtain written approval from Clark County Department of Public Works of the applicant's Traffic Control Plan (TCP). The TCP shall govern all work within or impacting the public transportation system.

B-2 **Pre-Construction Conference** - Prior to construction or any land disturbance, a pre-construction conference shall be held with the county.

B-3 **Erosion Control** - Prior to construction or any land disturbance, erosion/sediment controls shall be in place per the approved erosion control plan. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists. Erosion control facilities shall not be removed without county approval.

B-4 **Road Closures** - Any request by the developer or developer's contractor to close a road will be reviewed by county staff. The developer shall provide a memorandum to the County Engineer justifying the reasons for needing the road closure, specifically including explanation as to why the closure is necessary and construction cannot occur under traffic, such as flagger-controlled alternating one way traffic next to the construction. The memorandum shall include the ENG number and title of the project, location of the requested road closure, anticipated date of start of closure, requested closure time length, explanation of the public outreach that the contractor will perform, full detour mapping, and other information as appropriate. Road Closures are approved specifically by the County Council by resolution, as described in WAC 308-330-270(7). The process for county takes at least 6 weeks for writing the staff report, resolution and internal review. Depending on the complexity of the request from the developer and the council's time availability, this can take over 12 weeks to process from start to finish. It is the developer's responsibility to ensure that the process is completed prior to needing the road closure enacted. The contractor shall be responsible for all costs associated with county staff time to process the request via reimbursable work order and all notifications required by law in local newspapers as required by RCW 47.48 Notice of Closure or Restriction. Requesting a road closure is no guarantee that a road closure will be approved by the county.

C	**Provisional Acceptance of Development** **Review and Approval Authority: Development Inspection, Development Engineering & Land Use**

Prior to provisional acceptance of development improvements, construction shall be completed consistent with the approved final construction / land division plan and the following conditions of approval:

C-1 Land Use:

a. Existing Structures - The existing structures on site are proposed to be removed. These structures shall be removed prior to provisional acceptance, complying with demolition permits from Clark County Building divisions and state/federal pre-requirements. *(See Land Use Finding 8)*

C-2 Required Documents: – The following documents shall be submitted:

a. Sight Distance: The applicant shall submit a sight distance certification letter signed and stamped by an engineer, licensed in the state of Washington, indicating the sight distance at the proposed intersection of NE 54th Avenue and NE 55th Avenue with NE 129th Street, once constructed, complies with the county code. (See Transportation & Circulation Finding 5)

C-3 Stormwater:

a. During installation of the infiltration facilities (perforated pipe, bioretention planters) the applicant shall demonstrate that the required minimum vertical separation to the seasonal high groundwater table for each facility as shown on the final construction plans shall be met. The systems shall be redesigned if the required separation is not achieved. *(See Stormwater & Erosion Control Finding 8)*

b. In accordance with Section 5.1.2, Book 2 of the Clark County Stormwater Manual 2021, if the tested coefficient of permeability determined at the time of construction is at least 95 percent of the uncorrected coefficient of permeability used to determine the design rate, construction may proceed. If the tested rate does not meet this requirement, the applicant shall submit a plan to Clark County that follows the requirements in Section 1.8.5., Book 1. This plan shall address steps to correct the problem, including additional testing and/or resizing of the facility to ensure that the system will meet the minimum requirements of this manual. *(See Stormwater & Erosion Control Finding 8)*

C-4 Water and Sewer Services:

a. Septic Tank and Well Decommissioning - Prior to provisional acceptance, if any septic systems, water wells or underground tanks are found during construction, they shall be decommissioned in accordance with the procedures of the Clark County Public Health. *(See Water & Sewer Finding 2 & 3)*

D	**Final Plat Review & Recording** **Review and Approval Authority: Development Engineering, Fire Marshal & Land Use**

Prior to final plat approval and recording, the following conditions shall be met:

D-1 Land Use:

a. If at time of final review and the net acres exceed more than 3 acres a new preliminary review application and approval shall be required. *(See Land Use Finding 4.1)*

b. Site Plan - The applicant shall incorporate a separate site plan into the final construction plan set. The final site plan show the requirements of CCC 40.260.155.C.1.a-i. *(See Land Use Finding 5.C.1)*

c. Proposed lot 1, 9, 15, 16 & 22 are corner lots, corner lot driveways shall be limited to 20 feet in width and located 5 feet from the property line away from the intersection. *(See Land Use Finding 5.C-2)*

d. Street Trees - Street tree shall be provided as required, along with the type and location of trees at time of final plat and shown on the Landscape plans. *(See Land Use Finding 5.C.4.a)*

e. Landscape - The applicant shall submit a landscape plan that meets the requirements as listed in Table 40.320.010-1 and Section 40.320.010.E. *(See Land Use Finding 6)*

f. Landscape - In order to ensure that the landscape has been installed in conformance with the approved landscape plan(s) the applicant shall submit a copy of the approved landscape plan(s) with a letter signed and stamped by a landscape architect licensed in the state of Washington certifying that the landscape and irrigation (if any) have been installed in accordance with the attached approved plan(s). *(See Land Use Finding 6)*

g. The applicant shall submit an updated recorded easement prior to final plat showing the removal of any encumbrances on Lubbers Short Plat Lot 3. *(See Land Use Finding 9)*

D-2 Potential Encroachment - A boundary survey for the site identifies a potential fence encroachment along the eastern boundary of the site. Based on information submitted with the application packet, it is unclear whether ownership of the area is under dispute. This situation needs to be resolved prior to filing of the final plat. *(See Land Use Finding 3)*

D-3 Rights-of-way / Easements – All right-of-way dedications and easements shall be recorded with the final plat.

a. Right-of-way along the frontage of NE 129th Street to achieve a 23-foot half-width shall be conveyed to the county with the final plat, if necessary. This 23-foot right-of-

way shall be from the historic centerline. *(See Transportation & Circulation Finding 3)*

b. Right-of-way along NE 54th Avenue and NE 55th Avenue to achieve a 46-foot full-width, shall be conveyed to the county with the final plat. *(See Transportation & Circulation Finding 3)*

c. Right-of-way along NE 128th Street to achieve a 35-foot partial-width, shall be conveyed to the county with the final plat. *(See Transportation & Circulation Finding 3)*

d. The applicant shall submit an updated recorded easement prior to final plat showing the removal of any encumbrances on Lubbers Short Plat Lot 3. *(See Transportation & Circulation Finding 3)*

D-4 **Sight Distance:** Sight distance triangles shall be delineated on the final plat, if within the lot area. *(See Transportation & Circulation Finding 5)*

D-5 **Developer Covenant** - A "Developer Covenant to Clark County" shall be submitted for recording to include the following:

a. Critical Aquifer Recharge Areas - "The dumping of chemicals into the groundwater and the use of excessive fertilizers and pesticides shall be avoided. Homeowners are encouraged to contact the State Wellhead Protection program at (206) 586-9041 or the Washington State Department of Ecology at 800-RECYCLE for more information on groundwater /drinking supply protection."

b. Erosion Control - "Building Permits for lots on the plat shall comply with the approved erosion control plan on file with Clark County Building Department and put in place prior to construction."

c. Responsibility for Stormwater Facilities Maintenance – For stormwater facilities for which the county will not provide long-term maintenance, the developer shall make arrangements with the existing or future (as appropriate) occupants or owners of the subject property for assumption of maintenance to the county's Stormwater Facilities Maintenance Manual as adopted by Chapter 13.26A. The responsible official prior to county approval of the final stormwater plan shall approve such arrangements. The county may inspect privately maintained facilities for compliance with the requirements of this chapter. If the parties responsible for long-term maintenance fail to maintain their facilities to acceptable standards, the county shall issue a written notice specifying required actions to be taken in order to bring the facilities into compliance. If these actions are not performed in a timely manner, the county shall take enforcement action and recover from parties responsible for the maintenance in accordance with Section 32.04.060.

d. Impact Fees: "In accordance with CCC 40.610, except for Lot "X", which shall be waived, impact fees for each dwelling in this subdivision shall be assessed for impacts on schools, parks and transportation facilities based for the following

districts: Battle Ground School District (SIF), Park District #8 (PIF) and Mt. Vista Transportation (TIF). As found in CCC 40.610.040, residential impact fees are calculated using the rates in effect at the time of building permit issuance. *(See Impact Fee Finding 1 & 2)*

D-6 Plat Notes - The following notes shall be placed on the final plat:

a. Archaeological: "If any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Department of Archaeology and Historic Preservation in Olympia, the Cowlitz Indian Tribe, and Clark County Community Development shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines."

b. Sidewalks: "Prior to issuance of occupancy permits, sidewalks shall be constructed along all the respective lot frontages."

c. Utilities: "An easement is hereby reserved under and upon the exterior six (6) feet at the front boundary lines of all lots for the installation, construction, renewing, operating and maintaining electric, telephone, TV, cable, water and sanitary sewer services. Also, a sidewalk easement, as necessary to comply with ADA slope requirements, shall be reserved upon the exterior six (6) feet along the front boundary lines of all lots adjacent to public streets."

d. Sight Distance: "Sight distance easement triangles shall be maintained and kept clear as required under CCC 40.350.030.B.8."

e. Driveways: "All residential driveway approaches entering public roads are required to comply with CCC 40.350."

f. Access: "The lot(s) (___) has legal permission to enter and exit via a (public way, shared driveway easement, or private road)."

g. Privately Owned Stormwater Facilities: "The following party(s) is responsible for long-term maintenance of the privately owned stormwater facilities: _____."

h. Roof and Crawl Space Drains: "Roof and crawl space drains shall be installed in accordance with the approved As-Built plans, unless a revised plan is approved by the county. These stormwater systems will be owned and maintained by the property owner on whose lot the stormwater system is located."

i. Impact Fees: "In accordance with CCC 40.610, except for Lot "X", which shall be waived, impact fees for each dwelling in this subdivision shall be assessed for impacts on schools, parks and transportation facilities based for the following districts: Battle Ground School District (SIF), Park District #8 (PIF) and Mt. Vista Transportation (TIF). As found in CCC40.610.040, residential impact fees are calculated using the rates in effect at the time of building permit issuance."

j. The final plat shall designate for which specific lot (Lot XX) the impact fees will be waived.

k. Parking is prohibited on access roads that are less than twenty-four (24) feet wide. Roads that are less than twenty-four (24) feet wide shall be posted "NO PARKING-FIRE LANE".

D-7 Fire Protection:

a. The applicant shall submit a current utility review letter from the water purveyor indicating required fire flow remains available at the site. *(See Fire Protection Finding 2)*

b. The applicant shall demonstrate that water mains supplying fire flow have been installed and approved. *(See Fire Protection Finding 2)*

c. Parking is prohibited on access roads that are less than twenty-four (24) feet wide. Roads that are less than twenty-four (24) feet wide shall be posted "NO PARKING-FIRE LANE". *(See Fire Protection Finding 8)*

D-8 Sewer and Water Services:

a. The applicant shall produce documentation from Clark Public Utilities that water has been installed and approved. *(See Water & Sewer Finding 1)*

b. The applicant shall produce documentation from Clark Regional Wastewater that sewer has been installed and approved. *(See Water & Sewer Finding 1)*

c. Any on-site sewage system discovered during development must be properly abandoned with written notice provided to Clark County Public Health and the locations marked on the final plat (Mylar). *(See Water & Sewer Finding 2)*

d. A copy of the final acceptance letter from Clark Regional Wastewater and Clark Public Utilities must be submitted with the Mylar. *(See Water and Sewer Findings 2 & 3)*

e. Any other wells identified during development must be properly decommissioned per WAC 173-160-381 by a Washington licensed well driller with written notice provided to Clark County Public Health and the locations marked on the final plat (Mylar). *(See Water and Sewer Finding 3)*

f. Final Health Department approval shall be required prior to final plat. *(See Water & Sewer Finding 4)*

E	**Building Permits** **Review and Approval Authority: Land Use, Fire Marshal, & Permit Services**

Prior to issuance of a building permit, the following conditions shall be met:

E-1 Land Use:

a. Main entrances - Shall be visible from the street and must have a porch or entry set back no more than eight (8) feet from the longest street-facing wall of the structure.

The entry must: face the street, open onto the porch, or be oriented at an angle of not more than forty-five (45) degrees from the street-facing facade. Corner lot homes may be oriented to either street. *(See Land Use Finding 4.E)*

b. Garage Doors - The width of the garage door facing the street may be up to sixty percent (60%) of the lot width or ten (10) feet, whichever is greater. Garage width limitations do not apply to residential development accessed through rear alleys, or where the garage is located in the rear of the lot. *(See Land Use Finding 4.F)*

c. Proposed lot 1, 9, 15, 16 & 22 are corner lots, corner lot driveways shall be limited to 20 feet in width and located 5 feet from the property line away from the intersection. (See Land Use Finding 5.C-2)

E-2 Excavation and Grading - Excavation/grading shall be performed in compliance with CCC 14.07.

E-3 Roof and Crawl Space Drains – Roof and crawl space drains shall be installed in accordance with the approved As-Built plans, unless a revised plan is approved by the county. These stormwater systems will be owned and maintained by the property owner on whose lot the stormwater system is located. *(See Stormwater & Erosion Control Finding 7)*

E-4 Fire Protection:

a. Homes exceeding 3,600 square feet including attached garages will require additional fire protection features up to and including a residential fire sprinkler system when adequate public water and a hydrant is not within required distances. *(See Fire Protection Finding 6)*

b. No gate may be installed across a required fire department access road or driveway without first obtaining a permit from the fire marshal's office. Inspection and testing of the gate will be required. Split gates with a divided entry and exit side will need 15 feet on either side for a total gate width of 30 feet. *(See Fire Protection Finding 7)*

E-5 Impact Fees

a. Impact fees shall be assessed for impacts on schools, parks and transportation facilities based for the following districts: Battle Ground School District (SIF), Park District #8 (PIF) and Mt. Vista Transportation (TIF). As found in CCC40.610.040, impact fees are calculated using the rates in effect at the time of building permit issuance. *(See Impact Fees Finding 1)*

b. The development has one (1) existing 1997 single family residence proposed for removal; therefore, impact fees for one (1) resulting lot will be waived for this dwelling. The final plat shall designate for which specific lot the impact fees will be waived. *(See Impact Fee Finding 2)*

F	**Occupancy Permits** **Review and Approval Authority:**

Prior to issuance of an occupancy permit, the following conditions shall be met:

F-1 None

G	**Development Review Timelines & Advisory Information** **Review and Approval Authority: None - Advisory to Applicant**

G-1 Land Division - Within seven (7) years of preliminary plan approval, a Fully Complete application for Final Plat review shall be submitted.

G-2 Department of Ecology Permit for Construction Stormwater - A permit from the Department of Ecology (DOE) is required for any land disturbing activities such as clearing, grading, excavating, stockpiling of fill material, and/or demolition that:

- Disturbs one or more acres of land.; **OR**

- Are part of a common plan of development or sale that will ultimately disturb one or more acres of land. A common plan of development or sale is an area where multiple, separate, and distinct construction activities may be taking place on different schedules under one plan. In a common plan of development, the disturbed area of the entire plan is used to determine if a permit is required.; **AND**

- Discharge stormwater from the site into surface water(s) of the state or into storm drainage systems, including ditches, which discharge to state surface waters. Surface waters of the state: Include wetlands, ditches, rivers, unnamed creeks, rivers, lakes, estuaries, and salt water.

The applicant shall Contact the DOE for further information.
https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Stormwater-general-permits/Construction-stormwater-permit

G-3 Permit (Construction) Time Limit. All permits issued pursuant to the regulations contained in current or earlier stormwater code before July 1, 2021, expire on July 1, 2026, except if approved construction has begun on site before July 1, 2026. "Beginning construction" means, at a minimum, the site work associated with and directly related to the approved project has begun. For example: grading the project site to final grade, or the installation of utilities. Simply clearing the project site does not constitute the beginning of construction.

G-4 Building and Fire Safety - Building and fire, life, and safety requirements must be addressed through specific approvals and permits. This decision may reference general and specific items related to structures and fire, life, and safety conditions, but they are only for reference in regards to land use conditions. It is the responsibility of the owner, agent, tenant, or applicant to ensure that Building Safety and Fire Marshal requirements are in compliance or brought into compliance. Land use decisions do not waive any building or fire code requirements. *(See Fire Protection Finding 1)*

H	**Post Development Requirements** **Review and Approval Authority: As specified below**

H-1 Landscape Maintenance: Maintenance of landscaped areas is the ongoing responsibility of the property owner. Required landscaping must be continuously maintained in a healthy manner. Plants that die must be replaced with in-kind materials unless otherwise authorized by the responsible official. Vegetation shall be controlled by pruning, trimming or otherwise so that it will not interfere with the maintenance or repair of any public utility, restrict pedestrian or vehicular access, or obstruct sight distance at intersections as provided in Section 40.320.020. *(See Land Use Finding 6)*

H-2 Fire Protection:

a. A three -foot clear spaces shall be maintained around the circumference of all fire hydrants. *(See Fire Protection Finding 3)*

b. Access roads shall maintain an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13.5 feet with an all-weather driving surface capable of supporting the imposed loads of fire apparatus. *(See Fire Protection Finding 4)*

c. No gate may be installed across a required fire department access road or driveway without first obtaining a permit from the fire marshal's office. Inspection and testing of the gate will be required. Split gates with a divided entry and exit side will need 15 feet on either side for a total gate width of 30 feet. *(See Fire Protection Finding 7)*

d. Parking is prohibited on access roads that are less than twenty-four (24) feet wide and turnarounds. Roads that are less than twenty-four (24) feet wide and turnarounds shall be posted "NO PARKING-FIRE LANE". *(See Fire Protection Finding 8)*

Note: Any additional information submitted by the applicant within fourteen (14) calendar days prior to or after issuance of this report, may not be considered due to time constraints. In order for such additional information to be considered, the applicant may be required to request a "hearing extension" or "open record" and shall pay the associated fee.

Hearing Examiner Decision and Appeal Process

This report to the Hearing Examiner is a recommendation from the Land Use Review program of Clark County, Washington.

The examiner may adopt, modify or reject this recommendation. The examiner will render a decision within 14 calendar days of closing the public hearing. Clark County will mail a copy of the decision to the applicant and neighborhood association within 7 days of receipt from the Hearing Examiner. All parties of record will receive a notice of the final decision within 7 days of receipt from the Hearing Examiner.

Motion for Reconsideration
Any party of record to the proceeding before the Hearing Examiner may file with the responsible official a motion for reconsideration of an examiner's decision within fourteen (14) calendar days of written notice of the decision. A party of record includes the applicant and those individuals who signed the sign-in sheet or presented oral testimony at the public hearing, and/or submitted written testimony prior to or at the Public Hearing on this matter.

The motion must be accompanied by the applicable fee and identify the specific authority within the Clark County Code or other applicable laws, and/or specific evidence, in support of reconsideration. A motion may be granted for any one of the following causes that materially affects their rights of the moving party:

- Procedural irregularity or error, clarification, or scrivener's error, for which no fee will be charged;
- Newly discovered evidence, which the moving party could not with reasonable diligence have timely discovered and produced for consideration by the examiners;
- The decision is not supported by substantial evidence in the record; or,
- The decision is contrary to law.

Any party of record may file a written response to the motion if filed within fourteen (14) calendar days of filing a motion for reconsideration.

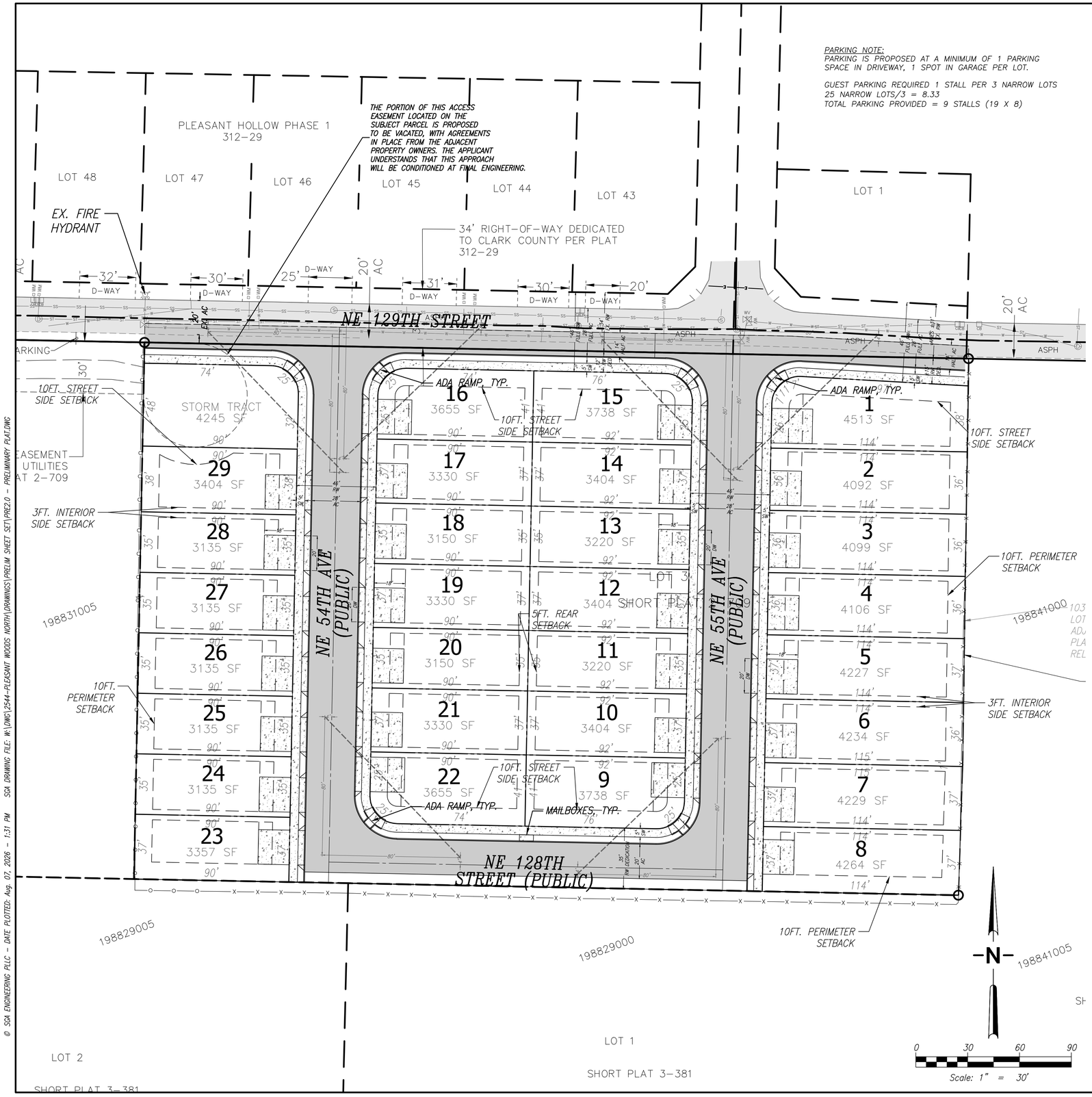
The examiner will issue a decision on the motion for reconsideration within twenty-eight (28) calendar days of filing of a motion for reconsideration.

Appeal Rights
Any party of record to the proceeding before the hearings examiner may appeal any aspect of the Hearing Examiner's decision, except the SEPA determination (i.e., procedural issues), to the Superior Court.

See the *Appeals* handout https://clark.wa.gov/media/document/57535 and https://clark.wa.gov/community-development/land-use-forms-and-fees for more information and fees.

Attachments

- Revised Preliminary Plan



PLEASANT WOODS NORTH SUBDIVISION

BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 3 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN CLARK COUNTY, WASHINGTON

PRELIMINARY APPLICATION

MARCH 2026

APPLICANT:

BRIDGER HOMES
ATTN: JOEL HOLLINGSWORTH
PO BOX 821303
VANCOUVER, WA 98682
PH: 360-998-0671
EM: JOEL.HOLLINGSWORTH40@GMAIL.COM

PROPERTY OWNER:

VEACH DEVELOPMENT, LLC
PO BOX 821303
VANCOUVER, WA 98682

PARCEL # & PROPERTY ADDRESS: 198831-010
5319 NE 129TH CIR, VANCOUVER, WA 98686

CONTACT PERSON:

SGA ENGINEERING, PLLC
ATTN: SCOTT TAYLOR
2005 BROADWAY STREET
VANCOUVER, WA 98663
PH: 360.993.0911
FX: 360.993.0912
EM: STAYLOR@SGAENGINEERING.COM

EXISTING SITE INFORMATION

EXISTING PARCEL NUMBERS	198831-010			
CURRENT USE	EXISTING SINGLE-FAMILY HOME WITH OUT BUILDING			
ZONING DESIGNATION	R1-7.5			
GROSS SITE AREA	*3.40*	ACRES	148,255	S.F.
TRANSIT ROUTES	NO ROUTES IMMEDIATELY NEARBY			
EXISTING WATER AND SEWER	SEWER SERVICE WILL BE PROVIDED BY THE CLARK REGIONAL WASTEWATER, PUBLIC WATER SERVICE WILL BE PROVIDED BY CLARK PUBLIC UTILITIES. A SEPTIC SYSTEM IS KNOWN TO EXIST ON SITE. NO WELL IS KNOWN TO EXIST ON-SITE.			

ENVIRONMENTAL CONDITIONS

THE SITE IS NOT KNOWN TO CONTAINS ANY OF THE SIGNIFICANT ENVIRONMENTAL CONDITIONS LISTED IN THE APPLICATION CHECKLIST. THE SITE IS LOCATED IN THE SALMON CREEK WATERSHED. THE SITE IS MAPPED AS HAVING A HIGH PROBABILITY FOR ARCHAEOLOGICAL.

EXISTING CONDITIONS DISCLAIMER

THE EXISTING CONDITIONS SHOWN ON THIS PLAN WERE OBTAINED FROM INFORMATION PROVIDED BY MINISTER GLASER SURVEYING. SGA ENGINEERING, PLLC DOES NOT GUARANTEE THE ACCURACY OF THIS INFORMATION.

PROPOSED SITE INFORMATION

PROPOSED USE

SINGLE-FAMILY RESIDENTIAL (29 COMPACT LOTS) SUBDIVISION BASED UPON R1-7.5 ZONING

DEVELOPMENT STANDARDS

MINIMUM AVERAGE LOT AREA	3250 SF MIN. AVG. ALLOWED
AVERAGE MINIMUM LOT WIDTH	25' MIN. ALLOWED
AVERAGE MINIMUM LOT DEPTH	50' MIN. ALLOWED
FRONT YARD SETBACK	10' TO HOME, 18' TO GARAGE
STREET SIDE YARD SETBACK	10'
INTERIOR SIDE YARD SETBACK	3' MIN.
REAR YARD SETBACK	5' MIN.
PERIMETER SETBACK	10'
MAXIMUM LOT COVERAGE	60%
MAXIMUM BUILDING HEIGHT	35'
DENSITY	6.7 - 4.1 (COMPACT ALLOWS 200% INCREASE)

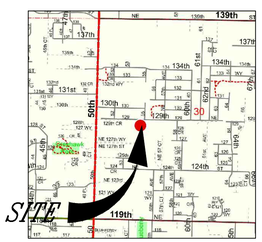
UTILITY PROVIDERS

SEWER	CRWWD
WATER	CLARK PUBLIC UTILITIES
ELECTRICAL	CLARK PUBLIC UTILITIES

STORMWATER MANAGEMENT

TREATMENT	STORMWATER IS PROPOSED TO BE TREATED USING BIO-RETENTION FACILITIES OR OTHER APPROVED BMP'S
DISPOSAL	STORMWATER WILL BE INFILTRATED INTO THE GROUND WHERE FEASIBLE OR DETAINED AND RELEASED AT OR BELOW PRE-DEVELOPED RATES.

PROPOSED SITE AREA SUMMARY	***ACRES***	***S.F.***
GROSS SITE AREA	3.40	148255
R/W DEDICATED	0.92	40108
NET SITE AREA (GROSS AREA-R/W)	2.48	108077
STORM TRACT AREA	0.07	4245
TOTAL BUILDABLE LOT AREA	2.41	103931
AVERAGE LOT AREA	0.08	3583
DENSITY (200% OF 6.7 MAX.)	13 DU/AC MAX. ALLOWED	12 DU/AC PROPOSED



VICINITY MAP
NTS

SGA ENGINEERING
& DESIGN
CIVIL ENGINEERING ~ LAND PLANNING
DEVELOPMENT SERVICES
LANDSCAPE ARCHITECTURE

2005 BROADWAY
VANCOUVER, WA 98663
PHONE (360)993-0911
FAX (360)993-0912



PRELIMINARY PLAT

PLEASANT WOODS NORTH SUBDIVISION

CLARK COUNTY WASHINGTON

PRELIMINARY

REVISIONS

DESIGNED BY:	NLH
DRAWN BY:	NLH
CHECKED BY:	KRS
SCALE:	1" = 30'

JOB NUMBER	SHEET
2544	PRE2.0

© SGA ENGINEERING PLLC - DATE PLOTTED: Aug 07, 2026 - 1:31 PM SGA DRAWING FILE: W:\DWG\2544-PLEASANT WOODS NORTH\DRAWINGS\PRELIM SHEET SET\PRE2.0 - PRELIMINARY PLAT.DWG

Type II Staff Report and Decision
Notice to Parties of Record

Project Name: Andersen Dental

Case Number: PSR-2026-00006

The attached decision is final unless an appeal is filed with the Department of Community Development.

An **appeal** of any aspect of this decision may be appealed to the Clark County Hearing Examiner by a party of record only. A Party of Record includes the applicant and those individuals who submitted written testimony or a written request to be a "party of record," prior to the issuance of the decision.

The appeal shall be filed with the Department of Community Development within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record.

Any appeal of the final land use decisions shall be in writing and contain the following:

- Case number designated by the county;
- Name of the applicant;
- Name of each petitioner;
- Signature of each petitioner or his or her duly authorized representative;
- A statement showing the following:
  - That each petitioner is entitled to file the appeal as an interested party in accordance with CCC 40.510.030(H);
  - The specific aspect(s) of the decision being appealed;
  - The reasons why each aspect is in error as a matter of fact or law;
  - The evidence relied on to prove the error; and,
- Submit an application and please see the *Appeals* handout https://clark.wa.gov/media/document/57535 and https://clark.wa.gov/community-development/land-use-forms-and-fees for more detail.
- The appeal fee**.**

Mailed on: August 31, 2026

Exhibit 34

Community Development
1300 Franklin Street, Vancouver, Washington
Phone: (360) 397-2375 Fax: (360) 397-2011
www.clark.wa.gov/development

For an alternate format, contact the Clark County ADA Compliance Office.
Phone: (360)397-2322
Relay: 711 or (800) 833-6384
E-mail: ADA@clark.wa.gov

Type II Site Plan and Environmental Review Staff Report and Decision

Project Name: **Andersen Dental**

Case Number: **PSR-2026-00006**

Location/Parcel: 2808 NE 179th Street, Ridgefield, WA 98642 / 181326-000, located in the SE ¼ of Section 11, Township 3 North, Range 1 East, Willamette Meridian

Request: The applicant is requesting a site plan review approval to convert an existing 3,620 square foot residence into dental office and construct parking and other supportive infrastructure on 3.69 acres in the CC zone.

Applicant/Contact:
AAI Engineering
Attn: Kat Aden
4875 SW Griffith Drive #100
Beaverton, OR 97005
kata@aaieng.com

Property Owner:
179 Property LLC
Attn: Dane Andersen
23805 NE 42nd Court
Ridgefield, WA 98642
daneandersendds@gmail.com

Decision
Approved, subject to conditions of approval

Land Use Review Manager's Initials: BD **Date issued: 8/31/2026**

Community Development
1300 Franklin Street, Vancouver, Washington
Phone: 564.397.2375 Fax: 360.397.2011
www.clark.wa.gov/development

For an alternate format, contact the Clark County ADA Compliance Office.
Phone: 564.397.2322
Relay: 711 or 800.833.6384
E-mail: ADA@clark.wa.gov

County Review Staff

Department/Program	Name	Phone	Email Address
Community Development			
Land Use Review Manager	Brent Davis	564.397.4152	brent.davis@clark.wa.gov
Land Use Review Planner	Bryan Mattson	564.397.4028	bryan.mattson@clark.wa.gov
Fire Marshal's Office	Jason Knoble	564.397.3318	jason.knoble@clark.wa.gov
Engineering Team Leader	Naomi Patibandla	564.397.4630	naomi.patibandla@clark.wa.gov
Development Review Engineer	Hannah Dietel-Isaacson	564.397.4354	hannah.dietel-isaacson@clark.wa.gov
Concurrency Engineer	Craig Kathol	564.397.8247	craig.kathol@clark.wa.gov
Biologist	Keith Radcliff	564.397.4180	keith.radcliff@clark.wa.gov

Comp Plan/Zoning: Commercial (C)/Community Commercial (CC)

Applicable Laws
Title 14 (Building Safety); Title 15 (Fire Prevention); Chapter 40.200 (General Provisions); Section 40.230.010 (Commercial Districts); Chapter 40.310 (Signs); Chapter 40.320 (Landscaping and Screening on Private Property); Chapter 40.330 (Crime Prevention and Safety); Chapter 40.340 (Parking and Loading); Chapter 40.350 (Transportation & Circulation); Section 40.350.015 (Pedestrian/Bicycle Circulation Standards); Section 40.350.020 (Transportation Concurrency); Chapter 40.360 (Solid Waste and Recycling); Chapter 40.370 (Sewer and Water); Chapter 40.386 (Storm Water & Erosion Control); Chapter 40.445 (Wetlands and Fish and Wildlife Habitat Conservation Areas); Chapters 40.500 and 40.510 (Procedures); Section 40.520.010 (Legal Lot Determination); Section 40.520.040 (Site Plan Review); Section 40.550.010 (Road Modifications); Chapter 40.610 (Impact Fees); Title 24 (Public Health)

Neighborhood Association: Four Creeks Neighborhood Association.

Vesting
An application is reviewed against the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted. If a pre-application conference is required, the application shall earlier contingently vest on the date the fully complete pre-application is filed. Contingent vesting requires that a fully complete application for substantially the same proposal is filed within 180 calendar days of the date the county issues its pre-application conference report. Contingent vesting does not apply to stormwater or concurrency standards.

A Preapplication Conference on this matter was held on 5/22/2025 and the Preapplication Conference was issued on 6/2/2025. However, the Preapplication Conference application was not sufficiently complete to qualify for contingent vesting.

The fully complete application was submitted on 2/13/2026, and determined to be fully complete on 2/27/2025. Given these facts, the application is vested on 2/13/2026. This vesting does not apply to stormwater or concurrency standards. There are no disputes regarding vesting.

Time Limits
The application was determined to be fully complete on 2/27/2026. However, the application was placed on hold for an additional 94 days for revised or additional information and to allow the applicant to review the Staff Report prior to issuance; therefore, the code requirement for issuing a decision within 78 days lapsed 8/18/2026. The state requirement for issuing a decision within 120 days lapses on 9/29/2026.

Public Notice
Notice of application was mailed to the applicant and property owners within 500 feet of the site on 3/31/2026.

Public Comments

Comment Submitted by:	***Date Received:***
Heidi Pozzo *2808 NE 179th Street* *Ridgefield, WA 98642*	*4/12/2026*

Ms. Pozzo submitted concerns regarding what were described as probable significant adverse environmental impacts that were not adequately analyzed in the Transportation Impact Study. In particular, the following 3 categories: (A) safety concerns specific to the proposed driveway's proximity to the planned roundabout at NE 179th Street and NE 29th Avenue, (B) documented LOS and V/C failures demonstrating that the corridor transportation network is already over capacity, and (C) systemic concurrency methodology issues that prevent accurate assessment of environmental impacts. The comment letter goes into significant detail regarding all three concerns [See Exhibit 12].

Applicant Response
The applicant responded to the Pozzo comments with a response letter in which the applicant offered responses to each of the safety issues for categories (A), (B), and (C) [See Exhibit 24].

Staff Response
This Staff Report and Recommendation attempts to delve into all applicable areas of code compliance regarding the Andersen Dental Site Plan Review. Please refer to the Transportation and Circulation section of this report for discussion of compliance regarding the driveway placement within the roundabout, The Transportation Concurrency section for a discussion of off-site transportation impacts, the Stormwater and Erosion Control section for a discussion of

stormwater impacts and the Wetland and Habitat section of this report for critical areas impacts and code compliance.

Comment Submitted by: ***Date Received:***
Cowlitz Indian Tribe *4/13/2026*
Attn: Sean C. Hess Ph.D.
PO Box 2547
Longview, WA 98632
Mr. Hess indicates that "the SEPA checklist for this project contains a substantial erroring interpretation of the prior cultural resources survey (Gall 2021). Additional inventory is necessary before approving this project" [See Exhibit 13]. Mr. Hess further recommends the following:

- *That an archaeological inventory plan be developed and implemented for intensive pedestrian survey and STP excavation in direct effects APE of the Andersen Dental Project, and that a report be drafted to provide the results of this work; and*
- *That the report be provided to the Cowlitz Indian Tribe for review and comment; and*
- *The Cowlitz Resources Department (CRD) will also review the ethnographic information to ensure that it properly represents the importance of this area to the Cowlitz Indian Tribe; and*
- *If there are no additional preContact cultural materials, then CRD will likely recommend that this project proceed with a plan that will include archaeological monitoring of construction and if additional preContact cultural materials are found, then CRD will enter into consultation with the involved parties about next steps.*

Applicant Response
The applicant responded to the Cowlitz comments with a response letter in which the applicant acknowledged that the 2021 Gall study's six STP's are congregated around the ravine and wetland area and do not fully encompass the extents of the rest of the project, but contends that no new areas of soil disturbance throughout the rest of the project will occur outside of what has already been significantly disturbed through existing building areas, the installation of septic systems, or previously tilled agricultural soils [See Exhibit 23].

Staff Response
Staff sent the completed SEPA checklist to several state agencies as part of the Public Notice, and this included the Washington Department of Archaeology and Historic Preservation (DAHP). DAHP did not comment on this project requesting further study. Staff have required inadvertent discovery language as one of the conditions of approval and pursuant to Table 40.570.080-1, lands that have been previously disturbed to a depth of at least 8 inches qualify as areas of low potential impacts and low potential impacts do not trigger the need for an Archaeological Predetermination. See the Archaeology Findings section of this report and Condition A-1.a).

Comment Submitted by: ***Date Received:***
Washington Department of Fish & Wildlife (WDFW) *4/15/2026*
Attn: Joy Peplinski
5525 South 11th Street
Ridgefield, WA 98642
WDFW submitted concern that this proposal will involve development within a riparian area. The overall recommendation is to encourage the minimization of expansion of the building and impervious surfaces as much as possible and to position any expansions on the opposite side of the building as the stream. An additional recommendation is for the applicant take measures to enhance the native riparian ecosystem, including encouraging the growth of native woody species (trees and shrubs) that could naturally stabilize the streambank/ slope of the ravine [See Exhibit 12].

Applicant Response
The applicant responded to the WDFW comments with a response letter in which they contend that they are following all WDFW recommendations [See Exhibit 24].

Staff Response
The Wetland and Habitat section of this report discusses critical areas impacts and related code compliance. Among their findings are that the proposal meets their Minimization and Avoidance standards and that they will be required to plant mitigation for riparian habitat impacts.

Project Overview

The applicant is proposing to convert an existing 3,620 square foot single-family residence into dental offices. It will enclose a porch area and will have an exterior square footage of 4,009 square feet with 3,492 square feet of the interior being used for the dental practice. The project also proposes to construct a parking lot, pedestrian pathways, landscaping, and a storm treatment system. The existing detached garage and 2nd floor Accessory Dwelling Unit (ADU) will remain untouched as a caretaker's residence and residential storage.

The project is located on the east side of NE 179th Street at the Northwest corner of the intersection with NE 29th Avenue. A roundabout is currently under construction at this intersection as part of the NE 179th Street Capital Infrastructure Project. The existing driveway at this site will be slightly modified to access the far westerly end of this roundabout. The site consists of a single parcel and is approximately 3.69 acres in size. The site fronts NE 29th Avenue to the west, which is classified as an Urban Minor Arterial (M-4cb) and NE 179th Street to the south which is classified as an Urban Principal Arterial (Pr-4cb).

This facility will be connected to Clark Public Utilities water and electrical systems and Clark Regional Waste Water sewer systems. This site is located within the Community Commercial (CC) zoning district and is served by Fire District 6 and is located within the Mt. Vista transportation impact fee district.

The site contains riparian priority habitat as a Type F stream flows within the Palustrine

forested/Palustrine emergent wetland. In addition, the site contains two wetlands, a category II wetland and a category III wetland. The Category III wetland is a wetland located on the eastern side of the site with a habitat score of six (6) on the wetland rating system. The Category II wetland is on the west side of the parcel with a habitat score or six (6) on the wetland rating system. Lastly, the project site is also located within a Category II Critical Aquifer Recharge Area, but the proposed dental office use of the building does not fall into any of the categories requiring a CARA permit.

The development requires Building Safety, Fire Marshal, Land Use, Concurrency, Development Engineering, Wetland and Habitat Review, Development Inspection, and Clark County Public Health approvals.

Comprehensive Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Land Use
Site	Commercial	CC	Residential
North	Urban Low Density Residential	R1-6	Residential
East	Urban Low Density Residential	R1-6	Residential
South	Urban Low Density Residential	R1-10	Residential
West	Mixed Use	MX	Residential

Staff Analysis

Staff first analyzed the proposal in light of the 16 topics from the Environmental Checklist (see list below). The purpose of this analysis was to identify any potential adverse environmental impacts that may occur without the benefit of protection found within existing ordinances.

1. Earth
2. Air
3. Water
4. Plants
5. Animals
6. Energy and Natural Resources
7. Environmental Health
8. Land and Shoreline Use
9. Housing
10. Aesthetics
11. Light and Glare
12. Recreation
13. Historic and Cultural Preservation
14. Transportation
15. Public Services
16. Utilities

Staff then reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts will be mitigated by the requirements of the code. Lastly, staff's analysis also reflects knowledge gained through a site visit.

Major Issues

Only the major issues, errors in the development proposal, or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposed development comply with the applicable code requirements and, therefore, are not discussed below.

Land Use

Finding 1 – CC Zoning District Standards

The proposed development site is located within a CC (Community Commercial) zoning designation. The CC district is intended to provide for the regular shopping and service needs for several adjacent neighborhoods.

Pursuant to Table 40.230.010-1(11.b) Outpatient clinics/medical offices are a permitted use in the CC zone. Furthermore, pursuant to Table 40.230.010-1(1.h), One (1) single-family residence for an accessory caretaker, security or manager, or owner residence in conjunction with a use permitted outright or by conditional use. Therefore, the proposed dental office use with separate ADU caretaker's residence are both allowed uses in the zone.

Pursuant to 40.230.010.D.1, Site plan review is required for all new development (unless expressly exempted) in this zoning district. Because this proposal was proposing to convert a residential use to a commercial one, the proposal triggers a Type II Site Plan Review.

Table 40.230.010-3 identifies setback, lot coverage, and building height standards.

Table 40.230.010-3. Setbacks, Lot Coverage and Building Height	
	Community Commercial (CC)
Minimum setbacks	Pursuant to buffering and screening standards contained in Chapter 40.320, Table 40.320.010-1.
Minimum setbacks adjacent to residential district	Pursuant to the screening and buffering standards contained in Chapter 40.320, Table 40.320.010-1, plus an additional 1/2 foot for each foot the building exceeds 20 feet in height to a maximum setback requirement of 40 feet. Buildings in excess of 20 feet may be stepped.
Maximum lot coverage	Maximum determined by compliance with screening and buffering standards contained in Chapter 40.320, Table 40.320.010-1, the Stormwater and Erosion Control Ordinance (Chapter 40.386), and all other applicable standards.
Maximum building height	None

The proposed site plan indicates that the only proposed expansion of the existing building is the enclosure of a rear porch area to increase the office space. The existing structures at this site meet all minimum setbacks *(for additional detail regarding landscaping and screening requirements see Land Use Finding 2)*. If the proposed plan changes in regard to setbacks or landscape buffers, a Post Decision Review could be triggered to review the change *(See Condition E-1)*.

Pursuant to 40.230.010.D.2, Signs shall be permitted according to the provisions of Chapter 40.310. The applicant did not propose any signs as part of the Site Plan Review; therefore, any signs will be required to be permitted separately *(See Condition G-3)*.

Pursuant to 40.230.010.D.4, not less than fifteen percent (15%) of the total lot area shall be landscaped. Pedestrian plazas, sidewalks over the minimum width and other pedestrian

amenities may be used to meet the required landscaping at a one to one (1:1) ratio. The applicant has indicated that vegetation in the riparian habitat zone (HCZ) and wetlands will be preserved or restored and a fee-in-lieu for landscaped areas adjacent to the rights-of-way are proposed. 81% of landscaping and vegetation will be preserved onsite. Staff acknowledges that individually, the protected critical areas onsite by itself will meet the minimum percentage of landscaping standard.

Pursuant to 40.230.010.D.5, there are several additional standards that apply to the CC zoning district:

a. Primary pedestrian circulation routes connecting the street(s) to the primary building entry or entries shall be a minimum of eleven (11) feet (eight (8) feet of sidewalk/walkway with a minimum of three (3) feet of landscaping on one (1) side of the pedestrian route). The minimum three (3) foot landscaped area shall contain suitable tree species planted every twenty-four (24) feet to provide for a continuous tree canopy. The required landscape area should function as a buffer between auto drives and the pedestrian routes. Where the pedestrian circulation route crosses vehicular accessways the landscape area is not required.

The applicant has indicated that once the capital project completes the commercial driveway connection, an 8-ft pedestrian pathway and 3-ft landscape buffer will be constructed adjacent to it, connecting the 179th Ave right-of-way to the proposed parking area. A future 8-ft pedestrian crosswalk will align with the proposed accessible parking aisle. It will connect the main entrance to the parking area and the future pedestrian pathway. Staff have added a condition that this is constructed once the capital project is completed; therefore, in compliance with this standard *(See Condition H-4)*.

b. Landscaping is required along the side of all buildings where the primary pedestrian access is provided. Minimum requirements shall be trees, of a suitable species according to Section 40.320.010, provided every thirty (30) feet on center planted in a landscaped strip or tree wells along the length of the building.

The proposed landscape plan that was submitted as a part of the Revised Plans Submitted 5/14/2026 *[Exhibit 20],* sufficient landscaping is being proposed on each side of the primary pedestrian access which meets the intent of this requirement.

c. Landscape buffers required by Section 40.320.010 shall not apply between pad development sites and the remainder of the development site.

This standard is not applicable for this proposal.

d. Landscaping required between commercial developments may be altered where parking lots are adjoining as follows: a single, shared five (5) foot buffer instead of five (5) feet for each development; provided, that joint access is provided between parcels for auto and pedestrian access and trees are planted every twenty (20) feet on center along the length of the buffer.

This standard is not applicable for this proposal.

Finding 2 – Landscaping and Screening

CCC 40.320.010 requires perimeter landscaping and screening between adjoining properties and uses. The degree and height of the required screening is based upon zoning of both the proposed development and the neighboring properties. In accordance with Table 40.320.010-1, the following perimeter landscaping scheme is required for this site:

Compass	Landscape Type	Width
North	L4 or L5	10' or 15'
East	L2	10'
South	L2	10'
West	L1	5'

Pursuant to 40.320.010.C.7, The responsible official may approve and condition an alternative landscape design and buffer standard that is compatible with existing, abutting landscaping that still meets the intent of the required buffer type, such as shared buffers between users.

In this case, the entire west line is protected habitat and is heavily vegetated; therefore, no buffer is necessary for the west side because the existing vegetation is already providing a higher level of screening than the L1 standard would provide.

There are also several shrubs and trees along the north side of the site that provide levels of screening. The applicant's landscaping plan identifies several new trees to be planted in areas where trees are missing. Because this proposal is for a home to be converted to a dental practice, staff acknowledges that this will not create similar impacts as a new commercial building and parking lot near the north line would. Furthermore, the dental offices are not expected to create noise or light impacts outside of a typical residence and the proposed parking lot will be screened by the converted home and existing detached garage and ADU. Because of the limited impacts that are expected, staff will accept a fence and tree planting along the north line as identified by the proposed landscape plan instead of the 6 foot high masonry wall or a berm 4-6 feet high with low shrubs on top of the berm required to comply with the L4 or L5 standard.

The applicant has proposed a 10-foot wide L2 buffer along the east property line which complies with the minimum standard. However, because the east portion of the lot is entirely encumbered by a protected wetland and associated buffer, no landscaping here is required aside from the landscaping required aside from what will be planted along NE 29th Avenue and the roundabout as part of the CIP project.

The south side of the parcel is almost completely encumbered with protected wetland buffers and habitat. Because of this and the distance of the parking lot and dental offices from the south line, staff acknowledges that the 10-foot south property line does not need any landscaping aside from what will be planted along NE 179th Street and the roundabout as part of the CIP project.

Prior to Final Construction Plan approval, the applicant shall submit a landscape plan with the Final Construction Plans that is consistent with the approved landscape plan (recognizing that the easterly landscape buffer is optional) included in Exhibit 20 *(See Condition A-2.a)*.

Prior to the issuance of an approval of occupancy for final site plan, the applicant shall submit a copy of the approved landscape plan(s) with a letter signed and stamped by a landscape architect licensed in the state of Washington certifying that the landscape and irrigation (if any) have been installed in accordance with the attached approved plan(s) and verifying that any plant substitutions are comparable to the approved plantings and suitable for the site *(See Condition F-1)*.

CCC 40.320.010(D)(2) specifies that rooftop and ground-level exterior equipment shall be screened from abutting property used or zoned for residential purposes or from an abutting public road right-of-way to at least an F2 or L3 standard if visible at grade from the property or right-of-way. It is unknown at this time whether the applicant's proposal includes rooftop or exterior ground equipment, but a condition has been added to ensure compliance nonetheless *(See Conditions A-2.b and E-2)*.

Pursuant to 40.320.010.D.1, storage and equipment areas shall be screened from property used or zoned for residential purposes or a public road right-of-way to at least an F2 or L3 standard if within one hundred (100) feet of the property or right-of-way and to at least an F1 standard if equal to or more than one hundred (100) feet from the property or right-of-way. Storage areas include storage of solid waste and recyclables from the site and, where permitted, storage of goods, materials or equipment. While the applicant did not indicate that any outdoor storage would be occurring around the new building, a condition has been added to ensure that required screening be installed in the event of outdoor storage onsite *(See Condition E-3)*.

Pursuant to 40.320.010.E.1, a minimum five (5) foot wide strip landscaped to at least an L2 standard shall be provided where vehicle parking, loading, or drive-through facilities abut a public road right-of-way. Because the proposed parking area is not abutting either right-of-way as there are areas of protected wetland buffers along both that will provide their own screening, no 5-wide strip of landscaping will be necessary between the parking area and the two abutting rights-of-way.

Pursuant to 40.320.010.E.3, parking areas that contain at least seven (7) spaces shall contain landscape islands equally distributed at a ratio of one (1) island for every seven (7) parking spaces. A landscape island shall contain at least twenty-five (25) square feet, shall be at least four (4) feet wide, and shall prevent vehicles from damaging trees, such as by using a wheel stop or curb. Islands may include stormwater facility design components, such as bioretention features. The proposed landscape plan identifies the required number of landscape islands.

Maintenance of landscaped areas is the ongoing responsibility of the property owner. Required landscaping must be continuously maintained in a healthy manner. Plants that die must be replaced with in-kind materials unless otherwise authorized by the responsible official. Vegetation shall be controlled by pruning, trimming or otherwise so that it will not interfere with the maintenance or repair of any public utility, restrict pedestrian or vehicular access, or obstruct sight distance at intersections as provided in Section 40.320.020 *(See Condition H-2)*.

Finding 3 – Crime Prevention and Safety

To the extent practicable, all development subject to site plan review shall comply with the following guidelines:

1. Building orientation and public use areas such as laundry facilities shall take into consideration tenant's ability to monitor other doorways as a safety provision.
2. Exterior area where mailboxes will be located shall be lighted.
3. Exterior lighting levels shall be selected, and light fixtures shall be oriented towards areas vulnerable to crime.

The applicant states in their narrative that lighting plans will be submitted with the building plans; therefore, staff have required that prior to Final Construction Plan approval, the applicant shall submit a photometric lighting plan of the site to ensure that the plan conforms to the standards of Crime Prevention and Safety standards of 40.330 *(See Condition A-2.c)*. While exterior lighting is only one of the requirements under 40.330, staff have determined that the building orientation and public areas that are to be used for the dental offices do not have any characteristics that would violate the intent of the other requirements of the Crime Prevention and Safety standards.

Finding 4 – Parking and Loading

Pursuant to 40.340.010.A.4, off-street parking spaces for non-residential uses shall be located on the same lot as the use or on another lot not more than three hundred (300) feet from the building or use they are intended to serve, measured in a straight line from the building. The proposed plan conforms to this standard.

Pursuant to 40.340.010.A.7, light fixtures in parking or loading areas shall be consistent with RCW 47.36.180 on public roadways and not cast significant light or glare off site on adjacent properties. The applicant shall include a photometric lighting plan with the Final Construction plans to verify compliance *(See Condition A-2.c)*.

Pursuant to 40.340.010.A.8, all parking and loading spaces and related access drives, maneuvering, and vehicle storage areas shall be paved to standards, including the use of permeable pavements, as approved by the responsible official. The applicant has indicated that all parking and maneuvering areas will be paved; therefore, complying with this standard.

Pursuant to 40.340.010.A.10, parking and/or loading spaces on the perimeter of a parking lot or abutting interior landscaped areas or sidewalks shall include a wheel stop or curb at least four (4) inches high located three (3) feet back from the front of the parking and/or loading space. The proposal complies with this requirement.

Table 40.340.010-4 is used to determine the minimum number of parking spaces required for a proposed use. For medical and dental office and clinics, the requirement is 1 space per 200 square feet of floor area. For 4,009 square feet of floor space, the minimum parking is 21 spaces (4,009/200 = 20.05 which is rounded up for minimum standards to 21 spaces pursuant to 40.200.040.A.2). However, the applicant has proposed only 18 spaces and has asked for staff to apply 40.340.010.B.7, which states, *"The review authority may reduce the required number of parking spaces to less than that required in Table 40.340.010-4 as part of site plan review application or other application if the review authority finds that a lesser number of off-street parking spaces will be enough to fulfill all parking needs of the use or development, based on substantial evidence in the application, such as an adequate survey of parking demand at similar uses under similar conditions."* Because this site will not share parking with any other commercial uses and that House Bill 5184 (yet to take effect at the time of this

Decision) limits the minimum parking requirement to 9 spaces, staff will accept the applicant's proposal of 18 spaces.

Loading spaces are required once a commercial or industrial building reaches 5,000 square feet. As the proposed building is 4,009 square feet, loading space is not required or proposed.

Pursuant to 40.340.010.B.5, up to thirty percent (30%) of required parking spaces and all parking spaces in excess of minimum requirements may comply with the standards for compact cars. The applicant does not propose any compact spaces; therefore, this standard is not applicable.

The proposed development is required to meet the Americans with Disability Act (ADA) criteria for accessibility. For 1 to 25 parking spaces, the International Building Code requires a minimum of 1 ADA compliant spaces which must be van accessible. The proposed plan complies with this requirement. It should be noted that formal review for design compliance with accessible standards, including parking and access, will be performed at the time of civil plan approval *(See Condition A-4)*.

Table 40.340.010-5 indicates minimum parking space and aisle dimensions. Pursuant to the table, 90° parking spaces are required to be at least 20 feet deep, at least 9 feet wide, and must have a minimum aisle width of at least 24 feet. The proposed plan complies with these minimum requirements.

Pursuant to Section 40.340.010(A)(11), required parking spaces and associated access and maneuvering drives shall be maintained in good repair at all times *(See Condition H-1)*.

Finding 5 – Pedestrian Circulation

In accordance with CCC 40.340.020(A)(3)(b), pedestrian circulation routes shall connect structures and uses on the site, such as buildings, vehicle and bicycle parking areas, required outdoor areas, open spaces, plazas, resting areas and viewpoints. Required pedestrian circulation routes shall be improved with asphalt, concrete, permeable pavement or other approved all-weather surface and, to the extent practicable, shall be designed to minimize the distance pedestrians need to walk between typical origins and destinations on and off the site, including transit stops, public sidewalks and building entrances. Circuitous routes generally should be avoided except for an appropriate purpose given the use or setting. The proposed plan complies with the minimum standards in this regard.

Finding 6 – Pedestrian/Bicycle Circulation Standards

Pedestrian and bicycle circulation facilities shall be designed to provide safe, convenient and appropriate levels of access for pedestrians and bicyclists and allow for unobstructed movements and access pursuant to the Americans with Disabilities Act, as amended.

Due to the capital improvements project occurring along NE 179th Street and NE 29th Avenue, a fee-in-lieu is being opted for. An engineering cost estimate for half-width improvements for both these frontages have been provided, including a 10-foot wide multi-use path; therefore, in compliance with the pedestrian and bicycle circulation standards.

Finding 7 – Solid Waste and Recycling
The chapter shall apply to new multifamily residential buildings containing five (5) or more units and nonresidential construction that are subject to site plan review. If a building has more than one (1) of the uses listed in this section, and that use occupies twenty percent (20%) or less of the gross floor area of the building, the floor area occupied by that use shall be counted toward the floor area of the predominant use(s). If a building has more than one (1) of the uses listed in this section, and that use occupies more than twenty percent (20%) of the gross floor area of the building, then the storage area requirement for the whole building shall be the sum of the requirement for the area of each use.

Nonresidential office uses require 10 square feet, plus 4 square feet of storage per 1,000 square feet of gross floor area. The proposed dental offices are approximately 4,009 square feet so based on this formula, the total required solid waste storage is 27 square feet. The applicant stated in their narrative that the solid waste and recycling will be inside the building, to-code, and submitted with the building permit A condition has been added to ensure that at least 26 square feet of solid waste and recycling area is shown within the building on the Final Construction site plan *(See Condition A-2.d)*.

Provisions of CCC 40.360.030(B) require exterior storage areas comply with standards set forth with Stormwater and Erosion Control standards in Chapter 40.386, including roof cover, paving, and runoff containment to prevent non-stormwater discharges prohibited by CCC 13.26A, Water Quality, from entering the stormwater drainage system. They shall also be enclosed by a screen to at least an F2 standard. Because the solid waste and recycling will be located within the existing building, staff acknowledges that additional covering and screening is unnecessary.

Finding 8 – Signs
The applicant indicates that one sign is planned on the southeast corner of the lot and that the height, size, and lighting of the final design will be submitted with the building permit. A Condition has been added that any signs shall comply with standards put forth in Chapter 40.310 and will require a separate permit prior to installation on site *(See Condition G-3)*.

Conclusion (Land Use):
Staff concludes that the proposed preliminary plan, subject to the findings and conditions identified above, meets land use requirements of the Clark County Code.

Archaeology
Finding 1 - Applicability
The development site is located within a moderate-high probability area for the discovery of archaeological resources, as designated on the Archaeological Predictive Model Map of the Clark County. Also, because a SEPA was triggered, an Archaeological Predetermination was required.

Finding 2 - Pre-determination
According to the SEPA checklist, *"There have been 36 cultural investigations within 0.5 miles of the public improvements planned for the 179th St and 29th Ave roundabout. Two of those overlap the subject parcel and both of them resulted in negative results. A records request was made from the Department of Archaeology and Historic Preservation (DAHP) for the*

project site. A very thorough survey had been completed in 2021 for the proposed public improvements, with extensive archival research compiled within the body of the report. The area covered by the report was wider than the current site as it covers the extents of the roadway improvements. It gave an extensive overview of the area with 50 shovel test probes. The results were negative."

The applicant submitted copies of correspondence with DAHP asking for previous studies on this site and DAHP was sent a copy of the Public Notice along with other applicable agencies. DAHP did not offer any comments during the public record period, but staff have recommended that an Inadvertent Discovery Plan (IDP) should apply to onsite activity nonetheless *(See Condition A-1.a)*.

Conclusion (Archaeology):
Staff finds that the proposed preliminary plan, subject to the findings and conditions identified above, meets archaeology requirements of the Clark County Code.

Transportation & Circulation
Finding 1 – Pedestrian/Bicycle Circulation
Pedestrian circulation facilities in compliance with the Americans with Disabilities Act (ADA) and CCC 40.350.015 are required for this development. The proposal includes sidewalk, ramps and crosswalks onsite throughout the parking lot. Frontage sidewalk and bike lanes will be constructed as part of the CIP project (*See Condition A-3.a)*.

Per the WSDOT design manual as adopted under CCC 40.350.030(C)(1)(b)(1) new construction projects shall provide curb ramps oriented in each direction of pedestrian travel within the width of the crosswalk it serves, and if receiving ramps do not exist, they shall be constructed as part of the new development. The applicant will need to show on final construction plans that pedestrian ramps will comply with the WSDOT Design Manual *(See Condition A-3.b)*.

Road Circulation Plan
Cross-circulation is required by CCC 40.350.030(B)(2). The applicant requested relief from cross circulation requirements for block length in the north/south direction in a road modification *[See Finding 6 – Technical Road Modifications: Request #1]*.

Finding 3 - Roads
Road improvements and design are required to comply with CCC 40.350.030, CCC Table 40.350.030-2 and CCC Table 40.350.030-3.

NE 179th St is classified as a Principal Arterial 4-Lane w/Center Left Turn and Bike Lanes [PR-4cb], half-width improvements are required per Standard Detail Drawing 2 and consist of 50 feet of right-of-way, 36 feet of roadway width, curb & gutter, and 5-foot detached sidewalks. The parcel previously dedicated the required right-of-way for the CIP project to install a roundabout. Frontage improvements related to the median closure will need to be constructed by this project or as part of the CIP *(See Condition A-3.c)*.

NE 29th Avenue is classified as a Minor Arterial 4-Lan w/Center Left Turn and Bike Lanes [M-4cb], half-width improvements are required per Standard Detail Drawing 3 and consist of 50

feet of right-of-way, 36 feet of roadway width, curb & gutter, and 5-foot detached sidewalks. The parcel previously dedicated the required right-of-way for the CIP project to install a roundabout. Frontage improvements will be constructed by CIP *(See Condition A-3.d)*.

Finding 4 – Access Management
The transition from public improvements to private improvements shall include a clear delineation. In order to facilitate this delineation, the use of a driveway drop consistent with Standard Detail F17 or approved equivalent at the public/private road transition will be required *(See Condition A-3.f)*.

Driveway access onto arterial classified roadways is prohibited if access to a lower classified roadway is available. The applicant has submitted a road modification to request access to a principal arterial roadway, NE 179th Street *[See Finding 6 – Technical Road Modifications: Request #2]*.

Finding 5 – Sight Distance
The approval criteria for sight distances are found in CCC 40.350.030(B)(8). This section establishes minimum sight distances at intersections and driveways. The final engineering plans shall show sight distance triangles for driveways that are proposed to remain. Landscaping, trees, utility poles, and miscellaneous structures will not be allowed to impede required sight distance requirements at all proposed driveway approaches and intersections.

The applicant has submitted a traffic study *[Exhibit 1, Tab 14]* prepared by Lancaster Mobley, dated October 27, 2025. This traffic study has reported that the proposed right turn only site access intersection along NE 179th Street, meets the required intersection and stopping sight distance for a posted speed limit of 40 mph. The intersection sight distance is 400 feet to the east, and the stopping sight distance is 340 feet to the east.

The applicant will need to submit final construction drawings for review and approval. These plans will need to show sight distance triangles at the intersection of the driveway and NE 179th Street. The plans will also need to show objects that are within the sight distance triangle. Notes on the plans shall indicate the vegetation within the sight distance triangle that needs to be maintained, trimmed, or removed *(See Condition A-3.g and C-1.a)*.

Finding 6 – Technical Road Modifications
Applicant's Discussion:
The applicant has submitted a revised technical road modification narrative *[Exhibit 19]* prepared by Lancaster Mobley, dated May 8, 2026, providing justification for the requests.

1. Relief from cross circulation requirements: block length north/south roadway
2. Access to Principal Arterial roadways: NE 179th Street

Staff's Evaluation and Recommendation:
Staff recommends **Approval** for road modification requests, subject to conditions. The Development Engineering Division Manager has concurred with the staff's recommendations *[See Exhibit 25]* (*See Condition A-3.h, A-3.i, A-3.j and A-3.k)*.

Conclusion (Transportation & Circulation):
Staff concludes that the proposed preliminary plan, subject to conditions identified above,

meets the transportation requirements of the Clark County Code.

Stormwater & Erosion Control

Finding 1 - Applicability

The provisions of Clark County Code Chapter 40.386, as amended by Ordinance No. 2021-06-02, shall apply to all new development, redevelopment, land disturbing activities and drainage projects consistent with the Clark County's NPDES Phase I Municipal Stormwater Permit and Clark County Stormwater Manual (2021). The project adds less than 5,000 square feet of new impervious surface; therefore, the applicant shall comply with Minimum Requirements 1 through 5 *(See Condition A-6.a)*.

No new development shall be allowed to materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots *(See Condition A-6.b)*.

Finding 2 - Stormwater Proposal

The applicant provided a revised Preliminary Technical Information Report [Exhibit 21] prepared by AAI Engineering dated May 14, 2026, Proposed site improvements include expansion of the existing home and additional parking/maneuvering area. This will result in 0.37 acres of proposed new hard surface.

On-site Stormwater Management (MR#5) & Flow Control (MR#7) will be addressed with the List #2 method and use the first BMP deemed feasible for each surface type. All BMPs were deemed infeasible for the proposed hard surfaces due to negligible infiltration rates and critical areas onsite. Post Construction Soil Quality and Depth [BMP T5.13] shall be utilized for all disturbed areas *(See Condition A-6.c and A-6.f)*.

Runoff Treatment (MR#6) will be addressed with a TAPE approved stormwater system, Contech Modular Wetland – approved for GULD. The BMP sizing will be designed with Contech during final engineering. Catch basins will be used in conjunction with the BMP. The applicant will be required to submit documentation from the treatment manufacturer demonstrating that they have sited and sized the proprietary BMPs correctly *(See Condition A-6.d and A-6.e)*.

Wetlands Protection (MR#8) is triggered, there are Category II & III wetlands with a habitat score of 6 on the east and west portions of the property. Any surface water runoff from PGHS surfaces will pass through the catch basins and Contech Modular Wetland before entering the wetland areas. Hydroperiod modeling results were submitted with the preliminary application. Results showed passing volume levels for all months, except for a negligible difference during the month of July. Staff opinion is that this volume will not result in an impact to the wetland *(See Condition A-6.g)*.

The stormwater facilities located within the public right-of-way and public tracts shall be owned and maintained by the county. Stormwater facilities located on individual lots or private tracts shall be owned and maintained by the homeowners *(See Conditions A-6.i)*.

Outdoor trash and recycling areas (solid waste storage areas) are required to be covered, bermed or diked, paved and impervious. The secondary containment area must be sloped to

drain into a dead-end sump. Connection of these drains to the stormwater system is not allowed *(See Condition A-6.h)*.

The applicant shall submit calculations to show that the drainage design for roadways and/or parking lot is in compliance with CCSM Book 2, Chapter 7 *(See Conditions A-6.l)*.

Finding 3 – Infiltration and Groundwater
The Geotechnical Report [Exhibit 21, Tab 31] prepared by Geotech Solutions Inc., dated June 7, 2025, found that the site has an infiltration rates of less than 0.1 inches per hour at an elevation of 4 feet below ground surface. Groundwater was not encountered to a depth of 7 feet below ground surface. The applicant shall show on the final construction plans that all stormwater facility setbacks are met unless a Geotechnical Engineer recommends that setbacks can be reduced *(See Condition A-6.j and A-6.k)*.

Conclusion (Stormwater & Erosion Control):
Development Engineering concludes that the proposed preliminary plan, subject to the findings and conditions identified above, meets the stormwater requirements of the Clark County Code.

Geologic Hazard Area
Finding 1 - Geological Hazard Applicability
Clark County GIS indicates that portions of the site are located in a regulated geologic hazard area. All development activities in or adjacent (within 100 feet) to geologic hazard areas shall comply with the provisions of CCC 40.430. It is the burden of the applicant to determine if the provisions of CCC 40.430 apply to this development and comply with CCC 40.430 if necessary.

Finding 2 - Geotechnical Assessment
The applicant has provided a geological hazard memo *[Exhibit 1, Tab 25.d]* prepared by Geotech Solutions Inc., dated October 10, 2025, they found the site is gently sloping down to the south with a drainage ravine to the west roughly 20 feet deep. There were no topographic or ground expressions of instability in or near the alignment. They recommended trench backfill consist of crushed rock structural fill below a depth of one foot to provide stability on the alignment length, with one foot of soil allowed at the surface. The outfall is recommended to be place as far down the slope as feasible (*See Condition A-9 and C-2)*.

Conclusion (Geologic Hazard Area):
Based upon the development site characteristics, the proposed geotechnical plan, the requirements of the County's geologic hazard area ordinance, and the findings above, staff concludes that the proposed preliminary geotechnical engineering plans is feasible subject to conditions.

Transportation Concurrency
Finding 1 – Trip Generation
Concurrency staff has reviewed the proposed Andersen Dental traffic study dated October 27, 2025, prepared by Lancaster Mobley. The traffic study submitted indicates that the proposed development will convert an existing single-family house into an approximately 3,492 square foot dental office on one parcel totaling 3.69 acres. The applicant's traffic study has estimated the a.m. peak hour trip generation at 11, the p.m. peak-hour trip generation at 13 trips and an

average daily trip generation (ADT) of 118 trips. The trip generation was estimated using the nationally accepted data published by the Institute of Transportation Engineers 11th Edition. The applicant has submitted a traffic study under the provisions of Clark County Code section 40.350.020 (D)(1).

Finding 2 – Site Access

Traffic conditions are usually expressed using a scale that quantifies the ability of a facility to meet the needs and expectations of the driver. This scale is graded from A to F and is referred to as level-of-service (LOS). A driver who experiences an LOS A condition would expect little delay. A driver who experiences an LOS E condition would expect significant delay, but the traffic facility would be just within its capacity to serve the needs of the driver. A driver who experiences an LOS F condition would expect significant delay with traffic demand exceeding the capacity of the facility with the result being growing queues of traffic.

Congestion, or concurrency, level of service (LOS) standards are not applicable to accesses that are not regionally significant; however, the LOS analysis provides information on the potential congestion and safety problems that may occur in the vicinity of the site.

The applicant's plan shows that access will be taken from NE 179th Street, a Principal Arterial. The proposed driveway will be 24-foot wide, and a right-in/right out commercial driveway will be coordinated between the applicant and Clark County Public Works.

The applicant's study evaluated the level of service (LOS) and found that the proposed site access will have an estimated LOS B in the 2028 build-out horizon. Staff concurs with the traffic study findings.

Finding 3 – Clark County Concurrency

The proposed development is required to meet the standards established in CCC 40.350.020(G) for corridors and intersections of regional significance within 1 mile of the proposed development.

Signalized Intersections

Staff evaluated the operating levels and delay times for the regionally significant signalized intersections under Clark County jurisdiction. This analysis showed that individual movements during peak hour traffic conditions had approach delays that did not exceed the maximum 240 seconds, or 2 cycles, of delay in the build-out year.

Therefore, County Staff has determined that this development will comply with adopted Concurrency standards for signalized intersections.

Unsignalized Intersections

Staff has evaluated the operating levels and standard delays represented for the regionally significant unsignalized intersections under Clark County jurisdiction. This analysis showed that operating levels and standard delay times with a LOS better than the minimum allowable LOS E for unsignalized intersections. The County has determined that this development can comply with adopted Concurrency Standards for unsignalized intersections

Concurrency Corridors
In accordance with CCC 40.350.020(F)(9), the Public Works Director acknowledges that a variety of factors can influence the operating performance of transportation corridors. These factors may be considered and applied in lieu of the code-prescribed threshold values when determining compliance with, or acceptable levels of service under, CCC 40.350.020(G), which establishes baseline service levels under ideal conditions.

In addition to the performance of intersections that bound the corridor being evaluated, such as intersection level of service and queueing there are existing influences that also affect roadway capacity. The methodology to apply these existing influences is established in the Highway Capacity Manual (HCM), produced by the Transportation Research Board (TRB) of the National Academies of Sciences, Engineering, and Medicine. This HCM methodology applies adjustment factors to reflect these existing influences and supports their application in operational analyses. These may include, but are not limited to:

- Lane width
- Presence or absence of shoulders
- Heavy vehicle volumes
- Roadway grades
- Number and spacing of intersections and/or driveway accesses

When necessary, these existing influences may also be considered and may warrant adjustments as part of the broader evaluation of corridor operations.

The corridor volume to capacity (v/c) ratio serves as a key engineering indicator of operational performance. Although drivers do not directly perceive the numerical v/c value, it provides insight into where roadway operations may begin to degrade and where additional analysis should be focused, particularly at intersections, which are typically the first points in the roadway network to experience breakdown and noticeable delay as traffic volumes increase.

It should also be noted that baseline corridor level of service thresholds may appear to be exceeded even when intersection operations remain within acceptable limits. In such cases, higher corridor volumes may simply indicate that intersections are operating efficiently enough to allow more vehicles to pass through with minimal delay, thereby increasing the overall throughput of the corridor. This throughput of the corridor along with acceptable levels of service at the intersections that bound the corridor being evaluated allow the Public Works Director and supporting staff to create an affirmative finding of compliance with CCC 40.350.020(G)(1)(a) and Table 40.350.020-1.

Corridor Finding
Evaluation of the concurrency corridor capacity levels represented in the County Code yielded capacity at acceptable levels except for the NE 179th Street road segment between I-5 and NE 15th Avenue, the NE 10th Avenue road segment between NE 179th Street and NE 189th Street, and the NE 15th Avenue road segment between NE 174th Street and NE 179th Street in the buildout year. It should be noted that, although NE 174th Street is identified in the applicant's traffic study, the suggested intersection of NE 15th Avenue/NE 174th Street does not exist. The next regionally significant intersection on NE 15th Avenue that would be considered is NE 173rd Street/NE 15th Avenue. This intersection is stop controlled on NE 173rd Street on approach to NE 15th Avenue. Therefore, because NE 15th Avenue is unrestricted and will allow

free flow traffic, it is anticipated that the LOS at the NE 173rd Street/NE 15th Avenue intersection will be a LOS A in the 2028 buildout horizon. The traffic study indicates that the above corridors will have a volume to capacity (v/c) ratio of greater than the code prescribed threshold of 0.9 in the 2028 buildout horizon.

Staff investigated the operations of these corridors to determine if there were mitigation measures warranted. These corridor operations were evaluated using the bounding intersections as a broader existing influence that would affect roadway capacity.

Staff reviewed the LOS and volumes reported at the intersections used in the corridor evaluation and found that, in the 2028 buildout horizon, the roundabout controlled intersections of NE 179th Street/NE Delfel Road, NE 179th Street and the I-5 SB off/on ramps, NE 179th Street/I-5 NB on/off ramp, NE 179th Street/NE 15th Avenue are anticipated to operate at a LOS D or better.

Since NE 10th Avenue/NE 189th Street and NE 10th Avenue/NE 194th Street are stop controlled side streets where the NE 10th Avenue corridor will be unrestricted and free flow, NE 10th Avenue is anticipated to operate at a LOS A on approach in the 2028 buildout horizon.

Further, since the roundabout controlled intersections are anticipated to operate at a LOS D or better in the buildout horizon and the stop-controlled side street intersections are anticipated to operate at a LOS A, staff believes that the reported v/c ratio over the NE 179th Street, NE 10th Avenue, and NE 15th Avenue corridors do not represent roadway deficiencies, rather corridor mobility facilitated with good intersection LOS. Therefore, staff concludes that no further analysis is required.

It should be noted that the reported v/c in the applicant's traffic study should be used as an indicator that this roadway segment should be subjected to site-specific study with a more detailed operational analysis before any major design, reconstruction, or investment decisions are made.

Summary
The county has determined that this development can comply with adopted Concurrency Standards for regionally significant corridors, signalized and unsignalized intersections under county jurisdiction.

SAFETY:
Where applicable, a traffic study shall address the following safety issues:
- traffic signal warrant analysis,
- turn lane warrant analysis,
- crash history analysis,
- roadside safety (clear zone) evaluation,
- vehicle turning movements, and
- any other issues associated with highway safety.

Mitigation for off-site safety deficiencies may only be a condition of approval on development in accordance with CCC 40.350.030(B)(6) The code states that *"nothing in this section shall be construed to preclude denial of a proposed development where off-site road conditions are*

inadequate to provide a minimum level of service as specified in Section 40.350.020 or a significant traffic or safety hazard would be caused or materially aggravated by the proposed development; provided, that the applicant may voluntarily agree to mitigate such direct impacts in accordance with the provisions of RCW 82.02.020."

Finding 4 – Turn Lane Warrants
Turn lane warrants are evaluated at unsignalized intersections to determine if a separate left or right turn lane is needed on the uncontrolled roadway.

Staff evaluated the need for right and left turn lanes using the information provided in the applicant's traffic study and the guidance from the Washington State Design Manual. This evaluation showed that a dedicated right turn lane at the site access will not be warranted. It should also be noted that coordination will occur between the applicant and Clark County Public Works for the installation of a median on NE 179th Street at the site access restricting left turns into the subject site. Therefore, staff concludes that dedicated right and left turn lanes are not required as a part of this development.

Finding 5 – Historical Accident Situation
The Institute of Transportation Engineers (ITE) Traffic Access and Impact Studies for Site Development – A Recommended Practice states that *"Accident rates vary, but any intersection with more than one accident per million entering vehicles is worth of additional analysis."* This ITE recommended practice has been used by county staff to determine the scope or level of analysis required regarding crash history. Because of this, a crash rate of one crash per million entering vehicles has become the threshold to determine if further crash history evaluation is warranted. This is if staff has not identified a crash trend that would be exacerbated by the development regardless of the threshold.

The applicant's traffic study analyzed the crash history as obtained from Washington State Department of Transportation (WSDOT) for the period January 2020 through December 2024. County staff verified the crash history and found that the intersection crash rates for the study intersections do not exceed thresholds that would warrant additional analysis.

Finding 6 – Roadside Safety (Clear Zone) Evaluation
The Institute of Transportation Engineers (ITE) Traffic Engineering Handbook 6th Edition, states that *"The clear roadside concept…is applied to improve safety by providing an un-encumbered roadside recovery area that is as wide as practical…"*. Further, this concept *"allows for errant vehicles leaving the roadway for whatever reason and supports a roadside designed to minimize the serious consequences of roadway departures."*

Further, as adopted by Clark County Code (CCC) 40.350.030(C)(1)(b), the Washington State Department of Transportation (WSDOT) Design Manual, Chapter 1600 states that *"A clear roadside border area is a primary consideration when analyzing potential roadside and median features. The intent is to provide as much clear, traversable area for a vehicle to recover as practicable given the function of the roadway and the potential tradeoffs. The Design Clear Zone is used to evaluate the adequacy of the existing clear area and proposed modifications of the roadside. When considering the placement of new objects along the roadside or median, evaluate the potential for impacts and try to select locations with the least likelihood of an impact by an errant vehicle."*

"For managed access state highways within an urban area, it might not be practicable to provide the Design Clear Zone distances shown in Exhibit 1600-2. Roadways within an urban area generally have curbs and sidewalks and might have objects such as trees, poles, benches, trash cans, landscaping and transit shelters along the roadside."

The applicant shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Section 1600) in the final engineering design of all proposed roadways and frontage improvements *(See Transportation Concurrency A-11.b)*.

Finding 7 – Vehicle Turning Movements
It shall be noted that the curb return radii listed above are minimum criteria and are intended for normal conditions, per CCC 40.350.030 (C)(3). CCC 40.350.030 (C)(3) also states, *"The responsible official may require higher standards for unusual site conditions."*

The applicant will need to submit construction plans that show the design of the intersection geometry will accommodate all applicable design vehicles for review and approval. The plans will also need to show that all applicable design vehicles can enter and exit the development minimizing impact to travel lanes along the subject site frontage. This may result in no parking areas at/near the driveway access onto NE 179th Street *(See Transportation Concurrency A-11.c)*.

Conclusion (Transportation Concurrency):
Transportation Concurrency staff concludes that the proposed preliminary plan, subject to the findings discussed above, meets transportation concurrency requirements of the Clark County Code.

Wetland and Habitat
Finding 1 – Habitat Applicability
Staff visited the site June 17, 2025, and determined the site contains riparian priority habitat. A Washington State Department of Natural Resources (DNR) Water Type F stream flows within the Palustrine forested (PFO)/Palustrine emergent (PEM) wetland. Riparian priority habitat is designated based on the estimated average two hundred (200) year site potential tree height, extending outward on each side of the stream (as defined in Section 40.100.070, Definitions) from the ordinary high-water mark (as defined in Section 40.460.800) to the distances in Table 40.445.020-1 for each site class (defined in WAC 222-16-010) by water type (defined in WAC 222-16-030). The site class on site is II requiring a two hundred thirty-five (235) foot riparian zone for Type F waters *(See Condition W-1)*.

Finding 2 – Wetland Applicability
Staff conducted a site visit June 17, 2025, and determined the site contains two wetlands, a category II wetland and a category III wetland. The Category III wetland is a wetland located on the eastern side of the site with a habitat score of six (6) on the wetland rating system. The Category II wetland is in the west side of the parcel with a habitat score or six (6) on the wetland rating system.

Buffer widths are established by comparing the wetland rating category, the wetland rating habitat score, and the intensity of land uses proposed on development sites per Tables

40.445.020-1, 40.445.020-2 and 40.445.020-3. Land use intensity is determined by the highest intensity in Table 40.445.020-1 that applies to the development proposed in the application. The parcel size is 3.69 acres, which is moderate intensity (1 acre or greater but less than 5 acres). Staff has determined at this time the extent of development on-site is approximately eleven percent (11%), also moderate intensity (Greater than 10% but less than 25% total effective impervious surface on the site). Staff has also determined the extent of native vegetation retained onsite is approximately forty percent (40%), moderate intensity. Currently land use intensity on site is moderate.

A category II and III wetland with a habitat score of six (6) and moderate intensity land use requires a one hundred ten (110) foot wetland buffer. The minimum water quality buffer is seventy-five (75) feet for a category II wetland and sixty (60) feet for a category III wetland *(See Condition W-2)*.

Finding 3 – Avoidance and Minimization
Staff concurs with the alternatives analysis the applicant has provided in the Preliminary Critical Areas Restoration Plan prepared by AKS Engineering & Forestry, LLC dated November 26, 2025. Subject to the Reasonable Use assurances, the proposed development meets the avoidance and minimization standards in CCC 40.445.030.B.1.

Finding 4 – Habitat Impacts
The expansion of the parking area takes place within the riparian priority habitat buffer located beyond the wetland buffer. Per Clark County Habitat Conservation Ordinance: Mitigation Guidelines Mitigation Ratio Guidelines for Habitat Planting, impacts within manicured lawns more than 100 feet from the ordinary high-water mark (OHWM) of the stream do not require mitigation. The proposed work will be located greater than 100 feet from OHWM and in areas that contain manicured lawn, consisting of mowed grasses at a height of 2-3 inches and is fertilized.

Finding 5 – Wetland Impacts
The proposed design will result in +/- 1,596 square feet of temporary buffer impacts resulting from the installation of riprap associated with a stormwater outfall in compliance with CCO 40.445.030.C.2.b and minor grading necessary for the new parking area to be ADA compliant. Ground contours will be restored to pre-existing conditions. With the proposed buffer reduction, the project avoids direct and indirect impacts to critical areas on site. The existing condition of the wetland buffer impact area is already degraded due to existing residential structures and landscaping. No native trees or other native vegetation will be removed as part of the project. A restoration planting area for +/- 1,596 square feet of temporary buffer impacts will consist of installing woody shrubs and groundcover to restore critical area buffer functions. Therefore, the proposed expansion and buffer reduction will not cause a loss of buffer quality or function.

Finding 6 – Habitat Mitigation
The proposed habitat mitigation in the Preliminary Critical Areas Restoration Plan prepared by AKS Engineering and Forestry LLC dated November 26, 2025, will result in no net loss of habitat functions and values and meets the approval criteria in CCC 40.445.030.

Finding 7 – Wetland Mitigation
The proposed wetland mitigation in the Preliminary Critical Areas Restoration Plan prepared by AKS Engineering and Forestry LLC dated November 26, 2025, will result in no net loss of habitat functions and values and meets the approval criteria in CCC 40.445.030.

Finding 8 – Financial Assurance
Unless the proposed mitigation is constructed and an as-built is approved, a performance assurance for the mitigation is required *(See Condition W-3)*.

Finding 9 – Mitigation As-Built
A Mitigation As-Built report must be submitted to the County within 30 days of completion of construction and planting in the approved mitigation plan. The As-Built needs to include documentation of any revisions to or deviations from the approved plan, demonstrating that any changes meet the requirements of CCC 40.445 *(See Condition W-4)*.

Finding 10 – Maintenance and Monitoring
After installation of the mitigation, maintenance and monitoring are required in order to ensure long term performance of the mitigation. Annual monitoring reports are required for a period of three (3) growing seasons following approval of the as-built report.

- Year 1: 100% planted vegetation survival.
- Year 2: 100% planted vegetation survival.
- Year 3: 100% planted vegetation survival.

(See Condition W-5).

Finding 11 – Standard Conditions
Pursuant to CCC 40.450.030.F, small signs shall be posted at an interval of one (1) per lot or every one hundred (100) feet, whichever is less, and perpetually maintained at locations along the outer perimeter of the wetland buffer approved by the responsible official worded substantially as follows:

Wetland and Buffer –
Please retain in a natural state;

Pursuant to CCC 40.445.030.B.2.d, a conservation covenant shall be recorded in a form approved by the Prosecuting Attorney as adequate to incorporate the other restrictions of this section and to give notice of the requirement to obtain a wetland permit prior to engaging in regulated activities within a wetland or its buffer; and

Pursuant to CCC 40.450.030.F, a permanent physical demarcation along the upland boundary of the wetland buffer area shall be installed and thereafter maintained. Such demarcation may consist of logs, a tree or hedge row, fencing, or other prominent physical marking approved by the responsible official *(See Condition W-6)*.

Conclusion (Wetland and Habitat):
Wetland and Habitat Review staff concludes that the proposed preliminary plan, subject to the findings discussed above, meets the requirements of the Clark County Code.

Fire Protection

Finding 1 – Building Construction

Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process *(See Condition G-2)*.

Finding 2 – Fire Flow

Fire flow in the amount of 1,750 gallons per minute supplied for 120 minutes duration is required for this application. Fire flow is based on a non-sprinklered 4,009 square foot building of Type VB construction. Prior to issuance of a building permit, the applicant shall submit a current utility review letter from the water purveyor indicating required fire flow remains available at the site *(See Condition E-3.a)*.

Water mains supplying fire flow shall be installed, approved and operational prior to the commencement of combustible building construction *(See Conditions A-10.a & E-3.b)*.

Finding 3 – Fire Hydrants

Fire hydrants are required for this application. Either the indicated number or the spacing of the fire hydrants is inadequate. Provide fire hydrants such that the maximum spacing between hydrants does not exceed 300 feet and such that no portion of the building exterior is in excess of 300 feet from a fire hydrant as measured along approved fire apparatus access roads *(See Conditions A-10.e & E-3.c)*. Hydrants on the south side of NE 179th Street and east side NE 29th Ave do not count since they are arterials.

The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact Fire District #6 at 360-576-1195 to arrange for location approval. Unless waived by the fire district chief fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection *(See Condition A-10.c)*. Provide and maintain a three-foot clear space around the entirety of every fire hydrant *(See Condition A-10.d & H-3.a)*.

Finding 4 – Fire Apparatus Access

Fire apparatus access is required for this application. The roadways and maneuvering areas as indicated in the application adequately provide required fire apparatus access. The applicant shall provide and maintain access roads that have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13.5 feet with an all-weather driving surface capable of supporting the imposed loads of fire apparatus. Access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building *(See Conditions A-10.e, A-10.f & H-3.b)*.

Fire apparatus turnarounds are required for this application and the indicated provisions for turning around fire apparatus are adequate.

Finding 5 – Gates

No gate may be installed across a required fire department access road or driveway without first obtaining a permit from the Fire Marshal's Office. If any gates are proposed in the future, inspection and testing of the gate will be required *(See Condition F-2.b)*. Split gates with a divided entry and exit side will need 15 feet on either side for a total gate width of 30 feet.

Finding 6 – Fire Lane
Parking is prohibited on access roads that are less than twenty-four (24) feet wide. Roads that are less than twenty-four (24) feet wide shall be posted "NO PARKING-FIRE LANE". Plans showing location of "No Parking" signs shall be submitted for review and approval at time of final construction plan review and be installed prior to occupancy *(See Conditions A-10.g, F-2.c, & H-3.d)*.

Finding 7 – Emergency Responder Radio Coverage
New and existing buildings must have approved radio coverage for emergency responders as outlined by Section 510 of the Fire Code and may require the installation of an Emergency Responder Radio Coverage System. Proof of adequate radio coverage will be required A separate permit is required to install or modify an ERRCS and related equipment *(See Condition F-2.a)*. For more information, contact CRESA Radio Department at 360.992.9222.

Conclusion (Fire Protection):
Staff finds that the proposed preliminary plan, subject to the findings and conditions identified above, meets the fire protection requirements of the Clark County Code.

Utilities
Finding 1 – Water Supply
The proposed development is required to connect to public water. The applicant has submitted a current utility review from Clark Public Utilities confirming that water service is available to the site *[Exhibit 1, Tab 17]*. Prior to occupancy of the dental offices, the applicant shall provide documentation from Clark Public Utilities confirming that water connections have been installed and approved *(See Condition F-4)*.

Finding 2 – Sewerage Requirements
The proposed development is required to connect to public sanitary sewer. The site is located within the Clark Regional Wastewater District (CRWWD) service area. A utility review letter from CRWWD was submitted as part of the application materials *[Exhibit 1, Tab 24.a]*. It indicates that public sewer service is currently available to the site. Prior to occupancy of the proposed building, the applicant shall provide documentation from Clark Regional Wastewater confirming that sanitary sewer connections have been installed and approved *(See Condition F-5)*.

Conclusion (Utilities)
Staff finds that the proposed preliminary plan, subject to conditions identified above, meets utility requirements of the Clark County Code.

Public Health
Finding 1 – On-site Sewage Treatment Systems
Public sewer connection is required for this project. An on-site sewage system is currently onsite serving the existing home and ADU. This and any other additional OSS' discovered during development must be properly abandoned per CCC 24.17.210 *(See Condition B-6)*.

Finding 2 – Water Systems
Public water connection is required for this project. Clark County GIS indicates that an existing agricultural well is indicated on the application, but the applicant is unaware of its whereabouts. Therefore, if any wells are found during development of this property which have not been properly decommissioned, they must be properly decommissioned by a licensed well driller per WAC 173-160-381 *(See Condition B-4)*.

Conclusion (Public Health)
Staff finds that the proposed preliminary plan, subject to conditions identified above, meets Public Health requirements of the Clark County Code.

Impact Fees
Finding 1 – Traffic Impact Fees
The proposed development will have an impact on traffic in the area and is subject to Traffic Impact Fees (TIF) in accordance with CCC 40.610 and 40.620. The site is located in the Mt. Vista TIF Sub-area. However, since there is an existing single-family residence that will be converted to the dental offices, the developer shall get an exemption for one existing single-family dwelling unit.

Based on a proposed 4,009 square foot dental office use (minus $8,520.88 for the loss of the single family residence), a total of $121,122.79 in traffic impact fees has been *estimated* for the building in this development. Impact fees will be calculated and collected at the time of building permits issuance.

The amount stated above has been *estimated* using the current impact fee rate and is subject to change. As found in CCC 40.610.040, impact fees are calculated per building, using the rates in effect at the time of building permit issuance *(See Condition E-4)*.

Conclusion (Impact Fees):
Staff finds that the proposed preliminary plan, subject to the findings and conditions identified above, meets Impact Fee requirements of the Clark County Code.

Staff Contact Person: Bryan Mattson, 564.397.4319

Responsible Official: David Kuhnhausen, Community Development Director

Decision
Based upon the applicant's submittal package and narrative, the Revised Proposed Plans known as Exhibit 20, the Revised Stormwater TIR known as Exhibit 21 and the Owner statement of intent to enter into agreement with the CIP known as Exhibit 30, and the findings and conclusions stated above, the Land Use Review Manager hereby **APPROVES** this request, subject to the following conditions of approval.

Conditions of Approval

A	**Final Construction/Site Plan Review** **Review and Approval Authority: Development Engineering, Land Use, Building Safety, Fire Marshal, & Clark County Public Health**

Prior to construction, a Final Construction Plan shall be submitted for review and approval, consistent with the approved preliminary plan and the following conditions of approval:

A-1 Archaeology:

a. A note shall be placed on the face of the final construction plans as follows: "If any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Department of Archaeology and Historic Preservation in Olympia shall be notified. Failure to comply with these state requirements may constitute a Class C Felony, subject to imprisonment and/or fines." *(See Public Comments and the Archaeological Findings of this report).*

A-2 Final Site Plan (Land Use) - The applicant shall submit and obtain county approval of a final site plan in conformance to CCC 40.520.040 and the following conditions of approval:

a. Landscaping Plan: Prior to final construction plan approval, the applicant shall submit and obtain county approval of final landscape plan consistent with the preliminary landscape plan (the easterly landscape buffer is optional) and Chapter 40.320 *(See Land Use Finding 2).*

b. Rooftop and Ground Level Equipment: Rooftop and ground level exterior equipment shall be screened from abutting properties used for residential purposes *(See Land Use Finding 2).*

c. Lighting Plan: The applicant shall include a lighting plan that accompanies the final construction plans that clearly addresses how the proposal complies with the Crime Prevention and Safety and Parking and Loading standards *(See Land Use Findings 3 & 4).*

d. Solid Waste and Recycling Areas: The applicant shall identify an area of at least 27 square feet of solid waste and recycling area within the building on the Final Construction site plan *(See Land Use Finding 7).*

A-3 Final Transportation Plan/On-Site - The applicant shall submit and obtain county approval of a final transportation design in conformance to CCC 40.350 and the following conditions of approval:

a. The applicant shall show all curb ramps will be constructed in compliance with ADA Standards *(See Transportation Finding 1).*

b. The applicant shall show all curb ramps will be constructed in compliance with the WSDOT Design Manual *(See Transportation Finding 1).*

c. NE 179th Street is classified as a "Principal Arterial" roadway and half-width improvements are required consisting of 50 feet of right-of-way dedication, 36 feet pavement width, curb/gutter, and 5-foot sidewalk *(See Transportation Finding 3)*.

d. NE 29th Avenue is classified as a "Minor Arterial" roadway and half-width improvements are required consisting of 50 feet of right-of-way dedication, 36 feet pavement width, curb/gutter, and 5-foot sidewalk *(See Transportation Finding 3)*.

e. NE 179th Street and NE 29th Avenue are under a 5-year no-cut moratorium, starting in 2026, the applicant shall comply with CCC 12.20A.120, which may include restoration of the road from curb to curb the entire width of the frontage of the project for any impacts to the roadway prior to 2032.

f. The applicant shall show on the final construction plans that all driveway approaches comply with Clark County Standard Detail F17, or approved equivalent *(See Transportation Finding 4)*.

g. The applicant shall show sight distance triangles at all intersections on the construction plans *(See Transportation Finding 5)*.

h. The applicant shall coordinate with CIP to close any additional accesses onto NE 179th St *(See Transportation Finding 6)*.

i. The applicant shall coordinate with CIP to close the break in the median onto NE 179th St for their existing driveway.

j. The existing driveway onto NE 179th St shall be restricted to right-in right-out *(See Transportation Finding 6)*.

k. Vegetation shall be maintained in the sight distance triangles *(See Transportation Finding 6)*.

A-4 **Accessibility -** Accessible design standards, including parking and access, will be reviewed for compliance with federal standards at the time of civil plan review and approval *(See Land Use Finding 4)*.

A-5 **Signing and Striping Plan -** The applicant shall submit a signing and striping plan and a reimbursable work order, authorizing County Road Operations to perform any signing and pavement striping required within the County right-of-way. This plan and work order shall be approved by the Department of Public Works prior to final plat or final site plan approval.

A-6 **Final Stormwater Plan** - The applicant shall obtain county approval of a final stormwater plan designed in conformance to CCC 40.386 and the following conditions of approval:

a. The applicant shall submit final construction plan and a final Technical Information Report that addresses Minimum Requirements #1 through #9. This will include an

off-site areas map that delineates off-site areas contributing runoff to the site *(See Stormwater Finding 1)*.

b. The applicant shall demonstrate that the development will not materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots *(See Stormwater Finding 1)*.

c. [MR #5] The applicant shall provide a final Technical Information Report that demonstrates compliance with the LID Performance Standard *(See Stormwater Finding 2)*.

d. [MR #5] The applicant shall provide a final Technical Information Report that demonstrates compliance with the Basic Treatment requirement *(See Stormwater Finding 2)*.

e. [MR #6] The applicant shall submit documentation from the stormwater treatment system manufacturer indicating that any proprietary stormwater treatment devices were sited and sized appropriately *(See Stormwater Finding 2)*.

f. [MR #7] The applicant shall provide a final technical information Report that demonstrates compliance with the Standard Flow Control requirement *(See Stormwater Finding 2)*.

g. [MR #8] The applicant shall submit final construction plan and a final Technical Information Report that addresses the following levels of wetland protection: General Protection, Protection from Pollutants and Hydroperiod Protection: Method 2. Continuous simulation modeling of the runoff from the TDA must demonstrate that the changes in total discharge volume to the wetland will remain similar to the pre-development condition. The modeling submitted as part of the preliminary application only included flows discharging from the onsite area. The model submitted as part of the final TIR must include the entire TDA and account for runoff from offsite that discharges into the wetland through the project site *(See Stormwater Finding 2)*.

h. Final construction plans shall show that all trash enclosures are hydraulically isolated with a dead-end sump *(See Stormwater Finding 2)*.

i. The applicant shall identify on the final construction plans ownership responsibilities for each of the proposed stormwater facilities *(See Stormwater Finding 2)*.

j. Stormwater facility setbacks shall be met and shown on the final construction plans, unless a reduced setback is recommended by a geotechnical engineer *(See Stormwater Finding 3)*.

k. The applicant shall submit an offsite analysis with the Final TIR prepared in accordance with Book 1, Chapter 5 of the CCSM for all outfall locations from the site *(See Stormwater Finding 3)*.

l. For parking lot flooding conditions during the 100 year storm, the maximum depth of ponding shall not exceed one and one-half (1.5) feet in accordance with Book 2, Chapter 7 of the CCSM *(See Stormwater Finding 2)*.

A-7 Erosion Control Plan - The applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 40.386, as amended by Ordinance No. 2021-06-02.

A-8 Excavation and Grading - Excavation/grading shall be performed in compliance with CCC 14.07.

A-9 Geologic Hazard Area - The applicant shall submit and obtain County approval of a final grading plan in compliance with the geologic hazard analysis and designed in accordance with the following conditions of approval:

The applicant shall adhere to the recommendations of the Geological Hazard Report prepared by Geotech Solutions Inc. dated October 10, 2025, unless further studies present new or different facts *(See Geologic Hazard Area Finding 1)*.

A-10 Fire Protection:

a. The applicant shall submit plans showing locations of water lines for review and approval *(See Fire Protection Finding 2)*.

b. Plans shall be submitted for review and approval showing fire hydrants such that the maximum spacing between hydrants does not exceed 300 feet and such that no portion of the building exterior is in excess of 300 feet from a fire hydrant as measured along approved fire apparatus access roads *(See Fire Protection Finding 3)*.

c. The fire district chief shall sign the engineering construction mylar indicating that the fire hydrant location has been reviewed and approved *(See Fire Protection Finding 3)*.

d. Provide and maintain a three-foot clear space around the entirety of every fire hydrant *(See Fire Protection Finding 3)*.

e. Plans showing roadways and maneuvering areas that meet the Clark County standard shall be submitted for review and approval *(See Fire Protection Finding 4)*.

f. Access roads shall extend to within 150’ of all portions of the facility and all portions of the exterior walls of the first story of the building *(See Fire Protection Finding 4)*.

g. Plans showing location of “No Parking” signs on access roads that are less than twenty-four (24) feet wide shall be submitted for review and approval *(See Fire Protection Finding 6)*.

A-11 Final Transportation Plan/Off Site (Concurrency) – The applicant shall submit and obtain County approval of a final transportation design in conformance to CCC 40.350 and the following conditions of approval:

a. The applicant shall submit a signing and striping plan for review and approval. This plan shall show signing and striping and all installation or modifications to traffic control devices in the public right-of-way required for frontage improvements and any off-site improvements. The applicant shall obtain a work order with Clark County to reimburse the County for required signing, striping and all installation or modifications to traffic control devices in the public right-of-way. The final traffic control plans (signing, striping, signals, ITS, etc.) can be approved only after the developer provides signed reimbursable work order(s) to the county's traffic engineer reviewing the plans.

b. The applicant shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Section 1600) in the final engineering design of all proposed roadways and frontage improvements *(See Transportation Concurrency Finding 6)*.

c. The applicant shall submit construction plans that show that all applicable design vehicles can enter and exit the development minimizing impact to travel lanes along the subject site frontage. This may result in no parking areas at/near the driveway access onto NE 179th Street *(See Transportation Concurrency Finding 6)*.

B	**Prior to Construction of Development** **Review and Approval Authority: Development Inspection, & Clark County Public Health**

Prior to construction, the following conditions shall be met:

B-1 Pre-Construction Conference - Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the county.

B-2 Traffic Control Plan - Prior to issuance of any building or grading permits for the development site, the applicant shall obtain written approval from Clark County Department of Public Works of the applicant's Traffic Control Plan (TCP). The TCP shall govern all work within or impacting the public transportation system.

B-3 Erosion Control - Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists. Erosion control facilities shall not be removed without county approval.

B-4 Water Wells – If a well is found during development of this project, it must be properly decommissioned by a licensed well driller, including notification to Public Health, and the location(s) shall be shown on the final site plan *(See Public Health Finding 2)*.

B-5 Road Closures - Any request by the developer or developer's contractor to close a road will be reviewed by county staff. The developer shall provide a memorandum to the County Engineer justifying the reasons for needing the road closure, specifically including explanation as to why the closure is necessary and construction cannot occur under traffic, such as flagger controlled alternating one way traffic next to the construction. The memorandum shall include the ENG number and title of the project, location of the requested road closure, anticipated date of start of closure, requested closure time length, explanation of the public outreach that the contractor will perform, full detour mapping, and other information as appropriate. Road Closures are approved specifically by the County Council by resolution, as described in WAC 308-330-270(7).The process for county takes at least 6 weeks for writing the staff report, resolution and internal review. Depending on the complexity of the request from the developer and the council's time availability, this can take over 12 weeks to process from start to finish. It is the developer's responsibility to ensure that the process is completed prior to needing the road closure enacted. The contractor shall be responsible for all costs associated with county staff time to process the request via reimbursable work order and all notifications required by law in local newspapers as required by RCW 47.48 Notice of Closure or Restriction. Requesting a road closure is no guarantee that a road closure will be approved by the county.

B-6 On-site Sewage Systems - Additional OSS components may exist at the site. Any OSS tanks or drywells discovered during development must be properly abandoned per CCC 24.17.210, with written notice provided to CCPH and Online RME Pumper Reports or receipts attached *(See Public Health Finding 1)*.

C	**Provisional Acceptance of Development** **Review and Approval Authority: Development Engineering**

Prior to provisional acceptance of development improvements, construction shall be completed consistent with the approved final construction/site plan and the following conditions of approval:

C-1 Required Documents - The following documents shall be submitted:

a. Sight Distance: The applicant shall submit a sight distance certification letter signed and stamped by an engineer, licensed in the state of Washington, indicating the sight distance at the proposed driveway approach onto NE 179th Street, once constructed, complies with the county code *(See Transportation Finding 5)*.

b. Utility Easement: The applicant shall submit documentation to the County confirming the recording and location of utility easements that serve the site, unless the utilities provide documentation relieving the site of easement requirements. The easement typically shall, at a minimum, include the exterior six (6) feet on all boundary lines of the lots and tracts adjacent to public/private roads and six (6) feet adjacent to access/utility easements for the installation, construction, renewing, operating and maintaining electric, telephone, tv, cable, water and sanitary sewer services. All lots containing padmount transformers are subject to the minimum clearances as defined by Clark Public Utilities construction standards. All proposed building designs on these lots must provide adequate clearance for all combustible materials. Also, a sidewalk easement, as necessary to comply with ADA slope

requirements, shall be reserved upon the exterior six (6) feet along the front boundary lines of all lots and tracts adjacent to public streets.

c. Developer's Covenant: A "Developer Covenant to Clark County" shall be submitted for recording that specifies the following Responsibility for Stormwater Facility Maintenance: For stormwater facilities for which the county will not provide long-term maintenance, the developer shall make arrangements with the existing or future (as appropriate) occupants or owners of the subject property for assumption of maintenance to the county's Stormwater Facilities Maintenance Manual as adopted by Chapter 13.26A. The responsible official prior to county approval of the final stormwater plan shall approve such arrangements. The county may inspect privately maintained facilities for compliance with the requirements of this chapter. An access easement to the private facilities for the purpose of inspection shall be granted to the county. If the parties responsible for long-term maintenance fail to maintain their facilities to acceptable standards, the county shall issue a written notice specifying required actions to be taken in order to bring the facilities into compliance. If these actions are not performed in a timely manner, the county shall take enforcement action and recover from parties responsible for the maintenance in accordance with Section 32.04.060.

C-2 Geotechnical - The proposed project shall implement the recommendations identified in the Geotechnical Site Investigation prepared by Geotech Solutions Inc., dated October 10, 2025, unless further studies present new or different facts *(See Geologic Hazard Area Finding 2)*.

W	**Wetland and Habitat** **Review and Approval Authority: Wetland and Habitat Review**

W-1 Habitat Determination - The Priority Habitat and Species Areas shall be shown on the face of the Final Site Plan with a note describing limitations on clearing and development activities in these areas.

W-2 Wetland Determination - The wetlands and wetland buffers shall be shown on the face of the Final Site Plan with a note describing limitations on clearing and development activities in these areas.

W-3 Financial Assurance - Unless the proposed mitigation is constructed and an as-built is approved, a performance assurance for the mitigation is required.

W-4 Mitigation As-Built Report - The applicant shall submit a Mitigation As-Built report to the County within 30 days of completion of the construction and planting in the approved mitigation plan.

W-5 Maintenance and Monitoring - The applicant (or successor in ownership) shall implement the approved mitigation maintenance and monitoring plan and submit performance reports to the County for periodic inspection and approval as specified.

W-6 Standard Conditions:

Pursuant to CCC 40.450.030.F, small signs shall be posted at an interval of one (1) per lot or every one hundred (100) feet, whichever is less, and perpetually maintained at locations along the outer perimeter of the wetland buffer approved by the responsible official worded substantially as follows:

"Wetland and Buffer –
Please retain in a natural state";

Pursuant to CCC 40.445.030.B.2.d, a conservation covenant shall be recorded in a form approved by the Prosecuting Attorney as adequate to incorporate the other restrictions of this section and to give notice of the requirement to obtain a wetland permit prior to engaging in regulated activities within a wetland or its buffer; and

Pursuant to CCC 40.450.030.F, a permanent physical demarcation along the upland boundary of the wetland buffer area shall be installed and thereafter maintained. Such demarcation may consist of logs, a tree or hedge row, fencing, or other prominent physical marking approved by the responsible official.

E	**Building Permits** **Review and Approval Authority: Permit Services, Land Use, & Fire Marshal**

Prior to issuance of a building permit, the following conditions shall be met:

E-1 Post Decision Review - If the proposed plan changes in regard to setbacks or landscape buffers, a Post Decision Review could be triggered to review the change *(See Land Use Finding 1)*.

E-2 Roof-Mounted Equipment - The applicant shall demonstrate compliance with provisions of CCC 40.320.010(D)(2) requiring that roof-top and ground-level equipment be screened from abutting property used for residential purposes or from an abutting public road right-of-way to at least an F2 or L3 standards if visible at grade from the property or right-of-way *(See Land Use Finding 2)*.

E-3 Outdoor Storage Areas - While the applicant did not indicate that any outdoor storage would be occurring around the new building, a condition has been added to ensure that required screening be installed in the event of outdoor storage onsite *(See Condition Land Use Finding 2)*.

E-3 Fire Protection:

a. Prior to issuance of a building permit, the applicant shall submit a current utility review letter from the water purveyor indicating that required fire flow is available at the site *(See Fire Protection Finding 2)*.

b. The applicant shall demonstrate that water mains supplying fire flow have been installed, approved and operational prior to the commencement of combustible building construction *(See Fire Protection Finding 2)*.

c. Provide fire hydrants such that the maximum spacing between hydrants does not exceed 300 feet and such that no portion of the building exterior is in excess of 300

feet from a fire hydrant as measured along approved fire apparatus access roads *(See Fire Protection Finding 3)*.

E-4 Impact Fees - Prior to issuance of a building permit for the storage building, the applicant shall pay Traffic Impact Fees (TIF) to Clark County for the Mt. Vista TIF District. As found in CCC 40.610.040, impact fees are calculated per building, using the rates in effect at the time of building permit issuance *(See Impact Fee Finding 1)*.

E-5 Excavation and Grading - Excavation/grading shall be performed in compliance with CCC 14.07.

F	**Occupancy Permits** **Review and Approval Authority: Building Safety, Fire Marshal, and Clark Public Utilities**

Prior to issuance of an occupancy permit, the following conditions shall be met:

F-1 Installation of Landscaping - Prior to the issuance of a "Certificate of Occupancy" for the proposed building, the applicant shall submit a copy of the approved landscape plan(s) with a letter signed and stamped by a landscape architect licensed in the state of Washington certifying that the landscape and irrigation have been installed in accordance with the attached approved plan(s) and verifying that any plant substitutions are comparable to the approved plantings and suitable for the site *(See Land Use Finding 2)*.

F-2 Fire Protection:

a. All buildings must have approved radio coverage for emergency responders as outlined by Section 510 of the International Fire Code (See Fire Protection Finding 7).

b. If any future gates are installed across an entrance to the site, it shall be inspected, tested and approved *(See Fire Protection Finding 5)*.

c. "No Parking – Fire Lane" signs shall be installed on roads less than 24 feet wide prior to occupancy *(See Fire Protection Finding 6)*.

F-4 Water Connections - Prior to occupancy of the dental offices, the applicant shall provide documentation from Clark Public Utilities confirming that water connections have been installed and approved *(See Utilities Finding 1)*.

F-5 Sewer Connections - Prior to occupancy of the proposed building, the applicant shall provide documentation from Clark Regional Wastewater confirming that sanitary sewer connections have been installed and approved *(See Utilities Finding 1)*.

G	**Development Review Timelines & Advisory Information** **Review and Approval Authority: None - Advisory to Applicant**

G-1 Site Plans and Other Land Use Approvals - Within seven (7) years of preliminary plan approval, a Fully Complete application for a building permit shall be submitted.

G-2 Building Safety and Fire Protection - Building and fire, life, and safety requirements must be addressed through specific approvals and permits. This decision may reference general and specific items related to structures and fire, life, and safety conditions, but they are only for reference in regard to land use conditions. It is the responsibility of the owner, agent, tenant, or applicant to ensure that Building Safety and Fire Marshal requirements are in compliance or brought into compliance. Land use decisions do not waive any building or fire code requirements *(See Fire Protection Finding 1)*.

G-3 Signs - A sign permit will be required prior to installation of any signs on the site *(See Land Use Findings 1 & 8)*.

G-4 Department of Ecology Permit for Construction Stormwater: A permit from the Department of Ecology (DOE) is required for any land disturbing activities such as clearing, grading, excavating, stockpiling of fill material, and/or demolition that:

- Disturbs one or more acres of land.; **OR**
- Are part of a common plan of development or sale that will ultimately disturb one or more acres of land. A common plan of development or sale is an area where multiple, separate, and distinct construction activities may be taking place on different schedules under one plan. In a common plan of development, the disturbed area of the entire plan is used to determine if a permit is required.; **AND**
- Discharge stormwater from the site into surface water(s) of the state or into storm drainage systems, including ditches, which discharge to state surface waters. Surface waters of the state: Include wetlands, ditches, rivers, unnamed creeks, rivers, lakes, estuaries, and salt water.

The applicant shall Contact the DOE for further information.
https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Stormwater-general-permits/Construction-stormwater-permit

G-5 Medians and Channelization - The applicant shall understand and acknowledge that access restrictions and/or could be constructed at any time in the future as roadway volumes increase and/or safety issues become of concern. Access restrictions could be constructed for development mitigation or as a County project. As a result, an applicant should acknowledge that driveway approaches onto NE 179th Street may be limited at some time in the future *(See Transportation Finding 4)*.

G-6 Stormwater Permit (Construction) Time Limit - All permits issued pursuant to the regulations contained in current or earlier stormwater code before July 1, 2021, expire on July 1, 2026, except if approved construction has begun on site before July 1, 2026. "Beginning construction" means, at a minimum, the site work associated with and directly related to the approved project has begun. For example: grading the project site

to final grade, or the installation of utilities. Simply clearing the project site does not constitute the beginning of construction.

H	**Post Development Requirements** **Review and Approval Authority: As specified below**

H-1 Parking and Maneuvering Area - Pursuant to Section 40.340.010(A)(11), required parking/loading spaces and associated access/maneuvering drive aisles shall be maintained in good repair at all times *(See Land Use Finding 4)*.

H-2 Landscape Maintenance - Maintenance of landscaped areas is the ongoing responsibility of the property owner. Required landscaping must be continuously maintained in a healthy manner. Plants that die must be replaced with in-kind materials unless otherwise authorized by the responsible official. Vegetation shall be controlled by pruning, trimming or otherwise so that it will not interfere with the maintenance or repair of any public utility, restrict pedestrian or vehicular access, or obstruct sight distance at intersections as provided in Section 40.320.020 *(See Land Use Finding 2)*.

H-3 Fire Protection -

a. A 3-foot clear space shall be maintained around the circumference of all fire hydrants *(See Fire Protection Finding 3)*.

b. Access roads shall maintain an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13.5 feet with an all-weather driving surface capable of supporting the imposed loads of fire apparatus to within 150 feet of all portions of the building exterior *(See Fire Protection Finding 4)*.

c. No gate may be installed across a required fire department access road or driveway without first obtaining a permit from the Fire Marshal's office. Inspection and testing of the gate will be required. Split gates with a divided entry and exit side will need 15' on each side for a total gate width of 30' *(See Fire Protection Finding 7)*.

d. Access roads that are less than twenty-four (24) feet wide shall be posted "NO PARKING-FIRE LANE" *(See Fire Protection Finding 6)*.

H-4 Pedestrian pathway from NE 179th Avenue - The applicant has indicated that once the capital project completes the commercial driveway connection, an 8-ft pedestrian pathway and 3-ft landscape buffer will be constructed adjacent to it, connecting the 179th Ave right-of-way to the proposed parking area. A future 8-ft pedestrian crosswalk will align with the proposed accessible parking aisle. It will connect the main entrance to the parking area and the future pedestrian pathway *(See Land Use Finding 1)*.

Note: The Community Development Director reserves the right to provide additional comment and findings of fact regarding this decision, if appealed.

Decision Appeal Process

An **appeal** of any aspect of this decision may be appealed to the Clark County Hearing Examiner by a party of record only. A Party of Record includes the applicant and those individuals who submitted written testimony or a written request to be a "party of record," prior to the issuance of the decision.

The appeal shall be filed with the Department of Community Development, Permit Services Center, 1300 Franklin Street, Vancouver, Washington, 98660, within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record. This decision was mailed on date 8/31/2026. Therefore, any appeal must be received in this office by the close of business on 9/14/2026.

Any appeal of the final land use decisions shall be in writing and contain the following:

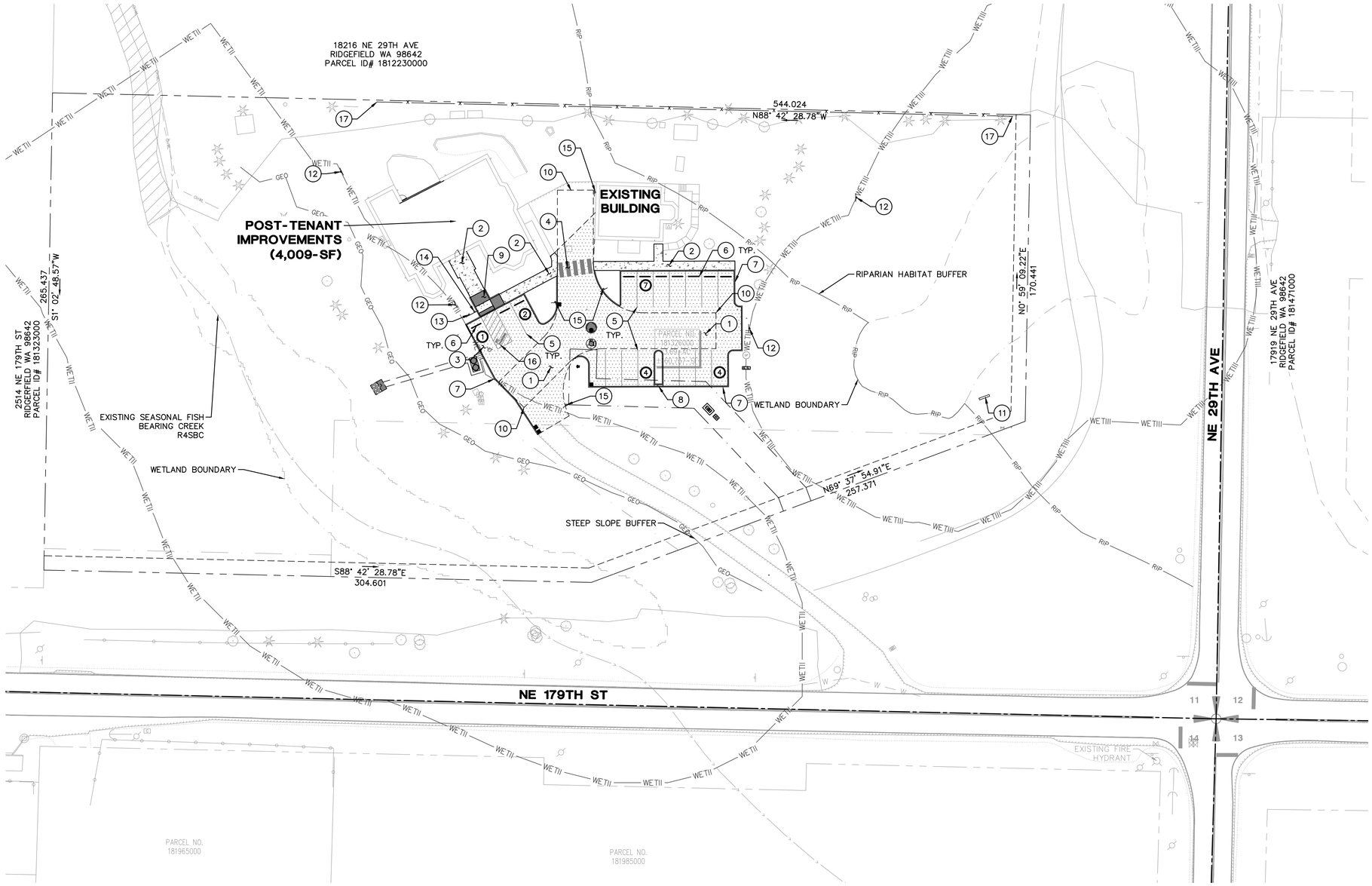
- Case number designated by the County;
- Name of the applicant;
- Name of each petitioner;
- Signature of each petitioner or his or her duly authorized representative;
- A statement showing the following:
  - That each petitioner is entitled to file the appeal as an interested party in accordance with CCC 40.510.030(H);
  - The specific aspect(s) of the decision being appealed;
  - The reasons why each aspect is in error as a matter of fact or law;
  - The evidence relied on to prove the error; and,
- The appeal fee

Refer to the *Appeals* handout https://clark.wa.gov/media/document/57535 and https://clark.wa.gov/community-development/land-use-forms-and-fees for more information and fees.

An appeal of any aspect of the Hearing Examiner's decision, *except* the SEPA determination (i.e., procedural issues), may be appealed to the Superior Court or reconsidered by the Hearing Examiner only by a party of record pursuant to Ordinance 10-19, adopted 10/27/2009 by the Board of County Councilors.

Attachments

- Revised Proposed Hardscape Plan
- Proposed Landscape Plan



SHEET NOTES

1. SEE SHEET C0.1 FOR GENERAL SHEET NOTES.
2. THE CONTRACTOR SHALL HAVE A FULL SET OF THE CURRENT APPROVED CONSTRUCTION DOCUMENTS INCLUDING ADDENDA ON THE PROJECT SITE AT ALL TIMES.
3. ALL NEW STRIPING AND PAVEMENT MARKINGS SHALL BE PROVIDED AND INSTALLED BY THE CONTRACTOR.
4. THE CONTRACTOR SHALL KEEP THE ENGINEER AND JURISDICTION INFORMED OF CONSTRUCTION PROGRESS TO FACILITATE SITE OBSERVATIONS AT REQUIRED INTERVALS. 24-HOUR NOTICE IS REQUIRED.

(X) CONSTRUCTION NOTES

1. INSTALL ASPHALT SURFACE PER DETAIL 1/C4.0
2. INSTALL CONCRETE SIDEWALK PER DETAIL 2/C4.0
3. INSTALL ADA PARKING PER DETAIL 3/C4.0
4. INSTALL CROSSWALK STRIPING PER DETAIL 7/C4.1.
5. INSTALL 4" WIDE WHITE PAINTED STRIPING AT DIMENSIONS NOTED PER DETAIL 6/C4.1.
6. INSTALL WHEELSTOP PER DETAIL 11/C4.0
7. INSTALL CONCRETE CURB – STANDARD PER DETAIL 6/C4.0
8. INSTALL MONOLITHIC CURB CHANNEL PER DETAIL 9/C4.0
9. INSTALL ADA RAMP TYPE 1 PER DETAIL 7 & 8/C4.0
10. FIRE TRUCK 'Y-STYLE' TURNAROUND. EXISTING ASPHALT TO BE INSPECTED BY GEOTECH FOR SUITABILITY AND REPLACED AS NEEDED. SEE C1.2 FOR DIMENSIONS.
11. APPROXIMATE LOCATION OF BUSINESS SIGN. DESIGN AND PERMIT TO BE SUBMITTED WITH BUILDING PERMITS AND TO BE COMPLIANT WITH ALL CLARK COUNTY CODES.
12. INSTALL WETLAND DEMARCATION SIGN PER DETAIL 5/C4.1
13. INSTALL VAN ACCESIBLE ADA SIGN PER DETAIL 4/C4.0.
14. INSTALL ACCESS AISLE SIGN PER DETAIL 5/C4.0.
15. INSTALL 'NO PARKING FIRE LANE' SIGN PER DETAIL 10/C4.0
16. INSTALL 'NO PARKING' LETTERING IN ACCESS AISLE PER DETAIL 3/C4.0.
17. INSTALL FENCE, SEE LANDSCAPE PLANS FOR DETAILS.

LEGEND

- PROPERTY LINE
- CAT II WETLAND BUFFER (WETII)
- CAT III WETLAND BUFFER (WETIII)
- GEOHAZARD BUFFER (GEO)
- RIPARIAN HABITAT BUFFER (RIP)
- CONCRETE SIDEWALK SURFACING
- ASPHALT SURFACING

SOLID WASTE AND RECYCLING TO BE TAKEN OUT WEEKLY WITH NORMAL PICK-UP

PARKING SUMMARY		
	STANDARD	VAN ACCESSIBLE
	2	
	4	
	4	
	7	1
SUBTOTALS	17	1
TOTAL	18	

NORTH

GRAPHIC SCALE
30 0 15 30 60 120
(IN FEET)
1 inch = 30 feet

05/11/26 – EARLY ISSUES DEVELOPMENT ENGINEERING SUBMITTAL

CHRISTOPHER F. THORNTON
STATE OF WASHINGTON
22025830
REGISTERED PROFESSIONAL ENGINEER
05/11/2026

AAI engineering, inc.
ENGINEERING
4975 SW Griffith Drive | Suite 100 | Beaverton, OR | 97005
503.620.3030 tel | 503.620.3539 fax | www.aaieng.com

ANDERSEN DENTAL

2808 NE 179TH ST
RIDGEFIELD, WA

SHEET TITLE

HARDSCAPE PLAN

DATE: 03/05/25
DRAWN: AMW/KKA
CHECKED: NWS
REVISIONS:

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SHEET NUMBER

C1.0

JOB NUMBER: A25032.10

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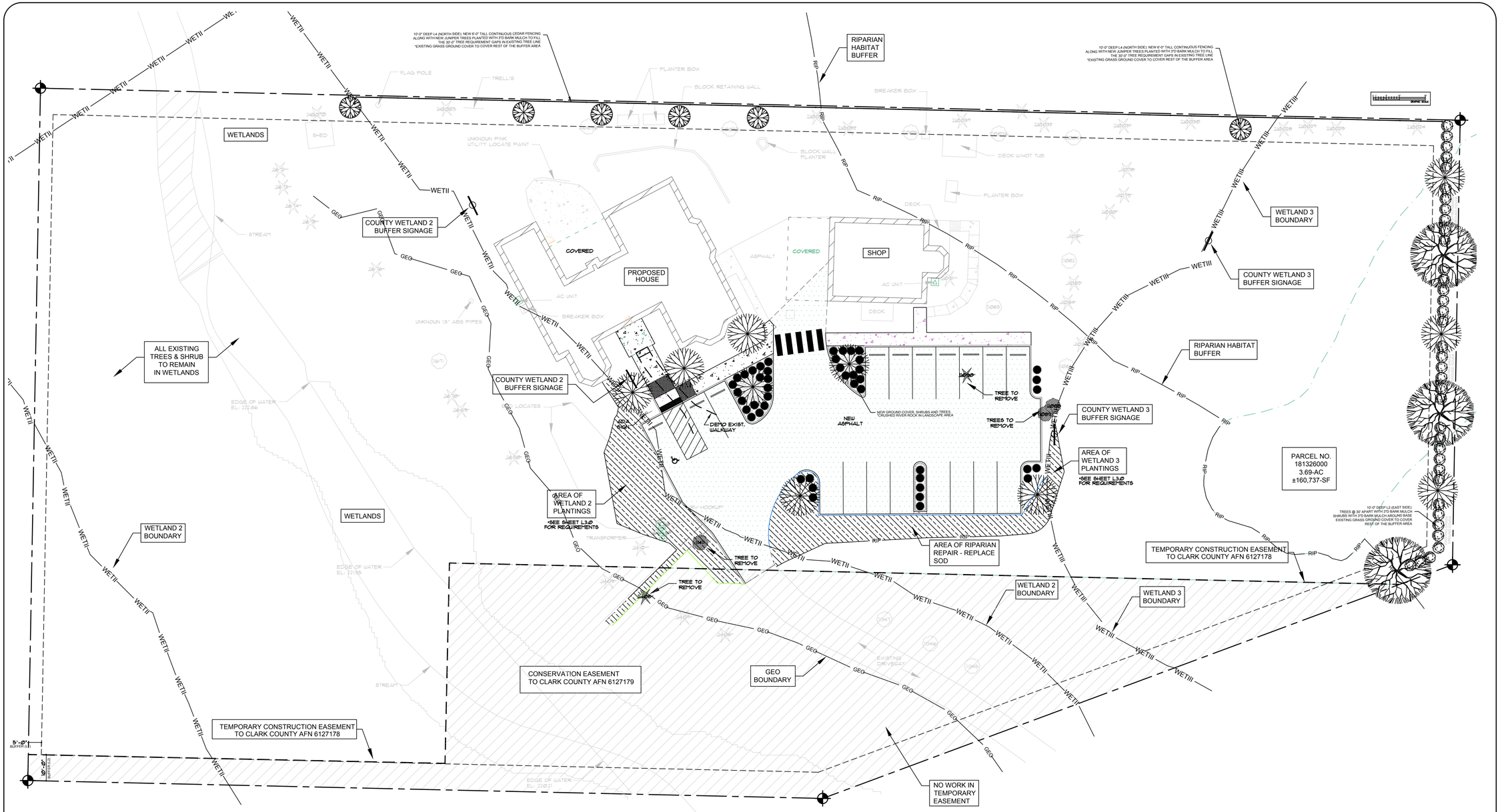

NORTH

1. LANDSCAPE PLAN

SCALE: NO SCALE

LANDSCAPE REQUIREMENTS	
TOTAL SITE AREA	= 133,481 SF
LANDSCAPE AREA PROPOSED 14.5% OF SITE	= 25,546 SF
TOTAL SITE WITH LANDSCAPING	= 107,935 SF (81% OF LOT)
IMPENETRABLE SURFACES	= 20,064 SF
PARKING AREA LANDSCAPE PROPOSED	= 1,018 SF

LANDSCAPE BUFFER REQUIREMENTS (SEE FULL DESIGN STANDARDS - L3.0)

NORTH: L4 (HIGH WALL) 6' TALL CEDAR FENCING
WEST: L1 (GENERAL LANDSCAPING) 5' WIDE (DUE TO WETLANDS, THIS IS N/A)
EAST: L2 (LOW SCREEN) 10'-0" WIDE (SEE WETLANDS)
SOUTH: CURRENTLY A TEMPORARY CONSTRUCTION EASEMENT TO CLARK CO.

PRECISION DESIGN
17407 SW Inkster Drive
Sherwood, OR 97140
Phone (503) 680-6444, Email: Darin@NW-Precision.com

Andersen Dental Center
2808 NE 179th Street, Ridgefield, WA 98642

Revisions:
12/16/2025

Project Number:
File Number: ANDRSL100
Date: 7/24/2025

DRAWING SET NO.
L1.0

Role	Company Name	Name	Address 1	Address 2	City	State	Zip Code	Email Address
Planner	Clark County	Bryan Mattson						
Applicant	AAI Engineering	Kat Aden	4875 SW Griffith Dr	#100	Beaverton	OR	97005	kata@aaieng.com
Owner	179 Property, LLC	Dane Andersen	23805 NE 42nd Ct		Ridgefield	WA	98642	daneandersendds@gmail.com
N/H Association	Four Creeks Nbhd Assoc							fourcreeksna@gmail.com
	Clark County	Desiree de Monye						desiree.demonye@clark.wa.gov
Type II & III Decisions ONLY	Clark County	Susan Ellinger						susan.ellinger@clark.wa.gov
	Vancouver School Distrct	Gary Yarne						gary.yarne@vansd.org
		Jeff Roberts						jeff@crandallgroup.com
		Heidi Pozzo						hcpheidi@yahoo.com
		Jason Carroll						Jason_Carroll@comcast.com
Public Commenters	Public Commenters							
		Heidi Pozzo	13023 NE Hwy 99, Suite 7-298		Vancouver	WA		hcpheidi@yahoo.com
		Cowlitz Indian Tribe						shess@cowlitz.org

NAME	STREET	STREET2	CITY	STATE	ZIP
ANDERSON GARY & ANDERSON JANET	2700 NE 175TH ST		RIDGEFIELD	WA	98642
ANDERSON JACOB P & ANDERSON BRIANNA MARIE HOGAN	17801 NE 25TH AVE		RIDGEFIELD	WA	98642
BOETTCHER RICHARD S & BOETTCHER JULIE A	17807 NE 26TH AVE		RIDGEFIELD	WA	98642
CARROLL LARRY H & CARROLL MARGARET M	17705 NE 26TH AVE		RIDGEFIELD	WA	98642
CHAMBERLIN SUSAN K TRUSTEE	SUSAN K CHAMBERLIN LIVING TRUST	17803 NE 26TH AVE	RIDGEFIELD	WA	98642
CLARK COUNTY CLEAN WATER PROGRAM	PO BOX 9810		VANCOUVER	WA	98666
CLARK COUNTY PUBLIC WORKS	REAL PROPERTY	PO BOX 9810	VANCOUVER	WA	98666
D R FARMS LLC	1216 E MAIN ST		MEDFORD	OR	97504
DENNIS R INGRAM ATTORNEY AT LAW LLC	2019 NE 179TH ST A1		RIDGEFIELD	WA	98642
DING LINHAI	17811 NE 26TH AVE		RIDGEFIELD	WA	98642
DR FARMS LLC	1216 E MAIN ST		MEDFORD	OR	97504
GINN GROUP LLC	502 NE 72ND ST		VANCOUVER	WA	98665
GLASER WILLIAM D & GLASER SUSAN K	18011 NE 29TH AVE		RIDGEFIELD	WA	98642
INGRAM DENNIS R & JACKSON ROBERTA L	1216 E MAIN ST		MEDFORD	OR	97504
JACKSON ROBERT D & JACKSON PAULETTE E	7415 NE 226TH CIR		BATTLE GROUND	WA	98604
JIMENEZ SCOTT THEODOR PAUL	17810 NE 26TH AVE		RIDGEFIELD	WA	98642
KINGSTON HOMES LLC	15700 NW 31ST CT		VANCOUVER	WA	98685
MEADOWS AT 179TH HOA	C/O BLUE MTN COMMUNITY MGMT	14205 SE 36TH ST #100	BELLEVUE	WA	98606
OLSON BARBARA	2449 QUEEN ANNE AVE N		SEATTLE	WA	98109
PITTMAN GERALD WAYNE & PITTMAN JOAN DEE TRUSTEES	17802 NE 26TH AVE		RIDGEFIELD	WA	98642
REDFERN THOMAS JAMES & REDFERN CONNIE SUE TRUSTEES	REDFERN FAMILY TRUST	17806 NE 26TH AVE	RIDGEFIELD	WA	98642
SAMPSON RUTH C	238 GREENFIELD AVE		SAN MATEO	CA	94403
SHELTON ROBERT K & SHELTON DIANE L	18019 NE 29TH AVE		RIDGEFIELD	WA	98642
TRIBE BETTY J ETAL TRUSTEES	BETTY J TRIBE REVOCABLE LIVING TRUST	3004 NE 179TH ST	RIDGEFIELD	WA	98642
TRIBE MICHAEL G TRUSTEE	MICHAEL G TRIBE REVOCABLE LIVING TRUST	17919 NE 29TH AVE	RIDGEFIELD	WA	98642
VANCURLER JUSTIN & VANCURLER ALICIA	17704 NE 26TH AVE		RIDGEFIELD	WA	98642
WESTHAVEN HOA	C/O WHIPPLE 12 LLC	15700 NW 31ST CT	VANCOUVER	WA	98685
WOOD JOSHUA & WOOD KAYLIN	17805 NE 29TH AVE		RIDGEFIELD	WA	98642

EXHIBIT LIST

ect Name:	**Andersen Dental**
Number:	**PSR-2026-00006**

EXHIBIT NUMBER	DATE	SUBMITTED BY	DESCRIPTION
1	1/15/26	Applicant	Application Package
2	3/2/26	CC Land Use	Legal Lot Determination
3	2/27/26	CC Land Use	Fully Complete
4	3/4/26	CC Fire Marshal	Fire Marshal Comments
5	3/24/26	CC Development Engineering	Development Engineering Early Issues
6	3/4/26	CC Building Safety	Building Safety Comments
7	3/29/26	CC Land Use	Early Issues Memo
8	3/31/26	CC Land Use	Notice of Type II Application
9	3/31/26	CC Land Use	Affidavit of Mailing - Exhibit 8
10	3/31/26	WA State Depart of Ecology	SEPA Submitted
11	3/31/26	WA State Depart of Ecology	SEPA Published
12	4/12/26	Heidi Pozzo	Public Comments by Heidi Pozzo submitted 4-12-2026
13	4/13/26	Cowlitz Indian Tribe	Public Comments by Cowlitz Indian Tribe submitted 4-13-2026
14	4/15/26	Washington Department of Fish and Wildlife	WDFW Comments submitted 4-15-2026
15	4/24/26	Applicant	Applicant response to Fire Marshal Comments submitted 4-24-2026
16	4/24/26	Applicant	Applicant response to Building Safety Comments submitted 4-24-2026
17	4/24/26	Applicant	Revised Plans submitted 4-24-2026
18	5/14/26	Applicant	Applicant response to Development Engineering Comments submitted 5-14-2026
19	5/14/26	Applicant	Revised Technical Road Modification Narrative Submitted 5-14-2026
20	5/14/26	Applicant	Revised Plans Submitted 5-14-2026

Copies of these exhibits can be viewed at:
Department of Community Development
Development Services Division
1300 Franklin Street
Vancouver, WA 98666-9810

EXHIBIT NUMBER	DATE	SUBMITTED BY	DESCRIPTION
21	5/14/26	Applicant	Revised Stormwater TIR Submitted 5-14-2026
22	5/19/26	Applicant	Applicant response to WDFW Comments submitted 5-19-2026
23	5/19/26	Applicant	Applicant response to Cowlitz Tribe Comments submitted 5-19-2026
24	5/19/26	Applicant	Applicant response to Heidi Pozzo Comments submitted 5-19-2026
25	6/3/26	CC Development Engineering	Technical Road Modification Report and Recommendation
26	6/27/26	CC Public Works	Transportation Concurrency Staff Report
27	7/24/26	Applicant	Kat Aden email regarding access to NE 179th Street dated 2-4-26
28	7/24/26	Applicant	WWHM 2012 Project Report
29	7/24/26	Applicant	C3.3 Storm Plan
30	7/24/26	Property Owner	Owner Statement of Intent to enter into agreement with CIP
31	7/30/26	CC Development Engineering	Development Engineering Staff Report
32	8/26/26	Applicant	Applicant Agreement to Revised Language in Staff Report and Decision
33	8/26/26	CC Public Works	Revised Technical Road Modification Report and Recommendation
34	8/31/26	CC Land Use	Staff Report and Decision
35	8/31/26	CC Land Use	Affidavit of Mailing - Exhibit 34

Copies of these exhibits can be viewed at:
Department of Community Development
Development Services Division
1300 Franklin Street
Vancouver, WA 98666-9810

Docusign Envelope ID: B10A5D95-C4E4-8AF0-8018-E7EF92F10108

CLARK COUNTY WASHINGTON

clark.wa.gov

1300 Franklin Street
PO Box 5000
Vancouver, WA 98666-5000
564.397.2000

Project Name: 174th Street Subdivision

Number: PLD-2026-00002

Staff Engineer: Steve Gallup, PE, PTOE

Transportation Division Manager/County Traffic Engineer

Report Issue Date: May 21, 2026

This letter is intended to clarify how roadway capacity is determined using nationally accepted engineering standards and to explain why real-world capacity for roadways should be evaluated based on the current roadway condition. When minimum-standard assumptions—such as those contained in Clark County Code minimums—are applied instead of using the actual built geometry, the resulting capacity values are significantly underestimated. This issue is particularly relevant to the capacity assumptions cited in Heidi Pozzo's *Concurrency Sensitivity Analysis* (March 2026) for NE 179th Street between NE 29th Avenue and NE 50th Avenue.

At the core of this clarification is the methodology established in the Highway Capacity Manual (HCM), produced by the Transportation Research Board (TRB) of the National Academies of Sciences, Engineering, and Medicine. The HCM represents the most comprehensive and authoritative foundation for evaluating saturation flow rates and volume-to-capacity performance in the United States. Its procedures are grounded in decades of empirical research, field observation, and peer-reviewed analysis, and they form the basis of nearly all professional traffic engineering practice nationwide.

As a licensed Professional Engineer (PE) and certified Professional Traffic Operations Engineer (PTOE), I have more than 20 years of experience conducting real-world traffic modeling, operational analysis, and field-verified saturation flow studies. I have measured lane discharge rates directly at intersections and mid-block segments, allowing me to observe firsthand how roadway geometry, signal timing, and driver behavior influence actual capacity. I have also reviewed numerous traffic impact studies, giving me a deep understanding of how traffic patterns and operational constraints manifest under real-world conditions. This extensive background gives weight to the methodology applied in this analysis and supports the assumptions used when evaluating roadway capacity under varying geometric and operational conditions.

Within the HCM, a base saturation flow rate for two-lane roadways of approximately 1,700 passenger cars per hour per lane is established under ideal conditions. Importantly, this base rate is an assumed, research-based constant derived from empirical studies and carried forward from earlier HCM editions. This base rate represents the fundamental processing capability of a lane when not constrained by geometric or operational limitations. The HCM then applies a series of adjustment factors to reflect real-world influences such as lane width, shoulder width, heavy-vehicle percentages, terrain/grades, peak-hour factor, no-passing zones, free-flow speeds, and access-point density. When relevant adjustment factors are applied, the result is an adjusted capacity under prevailing road conditions that accurately represents the true operating capacity of the roadway.

Exhibit 135

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These adjusted values form the basis for calculating the volume-to-capacity (v/c) ratio, a key engineering indicator of operational performance. While drivers do not directly recognize the numerical v/c value, it serves as a critical engineering measure of where roadway operations may begin to degrade and where further operational analysis should be focused—particularly at intersections, which are typically the first points in the roadway network to experience breakdown and noticeable delay as traffic volumes increase.

When these nationally recognized HCM methodologies are applied to NE 179th Street, several important findings emerge:

- The existing cross section closely reflects near-ideal base conditions for two-lane roadways, with shoulder width being the only notable deviation. Even after applying the appropriate HCM adjustment factors for shoulder width and access-point density, the resulting lane capacities remain close to the base saturation flow rate of 1,700 passenger cars per hour per lane.

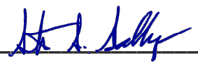
- When evaluated using HCM-based saturation flow rates and the relevant geometric and operational adjustment factors, NE 179th Street demonstrates substantial available capacity, with volume-to-capacity ratios well within acceptable thresholds for both existing and projected future traffic volumes. These findings are consistent with the conclusions of the NE 174th Street Subdivision Traffic Engineer and the results presented in Table 8 of the Lancaster Mobley Transportation Impact Study (December 4, 2025).

- The conservative minimum-standard assumptions used in Heidi Pozzo's Concurrency Sensitivity Analysis—particularly the recalculated v/c ratios—significantly understate the roadway's true performance and do not reflect field-validated engineering practice. These assumptions also fail to align with the actual operating characteristics observed along the corridor.

- Field observations along NE 179th Street show that while occasional queuing may occur at the widely spaced signalized intersections—located nearly three miles apart—the mid-segment roadway operates in stable-flow conditions with no evidence of sustained queuing, spillback, or operational breakdown. These real-world operating conditions are fully consistent with the HCM-based capacity findings and further demonstrate that the corridor's performance is significantly better than what is suggested by minimum-standard assumptions.

For these reasons, reliance on the HCM provides a more accurate, defensible, and professionally sound assessment of roadway performance along NE 179th Street. It ensures that capacity evaluations are grounded in real-world operating conditions and the actual built geometry of the corridor, rather than theoretical minimum standards that do not reflect how the roadway functions today. This approach offers a clearer and more realistic understanding of current operations and provides a reliable foundation for evaluating how the corridor will continue to perform as traffic volumes grow and planned public works improvements are implemented.

Sincerely,



05/20/26

Steve S Gallup, PE, PTOE **Date**

Transportation Division Manager/County Traffic Engineer

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CLARK COUNTY WASHINGTON

clark.wa.gov

1300 Franklin Street
PO Box 5000
Vancouver, WA 98666-5000
564.397.2000

May 21, 2026

Project Name: 174th Street Subdivision

Land Use Case Number: PLD-2026-00002

Staff Engineer: David Jardin, Traffic Engineering Section Manager

Land Use Hearing Date: April 23, 2026

Dear Mr. Turner:

I have reviewed the land use hearing that took place April 23, 2026, and would like to respond to an inquiry the Hearing Examiner had presented to concurrency staff beginning at time mark 1:47:36.

Paraphrasing, "*CCC 40.350.020(G)(1)(a) states "The maximum volume to capacity ratio for each roadway segment shall not exceed nine-tenths (0.9), when measured independently for each direction of travel…." it does not say anything about looking at the level-of-service of intersections at either end, how do you get there based on the code language?*"

As the former concurrency engineer and now the manager of the concurrency position, I have been responsible for administering and overseeing the application of the concurrency code for over 19 years. I have prepared this letter to provide insight and background in the application of CCC 40.350.020(G)(1)(a) and to provide a framework in how the concurrency code allows the county the authority to use best engineering practices in the determination of operating levels, A.K.A Volume/Capacity (v/c) (corridors) & Level-of-Service (LOS) (intersections).

In 2010, the current language of CCC 40.350.020(G)(1)(a) was implemented in the Transportation Concurrency Management System code. With the initial application of this code section, it was determined by the then Transportation Division Manager and the Public Works Director that intersection performance and other existing factors could have an impact on the operating level of transportation corridors consistent with CCC 40.350.020)G)(1)(a)'s directive that "In calculating the volume to capacity ratio, the volume shall be determined base on the factors described in Section 40.350.020(F)"

In consideration and application of CCC 40.350.020(F)(9)[1], the Transportation Division Manager and Public Works Director at that time directed concurrency staff to use intersection performance, such as intersection level-of-service and queuing bounding the study corridor, in the evaluation of v/c ratio compliance.

[1] F. Determination of Operating Levels
The operating level for a transportation corridor, signalized intersection, and/or unsignalized intersection shall be defined as the traffic characteristics of those roadways and intersections with consideration of the following factors:

9. Any other factors that the Public Works Director has determined could have an impact on the operating level of the transportation corridors or intersections.

Exhibit 136

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Per direction of the Transportation Division Manager and Public Works Director since that time, concurrency staff has used the v/c ratio as an initial screening tool/indicator of roadway and intersection performance, not as an absolute. Used as an indicator, the v/c ratio provides insight into roadway corridor locations that should be subjected to a site-specific study with a detailed operational analysis.

It has been my experience as the former Concurrency Engineer to see roadway operations breakdown/degrade at intersections because of poor levels-of-service and/or queueing issues, validating the direction of the Public Works Director under CCC 40.350.020(F)(9) and its current application and evaluation to determine compliance of CCC 40.350.020(G)(1)(a).

However, because concurrency typically bounds the study corridor by regionally significant intersections, volunteered mitigation is typically offered by the applicant for intersections with failing levels-of-service as allowed by CCC 40.350.030(B)(6)(a). This volunteered mitigation increases capacity of the intersection and in turn, facilitates mobility on the corridor. Volunteered mitigation is taken into account at buildout level-of-service when evaluating corridor v/c. That is why failure of a regionally significant intersection can be discussed, but an associated regionally significant corridor could be shown to comply with concurrency.

It should also be noted that corridor v/c ratio thresholds may appear to be exceeded even when intersection operations remain within acceptable limits. In such cases, higher corridor volumes indicate that intersections are operating efficiently enough to allow more vehicles to pass through with minimal delay, thereby increasing the overall throughput of the corridor.

In addition to intersection performance and as a part of a broader more detailed evaluation of corridor operations, it was determined the existing roadway influences that may also affect roadway capacity include, but are not limited to:

- Lane width
- Presence or absence of shoulders
- Heavy vehicle volumes
- Roadway grades
- Number and spacing of intersections and/or driveway accesses

These existing roadway influences are found in the Highway Capacity Manual (HCM), a nationally accepted comprehensive engineering reference for capacity analysis. The HCM also provides adjustment factors for these roadway influences and supports their application in operational analyses.

In conclusion, the use of CCC 40.350.020(F)(9) allows concurrency staff to consider other factors that the Public Works Director has determined could have an impact on the operating level of the transportation corridors or intersections. Since the Public Works Director's determination of other factors and subsequent direction to staff in 2010, concurrency staff has used the intersection level-of-service and queuing, along with existing roadway influences that may be considered in whole or in part when determining compliance with or determining acceptable levels-of-service under CCC 40.350.020(G)(1)(a). Based on the evaluation method that has been applied and practiced since 2010, I believe that the regionally significant corridors evaluated as a part of PLD-2026-00002 174th Street Subdivision provide operational capacity to support the proposed development under existing and buildout conditions.

Sincerely,

David Jardin

David Jardin

05/21/26

Date

Traffic Engineering Section Manager