From: Jeffrey Delapena
To: "Heidi Pozzo"
Cc: Oliver Orjiako; Jose Alvarez; Rebecca Messinger
Subject: RE: Comp Plan Index: 174th St documents
Date: Tuesday, September 22, 2026 4:21:00 PM
Attachments: 174th_Response_Ex141_Override_Methodology_Timeline final.pdf
Ex 144 David Jardin open record comment.pdf

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.

I am including Rebecca Messinger to share with the Council and include this in their own record.

Best,

Jeff Delapena
Program Assistant
COMMUNITY PLANNING

564.397.4558

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-----Original Message-----
From: Heidi Pozzo <hcpheidi@yahoo.com>
Sent: Tuesday, September 22, 2026 4:18 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: 174th St documents

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,

I've just uploaded to the link you provided me with, two documents related to 174th St Subdivision. One is Ex 144 Jardin open record comments and the other is the override methodology timeline. Both for submission to the Comp Plan Index.

Thank you,

Heidi

Date: June 4, 2026
Re: 174th Street Subdivision (PLD-2026-00002)
Before: Clark County Hearing Examiner Turner
From: Heidi Pozzo
Subject: Response to Exhibits 135, 136, and 141 — Staff Defended and Expanded the Non-Code Override While the Development Community Sought Legislative Change

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I. Purpose

This response addresses Exhibit 141 and the accompanying letters from Mr. Jardin (Exhibit 136) and Mr. Gallup (Exhibit 135), filed on the last day of the open record. These exhibits do not simply defend an existing practice. They introduce and expand non-code methodology on two separate fronts.

Exhibit 136 (Mr. Jardin) defends the practice of overriding failing corridor volume-to-capacity ratios with intersection-level performance, citing CCC 40.350.020(F)(9) as authority. This is the practice the Examiner questioned at the April 23 hearing and that Mr. Kathol could not identify a code basis for. The 2014 legislative record contradicts this characterization: the 2014 amendment adopted V/C as the binding corridor standard, and the intersection LOS override was never introduced into the code through any of the three legislative proceedings in 2014, 2016, or 2017.

Exhibit 135 (Mr. Gallup) goes further. It argues that the capacity figures formally adopted in the County's concurrency code (CCC 40.350.020, Table 40.350.020-1) understate actual roadway capacity, and that Mr. Gallup's professional judgment based on Highway Capacity Manual field methodology should replace the adopted code table. This is not a defense of existing practice. It is a new, non-code methodology introduced into this record on May 21, 2026, asking the Examiner to find that staff's engineering judgment overrides the capacity figures the County formally adopted by ordinance.

Both methodologies were deployed to a separate proceeding before a different Hearing Examiner on the same day they were filed in this record. Neither has been adopted through the Planning Commission or Board of County Councilors. Meanwhile, as documented in Section II below, six parties on the development side acted after the April 23 hearing. None filed anything in this record arguing that these practices are authorized by existing code. Each directed their efforts toward changing the code.

II. What Happened After the April 23 Hearing

The following timeline is constructed from documents in the public record, public records request responses, and publicly noticed hearing materials.

Date	Event
April 23	**Hearing before Examiner Turner.** Examiner states from the bench that CCC 40.350.020(G)(1)(a) "doesn't say anything about level of service at either end." Mr. Kathol cannot identify the code basis for the override. Mr. Morasch argues "long-standing practice" and requests an extended open record period to address the issue. Record left open through May 21.
April 24	Mr. Morasch emails County staff requesting an interim code amendment under RCW 36.70A.390 to change the V/C standard. (Exhibit A.) He does not file anything in the 174th Street record.
April 24	Mr. Erikson (Erikson & Associates) writes to County Councilors acknowledging that the Examiner's reading of (G)(1)(a) means corridor V/C ratios are mandatory per project and that many roadway segments already fail under background conditions. (Exhibit B.) He does not file anything in the 174th Street record.
April 28	Mr. Erikson writes a second letter to Council proposing adoption of a Screenline methodology as a code change. (Exhibit C.) Neither letter argues the existing code authorizes the intersection override. Neither is filed in this record.
April 28	Mr. Wuest (Ginn Group) emails Community Planning Director Orjiako, Deputy County Manager Furth, and County Engineer Provenzola stating the County has been "overlooking the express v/c LOS standard" for years and calling for "emergency action." (Exhibit D.) He does not file anything in this record.
April 29	Mr. Johnson (PLS Engineering) submits a failing corridors map and project list from four engineering firms (PLS, AKS, SGA, Rotschy), reporting 80% of PLS's 2026 projects are affected by corridor V/C failures. (Exhibit E.) This is submitted to County staff, not into this record.
May 11	Mr. Stumpf (PLS Engineering) submits Exhibit 100 into this record—a Failing Corridor Evaluation Memorandum identifying 22 regionally significant corridors throughout the Vancouver Urban Growth Area that exceed the 0.90 V/C standard, documented across 27 developer-commissioned traffic studies. Exhibit 100 characterizes the override as a "practice and interpretation" applied "over the past one to two decades" and concludes that applying the code as written would create a "de facto moratorium." Exhibit 100 does not argue the existing code authorizes the practice.
May 13	Mr. Holmberg (Building Industry Association of Clark County) writes to County Council requesting an emergency ordinance, identifying 29+ projects and 1,500+ housing units affected. (Exhibit F.) He does not file anything in this record.

May 21	**Open record closes at 5:00 PM.** Staff files Exhibit 141 and accompanying letters from Mr. Jardin (Exhibit 136) and Mr. Gallup (Exhibit 135) defending the override as a practice "applied and practiced since 2010." No code provision, written policy, Planning Commission hearing, or ordinance is cited as authorization. Mr. Morasch files nothing in the open record addressing the code-interpretation question he requested four weeks to address.
May 21	**Same day:** Mr. Kathol prepares the concurrency staff report for Heartwood North (PLD-2025-00114), a subdivision near Brush Prairie on the NE 119th Street / NE 99th Street corridor near SR 503. (Exhibit G.) Heartwood North was specifically identified by name in the Johnson email (Exhibit E) and the BIA letter (Exhibit F) as a project at risk due to corridor V/C failures—a project that the development community said required a code change to proceed. The concurrency report applies the same intersection LOS override methodology, formalized into detailed boilerplate citing CCC 40.350.020(F)(9), and incorporates Mr. Gallup's capacity recalculation methodology. The case is assigned to Hearing Examiner Daniel Kearns.
May 26	Heartwood North hearing noticed for June 11, 2026. (Exhibit I.)
May 27	Mr. Jardin signs the Heartwood North concurrency staff report. (Exhibit G.)
May 28	Heartwood North staff findings report distributed—14 days before the June 11 hearing. (Exhibit H.) CCC 40.510.030 requires the staff report to be mailed at least 15 calendar days in advance of the hearing.
June 3	Councilor Yung adds an interim concurrency ordinance to the County Council agenda and presses for it to move quickly. No written proposal is presented.
June 4	Response deadline in this proceeding (PLD-2026-00002).
June 10	Council work session: scheduled discussion of the interim concurrency ordinance.
June 11	**Heartwood North hearing before Examiner Kearns.**
June 11	**Applicant's response period closes in this proceeding (PLD-2026-00002).** After that date, the only remaining step is for Examiner Turner to issue his decision.
June 16	County Council vote on interim concurrency ordinance expected.
June 25	Expected date for Hearing Examiner findings in both this proceeding and Heartwood North.

III. What the Record Shows

Six separate parties acted in response to the April 23 hearing: Mr. Morasch, Mr. Erikson, Mr. Wuest (Ginn Group), Mr. Johnson (PLS Engineering), Mr. Holmberg (BIA),

and Mr. Stumpf (PLS Engineering, Exhibit 100). Of these six, only Mr. Stumpf filed anything in this record. His Exhibit 100 does not argue that the existing code authorizes the intersection LOS override. It characterizes the practice as an “interpretation” and concludes that applying the code as written would halt development. The remaining five directed their efforts to County staff and County Council, requesting code amendments, emergency ordinances, and interim legislation. None filed anything in this record arguing that CCC 40.350.020 already authorizes the practice.

Mr. Morasch requested four weeks to address the code-interpretation issue the Examiner raised at the hearing. During that period, he emailed County staff requesting an interim code amendment under RCW 36.70A.390. He filed nothing in the open record. His post-hearing actions are inconsistent with his hearing testimony that the intersection override represents “long-standing practice” supported by existing code.

On May 21, the last day of the open record, staff filed Exhibits 135, 136, and 141. Exhibit 136 (Mr. Jardin) defends the intersection LOS override—the practice already challenged in this proceeding. Exhibit 135 (Mr. Gallup) introduces something new: the argument that the capacity figures formally adopted in the concurrency code understate actual capacity, and that staff’s field-based engineering judgment should replace the code’s adopted table. The code formally states roadway capacities in Table 40.350.020-1. These figures were adopted by ordinance through a public legislative process. Exhibit 135 asks the Examiner to find that Mr. Gallup’s professional judgment overrides the figures the County Council adopted.

While the first non-code practice—the intersection LOS override—was being challenged in this quasi-judicial proceeding, a second non-code methodology was introduced into the same record on the last day. On that same day, Mr. Kathol prepared the Heartwood North concurrency report (PLD-2025-00114), which incorporates both: the intersection LOS override formalized into standardized boilerplate under CCC 40.350.020(F)(9), and Mr. Gallup’s capacity recalculation methodology. The Heartwood North report is not tailored to unique site conditions. It is a template deploying both non-code methodologies to a new proceeding before a different Hearing Examiner.

Heartwood North was specifically identified by name in the Johnson email of April 29 (Exhibit E) and the BIA letter of May 13 (Exhibit F) as one of the projects at risk because of corridor V/C failures. Both documents were sent to County staff and Council as part of requests for legislative change. Rather than pursuing the code change that the development community identified as the appropriate remedy, the applicant and the County proceeded with Heartwood North using the non-code methodology that is being challenged in this proceeding.

Neither methodology has been adopted through the Planning Commission or Board of County Councilors. The intersection LOS override has no basis in the 2014, 2016, or 2017 legislative records. The capacity recalculation in Exhibit 135 directly contradicts the code's adopted table. Both were introduced or defended on the record in this proceeding and simultaneously deployed to a separate proceeding with no public process, no legislative authorization, and no accountability.

The Heartwood North hearing is noticed for June 11, 2026—the same day the applicant's response period closes in this proceeding. The proceeding is in a geographically separate area of the county, before a different Hearing Examiner, with a staff findings report distributed one day short of the 15 calendar days required by CCC 40.510.030. A notice deficiency challenge filed May 28 (Exhibit J) identifies five separate failures to comply with CCC 40.510.030: the development sign at the site displays the date of the cancelled hearing, the designated neighborhood association is inactive, there is no evidence of newspaper publication, the County website lists the application on the wrong hearing date, and the staff report was issued with less than 15 days for public review. Every public-facing source of information about this application either points to the wrong date or omits the application entirely. Both non-code methodologies challenged in this proceeding are presented in the Heartwood North staff report as established practice.

Subsequent to the filing of the notice deficiency challenge, staff shared photographs of a sticker being placed on the Heartwood North development sign to update the hearing date. This sticker was not previously in the record. The original Affidavit of Sign Posting (Exhibit 30 in the Heartwood North record) certifies a sign posted April 24, 2026 — before the hearing was cancelled on May 7. No new or amended affidavit of sign posting has been submitted.

On June 3, 2026, Councilor Yung added an interim concurrency ordinance to the County Council agenda and pressed for it to move quickly. A Council work session discussion is scheduled for June 10. A vote is expected June 16. No written proposal has been presented. The Council's initiation of the legislative process confirms what the Examiner stated at the April 23 hearing, what Mr. Morasch agreed to, and what every development-side party that acted after the hearing pursued: the code needs to be changed through the legislative process. That process is now underway.

Both Hearing Examiners are expected to issue findings on or around June 25. The six development-side parties documented above each sought legislative change through staff or Council. None argued in this record that existing code authorizes the practice. The Council is now actively pursuing a code change. The record shows that staff chose a different path.

Heidi Pozzo

Mailing address: 13023 NE Highway 99, Ste. 7-298, Vancouver, WA 98686

Exhibit List

Exhibit A: Email from Mr. Morasch to County staff (Archer, Orjiako, Alvarez), April 24, 2026, requesting interim code amendment under RCW 36.70A.390

Exhibit B: Letter from Mr. Erikson (Erikson & Associates) to County Councilors, April 24, 2026, re: Comprehensive Plan Update

Exhibit C: Letter from Mr. Erikson (Erikson & Associates) to County Councilors, April 28, 2026, re: Comprehensive Plan Update (Screenline methodology proposal)

Exhibit D: Email from Mr. Wuest (Ginn Group) to Orjiako, Furth, and Provenzola, April 28, 2026

Exhibit E: Email from Mr. Johnson (PLS Engineering) with failing corridors map and project list, April 29, 2026

Exhibit F: Letter from Mr. Holmberg (Building Industry Association of Clark County) to County Council, May 13, 2026, requesting emergency ordinance

Exhibit G: Heartwood North (PLD-2025-00114) Concurrency Staff Report, prepared May 21, 2026 by Mr. Kathol, signed May 27, 2026 by Mr. Jardin

Exhibit H: Heartwood North (PLD-2025-00114) Staff Findings Report, distributed May 28, 2026

Exhibit I: Heartwood North (PLD-2025-00114) Hearing Notice, May 26, 2026 (hearing date: June 11, 2026, Hearing Examiner Kearns)

Exhibit J: Notice Deficiency Challenge filed by Heidi Pozzo as party of record in Heartwood North (PLD-2025-00114), May 28, 2026, identifying five separate notice deficiencies under CCC 40.510.030

Exhibit 100 (Mr. Stumpf, PLS Engineering, Failing Corridor Evaluation Memorandum, May 11, 2026) is already on the record and is cross-referenced only.

Exhibit A

From: Steve C. Morasch
To: Stephen Archer; Oliver Orjiako; Jose Alvarez
Subject: 179th Street Corridor Moratorium
Date: Friday, April 24, 2026 6:53:44 AM
Attachments: 0.png

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.

Can we schedule a meeting to discuss how the County will solve the de facto moratorium stopping all development on the 179th Street Corridor and any other corridor that does not meet the 0.9 v/c requirement for segments under UDC 40.350.020.G.a Joe Turner said he would impose last night in the hearing on the 174th Street Subdivision PLD-2026-00002.

This is going to throw major portions of the County into de facto moratorium, which will affect the County's ability to meet the housing requirements of the GMA under the new comp plan. 179th Street is not the only arterial that fails the 0.9 c/v standard. Significant portions of SR 503 fails this standard and there are likely other roads that also fail under existing conditions.

An easy solution would be to amend UDC 40.350.020.G.a to codify the County's current approach to concurrency by treating the 0.9 v/c requirement for segments under UDC 40.350.020.G.a as a factor to be evaluated by County engineering staff in its overall analysis of concurrency, rather than an absolute requirement requiring all development to grind to a halt, which seems to be Joe Turner's interpretation of the existing language based on his statements at the hearing last night.

The County should consider adopting such a measure as an interim zoning code amendment under RCW 36.70A.390 to preserve the housing supply and prevent a de facto moratorium from taking place.

Let me know when we can meet with appropriate long-range planning and transportation staff to discuss this serious problem.

Steve C. Morasch | Attorney at Law
LANDERHOLM
Legal advisors. Trusted advocates.
805 Broadway Street, Suite 1000
Vancouver, WA 98660
T: 360-696-3312 | T: 360-558-5912 | F: 360-558-5913
www.landerholm.com

Landerholm, P.S. is committed to following the recommendations and requirements

Exhibit B

Erikson & Associates, PLLC
Attorneys at Law

Erikson

110 West 13th Street
Vancouver, Washington 98660-2904

(360) 696-1012 • Facsimile (360) 737-0751

Mark A. Erikson
Licensed in Oregon & Washington
mark@eriksonlaw.com

April 24, 2026

E-MAIL & HAND DELIVER

Clark County Councilors
c/o: Bart Catching
Sonja Wiser
Wendy Baird
1300 Franklin Street
Vancouver, WA 98660
E-mail: bart.catching@clark.wa.gov
sonja.wiser@clark.wa.gov
wendy.baird@clark.wa.gov

Re: Comprehensive Plan Update

Dear: Councilors and Staff:

On April 23, 2026, a Clark County Hearing Examiner ruled that County Code volume-to-capacity ratios (vc) are mandatory, rather than something to consider in overall analysis of transportation concurrency. The actual language of the County Code provides as follows:

> The maximum volume to capacity ratio for each roadway segment shall not exceed nine-tenths (0.9), when measured independently for each roadway segment of travel. [1]

Under this ruling, many roadway segments already fail transportation concurrency, including NE 179th Street between Delfel Road and Interstate 5 (vc = 1.042); and 179th between 15th Avenue and Interstate 5 (vc = 1.137). These are background conditions which, under the above ruling, preclude any development that relies upon 179th Street to access Interstate 5. We are still researching; however, other roads which probably fail transportation concurrency include portions of SR 503, 119th Street, 139th Street, 94th Avenue, and Padden Parkway. Clearly, staff have historically treated volume-to-capacity ratios as something to consider in overall concurrency analysis, or this situation would not have developed. Prospectively, however, this problem would seem to result in a defacto moratorium upon development, stifling compliance with GMA.

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[1] CCC 40.350.020(G)(1)(a). Volume-to-capacity ratio are calculated by dividing trips by single direction capacity per hour, as provided in CCC Table 40.350.020-1.

Fortunately, the Washington Court of Appeals has provided a solution:

> [I]f a proposed development project violates the city's adopted LOS, the city has a variety of options available to it. These may include **changing the relevant LOS**, modifying traffic patterns so as to reduce nonresident commuter traffic, thus reducing traffic congestion, or creatively addressing traffic mitigation expenses. But a city cannot simply exempt the proposal from compliance with traffic standards it has adopted pursuant to the GMA. [2]

In our opinion, a revision providing that volume-to-capacity ratios are something to consider in overall concurrency analysis, not a mandatory requirement, would qualify as a change in the relevant level of service, permitted in the foregoing.

Sincerely,

Mark A. Erikson
Attorney at Law

MAE/ke
SILB0108.L01.wpd

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[2] *Bellevue v. East Bellevue Community Municipal Corporation*, 119 Wash.App. 405, 414-15, 81 P.3d 148 (2003), *review denied*, 152 Wash.2d 1004 (2004), emphasis added.

Exhibit C

Erikson & Associates, PLLC
Attorneys at Law

Erikson

110 West 13th Street
Vancouver, Washington 98660-2904

(360) 696-1012 • Facsimile (360) 737-0751

Mark A. Erikson
Licensed in Oregon & Washington
mark@eriksonlaw.com

April 28, 2026

E-MAIL & HAND DELIVER

Clark County Councilors
c/o: Bart Catching
Sonja Wiser
Wendy Baird
1300 Franklin Street
Vancouver, WA 98660
E-mail: bart.catching@clark.wa.gov
sonja.wiser@clark.wa.gov
wendy.baird@clark.wa.gov

Re: Comprehensive Plan Update

Dear: Councilors and Staff:

On April 24, 2026, I reported that a Clark County Hearing Examiner had ruled that County Code volume-to-capacity ratios are mandatory for each project, rather than something to consider in overall analysis of transportation concurrency, which has resulted in defacto moratoria upon development, stifling compliance with the following provision of the Growth Management Act:

> After adoption of the comprehensive plan by jurisdictions required to plan or who choose to plan under RCW 36.70A.040, local jurisdictions must adopt and enforce ordinances which prohibit development approval if the development causes the level of service on a locally owned or locally or regionally operated transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development. [1]

However, the Washington Court of Appeals has recognized "Screenline methodology" to utilize volume-to-capacity ratios in overall concurrency analysis rather than imposing a mandatory requirement upon each application:

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[1] RCW 36.70A.070(6)(b).

> Screenline methodology, also referred to as an aggregated roadway level of service standard, is an alternative to traditional individual intersection and roadway segment measures. . . . Instead of expressing a volume-to-capacity ratio for each individual arterial, the aggregated standard approaches traffic problems by considering larger corridors and geographic zones. . . . Screenline methodology is used to promote growth and minimize the effect of stringent level of service standards in target growth areas. . . . The essential concept is that no single intersection or arterial operates in isolation. . . . If traffic congestion on one arterial increases, it may not make sense to expand the capacity of that arterial. . . . A city, instead, may want to shift traffic to a nearby underused arterial, or to implement measures that will reduce travel demand – or a combination of these strategies. . . . Traffic planning that uses a screenline methodology focuses on a "traffic-shed" of interrelated arterials. . . . [2]

In the foregoing case, "[t]he 1994 Seattle Comprehensive Plan combined the Montlake Bridge and the neighboring University Bridge into a single 'Ship Canal' screenline, and adopted it as one of the screenlines the City uses to assess concurrency." [3] The Court of Appeals denied a challenge to the Ship Chanel screenline as follows:

> The Growth Management Act requires that challenges to a comprehensive plan, or amendments thereto, be filed within 60 days of publication. RCW 36.70A.290(2). The [Growth Management Hearings] Board ruled that [Montlake Community] Club's transportation and concurrency arguments were untimely. "[Montlake Community Club's] opportunity to challenge the City's 'screenline' LOS [level of service] methodology was five years ago when the City adopted its comprehensive plan in 1994. Petitioner cannot now challenge the City's LOS methodology." [4]

In the present case, it seems highly more likely that appeals to the Growth Management Update will result from defacto moratoria than from the adoption of Screenline methodologies.

Sincerely,

Mark A. Erikson
Attorney at Law

MAE/ke
SILB0108.L02.wpd

---

[2] *Montlake Community Club v. Central Puget Sound Growth Management Hearings Board*, 110 Wash.App. 731, 736, 43 P.3d 57 (2002); citing Municipal Research & Services Center of Washington, Level of Service Standards: Measures for Maintaining the Quality of Community Life 46 (1994); citations omitted.

[3] *Montlake Community Club*, 110 Wash.App. at 737.

[4] *Id.*

Exhibit D

From: Phil Wuest
To: Oliver Orjiako; April Furth; Jeremy Provenzola
Cc: Travis Johnson
Subject: Transportation Concurrency
Date: Tuesday, April 28, 2026 4:50:05 PM
Attachments: image001.png
image002.png

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.

Good afternoon, April, Oliver & Jeremy,

CCC 40.350.020(B) makes clear that transportation concurrency applies to all development applications. 40.250.020(E) requires a concurrency approval, which may only be granted where the "Public Works Director determines that the proposed development's impacts upon all affected transportation corridors and intersections of regional significance do not result in the operating levels for the transportation corridors . . . falling below the adopted level of service standards established in Section 40.350.020(G)." The determination of the Public Works Director must be grounded in the adopted LOS standards.

CCC 40.350.020(G)(1)(a) states that "[t]he maximum volume to capacity ratio for each roadway segment shall not exceed nine-tenths (0.9), which measured independently for each direction of travel." Roadway capacities are set forth in Table 40.350.020-1, including 2000 cars/direction/hour for Parkway Arterials, 1800 for Principal Arterials, 1800 for 4-line minor arterials, and 900 for 2-lane minor arterials. Standards are also set forth for collector arterial roadways.

The concurrency standard in CCC 40.350.020(G)(1)(a) is independent from any other transportation concurrency threshold measure, and the peak hour volume to capacities listed in Table 40.350.020-1 are express, leaving little or no room for engineering judgment or individualized determination.

G. Level of Service Standards.

1. Level of service or LOS standards shall be as follows:

a. 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. Measurements shall be made for all collector and arterial roadway segments located within the Vancouver Urban Growth Area, but outside of the City of Vancouver. Measurements shall also be made for state highways of regional significance. In calculating the volume to capacity ratio, the volume shall be determined based on the factors described in Section 40.350.020(F). In determining the capacity for roadways built-out to county standards, the capacity shall be based on the factors described in Table 40.350.020-1, Roadway Capacities. For roadways not fully built-out to county standards, the capacity shall be determined based on the current roadway condition. For roadways with lane widths twelve (12) feet and greater, and with paved shoulder widths two (2) feet and greater, the lane capacity shall be eight hundred (800) vehicles per hour. For roadways with lane widths between eleven (11) and twelve (12) feet and with paved shoulder widths two (2) feet and greater, the lane capacity shall be seven hundred (700) vehicles per hour. For roadways with lane widths less than eleven (11) feet, the lane capacity shall be six hundred (600) vehicles per hour.

Table 40.350.020-1 Roadway Capacities

Roadway Type			County Designation	Single Direction Capacity/Hour
Urban	Arterials	Parkway	Pa-4b	2000
		Principal	Pr-4cb	1800
		Minor, 4-lane	M-4cb	1800
		Minor, 2-lane	M-2cb	900
	Collector	Urban	C-2cb	900
		Urban	C-2	800
		Urban	C-2b	800
Rural	Arterial		RA	800
	Collector	Major	R-2	800
		Minor	Rm-2	800

I am sure you are all aware that this came up at last week's land use hearing for the Roots project on NE 174th St. At that hearing, the hearing examiner, Mr. Turner, was struck by the express, unavoidable implication of the volume to capacity level of service standard in CCC 40.350.020(G)(1). If, as expected, Mr. Turner interprets the code as written, which is his mandate, that means the Roots project could be denied for failure to meet transportation concurrency requirements. Short of reconstructing NE 179th Street to Parkway Arterial standards, which could not be done without a comp plan amendment to change the classification of the roadway, there is nothing the applicant or the county could do to mitigate the failure. Put differently, the Roots property likely cannot be developed for any allowed use. That's worth restating – the County's concurrency ordinance, a development regulation, will prohibit development of *any use* allowed under the zoning code because the transportation system level of service cannot be met with *any* mitigation.

The implication of this interpretation is overwhelming. Most arterial corridors in Clark County today exceed the same peak hour directional volume to capacity ratio. This assertion can be tested by looking at recently submitted Traffic Impact Studies for projects throughout urban Clark County. That means, in effect, that Clark County can accommodate very little new growth unless and until the level of service standard in CCC 40.350.020(G)(1) is amended, or until the code section allows the Public Works Director some discretion in determining operating LOS using a number of factors, including v/c ratio.

A number of years ago, the City of Vancouver dealt with this problem by doing essentially what Clark County has been doing in practice these past years in overlooking the express v/c LOS standard in subsection (G)(1), which is to look at peak hour directional lane volume to capacity as one indicator of overall corridor performance. The City monitors overall corridor performance rather than v/c at any particular arterial segment or intersection. The City also identifies full build out standards for corridors, which comes into play because it prohibits forever widening roads to try to meet peak-hour demand, which is a) unaffordable and b) economically inefficient. I am sure that Eric Hahn and Ryan Lapossa at the City of Vancouver would be happy to discuss the City's transportation concurrency approach with Clark County.

Because of the serious implications of inaction, I believe this matter requires urgent attention and emergency action by Clark County. Any months-long delay in implementing a fix will jeopardize dozens of projects currently in process for development approval. And, no new projects will come in because the county will be in a de facto development moratorium. I and my private sector colleagues from across Clark County are here to help. Please let us know what we can do to help resolve this issue as soon as possible. Thank you.

Phil Wuest | President
phil@ginngrp.com 360-768-5032
Licensed to practice law in Washington and Oregon
GINN GROUP™
Building Something More

Exhibit E

From: Travis Johnson
To: Phil Wuest; Oliver Orjiako; April Furth; Jeremy Provenzola
Cc: Brent Davis
Subject: RE: Transportation Concurrency
Date: Wednesday, April 29, 2026 4:29:31 PM
Attachments: image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
CLARK COUNTY FAILING CORRIDORS - 8.5 x 11.pdf

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.

Good afternoon, April, Oliver & Jeremy, & Brent:
I have attached a pdf of the corridors that do not meet the V/C ratio, all the properties within a one-mile radius, or two mile depending on the size of the project will be affected. I also have a list from PLS, AKS, SGA and Rotschy of projects that will be affected by this code. For PLS it is close to 80% of the projects we'll be working on in '26. Is there a time and day we can meet to discuss? Thanks!

SGA Projects potentially impacted by failing corridors:
Oslund Acres – In Prelim Review – 98 Lots
Severson Subdivision – In Prelim Review – 14 Lots
179th St. Storage – In Prelim Design – 6 Acres
Hwy 99 – In Prelim Design – 200 +/- Units
114th St. Townhomes – Pre-app stage – 13 lots
83rd Street Subdivision – In Prelim Design – 18 lots
85th Street Subdivision – Pre-app submitted – 52 lots
Liberty Bible Church – In Prelim Design – Campus Expansion
Wardius Site Plan – Pre-app stage – 2 acres industrial
108th Ave. Subdivision – Pre-app stage - 42 lots
9th Ave. Subdivision – In Prelim Review – 19 lots

PLS Projects:
Towee, (FC and hearing 6/11) – 96 lot subdivision
JNB (conceptual) – Industrial Site Plan
Greatness Factory (conceptual) – Commercial Site Plan
Mill Creek Estates (pre-app) – 43 lots
Heights @ Salmon Creek (FC hearing on 7/23) – 58 lots
Glenwood (FC'ed last week Hearing 90-120 days out) – 239 lots
Sunlight Fairgrounds (conceptual) – 300+ unit apartment complex
Livingstone Meadows (early Issues) – 22 lot subdivision
Jacob Logistics (pre-app) – Industrial Site Plan
Site Plan A (conceptual) – Industrial Site Plan
Whipple North (conceptual) – 32 lots

Rotschy Projects:
Cascade Fence and Deck (recently FC'ed) – Industrial Site Plan
DJ's Site (pre-app) – Industrial site plan

AKS projects:
Key Coffee – small drive through coffee site plan
Heartwood North (Hearing May 28th)– 146 lot subdivision
Austin Heritage North (pre-app) - +/-36 lots
Austin Heritage Phase 7 (concept) - +/-45 lots
NE 179th St Subdivision (concept) - +/-20 lots

Travis Johnson
604 W. Evergreen Blvd, Vancouver, WA 98660
O: 360.944.6519 | **D**: 360.977.5304

From: Phil Wuest <phil@ginngrp.com>
Sent: Tuesday, April 28, 2026 4:50 PM
To: Oliver Orjiako <oliver.orjiako@clark.wa.gov>; April Furth <April.Furth@clark.wa.gov>; Jeremy.Provenzola@clark.wa.gov
Cc: Travis Johnson <travis@plsengineering.com>
Subject: Transportation Concurrency

Good afternoon, April, Oliver & Jeremy,

CCC 40.350.020(B) makes clear that transportation concurrency applies to all development applications. 40.250.020(E) requires a concurrency approval, which may only be granted where the "Public Works Director determines that the proposed development's impacts upon all affected transportation corridors and intersections of regional significance do not result in the operating levels for the transportation corridors . . . falling below the adopted level of service standards established in Section 40.350.020(G)." The determination of the Public Works Director must be grounded in the adopted LOS standards.

CCC 40.350.020(G)(1)(a) states that "[t]he maximum volume to capacity ratio for each roadway segment shall not exceed nine-tenths (0.9), which measured independently for each direction of travel." Roadway capacities are set forth in Table 40.350.020-1, including 2000 cars/direction/hour for Parkway Arterials, 1800 for Principal Arterials, 1800 for 4-line minor arterials, and 900 for 2-lane minor arterials. Standards are also set forth for collector arterial roadways.

The concurrency standard in CCC 40.350.020(G)(1)(a) is independent from any other transportation concurrency threshold measure, and the peak hour volume to capacities listed in Table 40.350.020-1 are express, leaving little or no room for engineering judgment or individualized determination.

G. Level of Service Standards.

1. Level of service or LOS standards shall be as follows:

a. 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. Measurements shall be made for all collector and arterial roadway segments located within the Vancouver Urban Growth Area, but outside of the City of Vancouver. Measurements shall also be made for state highways of regional significance. In calculating the volume to capacity ratio, the volume shall be determined based on the factors described in Section 40.350.020(F). In determining the capacity for roadways built-out to county standards, the capacity shall be based on the factors described in Table 40.350.020-1, Roadway Capacities. For roadways not fully built-out to county standards, the capacity shall be determined based on the current roadway condition. For roadways with lane widths twelve (12) feet and greater, and with paved shoulder widths two (2) feet and greater, the lane capacity shall be eight hundred (800) vehicles per hour. For roadways with lane widths between eleven (11) and twelve (12) feet and with paved shoulder widths two (2) feet and greater, the lane capacity shall be seven hundred (700) vehicles per hour. For roadways with lane widths less than eleven (11) feet, the lane capacity shall be six hundred (600) vehicles per hour.

Table 40.350.020-1 Roadway Capacities

Roadway Type			County Designation	Single Direction Capacity/Hour
Urban	Arterials	Parkway	Pa-4b	2000
		Principal	Pr-4cb	1800
		Minor, 4-lane	M-4cb	1800
		Minor, 2-lane	M-2cb	900
	Collector	Urban	C-2cb	900
		Urban	C-2	800
		Urban	C-2b	800
Rural	Arterial		RA	800
	Collector	Major	R-2	800
		Minor	Rm-2	800

I am sure you are all aware that this came up at last week's land use hearing for the Roots project on NE 174th St. At that hearing, the hearing examiner, Mr. Turner, was struck by the express, unavoidable implication of the volume to capacity level of service standard in CCC 40.350.020(G)(1). If, as expected, Mr. Turner interprets the code as written, which is his mandate, that means the Roots project could be denied for failure to meet transportation concurrency requirements. Short of reconstructing NE 179th Street to Parkway Arterial standards, which could not be done without a comp plan amendment to change the classification of the roadway, there is nothing the applicant or the county could do to mitigate the failure. Put differently, the Roots property likely cannot be developed for any allowed use. That's worth restating – the County's concurrency ordinance, a development regulation, will prohibit development of *any use* allowed under the zoning code because the transportation system level of service cannot be met with *any* mitigation.

The implication of this interpretation is overwhelming. Most arterial corridors in Clark County today exceed the same peak hour directional volume to capacity ratio. This assertion can be tested by looking at recently submitted Traffic Impact Studies for projects throughout urban Clark County. That means, in effect, that Clark County can accommodate very little new growth unless and until the level of service standard in CCC 40.350.020(G)(1) is amended, or until the code section allows the Public Works Director some discretion in determining operating LOS using a number of factors, including v/c ratio.

A number of years ago, the City of Vancouver dealt with this problem by doing essentially what Clark County has been doing in practice these past years in overlooking the express v/c LOS standard in subsection (G)(1), which is to look at peak hour directional lane volume to capacity as one indicator of overall corridor performance. The City monitors overall corridor performance rather than v/c at any particular arterial segment or intersection. The City also identifies full build out standards for corridors, which comes into play because it prohibits forever widening roads to try to meet peak-hour demand, which is a) unaffordable and b) economically inefficient. I am sure that Eric Hahn and Ryan Lapossa at the City of Vancouver would be happy to discuss the City's transportation concurrency approach with Clark County.

Because of the serious implications of inaction, I believe this matter requires urgent attention and emergency action by Clark County. Any months-long delay in implementing a fix will jeopardize dozens of projects currently in process for development approval. And, no new projects will come in because the county will be in a de facto development moratorium. I and my private sector colleagues from across Clark County are here to help. Please let us know what we can do to help resolve this issue as soon as possible. Thank you.

Phil Wuest | President
phil@ginngrp.com 360-768-5032
Licensed to practice law in Washington and Oregon
GINN GROUP™
Building Something More

Exhibit F

Nelson

From: Nelson Holmberg <NHolmberg@biaofclarkcounty.org>
Sent: Wednesday, May 13, 2026 2:02 PM
To: glen.yung@clark.wa.gov <glen.yung@clark.wa.gov>; michelle.belkot@clark.wa.gov <michelle.belkot@clark.wa.gov>; wil.fuentes@clark.wa.gov <wil.fuentes@clark.wa.gov>; matt.little@clark.wa.gov <matt.little@clark.wa.gov>; sue.marshall@clark.wa.gov <sue.marshall@clark.wa.gov>; Kathleen Otto <kathleen.otto@clark.wa.gov>; April Furth <april.furth@clark.wa.gov>
Cc: Noelle Lovern <Noelle@biaofclarkcounty.org>
Subject: Serious Transportation Concurrency & Permitting Expedience Concerns

May 13, 2026

Clark County Council
County Manager, Deputy County Manager
1300 Franklin Street
Vancouver, WA 98660

via email

Dear Chair Marshall and Councilors, County Manager Otto and Deputy County Manager Furth:

I am writing on behalf of our members to express serious concern regarding transportation concurrency issues that are significantly threatening development activity throughout Clark County. We urge the Council to immediately adopt an emergency ordinance that allows projects already in process to continue moving through permitting and approval.

Without immediate action, dozens of projects representing hundreds of housing units, industrial investments, commercial developments, and community-serving facilities could be delayed indefinitely due to failing transportation corridors and concurrency constraints that are outside the control of applicants. These delays will have significant consequences for housing availability, economic development, job creation, tax revenue generation, and overall community growth throughout Clark County.

While staffing shortages have been cited as a contributing factor to the current situation, inadequate staffing cannot become the justification for freezing development activity across the county. If necessary, Clark County should immediately bring in temporary review staff, outside consultants, or contract support to assist with permit processing and concurrency review while the county continues recruiting and training permanent personnel. The development community, local employers, and future residents should not bear the burden of administrative bottlenecks that government has the ability and responsibility to address.

If the county can't approve projects today because of volume to capacity constraints, it will have a serious problem in concluding that it can accommodate 20 years of

growth on the very same roadways that can't accommodate growth today. The GMA requires that the land use plan and the capital facilities plan are in balance throughout the growth period, considering the adopted concurrency levels of service. The county's failure to address the concurrency problem now puts the entire growth plan at significant risk.

The following projects are among those potentially impacted by current concurrency failures:

- Oslund Acres – 98 lots
- Severson Subdivision – 14 lots
- 179th St. Storage – 6-acre storage development
- Hwy 99 Development – Approximately 200 residential units
- 114th St. Townhomes – 13 lots
- 83rd Street Subdivision – 18 lots
- 85th Street Subdivision – 52 lots
- Liberty Bible Church Campus Expansion
- Wardius Industrial Site – 2-acre industrial project
- 108th Ave. Subdivision – 42 lots
- 9th Ave. Subdivision – 19 lots
- Towee – 96-lot subdivision
- JNB Industrial Site Plan
- Greatness Factory Commercial Site Plan
- Mill Creek Estates – 43 lots
- Heights @ Salmon Creek – 58 lots
- Glenwood – 239 lots
- Sunlight Fairgrounds – 300+ apartment units
- Livingstone Meadows – 22 lots
- Jacob Logistics Industrial Site Plan
- Site Plan A Industrial Development
- Whipple North – 32 lots
- Cascade Fence and Deck Industrial Site Plan
- DJ's Industrial Site Plan
- Key Coffee Drive-Through
- Heartwood North – 146 lots
- Austin Heritage North – Approximately 36 lots
- Austin Heritage Phase 7 – Approximately 45 lots
- NE 179th St. Subdivision – Approximately 20 lots

These projects collectively represent more than 1,500 housing units, substantial industrial and commercial investment, expanded employment opportunities, and critical community infrastructure. Delaying or stopping them will only exacerbate Clark County's ongoing housing shortage and increase costs for future development and residents alike.

The Council has the opportunity to provide immediate certainty and stability by adopting an emergency ordinance that keeps projects moving while longer-term transportation and concurrency solutions are developed. The development community

transportation and concurrency solutions are developed. The development community stands ready to continue investing in Clark County, but that investment depends on a permitting system that remains functional, predictable, and responsive.

We respectfully urge the Council to act immediately to prevent unnecessary disruption to projects already underway and to ensure Clark County remains a place where housing, jobs, and economic opportunity can continue to grow.

Sincerely,

Nelson

Nelson Holmberg | Government Affairs & Workforce Development Manager
BIA of Clark County - *a Top 30 NAHB Association*
Protecting and promoting the building industry.

Address: 103 E 29th St., Vancouver, WA 98663
Phone: (360) 729-6099 **Web:** www.biaofclarkcounty.org

Email List | SMS | Facebook | LinkedIn | Instagram | Pinterest | Members Group

We've got some amazing events coming up! *Join us for an unforgettable evening of celebration, generosity, and impact at the Green Tie Gala, benefitting the Building Futures Foundation. Held at the RV Inn Style Convention Center in Vancouver, this signature event brings together industry leaders, community supporters, and advocates for workforce development in the homebuilding industry. Ever wondered about the process behind a dream home? The Columbia Credit Union Tour of Homes is your opportunity to learn directly from Clark County's top builders and remodelers. Join us for a weekend of inspiration and education, presented by Contract Furnishings Mart! We have two ROII classes coming up in June; Claims Made Simple and Owner Essentials. These classes cover the essentials of Retro and how it impacts your bottom line, your role in safety oversight, and strategies to reduce risk and maximize refunds.*



May 15



May
29-31



June
3 & 9

BIA
BUILDING INDUSTRY ASSOCIATION OF CLARK COUNTY

Exhibit G

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: <u>Sight Distance</u>

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

<u>Conclusion</u>
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

Exhibit H

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 Condition A-11.b).

- 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 Conditions A-11.b & D-8).

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.

Exhibit I

Notice of Public Hearing Date

The Department of Community Development received an application for development review, as described below. This application is subject to public notice and a public hearing conducted pursuant to Clark County Code, Section 40.510.030 and applicable code sections as listed below.

The date of the scheduled hearing has changed as follows:

The Clark County Hearing Examiner will conduct the public hearing on **June 11, 2026, at 6:00 p.m**. Clark County has modified the hearing and public testimony procedures relating to this matter. The hearing will be held via Webex (a video conferencing service). Participants do **not** need internet access and can connect by phone. See below for additional information.

Due to the modified format, the record will be left open for one week following the hearing to allow for additional testimony. Testimony supplied via e-mail or in writing must be received by Community Development by 5 p.m. on **June 18, 2026**. Please see "public testimony" section below.

You must contact staff no later than noon on June 11, 2026, to sign up to testify at CommDevOALandUse@clark.wa.gov (preferred) or 564-397-4911. Staff will provide you information on participating in the hearing.

At the hearing, the Hearing Examiner will consider the following:

Project Name:	Heartwood North
Case Numbers:	PLD-2025-00114; WHR-2025-00406; FPA-2025-00102
Request:	The applicant is requesting Subdivision approval to divide 33.11 acres (+/-) into 146 single-family detached lots, located in the R1-5 zoning district.
Location:	No address; the site is located approximately 1,290 feet south of NE 119th Street at the end of the future NE 139th Avenue right-of-way.
Applicant:	Holt Homes Attn: Ritchie Tan 1301 SE Tech Center Dr, Suite 150 Vancouver, WA 98683 360.892.0514

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

	ritchie@holthomes.com
Contact:	AKS Engineering & Forestry, LLC Attn: Colin Shackelford 9600 NE 126th Ave, Suite 2520 Vancouver, WA 98682 360.882.0419 ccpermits@aks-eng.com
Property owner:	SRG Development, LLC Attn: Greg Kubicek PO Box 940 Vancouver, WA 98666
Staff contact:	Marion Bateman, 564.397.4885 marion.bateman@clark.wa.gov
This property is located within:	Greater Brush Prairie Neighborhood Association *(currently inactive)*

Public Testimony

You can provide testimony by:

a. Connecting to the hearing via phone or a web-based meeting at 6 pm on **June 11, 2026**. The hearing will be conducted on-line via Webex (a video conferencing service). Participants do not need internet access and can connect by phone.

There will be time limits set for testimony at the public hearing. Individuals will be limited to three minutes and applicants/appellants will be limited to 20 minutes with extensions only granted by the hearing examiner.

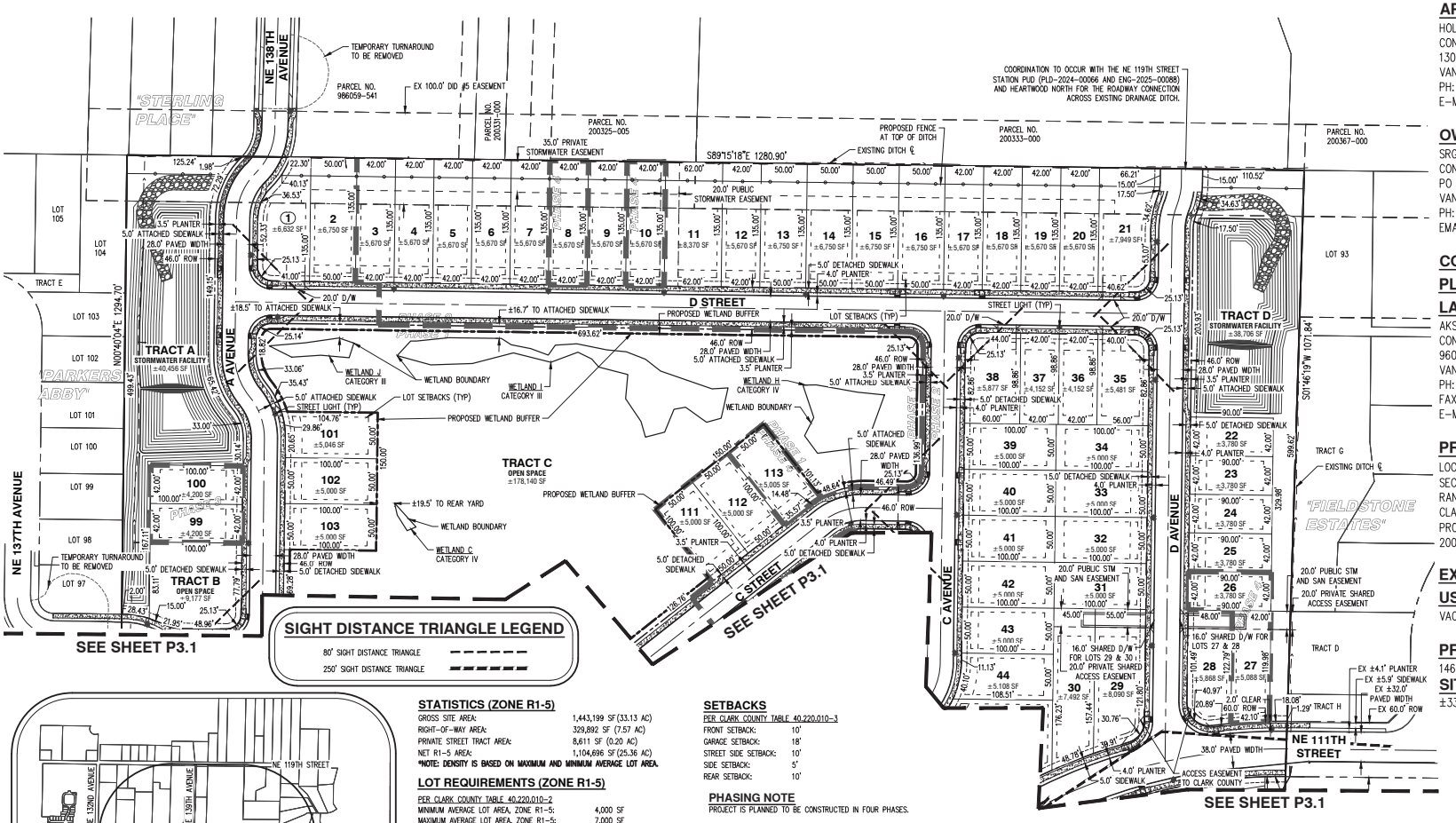
You must contact staff no later than noon on June 11, 2026, to sign up to testify at CommDevOALandUse@clark.wa.gov (preferred) or 564-397-4911. Staff will provide you information on participating in the hearing.

b. Submitting testimony via email
Please send an email to developmentcomments@clark.wa.gov with the case name and number and your testimony.

c. Submitting testimony via U.S. Mail
Due to remote working conditions, e-mail is strongly preferred (see above). You may also submit written testimony to Marion Bateman, Community Development, PO Box 9810, Vancouver, WA 98666-9810.

Accommodation of physical impairments

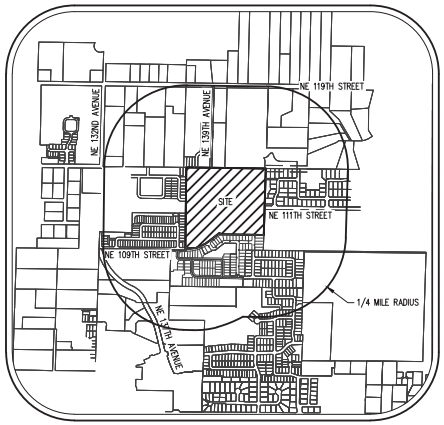
If you need auxiliary aids or services in order to attend, contact the Clark County ADA Office. Voice 564.397.2322; Relay 711 or 800.833.6384; Email ADA@clark.wa.gov.



SIGHT DISTANCE TRIANGLE LEGEND

80' SIGHT DISTANCE TRIANGLE

250' SIGHT DISTANCE TRIANGLE



VICINITY MAP

N.T.S.

STATISTICS (ZONE R1-5)

GROSS SITE AREA:	1,443,199 SF (33.13 AC)
RIGHT-OF-WAY AREA:	329,892 SF (7.57 AC)
PRIVATE STREET TRACT AREA:	8,611 SF (0.20 AC)
NET R1-5 AREA:	1,104,696 SF (25.36 AC)

*NOTE: DENSITY IS BASED ON MAXIMUM AND MINIMUM AVERAGE LOT AREA.

LOT REQUIREMENTS (ZONE R1-5)

PER CLARK COUNTY TABLE 40.220.010-2

MINIMUM AVERAGE LOT AREA, ZONE R1-5:	4,000 SF
MAXIMUM AVERAGE LOT AREA, ZONE R1-5:	7,000 SF
MINIMUM REQUIRED AVERAGE LOT WIDTH:	40 FT
MINIMUM REQUIRED AVERAGE LOT DEPTH:	65 FT
PROPOSED MINIMUM AVERAGE LOT WIDTH:	42 FT
PROPOSED MINIMUM AVERAGE LOT DEPTH:	87 FT
PROPOSED AVERAGE LOT AREA:	5,047 SF
PROPOSED LOTS:	146 LOTS

TRACT TABLE

TRACT	PURPOSE	AREA	OWNERSHIP
TRACT A	STORMWATER FACILITY	±40,456 SF	CLARK COUNTY
TRACT B	OPEN SPACE	±9,177 SF	HOA
TRACT C	OPEN SPACE	±178,140 SF	HOA
TRACT D	STORMWATER FACILITY	±38,706 SF	CLARK COUNTY
TRACT E	OPEN SPACE	±6,439 SF	HOA
TRACT F	OPEN SPACE	±24,429 SF	HOA
TRACT G	STORMWATER FACILITY	±19,332 SF	CLARK COUNTY
TRACT H	OPEN SPACE	±14,969 SF	HOA
TRACT I	PRIVATE STREET	±8,611 SF	HOA
TRACT J	OPEN SPACE	±13,434 SF	HOA
TRACT K	OPEN SPACE	±16,748 SF	HOA
TRACT L	STORMWATER FACILITY	±14,782 SF	CLARK COUNTY
TOTAL		±385,223 SF	

SETBACKS

PER CLARK COUNTY TABLE 40.220.010-3

FRONT SETBACK:	10'
GARAGE SETBACK:	18'
STREET SIDE SETBACK:	10'
SIDE SETBACK:	5'
REAR SETBACK:	10'

PHASING NOTE

PROJECT IS PLANNED TO BE CONSTRUCTED IN FOUR PHASES.

PHASE 1		
	LOT COUNT:	54 LOTS
	TRACTS:	A, B, C, F, G, H, AND I
	LOT AVERAGE AREA:	4,676 SF
PHASE 2		
	LOT COUNT:	62 LOTS
	TRACTS:	D, E, J, K, AND L
	LOT AVERAGE AREA:	5,507 SF
PHASE 3		
	LOT COUNT:	14 LOTS
	LOT AVERAGE AREA:	4,615 SF
PHASE 4		
	LOT COUNT:	16 LOTS
	LOT AVERAGE AREA:	4,547 SF

THE PURPOSE OF THIS PRELIMINARY PLAT IS TO SHOW THE PROPOSED LOT DIMENSIONS AND AREAS FOR PLANNING PURPOSES. THIS IS NOT AN OFFICIAL PLAT AND IS NOT TO BE USED FOR SURVEY PURPOSES.

GENERAL NOTES

1. ALL LOTS WILL BE SERVED WITH PUBLIC SANITARY SEWER BY CRWWD AND WATER BY CLARK PUBLIC UTILITIES (CPU).
2. STORMWATER WILL BE TREATED WITH PHOSPHORUS TREATMENT AND DISCHARGE TO AN EXISTING DITCH ALONG THE NORTH PROPERTY BOUNDARY.
3. NO SEPTIC SYSTEMS ARE PROPOSED ON SITE; THEREFORE SOIL SUITABILITY FOR SEPTIC SYSTEMS IS NOT APPLICABLE.
4. THERE ARE NO PROPOSED OFF-STREET PARKING SPACES OTHER THAN EACH LOTS PRIVATE DRIVEWAY AND GARAGE.
5. THERE ARE NO LOADING AREAS PROPOSED ON SITE.
6. HOMES WILL BE CONSTRUCTED UNDER SEPARATE BUILDING PERMITS.
7. TOTAL SITE AREA IS 33.13 ACRES (1,443,124 SQUARE FEET).
8. WETLAND ARE SHOWN ON SHEETS P2.0 AND P2.1.
9. TRACT C IS PLANNED FOR WETLAND, WETLAND BUFFER, AND OREGON WHITE OAK PROTECTION AND ENHANCEMENT. FINAL BUFFER DIMENSIONS AND LOCATIONS, WILL BE DETERMINED WITH A FINAL MITIGATION PLAN.
10. PEDESTRIAN FACILITIES ARE SHOWN ON THE PLANS. NO TRANSIT FACILITIES ARE PROPOSED.
11. PEDESTRIAN FACILITIES ARE SHOWN ON THE PLANS. NO BICYCLE FACILITIES ARE PROPOSED.
12. ALL CORNER LOT DRIVEWAYS ARE SHOWN ON THE PLAN. CORNER LOT DRIVEWAYS ARE 20' WIDE AND LOCATED 5' FROM THE INTERNAL PROPERTY LINE IN ACCORDANCE WITH CCC40.350.030.B.4.b.1.b.
13. LOTS 1, 21, 35, 38, 49, 52, 63, 70, 81-82, 89, 98, 105, 128, AND 131 HAVE CORNER LOT DRIVEWAYS.
14. SIGHT DISTANCE TRIANGLES ARE SHOWN ON THE PLANS.
15. ALL OF THE PROPOSED STREETS ARE PUBLIC WITH ASPHALT SURFACING EXCEPT TRACT I. TRACT I IS A PRIVATE STREET WITH ASPHALT SURFACING. LOCATIONS AND WIDTHS OF ROADWAYS ARE SHOWN ON PLAN SHEETS P3.0–P3.1 AND P6.0–P6.1.
16. NO ROADS ON OR WITHIN 500 FEET OF THE SITE PROPOSED TO PROVIDE SITE ACCESS ARE IN EXCESS OF 15% GRADE.
17. ALL PROPOSED EASEMENTS ARE SHOWN ON THE PLANS.
18. ALL PROPOSED STREETS, EXCEPT FOR NE 109TH STREET TO NE 111TH STREET, ARE PROPOSED TO BE CLASSIFIED AS URBAN LOCAL RESIDENTIAL ACCESS PER CLARK COUNTY DETAIL DRAWING 13. THESE STREETS INCLUDE A AVENUE, B AVENUE, C AVENUE, D AVENUE, A STREET, B STREET, C STREET, D STREET, NE 142ND AVENUE, AND NE 112TH STREET.
19. NE 109TH STREET TO NE 111TH STREET ROADWAY IS CLASSIFIED AS AN URBAN COLLECTOR (C-2) PER CLARK COUNTY DETAIL DRAWING 6.
20. EXISTING LIGHT POLES ALONG NE 109TH STREET TO REMAIN. PROPOSED LIGHT POLES ALONG NE 109TH STREET ARE SHOWN ON THE PLANS.
21. NO EXISTING STRUCTURES EXIST ON SITE.
22. NO HARD LANDSCAPING FEATURES ARE PROPOSED. SEE SHEETS P7.0 AND P7.1 FOR LANDSCAPE PLANS.
23. ALL LOTS ARE DESIGNED FOR DETACHED SINGLE-FAMILY RESIDENTIAL.
24. LOTS 27–30, 54–56, AND 86–87 HAVE A 20' WIDE PRIVATE SHARED ACCESS EASEMENT WITH A MINIMUM 12' WIDE PAVED SECTION.
25. REFER TO SHEETS P6.0 AND P6.1 FOR STREET SECTIONS.

APPLICANT

HOLT HOMES
CONTACT: RITCHIE TAN
1301 SE TECH CENTER DR, STE #150
VANCOUVER, WA 98683
PH: 360-892-0514
E-MAIL: RITCHIE@HOLTHOMES.COM

OWNER

SRG DEVELOPMENT, LLC.
CONTACT: GREG KUBICEK
PO BOX 940
VANCOUVER, WA 98666
PH: 360-593-9161
EMAIL: GREG@GHKENTERPRISESINC.COM

CONTACT/ENGINEERING/ PLANNING/SURVEYING/ LANDSCAPE ARCHITECT

AKS ENGINEERING & FORESTRY, LLC.
CONTACT: COLIN SHACKELFORD, P.E.
9600 NE 126TH AVENUE, SUITE 2520
VANCOUVER, WA 98682
PH: 360-882-0419
FAX: 360-882-0426
E-MAIL: SHACKELFORDC@AKS-ENG.COM

PROPERTY DESCRIPTION

LOCATED IN THE NORTHWEST 1/4 SECTION 35, TOWNSHIP 3 NORTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CLARK COUNTY, WASHINGTON. PROPERTY SERIAL #'S. 986055-197, 200330-000, & 986053-591

EXISTING LAND USE/ZONE

VACANT LAND; ZONED R1-5

PROJECT PURPOSE

146 LOT RESIDENTIAL SUBDIVISION

SITE AREA

±33.13 AC (1,443,124 SF)

SCALE: 1"=60 FEET

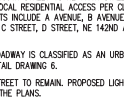
60 0 12 30 60

ORIGINAL PAGE SIZE: 22" x 34"

AKS ENGINEERING & FORESTRY, LLC
9600 NE 126TH AVE., STE 2520
VANCOUVER, WA 98682
360.882.0419
WWW.AKS-ENG.COM

ENGINEERING • SURVEYING • NATURAL RESOURCES
FORESTRY • PLANNING • LANDSCAPE ARCHITECTURE

PRELIMINARY PLAT & PHASING PLAN
HEARTWOOD NORTH
HOLT HOMES
CLARK COUNTY, WASHINGTON



JOB NUMBER:	6502-03
DATE:	04/14/2026
DESIGNED BY:	CJS
DRAWN BY:	ALL
CHECKED BY:	CJS

P3.0

AKS DRAWING FILE: 6502-03 P3 SITEMAP | LAYOUT: P3.0

GENERAL NOTES

1. ALL LOTS WILL BE SERVED WITH PUBLIC SANITARY SEWER BY CRWWD AND WATER BY CLARK PUBLIC UTILITIES (CPU).
2. STORMWATER WILL BE TREATED WITH PHOSPHORUS TREATMENT AND DISCHARGE TO AN EXISTING DITCH ALONG THE NORTH PROPERTY BOUNDARY.
3. NO SEPTIC SYSTEMS ARE PROPOSED ON SITE; THEREFORE SOIL SUITABILITY FOR SEPTIC SYSTEMS IS NOT APPLICABLE.
4. THERE ARE NO PROPOSED OFF-STREET PARKING SPACES OTHER THAN EACH LOTS PRIVATE DRIVEWAY AND GARAGE.
5. THERE ARE NO LOADING AREAS PROPOSED ON SITE.
6. HOMES WILL BE CONSTRUCTED UNDER SEPARATE BUILDING PERMITS.
7. TOTAL SITE AREA IS 33.13 ACRES (1,443,124 SQUARE FEET).
8. WETLAND ARE SHOWN ON SHEETS P2.0 AND P2.1.
9. TRACT C IS PLANNED FOR WETLAND, WETLAND BUFFER, AND OREGON WHITE OAK PROTECTION AND ENHANCEMENT. FINAL BUFFER DIMENSIONS AND LOCATIONS, WILL BE DETERMINED WITH A FINAL MITIGATION PLAN.
10. PEDESTRIAN FACILITIES ARE SHOWN ON THE PLANS. NO TRANSIT FACILITIES ARE PROPOSED.
11. PEDESTRIAN FACILITIES ARE SHOWN ON THE PLANS. NO BICYCLE FACILITIES ARE PROPOSED.
12. ALL CORNER LOT DRIVEWAYS ARE SHOWN ON THE PLAN. CORNER LOT DRIVEWAYS ARE 20' WIDE AND LOCATED 5' FROM THE INTERNAL PROPERTY LINE IN ACCORDANCE WITH CCC40.350.030.B.4.b.1.b.
13. LOTS 1, 21, 35, 38, 49, 52, 63, 70, 81–82, 89, 98, 105, 128, AND 131 HAVE CORNER LOT DRIVEWAYS.
14. SIGHT DISTANCE TRIANGLES ARE SHOWN ON THE PLANS.
15. ALL OF THE PROPOSED STREETS ARE PUBLIC WITH ASPHALT SURFACING EXCEPT TRACT I. TRACT I IS A PRIVATE STREET WITH ASPHALT SURFACING. LOCATIONS AND WIDTHS OF ROADWAYS ARE SHOWN ON PLAN SHEETS P3.0–P3.1 AND P6.0–P6.1.
16. NO ROADS ON OR WITHIN 500 FEET OF THE SITE PROPOSED TO PROVIDE SITE ACCESS ARE IN EXCESS OF 15% GRADE.
17. ALL PROPOSED EASEMENTS ARE SHOWN ON THE PLANS.
18. ALL PROPOSED STREETS, EXCEPT FOR NE 109TH STREET TO NE 111TH STREET, ARE PROPOSED TO BE CLASSIFIED AS URBAN LOCAL RESIDENTIAL ACCESS PER CLARK COUNTY DETAIL DRAWING 13. THESE STREETS INCLUDE A AVENUE, B AVENUE, C AVENUE, D AVENUE, A STREET, B STREET, C STREET, D STREET, NE 142ND AVENUE, AND NE 112TH STREET.
19. NE 109TH STREET TO NE 111TH STREET ROADWAY IS CLASSIFIED AS AN URBAN COLLECTOR (C–2) PER CLARK COUNTY DETAIL DRAWING 6.
20. EXISTING LIGHT POLES ALONG NE 109TH STREET TO REMAIN. PROPOSED LIGHT POLES ALONG NE 109TH STREET ARE SHOWN ON THE PLANS.
21. NO EXISTING STRUCTURES EXIST ON SITE.
22. NO HARD LANDSCAPING FEATURES ARE PROPOSED. SEE SHEETS P7.0 AND P7.1 FOR LANDSCAPE PLANS.
23. ALL LOTS ARE DESIGNED FOR DETACHED SINGLE–FAMILY RESIDENTIAL.
24. LOTS 27–30, 54–56, AND 86–87 HAVE A 20' WIDE PRIVATE SHARED ACCESS EASEMENT WITH A MINIMUM 12' WIDE PAVED SECTION.
25. REFER TO SHEETS P6.0 AND P6.1 FOR STREET SECTIONS.

STATISTICS (ZONE R1-5)

GROSS SITE AREA:	1,443,199 SF (33.13 AC)
RIGHT–OF–WAY AREA:	329,892 SF (7.57 AC)
PRIVATE STREET TRACT AREA:	8,611 SF (0.20 AC)
NET R1–5 AREA:	1,104,696 SF (25.36 AC)

***NOTE: DENSITY IS BASED ON MAXIMUM AND MINIMUM AVERAGE LOT AREA.**

LOT REQUIREMENTS (ZONE R1-5)

PER CLARK COUNTY TABLE 40.220.010–2

MINIMUM AVERAGE LOT AREA, ZONE R1–5:	4,000 SF
MAXIMUM AVERAGE LOT AREA, ZONE R1–5:	7,000 SF
MINIMUM REQUIRED AVERAGE LOT WIDTH:	40 FT
MINIMUM REQUIRED AVERAGE LOT DEPTH:	65 FT
PROPOSED MINIMUM AVERAGE LOT WIDTH:	42 FT
PROPOSED MINIMUM AVERAGE LOT DEPTH:	87 FT
PROPOSED AVERAGE LOT AREA:	5,047 SF
PROPOSED LOTS:	146 LOTS

SETBACKS

PER CLARK COUNTY TABLE 40.220.010–3

FRONT SETBACK:	10'
GARAGE SETBACK:	18'
STREET SIDE SETBACK:	10'
SIDE SETBACK:	5'
REAR SETBACK:	10'

PHASING NOTE

PROJECT IS PLANNED TO BE CONSTRUCTED IN FOUR PHASES.

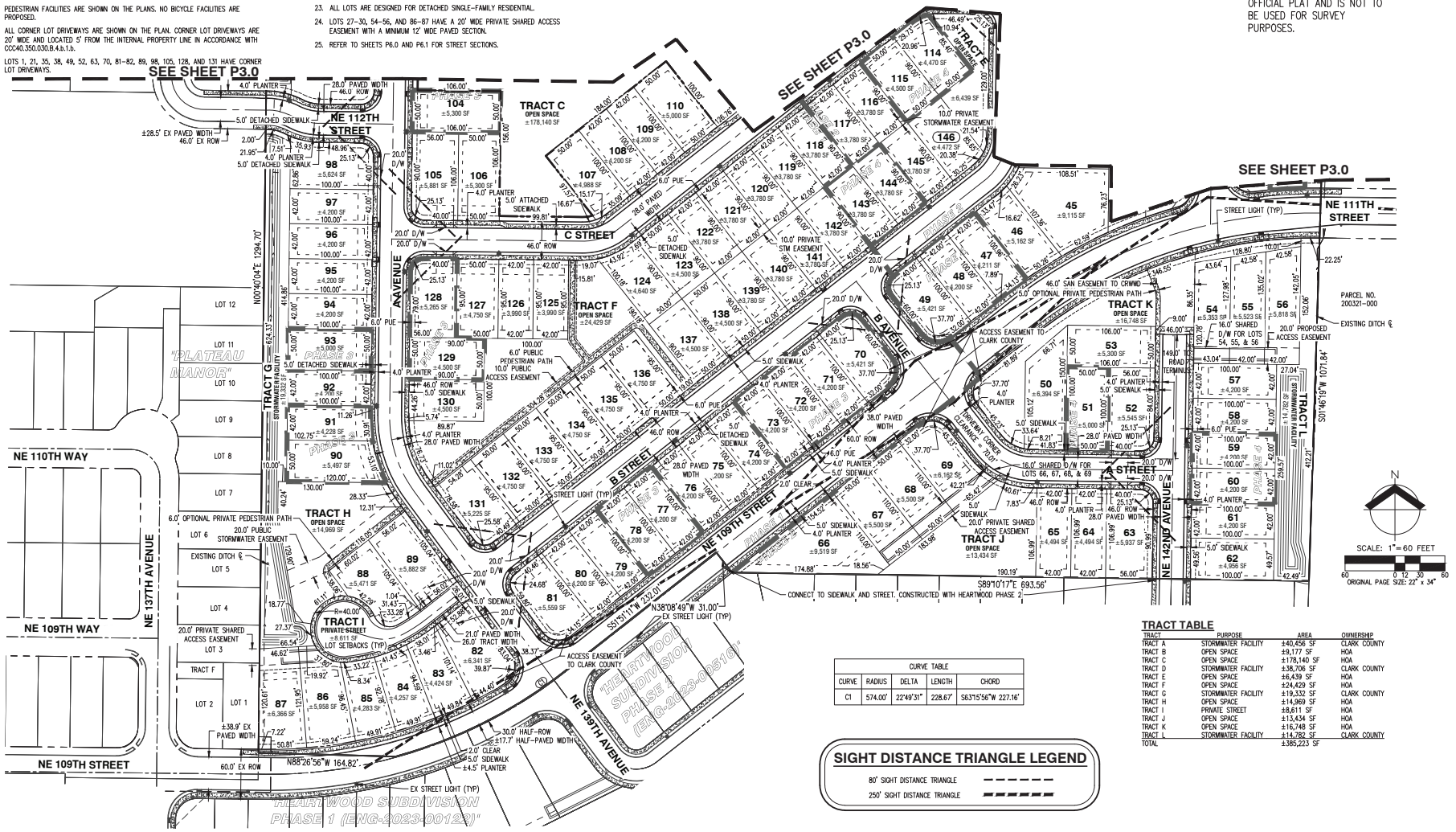
PHASE 1
- LOT COUNT: 54 LOTS
- TRACTS: A, B, C, F, G, H, AND I
- LOT AVERAGE AREA: 4,676 SF

PHASE 2
- LOT COUNT: 62 LOTS
- TRACTS: D, E, J, K, AND L
- LOT AVERAGE AREA: 5,507 SF

PHASE 3
- LOT COUNT: 14 LOTS
- LOT AVERAGE AREA: 4,615 SF

PHASE 4
- LOT COUNT: 16 LOTS
- LOT AVERAGE AREA: 4,547 SF

THE PURPOSE OF THIS PRELIMINARY PLAT IS TO SHOW THE PROPOSED LOT DIMENSIONS AND AREAS FOR PLANNING PURPOSES. THIS IS NOT AN OFFICIAL PLAT AND IS NOT TO BE USED FOR SURVEY PURPOSES.



CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	574.00'	22°49'31"	228.67'	S63°15'56"W 227.16'

SIGHT DISTANCE TRIANGLE LEGEND

80' SIGHT DISTANCE TRIANGLE

250' SIGHT DISTANCE TRIANGLE

TRACT TABLE

TRACT	PURPOSE	AREA	OWNERSHIP
TRACT A	STORMWATER FACILITY	±40,456 SF	CLARK COUNTY
TRACT B	OPEN SPACE	±9,177 SF	HOA
TRACT C	OPEN SPACE	±178,140 SF	HOA
TRACT D	STORMWATER FACILITY	±38,706 SF	CLARK COUNTY
TRACT E	OPEN SPACE	±6,439 SF	HOA
TRACT F	OPEN SPACE	±24,429 SF	HOA
TRACT G	STORMWATER FACILITY	±19,332 SF	CLARK COUNTY
TRACT H	OPEN SPACE	±14,969 SF	HOA
TRACT I	PRIVATE STREET	±8,611 SF	HOA
TRACT J	OPEN SPACE	±13,434 SF	HOA
TRACT K	OPEN SPACE	±16,748 SF	HOA
TRACT L	STORMWATER FACILITY	±14,782 SF	CLARK COUNTY
TOTAL		±385,223 SF	

AKS ENGINEERING & FORESTRY, LLC
9600 NE 126TH AVE., STE 2520
VANCOUVER, WA 98682
360.882.0419
WWW.AKS-ENG.COM

ENGINEERING • SURVEYING • NATURAL RESOURCES
FORESTRY • PLANNING • LANDSCAPE ARCHITECTURE

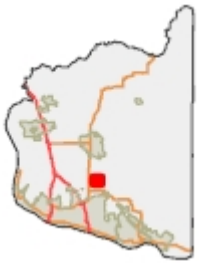
PRELIMINARY PLAT & PHASING PLAN
HEARTWOOD NORTH
HOLT HOMES
CLARK COUNTY, WASHINGTON

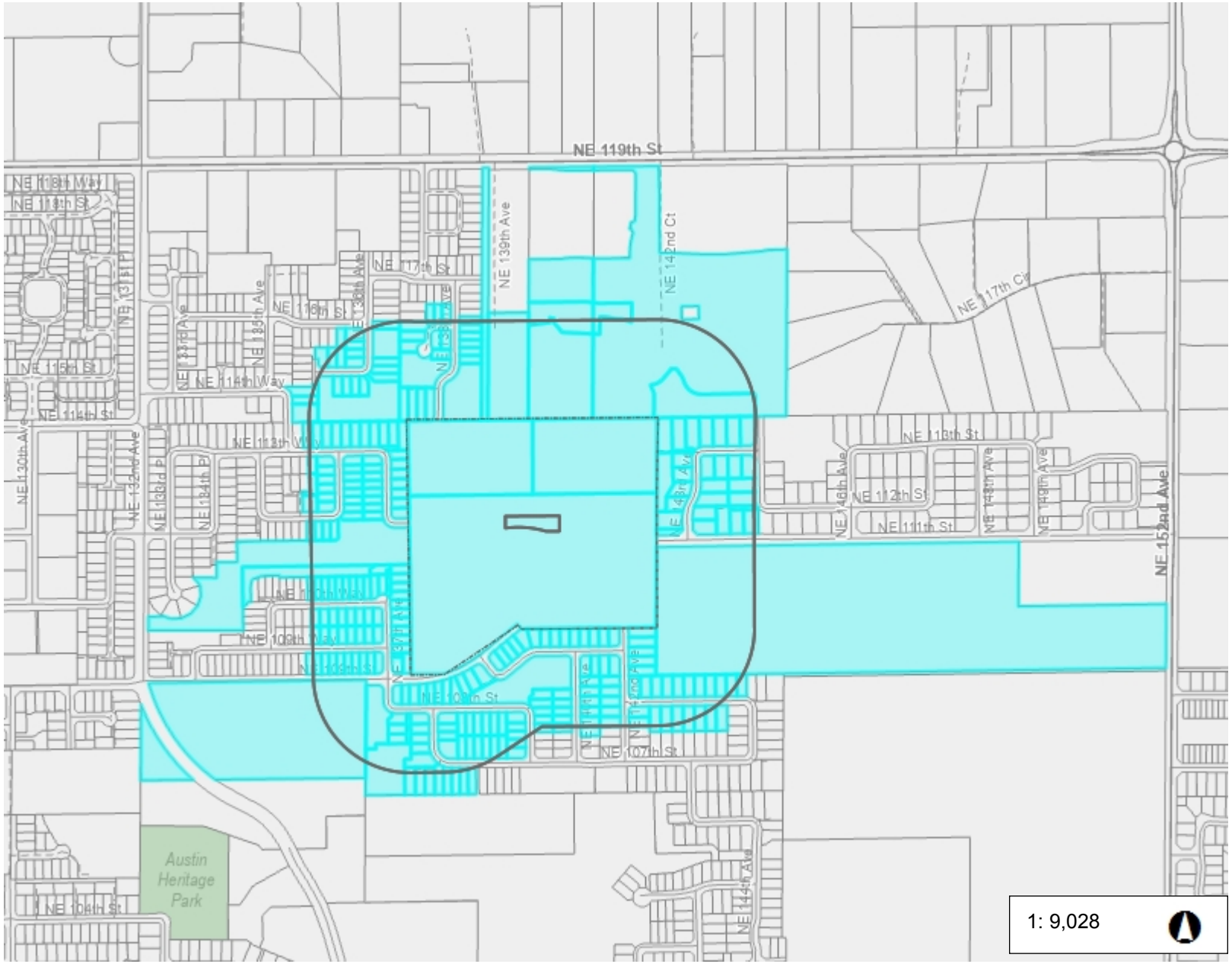
JOB NUMBER:	6502–03
DATE:	04/14/2026
DESIGNED BY:	CJS
DRAWN BY:	ALL
CHECKED BY:	CJS

P3.1

AKS DRAWING FILE: 6502-03 P3 SITEUSE | LAYOUT: P3.1

Heartwood North 500' List





Legend

- Taxlots

Notes:

Parcels located with in 500 foot radius of the project

1: 9,028

1,504.7 0 752.33 1,504.7 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
Clark County, WA. GIS - http://gis.clark.wa.gov

This map was generated by Clark County's "MapsOnline" website. Clark County does not warrant the accuracy, reliability or timeliness of any information on this map, and shall not be held liable for losses caused by using this information. Taxlot (i.e., parcel) boundaries cannot be used to determine the location of property lines on the ground.

Exhibit J

Heidi Pozzo
13023 NE Highway 99, Ste 7-298
Vancouver, WA 98686

May 28, 2026

Clark County Hearing Examiner
c/o Clark County Community Development
1300 Franklin Street
Vancouver, WA 98660

RE: Heartwood North (PLD-2025-00114; WHR-2025-00406; FPA-2025-00102) — Notice Deficiency Challenge

Public Hearing: June 11, 2026

Dear Hearing Examiner:

I am writing as a party of record to object to the adequacy of public notice for the above-referenced application. The notice requirements of Clark County Code Section 40.510.030 have not been met for the June 11, 2026 hearing, and the hearing should be continued to a date that allows full compliance. As detailed below, the development sign at the site displays a cancelled hearing date, the designated neighborhood association is inactive, there is no evidence of newspaper publication, every public-facing source on the County website identifies the wrong hearing date for this application, and the staff report was issued with less than the required 15 days for public review. I respectfully request that this letter be entered into the record.

1. Applicable Code Requirements

CCC 40.510.030(D)(2) requires that at least fifteen (15) calendar days before the date of a hearing, the responsible official shall issue a public notice of the hearing consistent with the requirements in Section 40.510.030(E). Subsection (E) requires, at minimum: (a) mailed notice to property owners within the required radius, the applicant, and applicable neighborhood associations; (b) posting of a development sign at the site displaying the project name, case number, **public hearing date, time, and location**; and (c) publication in a newspaper of general circulation. When a hearing date changes, the public is entitled to notice of the *new* hearing date that complies with these same requirements.

2. Chronology

March 26, 2026 — Notice of Application with Optional SEPA Determination of Non-Significance and public hearing mailed to the Greater Brush Prairie Neighborhood Association, the applicant, and property owners within 500 feet of the site (Staff Report, p. 3).

April 24, 2026 — Development sign posted at the site. The Affidavit of Sign Posting (Exhibit 30), signed by Ritchie Tan on April 27, 2026, certifies the sign was posted at Clark County Parcel Number 986055-197 on this date.

May 7, 2026 — Notice of cancelled hearing mailed (Staff Report, p. 3). The application had been placed on hold for additional/revised information.

May 26, 2026 — Notice of the new hearing date (June 11, 2026) mailed to parties of record (Staff Report, p. 3).

May 28, 2026 — Staff Report and Recommendation issued and mailed to parties of record (Exhibit 52, Affidavit of Mailing). The staff report cover page confirms: “Date issued: 5/28/2026.” This is 14 calendar days before the June 11 hearing.

3. Notice Deficiencies

A. The Development Sign Displays the Wrong Hearing Date

The Affidavit of Sign Posting (Exhibit 30) certifies that a sign was posted on April 24, 2026 — before the hearing was cancelled on May 7. CCC 40.510.030(E) requires the posted sign to include the public hearing date, time, and location. A sign posted before the hearing was cancelled necessarily displays a hearing date that no longer exists. There is no evidence in the record that the sign was updated to reflect the June 11, 2026 hearing date, and no new or amended affidavit of sign posting has been submitted. A member of the public who visits the site today sees a sign directing them to a hearing that was cancelled weeks ago. The sign posting requirement is not satisfied by a sign advertising a cancelled hearing.

B. The Designated Neighborhood Association Is Inactive

CCC 40.510.030(E) requires mailed notice to the applicable neighborhood association. The staff report identifies the Greater Brush Prairie Neighborhood Association and confirms notice was mailed to it (Staff Report, p. 3). The Clark County website (clark.wa.gov/county-manager/greater-brush-prairie) states: “This neighborhood association is currently inactive.” There is no president and no listed officers. The purpose of the neighborhood association notice requirement is to ensure that organized community representatives receive hearing information and can disseminate it to affected residents. Mailing notice to an inactive association with no functioning leadership does not accomplish that purpose. When the designated association has no capacity to act on the notice, the County should take additional steps to ensure the surrounding community is actually reached.

C. No Evidence of Newspaper Publication

CCC 40.510.030(E) requires notice in a newspaper of general circulation. I have been unable to locate any publication of the June 11, 2026 hearing date in The Columbian, Clark County’s designated newspaper for legal notices. If such publication occurred, the record should include evidence of it. If it did not occur, this is an independent notice deficiency.

D. All Public-Facing Information Points to the Wrong Hearing Date

The Clark County Land Use Hearings page (clark.wa.gov/community-development/land-use-hearings) is the County’s primary public-facing resource for hearing schedules. The page currently lists agendas for May 28 and June 11. The May 28 agenda *includes*

Heartwood North. The June 11 agenda lists only Pleasant Woods North Subdivision (PLD-2026-00021) and 58th Avenue Subdivision (PLD-2026-00008) — Heartwood North does not appear. The hearings tracking list likewise does not show Heartwood North on any hearing date.

The result is that every piece of public-facing information about this application points to the wrong date. The development sign at the site displays the date of the cancelled hearing. The County website's May 28 agenda lists Heartwood North. The June 11 agenda does not. A member of the public who checks the sign at the site or searches the County website would reasonably conclude the hearing is tonight, May 28 — not June 11. There is nothing available to the general public that identifies June 11 as the hearing date. The only people who will know the correct date are those within the mailed-notice radius and parties of record, and only after they receive a mailing that was sent May 26 and may not arrive until this weekend.

E. The Staff Report Was Issued With Insufficient Time for Public Review

CCC 40.510.030(D)(3) requires the responsible official to issue the staff report at least 15 calendar days before the hearing. The Staff Report and Recommendation was issued and mailed to parties of record today, May 28, 2026 (Exhibit 52, Affidavit of Mailing; Staff Report cover page: "Date issued: 5/28/2026"). The hearing is June 11 — 14 calendar days away, one day short of the minimum. This is a 50-page staff report for a 146-lot subdivision with significant traffic, concurrency, environmental, and infrastructure implications. Parties of record who receive the mailing will have, at best, 12–13 days after delivery to digest the analysis and prepare testimony. The compressed timeline prejudices the public's ability to participate meaningfully in the hearing.

4. Cumulative Effect

Each of these deficiencies independently raises questions about whether the procedural requirements of CCC 40.510.030 have been met. Taken together, they present something worse than a gap in notice — they present affirmative misdirection. Every public-facing source of information about this application — the development sign, the County website's hearing agenda, and the hearings tracking list — either points to the wrong hearing date or omits the application entirely. The designated neighborhood association is inactive and has no capacity to receive or act on notice. There is no evidence of newspaper publication. And the staff report was issued with less than 15 days for public review. The only people who will learn the correct hearing date are those who receive the May 26 mailing — property owners within 500 feet and parties of record — and only after the mail arrives, likely this weekend at the earliest. The general public has no way to discover that this hearing is scheduled for June 11.

5. Email Notice Does Not Cure the Deficiencies

I acknowledge that the County sent email notifications on May 26 (notice of hearing date change) and May 28 (staff report and recommendation). However, these emails went only to individuals who had previously signed up to receive notices for this application — parties of record and others already aware of the project. Email

notification is not one of the notice methods prescribed by CCC 40.510.030(E), and more fundamentally, it does not reach the broader public that the statutory notice requirements are designed to inform. The Code requires mailed notice, a posted development sign, and newspaper publication precisely because those methods reach people who are not already following the application. The email notifications do not cure the failure to update the development sign, the absence of newspaper publication, the incorrect hearing date on the County website, or the inactive status of the designated neighborhood association. Nor do they extend the time available to review the staff report.

6. Request

The notice deficiencies identified above are not individually minor, and they are cumulative. The development sign shows a cancelled hearing date. The designated neighborhood association is inactive. There is no evidence of newspaper publication. The County's own website does not list this application on any hearing agenda. And the staff report was issued with less than 15 days for public review. Under these circumstances, the June 11 hearing should not proceed.

I respectfully request that the Hearing Examiner continue the hearing to a date that allows full compliance with CCC 40.510.030, including:

a. Publication of the hearing notice in The Columbian, with at least 15 calendar days between publication and the hearing;

b. An updated development sign posted at the site displaying the correct hearing date, time, and location, with a new affidavit of sign posting submitted to the record;

c. At least 15 calendar days between the issuance of the staff report and the hearing, so that parties of record have adequate time to review a 50-page report on a 146-lot subdivision with significant traffic, concurrency, and environmental implications;

d. Posting of the hearing on the County website's Land Use Hearings page with a published agenda that identifies this application; and

e. Additional measures to provide meaningful notice to the surrounding community given the inactive status of the Greater Brush Prairie Neighborhood Association, such as expanded mailed notice or outreach to adjacent active neighborhood associations.

I further request that this letter and the following attachments be entered into the record as exhibits:

Attachment A — Clark County Land Use Hearings webpage (clark.wa.gov/community-development/land-use-hearings), captured May 28, 2026, showing agendas posted for May 28 and June 11 only

Attachment B — Land Use Public Hearing Agenda, May 28, 2026 (listing Heartwood North)

Attachment C — Land Use Public Hearing Agenda, June 11, 2026 (Heartwood North absent)

Attachment D — Hearing Examiner Tracking List, prepared May 19, 2026 (Heartwood North absent from all hearing dates)

Attachment E — Greater Brush Prairie Neighborhood Association webpage (clark.wa.gov/county-manager/greater-brush-prairie), confirming inactive status

Respectfully submitted,

Heidi Pozzo
Party of Record, PLD-2025-00114

Exhibit A

Joint Lobby closed for remodel LEARN MORE >

Land Use Hearings

Hearings are generally held on the second and fourth Thursdays at 6:00 pm each month. They are held virtually.

Upcoming hearings list

The hearings list shows a tentative schedule for upcoming hearings. It is generally updated on Mondays if there is a c schedule.

Agendas

Agendas are PDF files.

- May 28
- June 11

Participating in hearings

Clark County will hold the hearing via WebEx (a video conferencing software). Instructions for virtually attending a hearing are included in the agendas. Participants do not need internet access and can participate by phone. Interested parties can get directions for participating in the hearing by emailing CommDevOALandUse@clark.wa.gov or calling 564.397.4911. Due to remote work conditions, e-mail is strongly prefe

Due to the modified format, the record will be left open for one week following the hearing to allow for additional testi comments to the staff contact for the project listed in the agenda or CommDevOALandUse@clark.wa.gov.

After the one-week open record period, the Clark County hearing examiner may approve the application. A decision b examiner is final unless a motion is filed for reconsideration or an appeal is filed with Superior Court.

Visit Land use hearings and providing effective testimony to learn how to provide comment and participate in hearin

Recordings

Video recordings of hearings held 2007 through March 2018 and January 2019 forward are available on cvtv.org.

Audio recordings for hearings held April 2018 through December 2018 are available by submitting a public records re

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Exhibit B

CLARK COUNTY
WASHINGTON
COMMUNITY DEVELOPMENT
LAND USE REVIEW

Land Use Public Hearing Agenda

Working together. Securing your safety. Protecting your investment.

Date: **Thursday, May 28, 2026** **Time:** 6:00 pm

Location: Clark County will hold the hearing via Webex (a video conferencing service). Participants do not need internet access and can participate by phone. See below for additional information.

You must contact staff no later than noon on May 28, 2026 to sign up to testify at CommDevOALandUse@clark.wa.gov (preferred) or 564.397.4489. Staff will provide information on participating in the hearing.

Examiner: Dan Kearns

Agenda:

Call to order and hearing examiner disclosure statement

Project Name:	Oslund Acres Subdivision
Case Number:	PLD-2025-00112
Location:	8802 NE 94TH AVE, VANCOUVER, WA 98662
Request:	The applicant is requesting a subdivision review approval to divide 8.78 acres (+/) into 98 attached townhome lots in the R1-6 zone.
Staff Contact:	Joe Kinsman joe.kinsman@clark.wa.gov
Project Name:	Heartwood North
Case Number:	PLD-2025-00114
Location:	No primary address specified
Request:	The applicant is requesting Subdivision approval to divide 33.11 acres (+/-) into 146 single-family detached lots, located in the R1-5 zoning district.
Staff Contact:	Marion Bateman marion.bateman@clark.wa.gov

Options to provide testimony:

1. Connect to the hearing via phone or a web-based meeting at 6 pm on May 28, 2026. Participants do not need internet access and can connect by phone.

   Join by phone: 1-408-418-9388 United States Toll
   Access code: dZTRjWRh765 (39875974 when dialing from a phone or video system)

   Use this link to connect to the hearing using your computer or mobile app:
   Click here to join the hearing
   Event number: 2496 338 2533
   Event password: dZTRjWRh765

   You must contact staff no later than noon on May 28, 2026 to sign up to testify at CommDevOALandUse@clark.wa.gov (preferred) or 564.397.4489. Staff will provide you information on participating in the hearing.

2. Submit testimony via email
   Email testimony to the assigned planner indicated above.

3. Submit testimony via US Mail
   Due to remote working conditions necessitated by the COVID-19 public health threat, e-mail is strongly preferred (see above). You may also submit written testimony to the assigned planner indicated above at Community Development, PO Box 9810, Vancouver, WA 98666-9810.

Due to the modified format, the record will be left open for one week following the hearing to allow for additional public testimony. Testimony supplied via email or in writing must be received by Community Development by 5 pm on June 4, 2026.

View the hearing without providing testimony

Coverage of this evening's hearing will be cable cast live on Clark/Vancouver television, Channel 23 or 21, on cable television systems. For replay dates and times, please check your local television guide or www.cvtv.org.

To stream live, visit www.cvtv.org. On the home page, under the banner **Channel Schedule**, click the link for the hearing which is available approximately an hour before the hearing starts.

Accommodation of physical impairments

If you require auxiliary aids or services to participate, contact the Clark County ADA Office at 564.397.2322; Relay 711 or 800.833.6388; ADA@clark.wa.gov.

Exhibit C

CLARK COUNTY
WASHINGTON
COMMUNITY DEVELOPMENT
LAND USE REVIEW

Land Use Public Hearing Agenda

Working together. Securing your safety. Protecting your investment.

Date: **Thursday, June 11, 2026** **Time:** 6:00 pm

Location: Clark County will hold the hearing via Webex (a video conferencing service). Participants do not need internet access and can participate by phone. See below for additional information.

You must contact staff no later than noon on June 11, 2026 to sign up to testify at CommDevOALandUse@clark.wa.gov (preferred) or 564.397.4489. Staff will provide information on participating in the hearing.

Examiner: Dan Kearns

Agenda:

Call to order and hearing examiner disclosure statement

Project Name:	**Pleasant Woods North Subdivision**
Case Number:	PLD-2026-00021
Location:	5319 NE 129TH CIR, VANCOUVER, WA 98686
Request:	The applicant is requesting a subdivision review approval to divide 3.38 acres into 29 single-family detached lots in the R1-7.5 zone.
Staff Contact:	Wendy Baird Wendy.baird@clark.wa.gov
Project Name:	**58th Avenue Subdivision**
Case Number:	PLD-2026-00008
Location:	7005 NE 58TH AVE, VANCOUVER, WA 98661
Request:	The applicant requests Subdivision review and approval to divide approximately .79 acres into twelve (12) single-family attached townhouse lots, located in the R1-6 zone.
Staff Contact:	Bryan Mattson Bryan.mattson@clark.wa.gov

Options to provide testimony:

1. Connect to the hearing via phone or a web-based meeting at 6 pm on June 11, 2026. Participants do not need internet access and can connect by phone.

   Join by phone: 1-408-418-9388 United States Toll
   Access code: 2489 334 6088 (97833729 when dialing from a phone or video system)

   Use this link to connect to the hearing using your computer or mobile app:
   Click here to join the hearing
   Event number: 2489 334 6088
   Event password: xpUDDRCy367

   You must contact staff no later than noon on June 11, 2026 to sign up to testify at CommDevOALandUse@clark.wa.gov (preferred) or 564.397.4489. Staff will provide you information on participating in the hearing.

2. Submit testimony via email
   Email testimony to the assigned planner indicated above.

3. Submit testimony via US Mail
   Due to remote working conditions necessitated by the COVID-19 public health threat, e-mail is strongly preferred (see above). You may also submit written testimony to the assigned planner indicated above at Community Development, PO Box 9810, Vancouver, WA 98666-9810.

Due to the modified format, the record will be left open for one week following the hearing to allow for additional public testimony. Testimony supplied via email or in writing must be received by Community Development by 5 pm on June 18, 2026.

View the hearing without providing testimony

Coverage of this evening's hearing will be cable cast live on Clark/Vancouver television, Channel 23 or 21, on cable television systems. For replay dates and times, please check your local television guide or www.cvtv.org.

To stream live, visit www.cvtv.org. On the home page, under the banner **Channel Schedule**, click the link for the hearing which is available approximately an hour before the hearing starts.

Accommodation of physical impairments

If you require auxiliary aids or services to participate, contact the Clark County ADA Office at 564.397.2322; Relay 711 or 800.833.6388; ADA@clark.wa.gov.

Exhibit D

CLARK COUNTY WASHINGTON
COMMUNITY DEVELOPMENT
LAND USE REVIEW

Hearing Examiner Tracking List

Prepared 5/19/2026

5/28/2026

Project Name	Permit Number	Description	Related Permits	Fully Complete	Address	Planner	Engineer	Examiner	Review Comments Due from County Depts	Final SEPA / Staff Report to Team Lead	Official SEPA / Staff Report Issued
Oslund Acres Subdivision	PLD-2025-00112	The applicant is requesting a subdivision review approval to divide 8.78 acres (+/) into 98 attached townhome lots in the R1-6 zone.	PAC-2025-00174	01/21/26	8802 NE 94TH AVE VANCOUVER, WA 98662	Joe Kinsman	Allister Dawson	Daniel Kearns	05/11/26	05/07/26	

6/11/26

Project Name	Permit Number	Description	Related Permits	Fully Complete	Address	Planner	Engineer	Examiner	Review Comments Due from County Depts	Final SEPA / Staff Report to Team Lead	Official SEPA / Staff Report Issued
Pleasant Woods North Subdivision	PLD-2026-00021	The applicant is requesting a subdivision review approval to divide 3.38 acres into 29 single-family detached lots in the R1-7.5 zone.		3/23/26	5319 NE 129TH CIR, VANCOUVER, WA 98686	Wendy Baird	Allister Dawson	Daniel Kearns	5/20/26	4/15/26	
58th Avenue Subdivision	PLD-2026-00008	The applicant requests Subdivision review and approval to divide approximately .79 acres into twelve (12) single-family attached townhouse lots, located in the R1-6 zone.	EVR-2026-00012 PAC-2025-00147	02/02/26	7005 NE 58TH AVE, VANCOUVER, WA 98661	Bryan Mattson	Allister Dawson	Daniel Kearns			

Public Service Center
1300 Franklin St., Vancouver, WA 98660
564.397.2375 landuse@clark.wa.gov
www.clark.wa.gov/community-development

For other formats, contact
Clark County ADA Office
564.397.2282 / 711
800.833.6388
ADA@clark.wa.gov

Hearing Examiner Tracking List

Prepared 5/19/2026

6/25/26

Project Name	Permit Number	Description	Related Permits	Fully Complete	Address	Planner	Engineer	Examiner	Review Comments Due from County Depts	Final SEPA / Staff Report to Team Lead	Official SEPA / Staff Report Issued
Glowstone Ridge Subdivision	PLD-2026-00028	The applicant is requesting a subdivision review approval to create 25-sngl family lots on 4.78 acres(+/-) int the R1-6 zone.	PAC-2025-00112	03/31/26	2206 NE 187TH AVE VANCOUVER, WA 98684	Melissa Curtis	Hannah Dietel-Isaacson	Joe Turner	06/03/26	05/29/26	
OALC View	PSR-2026-00048	The applicant is requesting a site plan review approval to construct a 39,956 sq ft 2-story church, an 1,800 sq ft maintenance building and a cemetery on 15 acres (+/-) in the R-10 zone.	PAC-2024-00289 PAC-2025-00309	04/15/26	No primary address specified	Wendy Baird	Allister Dawson	Joe Turner	06/03/26	05/29/26	
Towhee Creek Subdivision and Concurrent Rezone	PLD-2026-00029	The applicant is requesting a subdivision review approval to divide 10 acres (+/-) into 96 single-family lots in the R1-20 zone with a concurrent rezone.		03/17/26	No primary address specified	Richard Daviau	Allister Dawson	Daniel Kearns	05/20/26	05/15/26	

7/23/26

Project Name	Permit Number	Description	Related Permits	Fully Complete	Address	Planner	Engineer	Examiner	Review Comments Due from County Depts	Final SEPA / Staff Report to Team Lead	Official SEPA / Staff Report Issued
Cresap Meadows Subdivision	PLD-2026-00052	The applicant is requesting a subdivision review approval to divide 1.97 acres (+/-) into a 22 lot compact, narrow, and zero lot line in the r1-6 zone.		04/24/26	6400 NE 129TH ST, VANCOUVER, WA 98686	Joe Kinsman	Craig Kathol	Daniel Kearns			

Public Service Center
1300 Franklin St., Vancouver, WA 98660
564.397.2375 landuse@clark.wa.gov
www.clark.wa.gov/community-development

For other formats, contact
Clark County ADA Office
564.397.2282 / 711
800.833.6388
ADA@clark.wa.gov

Exhibit E

Joint Lobby closed for remodel LEARN MORE >

Greater Brush Prairie



*This neighborhood association is currently inactive. Please contact Marilee McCall, Neighborhood Program Coordina marilee.mccall@clark.wa.gov if you're interested in reactivating this group.
Established November 1999. Current concerns of this neighborhood are the freight rail expansion and possibilities of development in the rural area.

Newsletters

Parks
Chelatchie Prairie Rail with Trail Project
Cherry Neighborhood Park
Dogwood Neighborhood Park
Hockinson Meadows Community Park

County Council District
West Side - District 5
Sue Marshall
email: sue.marshall@clark.wa.gov
East Side - District 4
Matt Little
email: matt.little@clark.wa.gov

Neighborhood Sheriff Liaison
Deputy Patrick Morgan
patrick.morgan@clark.wa.gov

Call 3-1-1 to report non-life-threatening activit
Call 9-1-1 for fire and emergency

Report property crimes at:
https://clark.wa.gov/sheriff/file-crime-report

You also may leave information or report suspe activity at one of the Sheriff's two Tip Lines. Yo remain anonymous.
Sheriff's Office Tip Line - 564.397.2847

Drug Task Force Tip Line - 564.397.6017
Si tienes información sobre drogas puedes dej en español. Su información será confidencial.

Neighborhood Fire Station
Fire District 3 - Station 31
17718 NE 159th Street, Brush Prairie WA 9860

Neighborhood Association Officers
President

Social Media

Bylaws

Quickmaps

Greater Brush Prairie map

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CLARK COUNTY WASHINGTON

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1300 Franklin Street
PO Box 5000
Vancouver, WA 98666-5000
564.397.2000

June 4, 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:

The purpose of this letter is to correct the record regarding the time frame of the current code language of CCC 40.350.020(G)(1)(a) as identified in Exhibit 136 VC Ltr Final. The implementation of this code language was in the 2014 time frame as you will see with the exhibits provided into the record during the first open record period.

As this open record period relates to the approval with conditions of PLD-2026-00002 174th Street Subdivision, it is staff's position that 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 the 2014 time frame, concurrency staff has used the intersection level-of-service and queuing, along with existing roadway influences and, where applicable, potential mitigation options such as Transportation System Management (TSM) or Transportation Demand Management (TDM) strategies 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 the 2014 time frame, 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. Therefore, staff recommends the Hearing Examiner approve PLD2026-00002 174th Street Subdivision with conditions of approval as listed in the reissued concurrency staff report (Exhibit 140).

Additionally, this response addresses issues as identified in the Supplemental Submission for the Open Record dated April 25, 2026, prepared by Heidi Pozzo (Ex 88).

Ms. Pozzo's issue(s) are formatted by the section headings shown in ***bold italics***. The County's responses will be shown without italics.

"I. Purpose of This Submission" (page 1)

Exhibit 88 and all of its supporting documents (Exs. 80 through 87 and Exs. 89 through 91) have been submitted to show the intent of the Clark County Council when it adopted CCC 40.350.020(G)(1). As the Concurrency Engineer in 2014, I was a part of preparing the presentation materials, as well as assisting traffic engineers from the County's Traffic Engineering Section as the methodologies for corridor volume-to-capacity were being developed to replace corridor travel time/travel speed monitoring approach.

Primary objectives of the Council to replace the corridor travel time/travel speed methodology:

- Predictability and prescriptiveness:
    - The volume-to-capacity model provided prescriptive hourly vehicle volumes per direction. So now a development could take the existing, background, and buildout volumes of the roadway

and compare them to the prescriptive number to determine operating levels on the corridor. If the developer's analysis did not exceed the prescriptive thresholds outlined in the code no further analysis was required. However, if the traffic study showed that the prescriptive thresholds were exceeded additional corridor analysis could be performed to determine acceptable operation outside of the prescriptive thresholds identified in the code.

- This is allowed under CCC 40.350.020(D) for the applicant/developer, and CCC 40.350.020(F)(9) for county review.
  - Background:
    - Travel time runs over multiple corridors in the county were run once a year. These corridors were sometimes miles long and included multiple intersections. The drivers would traverse these corridors during the PM Peak Period (4 PM – 6 PM) driving the speed limit trying to achieve as many runs as possible in both directions. Once the yearly travel times and speeds for a corridor were established, development would use their intersection related impacts (delay per approach per intersection) to determine their impacts to a corridor for travel time and estimated speeds.

"III. The Override Rational in Ex. 52" (page 2)
"Ord. 2016-10-11 at lines 1-6" (page7)
"6. The exemptions in Section H are exclusive and do not include the override." (page 12)
"11. The override has no foundation in the record." (page 13)

Staff's analysis outside of the code's prescriptive measures on corridor capacity was performed in compliance with CCC 40.350.020(F)(9), because other factors could have impact on the operating level of the transportation corridor. Staff's analysis 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. Because staff did not use the prescriptive volume threshold and performed an evaluation with a more representative look at corridor operations and through put, our recommendation should not be considered or labeled an override or exemption.

"Intersection mobility standards were described as a separate, supplemental safety floor." (page 3)
"8. Intersection LOS is a supplemental safety floor, not an override." (page13)

Mobility standards for intersections play a significant part in determining overall corridor mobility. For example, if an intersection is not operating well, that intersection will create congestion on the corridor reducing through put/capacity. As identified in this section, the intersection mobility standards are not changing. Therefore, if intersection operations degrade to a point of failure, development that impacts that location and meets the threshold requirements to require mitigation, the developer/applicant would need to volunteer (CCC 40.350.030 (B)(6)) to construct the necessary mitigation to offset the impacts of their development (CCC 40.350.020(E)(5)) in order to move forward. Once the volunteered mitigation is constructed and operational, the model throughput/capacity of the corridor is improved.

"The 2014 package was financially structured around V/C as the trigger for identifying needed improvements." (page 4)
"Slides 11 and 12 show what was being removed from the capital plan." (page 4/5)
"The 2014 CFP confirms the same structure." (page 5)
"V/C >0.90 was described as the trigger for project identification." (page 5)
"D. The April 13, 2017 TIP Project Evaluation System Presentation (ex. I)" (page 10)
"7. V/C <0.90 is the corridor LOS standard." (page 13)

Application of concurrency related to the Transportation Improvement Program (TIP) or the Capital Facilities Plan (CFP) is used as a screening tool to determine project priority ranking. The TIP and CFP processes use straight reported values as identified in development through concurrency. Concurrency analysis is not applied to the TIP or CFP because those programs are not subject to the development code requirements.

"Slides 5 and 6 illustrate compliance." (page 4)

This slide show presentation showed a volume-to-capacity (v/c) calculation where the example roadway did not exceed the prescriptive values, therefore, no additional analysis was required and there was no need to show how a v/c that exceeded the threshold would be evaluated. This was a mistake staff made at the time of presentation.

"The staff report defines V/C >0.90 as a binding mitigation trigger." (page 5)
"Lebowski described the new systema as deliberately less focused on intersections." (page 5)
"Second, the staff report identifies the consequences of LOS failure under transportation concurrency." (page 9)
"10. Transportation concurrency specifies denial when LOS standards cannot be met." (page 13)

Statements were made by staff in presentations to the buildup of these code changes and prior to its implementation. Because of this, staff was unaware of the unintended consequences that came to light shortly after code implementation. Staff brought these issues to the Public Works Director who determined that the unintended consequences of reviewing corridors without considering the impacts of adjacent intersections could have an impact on the operating level of the transportation corridors and should be considered as other factors in the evaluation. Because of the determination of the Public Works Director and their evaluation guidance to staff, as allowed by CCC 40.350.020 (F)(9), the prescriptive v/c under CCC 40.350.020 (G)(1)(a) is not binding or a 'flat prohibition'. Please see exhibit 136 for further explanation and background on why 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.

"A. Ordinance 2016-08-12 (Ex. E)" (page 6)

This Emergency Interim Ordinance amended the transportation concurrency code, enabling voluntary mitigation by developers at regionally significant intersections. It removed the intersection V/C language, since the 0.90 threshold allowed projects to avoid mitigation due to analysis limitations. This change helped prevent unmitigated impacts and facilitate voluntary developer-funded intersection improvements while permanent code updates were prepared.

"2. Approving developments on failing roads is a public health and safety problem." (page 6)

The constituent quoted the phrase ""failed to achieve safe levels of service," directly tying concurrency failure to safety, not merely mobility." Level of service is a performance measurement correlated to but not a determination of safety.

"Public Works admitted, on the record at DEAB, that the (G)(1)(c) language was allowing exemptions for large developments." (page 8)

This meeting with DEAB was to provide background information and discuss permanent code language changes to remove an exemption threshold from being exploited by large development. The Emergency Interim Ordinance (Ex 87) was in place, and the Commissioners had asked that we come up with permanent code language. This meeting with DEAB was one of the required meetings prior to taking the code change language to the Commissioners, at the time, for adoption and subsequent implementation into the code.

"What the PowerPoint actually said about the (G)(1)(c) exemption – and what is happening now." (page 8)
"The 2017 amendment removed one prong but not the others." (page 8)

The current code language contains the language adopted in 2017 related to unsignalized intersections, CCC 40.350.020(G)(1)(c) (1 & 2). This code language has been applied to all developments requiring a traffic study and, in some cases, has resulted in volunteered mitigation, in compliance with CCC 40.350.030(B)(6) and CCC 40.350.020(E)(5). These approved and conditioned volunteer mitigations have either offset the impacts of development on a regionally significant intersection, or they have added significant traffic control mitigation to an intersection in efforts to show compliance with concurrency, CCC 40.350.020.

"First, the staff report recites the GMA standard." (page 9)
"Third, the staff report recites the existing deficiency rule." (page 9)

Please see staff response in Exhibit 141 related to volunteered mitigation.

"5. The three subsections are independent, parallel standards." (page 12)

Each subsection of section G represents different elements of the county road network (G)(1)(a) Corridors, (G)(1)(b), Signalized Intersections, and (G)(1)(c) Unsignalized Intersections. County code has established individual levels of service for each. The code has also established what factors staff need to consider when determining those levels of service. Because each of these transportation elements work together, sometimes neighboring intersections and/or corridors must be included for a holistic and representative evaluation of the road network.