



## Staff Report

TO: Clark County Planning Commission

FROM: Oliver Orjiako, Director  
PREPARED BY: Gary Albrecht, AICP, Planner III

DATE: August 16, 2018

SUBJECT: CPZ-2018-00007 - NE 99<sup>th</sup> ST. EXTENSION  
COMPREHENSIVE PLAN ARTERIAL ATLAS AMENDMENT

---

### **PROPOSED ACTION**

This proposed amendment is to amend the Arterial Atlas to improve neighborhood circulation on NE 99<sup>th</sup> St. connecting between NE 87<sup>th</sup> Ave. and NE 72<sup>nd</sup> Ave.

### **BACKGROUND**

The county is proposing an amendment to the Arterial Atlas to improve the circulation of commercial and residential traffic.

In 2018, Clark County received communication from the Washington Utility Transportation Commission (UTC) that indicated when approving a new public railroad crossing, UTC considers public necessity, convenience and safety. Current State Policy strongly discourages construction of new at-grade crossings unless no other viable alternatives exist. As a result of this new information, staff has worked with HDR Engineering to analyze alternative east-west connections on NE 99<sup>th</sup> St. to NE 72<sup>nd</sup> Ave., attached as Exhibit 1.

NE 99<sup>th</sup> St. has been on the Arterial Atlas since 1996. It creates east and west circulation relieving future traffic congestion on NE 119<sup>th</sup> St. and Padden Parkway. The 2018-2023 Transportation Improvement Program identifies an improvement to NE 99<sup>th</sup> St. between NE 94<sup>th</sup> Ave. to the vicinity of NE 117<sup>th</sup> Ave.

In 2009, the then Board of County Commissioners created a study that evaluated multiple alternatives for extending NE 99<sup>th</sup> St. from NE 87<sup>th</sup> Ave. to NE 72<sup>nd</sup> Ave., and then across I-205 connecting to NE St. Johns Rd.

In 2012, the Clark County Clean Water Program completed the Curtin Creek Enhancement Project. A project fact sheet can be found at the following link: <https://www.clark.wa.gov/sites/default/files/CurtinCreekEnhancement-7-12.pdf>

In 2016, the Clark County Council removed the extension of 99<sup>th</sup> St from St. Johns Rd. to 72<sup>nd</sup> Ave from the Arterial Atlas.

In 2017, the plan approval and beginning of construction of Taylor Transports Office and Shops along 101st that coincides with Alternative D (Clark County Engineering Case Eng2017-000192 and Planning Land Use Case PLD2016-00032) .

On June 14, 2018, a pre-application for development was submitted to Clark County on parcel number 155758000. This parcel includes a portion of one of the Alternative J (as describe below),

which could have a small impact at the time of project development.

Clark County Public works has indicated that this project can get future funding for this project. Capital improvements are occurring on NE 99<sup>th</sup> St. (NE 94<sup>th</sup> Ave. to vicinity of NE 117<sup>th</sup> Ave.); design is underway; construction in 2021 pending funding. A connection on NE 99<sup>th</sup> St. to NE 72<sup>nd</sup> Ave. is needed.

### **ALTERNATIVE EAST-WEST CONNECTIONS:**

This proposed amendment is to amend the Arterial Atlas to improve neighborhood circulation on NE 99<sup>th</sup> St. connecting between NE 87<sup>th</sup> Ave. and NE 72<sup>nd</sup> Ave. There are four alternatives proposed as seen below and described as follows: F is the yellow line; J is the blue line; D is the red line that includes an over or under the railroad option. See map below.

- Alternative F crosses through Mountain View Estates subdivision on an existing dedicated right of way extending NE 99<sup>th</sup> St. crossing Curtin Creek and turns south before the existing Clark County railroad and connects into NE 72<sup>nd</sup> Ave.;
- Alternative J extends the existing NE 99<sup>th</sup> St. in an east/west direction and connects into NE 72<sup>nd</sup> Ave. immediately south of the NE 72<sup>nd</sup> at-grade railroad crossing.
- Alternative D connects the existing NE 99<sup>th</sup> St. through Mountain View Estates dedicated right of way via an overcrossing of Clark County railroad connecting into NE 101<sup>st</sup> St. at NE 72<sup>nd</sup> Ave.; and
- Alternative D connects the existing NE 99<sup>th</sup> St. through Mountain View Estates dedicated right of way via an undercrossing of Clark County railroad connecting into NE 101<sup>st</sup> St. at NE 72<sup>nd</sup> Ave.



All four alternatives require a bridge crossing Curtin Creek. In July 2012, Clark County completed the Curtin Creek Enhancement Project that included preparing the ground for a bridge crossing into the existing dedicated right-of-way. <https://www.clark.wa.gov/sites/default/files/CurtinCreekEnhancement-7-12.pdf>

Alternative D overcrossing would require a bridge that is a minimum of 23'-6" high with an eight (8) percent grade starting at the intersection of NE 82<sup>nd</sup> Ave. along with the use of approach walls to minimize impacts to the neighborhood to the east. This alternative could possibly displace two (2) residential homes.

Alternative D undercrossing would include going under the railroad tracks at a depth of approximately 17'-0" along with walls to minimize impacts to adjacent houses and stay within the existing right-of-Way through the neighborhood. This alternative could possibly displace two (2)

residential homes.

Alternative F curves to the south to miss the railroad and crosses NE 99<sup>th</sup> St. with a roundabout. This alternative could possibly displace one (1) residential home and one (1) business.

Alternative J provides a direct connection on NE 99<sup>th</sup> St. crossing over a bridge on Curtin Creek connecting to NE 72<sup>nd</sup> Ave. This bridge crossing would require considerable environmental site mitigation to build a bridge at this location. This alternative could displace eight (8) residential homes and one (1) business.

Each alternative was evaluated to determine costs and Impacts of significant elements of work. The intent of determining costs and impacts was not to calculate an overall construction cost estimate but to compare significant elements of works by alternative. A detailed cost breakdown for each alternative can be found in Appendix H of Exhibit 1. All costs are based on 2018 costs. The costs shown should not be used a basis to determine overall construction cost.

The following items were compared by alternative;

- Construction Cost of major elements based on estimated costs.
- Right of Way acquisition cost based on estimated costs.
- Residential Property Impact based on the number of parcels impacted.
- Environmental Impacts based on a quantitative analysis.

Each alternative was compared to each other and ranked on a score between 1 (the least) and 4 (the most). The costs and impacts below are weighted equally among all categories.

The following table summarizes the comparison of costs by alternative.

ALTERNATIVE	CONSTRUCTION COST	RIGHT OF WAY COST	RESIDENTIAL IMPACT	ENVIRONMENTAL IMPACT	AVERAGE SCORE
D WITH RR OVERPASS	○ 4	◐ 2	◑ 3	◑ 3	○ 3.0
D WITH RR UNDERPASS	◑ 3	● 1	◑ 2	◑ 2	● 2.0
F	◑ 2	◑ 3	● 1	● 1	● 1.8
J	● 1	○ 4	○ 4	○ 4	○ 3.3
	● 1	Least			
	○ 4	Most			

### Consultant Alternative Recommendations

After evaluating each alternative per the criteria established in this memo, we recommend that the County further evaluate Alternative F for the following reasons;

- Alternative F utilizes the pre-established corridor through Curtin Creek thus avoiding new impacts.
- Alternative F utilizes the County's existing ROW west of Curtin Creek.
- Alternative F avoids the cost of grade separating Clark County railroad.
- Alternative F has grades that are more easily navigated by pedestrians and bicyclists.
- Alternative F has the least impacts to existing residential homes.
- Alternative F has the greatest separation from the Intersection of NE 72<sup>nd</sup> and Clark County railroad.

## **GENERAL INFORMATION:**

The proposed amendment is located in the Sunnyside neighborhood.

**Location:** NE 99<sup>th</sup> St. from NE 87<sup>th</sup> Ave. to NE 72<sup>nd</sup> Ave.

**Existing land use:** Light Industrial (IL), and Single-family Residential (R1-6), (R1-7.5). Capital improvements on NE 99<sup>th</sup> St. are in our 2018-2023 Transportation Improvement Program. Design is underway on NE 99<sup>th</sup> St. from NE 94<sup>th</sup> Ave. to the vicinity of NE 117<sup>th</sup> Ave. Construction is scheduled in 2021 pending funding. A connection on NE 99<sup>th</sup> St. to NE 72<sup>nd</sup> Ave. is needed to complete the 99<sup>th</sup> St. corridor.

## **SUMMARY OF PUBLIC INVOLVEMENT PROCESS**

Sixty-day notice notification was sent to the Department of Commerce on June 1, 2018, under RCW 36.70A.106. A Notice of Determination of Non-Significance and SEPA Environmental Checklist was published in the Columbian newspaper on July 17, 2018. A legal notice was published for the Planning Commission hearing on July 18, 2018. Public Hearing Notice was published in the Reflector and the Columbian newspapers on Wednesday, July 18, 2018. A postcard was mailed on July 19, 2018. A notice of application and hearing was posted on the property on July 31, 2018. The draft proposal was reviewed by the Development and Engineering Advisory Board on August 2, 2018. The staff report and additional project information is posted on the following link.

<https://www.clark.wa.gov/community-planning/annual-reviews-and-dockets>

## **SUMMARY OF COMMENTS RECEIVED**

Staff held an Open House on April 6, 2018 from 5:00 – 7:00 pm at Barberton Grange, 9400 NE 72<sup>nd</sup> Ave. Approximately 1,150 property owner letters were mailed to property owners in the affected area. About 60 people attended the open house, and 37 signed in on the sign-in sheet. Below is a summary of the comments.

Why are we discussing this map change right now? I/we don't want any more growth. Do we need the railroad? I have lived here for many years and do not want additional traffic going through my neighborhood. How are the children going to get across NE 99<sup>th</sup> St. to the Sunset Elementary? Keep the traffic off of NE 99<sup>th</sup> St. and on NE 119<sup>th</sup> St. and NE 87<sup>th</sup> St. We are going to sue the county. My property values are going to decrease. We enjoy the quite rural feeling around Curtin Creek. You're going to destroy the wildlife and habitat around Curtin Creek. Several property owners in this neighborhood want the existing dedicated right of way turned into a park.

Planning Commission Hearing postcards were sent to approximately 1,150 property owners on August 16, 2018. All public comments are included in the Planning Commission Hearing binder.

## **APPLICABLE CRITERIA, EVALUATION AND FINDINGS**

### **CRITERIA FOR ALL MAP CHANGES**

- A. "The proponent shall demonstrate that the proposed amendment is consistent with the Growth Management Act (GMA) and requirements, the countywide planning policies, the Community Framework Plan, Comprehensive Plan, City Comprehensive**

## Plans, Applicable Capital Facilities Plans and official population growth forecasts.” [CCC 40.560.010(G)(1)].

### Growth Management Act (GMA)

The GMA goals set the general direction for the county in adopting its framework plan and comprehensive plan policies. The GMA lists thirteen overall goals in RCW 36.70A.020 plus the shoreline goal added in RCW 36.70A.480(1). The goals are not listed in order of priority. The GMA goal that applies to the proposed action is Goal 3.

Goal #3 speaks directly to transportation issues to “encourage efficient, multi-modal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.” [RCW 36.70A.020(1)].

RCW 36.70A.070(6) and **WAC** 365-196-430 Transportation Element section provides recommendations for meeting the element requirements. Under **WAC** 365-196-430(2)(b), “The transportation element should contain goals and policies to guide the development and implementation of the transportation element. The goals and policies should be consistent with statewide and regional goals and policies. Goals and policies should address the following:

- (i) Roadways and Roadway design that provides safe access and travel for all users, including motorists, transit vehicles and riders, bicyclists and pedestrians;
- (ii) Public transportation, including public transit and passenger rail, intermodal transfers and multimodal access;
- (iii) Bicycle and pedestrian travel;
- (iv) Transportation demand management, including education, encouragement and law enforcement strategies;
- (v) Freight mobility including port facilities, truck, air, rail and water-based freight;
- (vi) Transportation finance including strategies for addressing impacts of development through concurrency, impact fees and other mitigation; and
- (vii) Policies to preserve the functionality of state highways within the local jurisdiction such as policies to provide an adequate local network of streets, paths and transit service so that local short-range trips do not require single-occupant vehicle travel on the state highway system; and policies to mitigate traffic and stormwater impacts on state-owned transportation facilities as development occurs.”

Finding: The proposed recommended amendment is an important link in the transportation system which will maximize efficiency of the county’s roadway infrastructure for freight and vehicular traffic, maintaining regional mobility and therefore supports the comprehensive plan. This proposal contributes to the development and improvement of an interconnected transportation system. The existing and proposed functional classification of a two-lane minor arterial with center turn and bike lanes supports both access and mobility, and is integrated with the land use plan as well as the Arterial Atlas by proposing future roads and classifications that serve the approved land use classifications. The recommended alternative is better for bikes and walkers, because they would not have to navigate a steep incline from an overpass or traversing an underpass onto NE 101<sup>st</sup> St.

### Community Framework Plan

The Community Framework Plan (Framework Plan) provides guidance to local jurisdictions on regional land use and service issues. The Framework Plan encourages growth in centers, urban and rural, with each center separate and distinct from the others. The centers are oriented and developed around neighborhoods to allow residents to easily move through and to feel comfortable within areas that create a distinct sense of place and community. The Community Framework Plan policies applicable to this proposal include the following:



Goal 5.0 notes that “the community framework plan envisions a shift in emphases of transportation systems from private vehicles to public transit... and non-polluting alternatives such as walking and biking.” [Framework Plan, page 17] The following transportation policies apply to the proposed action:

- 5.1.1 Encourage transportation systems that provide a variety of options (high capacity transit, high-occupancy vehicles, buses, autos, bicycles or walking) within and between and rural centers.
- 5.1.2 Streets, pedestrian paths and bike paths are to be a part of a system of fully connected and scenic routes to all destinations. Establish design standards for development to promote these options and work cooperatively with C-TRAN to ensure that programs for improvements in transit service and facilities as well as roadway and pedestrian facilities are coordinated with these standards.
- 5.1.3 To reduce vehicle trips, encourage mixed land use and locate as many other activities as possible to be located within easy walking and bicycling distances from public transit stops.
- 5.1.4 Encourage use of alternative types of transportation, particularly those that reduce mobile emissions (bicycle, walking, carpools and public transit). [Framework Plan, page 17].

These framework plan policies are implemented by Clark County Code 40.350.030 St. and Rd. Standards. It is the purpose of this section to establish minimum standards for public and private transportation facilities for vehicles, public transit, pedestrians, and bicycles, hereinafter constructed or improved as a condition of county approval of a development, or a transportation project constructed by the county. These standards are intended to preserve the community’s quality of life and to minimize total costs over the life of the transportation facility.

Finding: The proposed recommended alternative encourages alternative types of transportation. In Alternative F, bikers and walkers could easily travel east and west from NE 87<sup>th</sup> Ave. to NE 72<sup>nd</sup> Ave., because they would not have to navigate a steep incline from an overpass or traversing an underpass onto NE 101<sup>st</sup> St. as required in Alternative D.

This proposal contributes to the development and improvement of an interconnected transportation system. The existing and proposed functional classification of a two-lane minor arterial with center turn land and bike lanes supports both access and mobility, and is integrated with the land use plan as well as the Arterial Atlas by proposing future roads and classifications that serve the approved land use classifications. The recommended alternative is better for bikes and walkers, because they would not have to navigate a steep incline from an overpass or traversing an underpass onto NE 101<sup>st</sup> St.

The proposed street connection is an important link in the transportation system which will maximize efficiency by providing alternatives mode of transportation on the county’s roadway system for freight and vehicular traffic, maintaining regional mobility and therefore supports the framework plan.

### **Countywide Planning Policies (CWPP)**

The GMA, under RCW 36.70A.210, requires counties and cities to collaboratively develop Countywide Planning Policies (CWPP) to govern the development of comprehensive plans. The WAC 365-196-305(1) defines “the primary purpose of CWPP is to ensure consistency between comprehensive plans of counties and cities sharing a common border or related regional issues. Another purpose of the CWPP is to facilitate the transformation of local governance in the urban growth areas, typically through annexation to or incorporation of a city, so that urban governmental services are primarily provided by cities and rural and regional services are provided by counties.”

**Policy 5.0.1 states** “Clark County, Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Organization (RTPO), state, bi-state, municipalities and C-TRAN shall work together to establish a truly regional transportation system which:

- reduces reliance on single occupancy vehicle transportation through development of a balanced transportation system which emphasizes transit, high capacity transit, bicycle and pedestrian improvements and transportation demand management;
- encourages energy efficiency;
- recognizes financial constraints; and,
- minimizes environmental impacts of the transportation systems development, operation and maintenance.” [CWPP, page 151].

Finding: The proposed recommended alternative minimizes environmental impacts. In 2012, the Clark County Clean Water Program completed the Curtin Creek Enhancement Project. A project fact sheet can be found at the following link: <https://www.clark.wa.gov/sites/default/files/CurtinCreekEnhancement-7-12.pdf>. The 2012 improvements have maintained a potential corridor connecting to NE 101<sup>st</sup> St. from NE 99<sup>th</sup> St. that would make permitting easier. Public Works has also constructed an advanced mitigation site on the north side of 119<sup>th</sup> St. where credit can be used for this future phase of NE 99<sup>th</sup> St.

The corridor currently contains a missing link between NE 87<sup>th</sup> Ave. to NE 72<sup>nd</sup> Ave. The completion of this link would add a new east-west connection that would serve thru traffic and provide access to commercial, industrial, office and residential developments and thus relieve some of the traffic pressure on NE 119<sup>th</sup> St. to the North, NE 87<sup>th</sup> St. and Padden Parkway to the South. Alternative F would also reduce to the reliance of single occupancy vehicles, since it is easier for bikers and walkers to travel through this segment of NE 99<sup>th</sup> St.

### **Comprehensive Growth Management Plan 2015-2035 (2016 Plan)**

The 20-year Comprehensive Growth Management Plan contains many policies that guide urban form and efficient land use patterns. The most relevant goals and policies applicable to this application are as follows:

“Goal: Develop a multi-modal transportation system.

- 5.2.1 Roadway improvements which provide for additional capacity for the automobile shall also accommodate alternative travel modes.
- 5.2.11 Promote bicycle and pedestrian safety and increased bicycling and walking through safety and encouragement activities.” [2016 Plan, pages 153 and 154].

Finding: The proposed amendment as seen in Alternative F, provide circulation to NE 72nd Ave. is needed as the neighborhood develops to maintain mobility in the neighborhood and facilitate freight movements on regionally significant arterials. Exhibit 2 demonstrates PM peak period traffic modeling in 2035 that shows percent changes with the extension of NE 99<sup>th</sup> St. in Alternative F. Overall, traffic congestion is reduced on NE 119<sup>th</sup> St. and on NE 87<sup>th</sup> St. with this proposed connection. Alternative F would also reduce to the reliance of single occupancy vehicles, since it is easier for bikers and walkers to travel through this segment of NE 99<sup>th</sup> St.

### **Capital Facility Plan**

Transportation projects have a revenue perspective. The projected revenue sources include property taxes dedicated to transportation (“road fund”), gasoline tax distributions to the county, traffic impact fees, Public Works Trust Fund loans, expected other grants and miscellaneous revenue streams that accrue for transportation purposes.

Finding: The existing road segment of NE 99<sup>th</sup> St., from NE 72<sup>nd</sup> Ave to NE 94th Ave, has been on the Arterial Atlas since 1993.

The proposed recommended alternative and the existing extension of NE 99<sup>th</sup> St. from NE 87<sup>th</sup> Ave. to NE 72<sup>nd</sup> Ave. are not included in the Clark County 20-year Capital Facility Plan. However, the segment of NE 99<sup>th</sup> St. from NE 72<sup>nd</sup> Ave. to NE 94<sup>th</sup> Ave. was included in the 2007 Capital Facilities Plan. The segment of NE 99<sup>th</sup> St., from NE 72<sup>nd</sup> Ave to NE 94<sup>th</sup> Ave, was removed from the Capital Facilities Plan in 2014 when the level of service changed from time delay to volume-to-capacity.

Clark County Public works has indicated that this project can get future funding for this project. Capital improvements are occurring on NE 99<sup>th</sup> St. (NE 94<sup>th</sup> Ave. to vicinity of NE 117<sup>th</sup> Ave.); design is underway; construction in 2021 pending funding. A connection on NE 99<sup>th</sup> St. to NE 72<sup>nd</sup> Ave. is needed.

## CRITERIA FOR ARTERIAL ATLAS AMENDMENTS

- B.** “Arterial Atlas amendments shall be accomplished through the changes initiated and approved by the county. These changes may occur as part of the periodic review update to occur consistent with RCW 36.70A.130, or as part of annual changes to the plan once per calendar year, or as part of emergency amendments which may be brought forward at any time, subject to applicable provisions of this chapter.” **[CCC 40.560.010(O)(1)].** “Required Criteria. Arterial Atlas amendments may be approved only when all of the following are met:
- a. There is a need for the proposed change;
  - b. The proposed change is compliant with the Growth Management Act;
  - c. The proposed change is consistent with the adopted comprehensive plan, including the land use plan and the rest of the Arterial Atlas;
  - d. The proposed change is consistent with applicable interlocal agreements; and
  - e. The proposed change does not conflict with the adopted Metropolitan Transportation Plan.” **[CCC 40.560.010(O)(2)].**

Finding: The road segment of NE 99<sup>th</sup> St. from NE 72<sup>nd</sup> Ave. to NE 94<sup>th</sup> Ave. has been on the Arterial Atlas since 1993. The segment of NE 99<sup>th</sup> St. from St. Johns Rd. to NE 72<sup>nd</sup> Ave. was removed from the Arterial Atlas in 2016, due to development that precluded the construction of the future M-2cb. The WA Utilities and Transportation Commission have indicated that a grade separated crossing with the Chelatchie Prairie Rail Road would be required. There has not been any development that has precluded the construction of the segment of NE 99<sup>th</sup> St., from NE 72<sup>nd</sup> Ave to NE 94<sup>th</sup> Ave.

NE 119<sup>th</sup> St., NE 117<sup>th</sup> Ave. (SR-503), NE 72<sup>nd</sup> Ave., and NE Padden Parkway are identified in the Regional Transportation Plan as part of the Regional Transportation System. Improvements along NE 119<sup>th</sup> St. have recently been completed to add greater mobility to the regional route.

This proposal contributes to the development and improvement of an interconnected transportation system. The existing and proposed functional classification of a two-lane minor arterial with center turn land and bike lanes supports both access and mobility, and is integrated with the land use plan as well as the Arterial Atlas by proposing future roads and classifications that serve the approved land use classifications.

The corridor currently contains a missing link between NE 87<sup>th</sup> Ave. to NE 72<sup>nd</sup> Ave. The completion of this link would add a new east-west connection that would serve thru traffic and provide access to commercial, industrial, office and residential developments and thus relieve some of the traffic pressure on NE 119<sup>th</sup> St. to the North, NE 87<sup>th</sup> St. and Padden Parkway to the South.

The recommended alternative provides circulation to NE 72<sup>nd</sup> Ave., which is needed as the neighborhood develops to maintain mobility in the neighborhood and facilitate freight movements on



regionally significant arterials. Exhibit 2 demonstrates PM peak period traffic modeling in 2035 that shows percent changes with the extension of NE 99<sup>th</sup> St. in Alternative F. Overall, traffic congestion is reduced on NE 119<sup>th</sup> St. and on NE 87<sup>th</sup> St. with this proposed connection.

There are no interlocal agreements which directly apply to this proposal, and the proposed change does not conflict with the adopted Regional Transportation Plan.

**RECOMMENDATION AND CONCLUSIONS**

All of the criteria for approval of an Arterial Atlas amendment have been met.

Based upon the findings presented in this report and the consultant’s analysis, staff recommends that the Planning Commission forward a recommendation to **APPROVE Alternative F** as the proposed amendment to the Arterial Atlas to add future streets between NE 87th Ave.

**RECOMMENDATION SUMMARY**

The following table lists the applicable criteria and summarizes the findings of the staff report. The Planning Commission findings will be added to the table after public deliberation at the Planning Commission hearing scheduled for this application.

<b>COMPLIANCE WITH APPLICABLE CRITERIA</b>		
<b>Criteria for Arterial Atlas Changes</b>	<b>Criteria Met?</b>	
	<b>Staff Report</b>	<b>Planning Commission Findings</b>
A. Compliance with GMA	Yes	
B. Compliance with Arterial Atlas Amendments	Yes	
<b>Recommendation:</b>	<b>Approve</b>	