

Schroader, Kathy



From: Orjiako, Oliver
Sent: Monday, March 07, 2016 4:32 PM
To: Albrecht, Gary, Alvarez, Jose, Anderson, Colete; Euler, Gordon, Hermen, Matt, Kamp, Jacqueline, Lebowsky, Laurie, Lumbantobing, Sharon, Orjiako, Oliver, Schroader, Kathy, Wiser, Sonja
Subject: FW: A path to destruction and discrimination - For the Public Record and the 2016 Comprehensive Plan update

FYI and for the record. Thanks.

From: Carol Levanen [mailto:cnldental@yahoo.com]
Sent: Monday, February 22, 2016 3:01 PM
To: Olson, Julie (Assessment); Mielke, Tom; Stewart, Jeanne; Boldt, Marc; Madore, David; Orjiako, Oliver
Subject: A path to destruction and discrimination - For the Public Record and the 2016 Comprehensive Plan update

Dear Councilor,

Clark County Citizens United, Inc. has been involved in Comprehensive Plan processes for over twenty years, beginning when Clark County threw out the existing 1988 Comprehensive Plan and replaced it with a very different one. The staff told the people, "the state made us do it." Landowners did not believe the state intended their land, already 2.5 and 5 acre lots must now be put in 10, 20, 40, and 80 zones. The people were shocked at the massive down zoning and hundreds of landowners came to public hearings to protest the Plan. CCCU received over 800 copies of those protests. The Western Washington Growth Management Hearing Board said, there was a "flood" of protests from the people. There was a record number of appeals, approximately 100 in all. CCCU, Inc. filed appeals with the Hearing Board, Superior Courts and the Court of Appeals on behalf of the people, prevailing in all court actions. These were ignored by the county and Hearing Board except lands that were already intended for a purpose by county staff. A two page document from an environmental attorney was the whole basis for the Plan, and all testimony and input from the citizens was ignored, in favor of a Plan that designated 70, 80 and 90% of rural and resource parcels as non-conforming and sub standard. In addition, lands in rural or forest zones, were suddenly zoned agriculture, and vice versa. None of the 1994 Plan, made sense. These lands remain in those zones today, in 2016, frozen in time for over twenty years, purposely disregarded, ignored and disenfranchised. The only changes made to some land masses was to move them into the urban growth boundary, regardless of soil or circumstance.

The result of this blatant discrimination and infringement of property rights was that people desperately tried to find ways around the Plan. These lands were their income, retirement and inheritance for their children and was the historical character and culture of the land. They needed to sell little portions to make ends meet or to downsize by selling to the neighbor who wanted to increase holdings. Many spent close to \$200,000 in an attempt to comply with the new short plat regulations. But the most devastating effect was that farms and forests were being decimated, because now, instead of being able to sell small parcels from their land for income, the landowner was forced to sell large parcels from their land because of the large lot zoning. This effectively destroyed the farm or forest. Farming in Clark County dropped dramatically and those prime farm soils were taken up by the cities for urban growth. This left substandard ground, that dropped the production rate and income of the land in half. Even historically small rural zoned lands were replaced with the same large lot zoning, making them a premium commodity with a premium price, eliminating a variety of parcels and affordable housing in the rural and resource areas. Now, those lots are almost gone and lots left over are too restricted to use. The economic vitality of the rural and resource lands has been unfairly devastated, and is now in economic ruin. For what purpose this travesty has happened to these people, has never been explained to them, but the heavy discrimination is obvious.

In the 2016 Comprehensive Plan update, the planning staff has continued to push forward with this discriminatory no growth agenda for rural and resource land. Unbeknownst to the landowners, planners began the process of confining these lands even more, beginning in 2004, with the 90/10 population projection split, and in 2008 with a biased rural task force. This staff activity has continued since that time, even though the claim is that the 2016 update process started in 2013. As new commissioners and councilors are elected, they believe it is their obligation to support the planning staff, even though they are not privy to the thousands of protest comments from the public and the covert workings of staff, throughout the years. Landowners have once again come forward to protest the discriminatory actions imposed on the rural and resource lands, since 1994, with the 2016 Comprehensive Plan update. Clark County staff has repeatedly gone outside of their jurisdictional boundaries and are making policy, rather than simply being the fact finders.

The Growth Management Act allows for rural growth and creative growth for resource lands. No where in the Act does it say rural lands must be static. The law encourages growth be directed to urban areas with urban services, but balances growth by not placing restrictions on rural growth, as long as it is rural in character and does not require urban services. It repeatedly mentions using predominant parcel size to determine these lands. The Office of Financial Management projections are a planning tool to assure urban

areas plan for appropriate growth and provide infrastructure for that growth. The Act does not say it is to be used as a cap on rural growth or that existing rural and resource development must be ignored. The OFM number does not prevent rural growth from happening and does not prevent growth from exceeding the population number. That OFM number is to be a minimum at which counties and cities must plan for growth. More importantly, discrimination against the rural and resource landowners is not intended by the GMA and this activity has got to stop.

Sincerely,

Carol Levanen, Ex Secretary
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