

O'Donnell, Mary Beth



CP16#0529

From: Tilton, Rebecca
Sent: Wednesday, February 25, 2015 3:24 PM
To: Orjiako, Oliver; O'Donnell, Mary Beth; Silliman, Peter
Subject: Comments re: Comp Plan Update
Attachments: Carol Levanen comments_02-24-15.pdf; Susan Rasmussen Comments_02-24-15.pdf

Follow Up Flag: Follow up
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Hello,

Please see the attached written testimony submitted yesterday (2/24) from Carol Levanen and Susan Rasmussen.

Thanks,
Rebecca

Rebecca Tilton, Clerk of the Council
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Clark County Board of Councilors
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FEB 24 2015 RECEIVED February 23, 2015
BOARD OF
COUNTY COUNCILORS
CLARK COUNTY COUNCILOR

Re: Vacant Buildable Lands Analysis - For the Public Record

Clark County Citizens United, Inc. members invested \$260,000.00 in 1994 to reverse the travesty that was forced upon them in the 1994 Comprehensive Plan. Even though they won in all the court actions, the county has only given them broken promises. The time has come for Clark County to comply with the court orders and fulfill those GMA mandates..

In the Superior Court of Washington , the Honorable James D. Ladley, June 11, 1997, No. 96-200080-2 (7) Rural Land Densities, order, it states, "The County's rural development regulations are inconsistent with the GMA" It goes on to say, "It is evident the rural land use density regulations were driven in part by earlier Growth Management Hearing Board decision requiring urban population plus rural population to equal Office of Financial Management population forecasts." "This formulaic view of the GMA requirements is fatally flawed. There is no requirement in the GMA that the OFM projections be used in any manner other than as a measure to ensure urban growth areas are adequately sized and infrastructure in those growth areas is provided for. The Board's requirement to in essence, require a vacant buildable lands analysis for the rural area was erroneous. The Board decision, however, compelled the County to downzone substantial portions of the rural areas in order to meet the Board's apparent requirements.....The Board's interpretation was erroneous, and the County's decision to follow the Boards lead was unfortunate. The result is a plan that gives little regard for the realities of existing rural development in direct contradiction of the terms of the GMA."...

A 1994 analysis by staff, of vacant buildable lands in rural areas, resulted in severe downzoning and restrictions with large lot zones in the rural and resource lands. Staff claimed if the existing zoning were retained, it would allow growth, which staff decided, could not be allowed. Staff determined that small lot zones would result in every larger lot being divided and developed, just because of the zoning. But, in reality, that did not and does not occur. If that were the case, there would be no larger lots left, as one acre zoning was the norm in the past. The GMA has particular language that confirms there is no growth requirement in the rural lands. It only requires that growth not be urban in nature. In other words, there is no head count and restrictions on growth.

Clark County planning staff continues to use that formulaic view when reviewing the 2016 Comprehensive Plan update. This view was clearly rejected by the courts. Residential growth and economic growth is not subject to limitations in these lands. It is appropriate for Clark County to fulfill the mandates of the court. It is also appropriate for Clark County Citizens United, Inc. to expect that will be done with a reasonable range of alternatives, which takes this into account.

Sincerely,



Carol Levanen, Ex. Secretary
Clark County Citizens United, Inc.
P.O. Box 2188
Battle Ground, Washington 98604