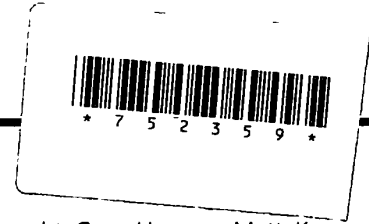


**Schroader, Kathy**



**From:** Orjiako, Oliver  
**Sent:** Wednesday, December 16, 2015 12:11 PM  
**To:** Euler, Gordon, Alvarez, Jose, Anderson, Colete, Albrecht, Gary, Hermen, Matt, Kamp, Jacqueline, Lebowsky, Laurie, Lumbantobing, Sharon, Wisner, Sonja  
**Cc:** Schroader, Kathy  
**Subject:** FW: Private property rights, Discredited rural concerns

FYI and for the record. Thanks

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**From:** susan rasmussen [mailto:sprazz@outlook.com]  
**Sent:** Wednesday, December 16, 2015 9:18 AM  
**To:** David Madore; Stewart, Jeanne; Mielke, Tom  
**Subject:** Private property rights, Discredited rural concerns

For the public record of Clark County's 2016 Comprehensive Plan update

- + Private property rights have equal standing among the 14 GMA planning goals
- + Results of flawed data in the draft SEIS

**From:** [susan rasmussen](#)  
**Sent:** Wednesday, December 16, 2015 8:41 AM

Property rights are one of the Growth Management Act's 14 goals, which are supposed to receive equal attention. CCCU strongly urges this Board, and future Boards to not allow concerns for the environment to supersede concerns for property rights any longer. The GMA forbids that. It says just the opposite, that all 14 goals must be given equal protection.

In fact, there is nothing in the GMA that suggests concerns for the greater good should override property rights. The law clearly says that property rights must be given the same protection and consideration as the environment...a balance is required.

The GMA spends more language discussing the need for a healthy rural character than it does on almost any other issue. The GMA clearly says, "Opportunities to both live and work in rural areas," are to be provided.

Rural areas are defined as those areas under county jurisdiction that aren't designated for agriculture, mineral, or forest resource lands. The use of rural lands for agriculture or forestry isn't forbidden. The county has an obligation to assure the state mandated opportunities to live and work in rural areas are accommodated. This means that an adequate supply of land to support these endeavors must be provided 20 years out. The use of urban holding and reserve overlays imposed on the rural lands the past 21 years is an abuse of the planning system and a violation of GMA. In essence, there has been an illegal building moratorium imposed on those landowners. This needs serious attention as it severely limits the county's ability to provide rural land for housing and jobs per GMA law.

There is a report in the Draft SEIS of the various land supplies in the rural areas that supports a healthy lot census. This report attempts to provide analysis of the adequacy of those supplies to allow the county to achieve the goals providing for traditional rural lifestyles, and employment opportunities per GMA law. This report is important especially considering the rural lands have been ignored in every subsequent comp. plan update spanning 21 years. However, it appears the data, derived from flawed methodologies, is questionable and unreliable.

The report is flawed due to inconsistencies considered in the land capacity analysis that fail to accurately provide a reputable buildable rural lots estimate. Wetlands, buffers, habitat, setbacks, remainder lots, easements, and covenants need to be accounted in figuring how many residents and jobs Clark County rural areas can accommodate. The fact this method of estimating land capacity has been used in prior SEIS's doesn't make it advisable. Failing to apply the proper methodology makes a drastic difference. This has led the cities, planners, planning commissions, and past BOCC's to wrongly conclude there is a plentiful supply of buildable land. In the real world, this method doesn't work because you can't ignore these factors at the county permitting counter... the building envelope for your land will be greatly diminished.

This prompts the questions; why would the draft SEIS include these factors when estimating rural land capacity...knowing full well that you can't build there? Why weren't the factors applied and the land dropped from the land density calculations? There is only one logical explanation. Is it possible the writers intentionally inflated the buildable rural lot analysis by pretending one can build on the restrictive factors? The writers are professionals and must have known that including non-buildable restricted land would result in drastic over counts of the rural lot capacity estimates. This creates an artificially high lot estimate. This allows them to wrongly conclude in the report, "There is plenty of buildable land." This analysis allows them to ignore the rural lands another 20 years.

The draft SEIS is void of any reports on the environmental, cultural, societal or economic impacts of a too tight supply of rural lands. When you take everything into consideration, one may conclude there appears to be a pattern of discrediting rural concerns at every opportunity in the draft SEIS report for this comprehensive plan.

If we are to have a realistic picture of what the rural land capacity analysis looks like, and what it can accommodate over the next 20 years, there must be changes to consider in policies, calculating methods and resulting analysis.

Thank you for your attention,  
Susan Rasmussen for  
Clark County Citizens United, Inc.

Sent from Windows Mail