Schroader, Kathy

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Sent: Wednesday, May 11, 2016 5 30 PM
To: Cnty 2016 Comp Plan
Cc: Olson, Julie (Councilor), Stewart, Jeanne, Mielke, Tom, Madore, David, Boldt, Marc
Subject: Intentions of the Poyfair Remand

FOR THE PUBLIC RECORD OF THE 2016 CLARK COUNTY COMPREHENSIVE PLAN UPDATE

Judge Poyfair reflected on the intentions written in his Superior Court Orders, April 1997 In a recent interview with CCCU, he stated the entire plan should have been thrown out and rewritten since the foundation was illegal In the Judge's words, "They put the cart before the horse " The desired outcome was first developed, then elements were contrived to support the outcome He concluded in the Superior Court Orders, "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 "

The Judge's decision was landmark and was he was commended by his peers for arriving at an overarching decision The legalities and ethics of perpetuating any elements of the comprehensive plan whose origins are directly linked to the unauthorized formula need to be scrutinized This question needs to be asked,

- Despite various elected county commissioners coming and going over the years, the same planning regimen remains in place

- The "flawed formula," along with the consequential impacts linked to that formula remain Why isn't this challenged?

There is compelling evidence the unlawful formula remains strongly imbedded in county land use regulations and zoning One can easily recognize the resulting downzoning in the preponderance of non-conforming lots in their zones Approximately 17% AG-20, and 7% FR-40 parcels conform to their zone sizes Most UH and UR properties(burdened by overlays over 29 years), also suffer from non-compliance This is a problem because non-conforming parcels fail to conform to Clark County's unique rural character Since the formula has been perpetually advanced over the years, Alternative Plans 1, 2, 3, and even 4 are all tainted by the unlawful formula to some degree

Alternative plan 4 differs in that the formula relies upon recognizing a predominant parcel size unique to the zone That defers to the historic patterns of rural lot development, and also acknowledges previous county growth plans Those historic growth plans (prior to 1994) are held in high regard The formula using the predominant lot size, has been successfully applied by Pierce County and supported by the Puget Sound Regional Council It is regarded in the 2016 Thorpe Analysis

Respectfully submitted,
Susan Rasmussen for
Clark County Citizens United, Inc
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