

5-10-16 = Rec'd from Susan Rasmussen - RUT
ced: Bacc; Orjiako; Schroader

12 April 10, 2016. For the public record of the 2016 Clark County Comprehensive Plan Update.

The Hearings Board drove the flawed formula Clark County used in the 1994 Plan. Both the Superior Court and the Court of Appeals have ruled the formula is unauthorized according to GMA law. The county has failed to correct the massive downzoning that was consequential to applying the unlawful formula. As a result, the flawed formula has been advanced time and again into subsequent county plans. Because the county has failed to take the necessary corrective measures to accomplish full and complete compliance to the Superior Court Orders, the unlawful formula remains as the foundation of the county plan today.

The comp. plan updates are the appropriate times to make corrections. Instead of getting the task done, the county cleverly devises ways and means to ensure the unlawful formula advances in every update. Population projections are set low, numbers for all vacant buildable lands are always healthy. Resource lands are designated via aerial photos and staff interpretations. That is against GMA law. All 14 GMA planning goals are not granted equity. Entire chapters are devoted to the environment, and community design. Property Rights are allowed 2 sentences in the entire 2 volumes of the plan. Overwhelming numbers of nonconforming lots remain since corrections to the downzoning (referenced in Poyfair's Conclusions Of Law) and land use regulations have failed. Urban holding and reserve overlays linger over 20 years on many private properties. Updates in the State's Current Use Taxation Program for Forestry that now recognizes a minimum 5 acres of trees isn't recognized. The current county trends in agriculture as reported in the USDA Census of Agriculture failed to be recognized. The citizens were denied a broad range of alternative plans from which to choose, and exclusionary practices are repeatedly used that eliminates the rural land-owners from participating in the important business of designing the futures of their properties.

When viewed in combination, it is clear there is a full-blown advocacy campaign that intentionally sets a goal to disadvantage rural concerns at every opportunity. This campaign is ostensibly lobbied to the County Councilors and is very effective. This campaign has gone unnoticed or tolerated until 2015 when one Councilor decidedly challenged the county's planning regimen and began unraveling the flaws.

Questions need to be asked

1. Despite having various elected Boards come and go over the years, why do we still have the same plan that maintains the flawed formula? Why hasn't it ever been challenged before this update?
2. The zoning that is proposed is directly linked to the unlawful formula. Does every Councilor bless this formula?
3. Has Clark County fully complied with all aspects and intentions of the Superior Court Orders?
4. Why haven't the economic and cultural impacts to the rural communities been recognized?
5. Are all 14 GMA Planning Goals equally represented in the comprehensive Pla



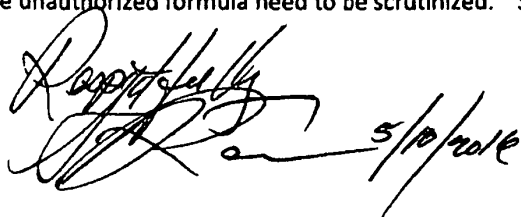
6. Does the Plan offer all county citizens opportunities to advance their lifestyles, and provide for economic and cultural well being?

One can easily recognize the resulting down zoning in the preponderance of non-conforming lots in their zones. Approximately, 17% AG-20 parcels , and 7% FR-40 parcels conform to their zone sizes Most UH and UR overlay properties also suffer from non-compliance. This is compelling evidence the unlawful formula strongly remains rooted in county land-use regulations and zoning. Since the formula has been perpetually maintained, Alternative Plans 1,2,3, and to a lesser degree 4, are all tainted by the formula.

Alternative 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 acknowledges previous county growth plans. That formula was successfully applied by Pierce County and supported by the Puget Sound Regional Council It is also regarded in the 2016 Thorpe Analysis.

Judge Poyfair reflected on his intentions from his court orders 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 to the outcome He concluded, the plan gives no regard for historic rural character, patterns of lot development, nor prior county growth plans The Judge's decision was landmark and considered to be overarching because it addresses the foundational basis of the entire plan The Judge was commended by his peers for this decision

The legalities and ethics of perpetuating any elements of the comprehensive plan whose origins may be directly linked to the unauthorized formula need to be scrutinized. Susan Rasmussen for Clark County Citizens United, Inc



5/10/2016

Schroader, Kathy

From: Tilton, Rebecca
Sent: Tuesday, May 10, 2016 2:01 PM
To: Orjiako, Oliver, Schroader, Kathy
Subject: Comp Plan Comments (May 10, 2016)
Attachments: 051016_CompPlanComments_Carol_Levanen.pdf, 051016_CompPlanComments_Susan_Rasmussen.pdf, 051016_CompPlanComments_Heidi_Owens.pdf

Importance: High

Hello,

Please see the attached testimony received from Heidi Owens, Carol Levanen and Susan Rasmussen during the public comment portion of the board's May 10 hearing

Thanks!
Rebecca

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