

From: [Rebecca Messinger](#)
To: [Oliver Orjiako](#); [Sonja Wiser](#); [Christine Cook](#)
Subject: FW: Clark County is conducting a "back door" rezone without state law authorization
Date: Friday, December 29, 2023 2:22:18 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good afternoon,
Please see the below public comments from CCCU.
Thank you!



Rebecca Messinger
Clerk to the Council
COUNTY MANAGER'S OFFICE

564-397-4305



From: Kathleen Otto <Kathleen.Otto@clark.wa.gov>
Sent: Wednesday, December 27, 2023 8:10 PM
To: Rebecca Messinger <Rebecca.Messinger@clark.wa.gov>; Kristin Phillips <Kristin.Phillips@clark.wa.gov>
Subject: FW: Clark County is conducting a "back door" rezone without state law authorization

From: Clark County Citizens United, Inc. <cccuinc@yahoo.com>
Sent: Tuesday, December 26, 2023 8:05:40 PM
To: Karen Bowerman <Karen.Bowerman@clark.wa.gov>; Gary Medvigy <Gary.Medvigy@clark.wa.gov>; Michelle Belkot <Michelle.Belkot@clark.wa.gov>; Glen Yung <Glen.Yung@clark.wa.gov>; Sue Marshall <Sue.Marshall@clark.wa.gov>; Kathleen Otto <Kathleen.Otto@clark.wa.gov>
Subject: Clark County is conducting a "back door" rezone without state law authorization

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Clark County Council
December 26, 2023
P.O. Box 5000
Vancouver, Washington 98666

FOR THE PUBLIC RECORD AND THE COMPREHENSIVE PLAN

Re: Clark County is conducting a "back door" rezone without state law authorization

Dear Councilors,

Clark County Citizens United, Inc. (CCCU) is a 501c4 non-profit organization that represents primarily rural landowners. CCCU has closely followed and actively participated in the Clark County Growth Management Act Comprehensive Plan, adopted in 1994. Since the creation of the enabling ordinances, there appears to be a subtle looting of land uses and property rights on private land. Agencies have been using manufactured and manipulated data to create an incredible façade, that removes authorized uses and demands covenants on private property. These actions do not use a public participation process, but dominate the authorized uses adopted in the GMA Comprehensive Land Use Plan. That Plan required a formal process. It appears the county is conducting a "back door" rezone, without a PPP. The scars of this plunder run deep.

In practical terms, covenants are the easiest for county agencies to grab. Staff appears to be going out of their way to create mitigating circumstances that don't accurately reflect what's on the ground. Their reports fail to reflect best available science and historical data, required by Title 36 RCW. Because BAS fails, staff is able to misidentify legacy roads, streams, habitats, riparian areas, and wetlands. CCCU is finding multiple examples, as evidence. Time and again CCCU has seen landowners overcome with uncertainty and instability. In one case, the family was left with no place for an orchard, a vegetable garden or even a play structure for grandkids on 1.75 acres. These are all permitted uses under the five acre zone. Staff's actions illegally increase agency controls on private properties and show a pattern of misbehavior.

Agency staff is able to conduct the business of county permitting, with little oversight. There is no accountability for the use of manufactured data, and misleading reports. Recently evidenced in two family cases, staff used extreme measures, including trespass, demand of redundant permits, created delays and withheld occupancy permits. Coercive practices leave unsuspecting Clark County rural landowners unprotected and vulnerable. They have become easy targets for county agents, who appear to be ruthless in manipulating data. How many other covenants were demanded in the shadow of fabricated reports?

The potential damage is enormous in terms of scope. This applies to a multitude of private properties that have been burdened with unrequired restrictions, eliminated land uses and covenants. Agency staff have been

allowed to manufacture data and reports using deception, in lieu of scientific fact and historical references. Many citizens are trusting, and believe if staff says something is required, it must be legitimate. The use of deception is ruthless in many ways. It's remarkable just how much of this activity is occurring, in the county's permitting business for the citizens

Is this behavior authorized in any public policy stated in the Growth Management Act under Title 36 RCW?

These behaviors need to be closely monitored and corrected, to assure good public policy will prevail, according to state law, under RCW 36.70A and other state land use code. The county councilors must have policies in place to assure that abuses by staff agencies do not occur.

Sincerely,

Susan Rasmussen, President

Clark County Citizens United, Inc.
P.O. Box 2188
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