

From: [Rebecca Messinger](#)
To: [Sonja Wisler](#)
Subject: FW: PLF The Docket: Malibu couple celebrates victory in 'granny flat' case
Date: Friday, May 10, 2024 3:44:41 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Please see the below comments for the record. Thank you!



Rebecca Messinger
Clerk to the Council
COUNTY MANAGER'S OFFICE

564-397-4305



From: Kathleen Otto <Kathleen.Otto@clark.wa.gov>
Sent: Friday, May 10, 2024 12:40 PM
To: Rebecca Messinger <Rebecca.Messinger@clark.wa.gov>
Subject: FW: PLF The Docket: Malibu couple celebrates victory in 'granny flat' case



Kathleen Otto
County Manager

564.397.2458



From: Clark County Citizens United, Inc. <cccuinc@yahoo.com>
Sent: Friday, May 10, 2024 12:10 PM
To: Gary Medvigy <Gary.Medvigy@clark.wa.gov>; Karen Bowerman <Karen.Bowerman@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>; Oliver Orjiako <Oliver.Orjiako@clark.wa.gov>

Subject: Fw: PLF The Docket: Malibu couple celebrates victory in 'granny flat' case

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FOR THE PUBLIC RECORD and the Comprehensive Plan
May 10, 2024

Dear Councilors,

Throughout Clark County, the people need or will need this ADU option in the future. But currently unattached ADUs are only allowed in the urban area. Clark County needs to change their ordinance to allow this to happen.

This PLF information is important court records on behalf of ADUs, an option needed in Clark County's rural lands as well as in the urban lands. At this time there is no equity, fairness or balance regarding this type of housing in Clark County. Rural people pay more taxes to live on their land and they also have elderly parents or disabled children who need their own place to live. This county allows this kind of independent living in the urban area, but not in the rural area.

According to state law, the cities are to manage the growth in the urban area, and the county is to manage the growth in the rural area. But, currently county planners and the council are not planning to allow growth in those areas at all. The population projections have rolled the "person number" for rural growth, into the city of Vancouver's urban growth number. How does this action comply with state law and meet the mandates of the GMA?

State law clearly says that **"rural" is any land outside the urban growth unincorporated area.** The county has created onerous zoning and regulations to assure there will be no growth in the rural area.

The Washington courts have said, It is illegal to put a cap on rural growth, but that is what has happened here in Clark County. Because of that, the cities are feeling overwhelmed, when all of the growth is being forced into the urban areas, and there is no relief mechanism for them in the rural area. The result is that they can't afford the massive infrastructure to support all of the growth that is to come in the next twenty years. That kind of planning, needs to change.

Best Regards,

Carol Levanen, Exec. Secretary

Clark County Citizens United, Inc. P.O. Box 2188 Battle Ground, Washington 98604 E-Mail cccuinc@yahoo.com

----- Forwarded Message -----

From: Pacific Legal Foundation <plfalert@pacificlegal.org>

To: "cccuinc@yahoo.com" <cccuinc@yahoo.com>

Sent: Friday, May 10, 2024 at 11:01:32 AM PDT

Subject: The Docket: Malibu couple celebrates victory in 'granny flat' case



After years of litigating, a Malibu couple can build a small additional unit on their property; the Supreme Court will consider taking a case where trucks are regulated under the Mine Act; and a Pacific Legal Foundation attorney explains what exactly the Fourth Amendment protects. Here's what's on The Docket.

Malibu couple celebrates victory in 'granny flat' case



Jason and Elizabeth Riddick own a home in Malibu. They asked the city for permission to build a small new housing unit on their property for Elizabeth's 82-year-old mother. Accessory dwelling units, or ADUs, are common in multi-generational households: Nicknamed

“granny flats,” ADUs allow grandparents to live near family while protecting their independence and privacy. But even after the Riddicks spent \$40,000 on geologic surveys and other permit requirements, the Malibu Planning Commission denied their application. Fortunately, the Los Angeles County Superior Court and California Court of Appeals disagreed with the city—and last week, the California Supreme Court declined to hear Malibu’s appeal, freeing the Riddicks to finally build.

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Supreme Court considers trucking case

This month, Supreme Court Justices will consider whether to grant Pacific Legal Foundation’s cert petition for our client, KC Trucking, who is suing the Secretary of Labor. The family-owned trucking company in West Virginia and Virginia provides a variety of hauling services. Bizarrely, the Labor Department believes it can regulate KC Trucking as a mine, because their trucks often haul coal. Under the Labor Secretary’s reasoning, once a piece of equipment is used in any part of the mining process—even transportation—it falls under the federal government’s jurisdiction over mines. It’s a shockingly broad (and wrong) interpretation of the Mine Act that deserves the Supreme Court’s review.

[READ MORE](#)

How competitive high schools get away with race-based admissions



The Supreme Court has ruled that colleges cannot base admissions on race—so why are competitive high schools still manipulating their admissions processes in the name of racial equity? PLF attorney Alison Somin looks at discrimination cases in Boston, New York, and Maryland in which administrators use racial proxies to treat certain groups of students differently than others.

[READ MORE](#)

The Commerce Clause made easy

Everyone who loves liberty needs to understand the Commerce Clause of the Constitution—because it’s how the federal government asserts most of its modern regulatory power over the individual. According to the Supreme Court, what you do in your own home can fall under the government purview if it “substantially affects” interstate commerce—a vague test that departs from the original meaning of the Constitution and perverts the Commerce Clause into a national police power, PLF attorney Jeff Jennings says.

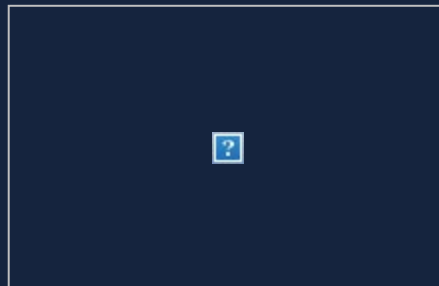
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Explaining the Fourth Amendment: What counts as persons, houses, papers, and effects?



The Fourth Amendment protects privacy by securing private property. But what exactly is covered? Does your land count as your effect? Does a business count as a house? Does a facial recognition scan violate the protection of your person? PLF attorney Daniel Woislaw walks us through the amendment, looking at legal precedents to explain how the courts interpret the Fourth Amendment—and which questions are still left open.

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