

Mayor and City Council - City of Stevenson
c/o Leana Kinley, City Administrator
7121 E. Loop Road - PO Box 371
Stevenson, WA 98648-0371

August 9th, 2022

Subject: Public Comment for the Upcoming City Council Meeting on August 11th, 2022, Regarding the Proposed BLA Code Amendments – Ordinance 2022-1183.

Dear Major and Stevenson City Council Members,

Less than two weeks ago on July 27th, the Skamania County Superior Court ruled the Stevenson Planning Department, and the Hearing Examiner were making "*an erroneous interpretation of the law*", when making unlawful requirements for our Boundary Line Adjustment (BLA). This BLA involved moving 3 nonconforming small lots within our property to a larger configuration, closer to public utilities, while solving access issues.

We were respectful of the wishes of the neighbors by not triggering expanding access along Del Ray Avenue with our BLA. The city has dealt with this neighborhood group along Del Ray, spearheaded by Pat Rice & Karen Rutledge in the past. We came up with an equitable and neighborly solution all within the BLA guidelines.

On Sunday, 10 days after the Superior Court ruling, we became aware of an effort by the city to change the BLA Code. The proposed BLA code changes were found in page 77 of the 98-page August Council agenda packet. There was no public notice of this proposed change in any other known media. There is no recent public record of approval of these changes with the Planning Commission. There appears to be no planned "public comment" period, outreach, or discussions on how this impacts Stevenson landowners. Why would that be, when recently a citizen group helped the city create an exact path to do so?

We also became aware of the possibility the City Council adopted "two-reading ordinance change process" may be circumvented. On Monday the 8th Leanna Kinley stated the Council could directly approve of the code changes at this Thursday's City Council meeting. This is only a few days after release of the agenda packet to the City Council and the public. Leanna stated, "*It is a first reading of the ordinance and Council has the option to approve it at that meeting or hold off for a second reading.*"

On Monday, August 8th, we discussed with LeAnne Bremer, our Land Use Attorney, the legality of the proposed changes. Her legal opinion will also be sent to you. As you will see, the legality issues with this proposed code change are quite significant.

Code changes to the BLA and other land use regulations need to be well vetted, understood and most important legal. Citizen involvement where the public is given adequate notice of the proposed changes is necessary. We have seen that the City Council functions best when given adequate time and information to understand the ramifications of any change that takes away property rights. It is especially important to understand the legal risks to the City and damage to public opinion, let alone the impact of our community. Thank you.

Rick and Julie Fitzpatrick May