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**GROWTH MANAGEMENT HEARINGS BOARD
WESTERN WASHINGTON REGION
STATE OF WASHINGTON**

FRIENDS OF CLARK COUNTY &
FUTUREWISE,

Petitioners,

v.

CLARK COUNTY,

Respondent.

Case No.:

**FRIENDS OF CLARK COUNTY'S &
FUTUREWISE'S PETITION FOR
REVIEW**

COMES NOW Petitioners Futurewise and Friends of Clark County to submit this
Petition for Review to the Growth Management Hearings Board as authorized by Chapter
36.70A RCW.

I. PETITIONER

1. Petitioner Friends of Clark County is a Washington State nonprofit corporation
whose mailing address is:

Friends of Clark County
PO Box 513
Vancouver, Washington 98666
Email: info@friendsofclarkcounty.org
Telephone: 360-887-7880

1 **III. ISSUES PRESENTED FOR REVIEW**

- 2 1. Did the adoption of Ordinance No. 2016-04-03 and Ordinance No. 2016-05-03 violate RCW
3 36.70A.367(6) and RCW 36.70A.130(1)(d) because the industrial land banks were
4 designated after the deadline in RCW 36.70A.367(6) and RCW 36.70A.130(4)?
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6 2. Did the adoption of Ordinance No. 2016-04-03 and Ordinance No. 2016-05-03 violate RCW
7 36.70A.170(1)(a), RCW 36.70A.060(1)(a), 36.70A.020(8), RCW 36.70A.070, RCW
8 36.70A.130(1)(d), or the Clark County comprehensive plan by de-designating approximately
9 602.4 acres of agricultural lands of long-term commercial significance?
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11 3. Did the adoption of Ordinance No. 2016-04-03 and Ordinance No. 2016-05-03 violate RCW
12 RCW 36.70A.070, RCW 36.70A.130(1)(d), RCW 36.70A.210(2) or (3), the applicable
13 provisions of RCW 36.70A.365(2), or RCW 36.70A.367(1), (2), (3), (4), or (7) by failing to
14 comply with the requirements for industrial land banks?

15 **IV. STANDING**

16 1. Petitioner Friends of Clark County is a Washington State non-profit corporation
17 that works with community partners and policy makers to keep Clark County a beautiful and
18 healthy place to live, work and play. The organization has members that are landowners and
19 residents of Clark County and who are aggrieved and adversely affected by the County's
20 adoption of Ordinance No. 2016-04-03 and Ordinance No. 2016-05-03 and the matters at issue in
21 this petition. Friends of Clark County staff and its supporters and members participated in the
22 public process writing emails, letters, and testifying at public hearings concerning all matters at
23 issue in this petition. The Friends of Clark County therefore assert that, in addition to other forms
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1 3. In addition, the Friends of Clark County and Futurewise request that the Board
2 make a determination of invalidity for the amendments adopted by Ordinance No. 2016-04-03
3 and Ordinance No. 2016-05-03 on the grounds that the challenged provisions substantially
4 interfere with the fulfillment of the goals of the Growth Management Act.
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6 The Petitioners, the Friends of Clark County and Futurewise, have read this Petition for
7 Review and believes the contents to be true.

8 DATED this 20th day of June, 2016, and respectfully submitted,
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11 _____
12 Tim Trohimovich, WSBA No. 22367
13 Attorney for Petitioners Futurewise and
14 Friends of Clark County
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VII. DECLARATION OF SERVICE

I, Tim Trohimovich, declare under penalty of perjury and the laws of the State of Washington that, on June 20, 2016, I caused the following document to be served on the persons listed below in the manner shown: the Friends of Clark County's and Futurewise's Petition for Review and attachments.

Growth Management Hearings Board
 PO Box 40953
 Olympia, WA 98504-0953
 Tel: 360-664-9170

The Honorable Greg Kimsey
 Clark County Auditor
 P.O. Box 5000
 Vancouver, WA 98666-5000

Original and three copies

- By United States Mail, postage prepaid and properly addressed
- By Legal Messenger or Hand Delivery
- By Facsimile
- By Federal Express or Overnight Mail prepaid
- By Email: western@eluhwa.gov

- By United States Mail, postage prepaid and properly addressed
- By Legal Messenger or Hand Delivery
- By Facsimile
- By Federal Express or Overnight Mail prepaid
- By Email: auditor@clark.wa.gov

Mr. P. Stephen DiJulio
 Foster Pepper PLLC
 1111 3rd Ave Ste 3000
 Seattle, WA 98101-3292
 Attorneys for Clark County

- By United States Mail, postage prepaid and properly addressed
- By Legal Messenger or Hand Delivery
- By Facsimile
- By Federal Express or Overnight Mail prepaid
- By Email: steve.dijulio@foster.com

- By United States Mail, postage prepaid and properly addressed
- By Legal Messenger or Hand Delivery
- By Facsimile
- By Federal Express or Overnight Mail prepaid
- By Email:

Tim Trohimovich