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BEFORE THE GROWTH MANAGEMENT HEARINGS BOARD
WESTERN WASHINGTON REGION
STATE OF WASHINGTON

WHATCOM ENVIRONMENTAL
COUNCIL, a Washington nonprofit
corporation,

Petitioner,

v.

CITY OF BELLINGHAM, a political
subdivision of the State of Washington,

Respondent.

NO.

PETITION FOR REVIEW

I. PETITIONER

1. Petitioner Whatcom Environmental Council (“WEC”) is a public interest, Washington nonprofit corporation based in Whatcom County, Washington. WEC was established in 2024 for charitable, scientific or educational purposes, including without limitation to promote and ensure a healthy environment in northwest Washington, and to provide for greater public transparency, involvement, and engagement on issues that affect that environment. WEC board members participated orally and in writing during the legislative process that the City of Bellingham (“City”) used to adopt its 2025 Comprehensive Plan update. WEC’s contact information is:

1 Whatcom Environmental Council
2 1232 Roland Street
3 Bellingham, WA 98229
 whatcomec@gmail.com

4 2. WEC is represented in this appeal by Claudia Newman and Zachary Griefen of
5 Bricklin & Newman, LLP, whose mailing address, phone number, and email address are:

6 Bricklin & Newman, LLP
7 c/o Claudia Newman and Zachary Griefen
8 123 NW 36th Street, Suite 205
9 Seattle, WA 98107
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11 Email: newman@bnd-law.com
 griefen@bnd-law.com

11 **II. THE CHALLENGED ACTIONS**

12 WEC challenges the City’s adoption of the 2025 Comprehensive Plan update (“Update”),
13 Ordinance No. 2025-12-039, titled “AN ORDINANCE ADOPTING THE 2025 CITY OF
14 BELLINGHAM COMPREHENSIVE PLAN, INCLUDING THE FUTURE LAND USE MAP,”
15 approved by the City Council on December 15, 2025 and signed by the City’s Mayor on December
16 30, 2025. Publication of the Update occurred on December 19, 2025. A copy of Ordinance No. 2025-
17 12-039 is attached to this petition for review.

19 **III. DETAILED STATEMENT OF THE ISSUES**

20 1. Did the City fail to comply with the requirements of RCW 36.70A.070, -.110, -.130,
21 and -.635 and WAC 365-196-325, -405, and -410; and fail to be guided by the goals of RCW
22 36.70A.020(2), (3), (4), (10) and (14) because the Land Use Element of the Update fails to include
23 goals and policies that “will . . . result in reductions in per capita vehicle miles traveled,” RCW
24 36.70A.070(9)(d)(i), *e.g.* by identifying minimum urban densities?
25

26 2. Did the City fail to comply with requirements of RCW 36.70A.070(1) and RCW
36.70A.070(9), and be guided by the goals in RCW 36.70A.020(2), (3), (10) and (14), because the

1 Update's Land Use and Transportation elements are not designed to result in reductions of overall and
2 local greenhouse gas emissions; avoid the adverse effects of climate change; and reduce per capita
3 vehicle miles traveled?

4 3. Did the City fail to comply with RCW 36.70A.070(9) because the Climate Element in
5 the Update failed to include policies or indicators, measures, milestones, and criteria that would
6 demonstrate the actions in the Climate Element would result in reducing greenhouse gas emissions?
7

8 4. Did the City fail to be guided by the goals of RCW 36.70A.020(10) (to protect and
9 enhance the environment, including water quality) and RCW 36.70A.020(15); and fail to comply with
10 the requirements of RCW 36.70A.070(1) because the Update's Land Use Element failed to identify
11 maximum urban densities to protect Lake Whatcom, which is the drinking water supply for over
12 100,000 people, a designated critical area, and a shoreline of statewide significance?
13

14 5. Did the City's adoption of the Update fail to be guided by public participation goals
15 and meet related requirements (RCW 36.70A.020(11); RCW 36.70A.035, and RCW 36.70A.140; and
16 the adopted public participation plan) by failing to provide adequate opportunity to review and
17 comment, including but not limited to publishing the draft plan five days before the public hearing and
18 considering amendments that were proposed after the opportunities for public review and comment
19 had passed?
20

21 6. Did the City violate the interjurisdictional planning requirements of RCW
22 36.70A.020(11), RCW 36.70A.100 and RCW 36.70A.210 because it failed to consider a density credit
23 program with Whatcom County as required by an interlocal agreement and the Countywide Planning
24 Policies?

25 7. Would continued validity of the Update substantially interfere with fulfillment of the
26 goals of the GMA, including the goals set out at RCW 36.70A.020(1) (urban growth), (2) (reduce

1 sprawl), (3) (transportation), (4) (housing), (5) (economic development), (9) (open space and
2 recreation), (10) (environment), (11) citizen participation and coordination), (12) (public facilities and
3 services), (13) (historic preservation), (14) (climate change and resiliency), and (15) (shorelines of the
4 state)?

5
6 **IV. STANDING**

7 1. Petitioner Whatcom Environmental Council (“WEC”) is a public interest, Washington
8 nonprofit corporation based in Whatcom County, Washington. WEC was established in 2024 to stay
9 abreast of current environmental issues, advocate for progressive environmental policies and engage
10 in the education of decision makers and the public regarding environmental issues in Whatcom
11 County. The WEC board agrees with the Washington State Legislature’s findings, adopted in 1990
12 with passage of the Growth Management Act (“GMA”), that uncoordinated and unplanned growth,
13 together with a lack of common goals expressing the public’s interest in the conservation and the wise
14 use of our lands, pose a threat to the environment. Board members live in and in close proximity to
15 Bellingham and its associated urban growth area. The WEC board has determined that the updated
16 comprehensive plan does not meet our expectations or GMA requirements because it fails to
17 demonstrate a reduction of greenhouse gas emissions and per capita vehicle miles traveled; fails to
18 adopt measures that reduce sprawl; allows continued threats to the City’s drinking water supply by
19 allowing significant new housing development within the Lake Whatcom watershed; and other
20 environmental issues. WEC board members participated and provided comments orally and in writing
21 during the legislative process that the City of Bellingham (“City”) used to adopt its 2025
22 Comprehensive Plan update.
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25 2. WEC has participation standing pursuant to RCW 36.70A.280(2) to file this petition
26 for review because the organization delivered written comment to the City Planning Commission and

1 oral and written comment to the City Council at hearings and submitted multiple written comment
2 letters and emails to the City to request adoption of language that benefits the environment consistent
3 with Growth Management Act requirements and the allegations herein.

4 3. In addition to participation standing, WEC and its members are aggrieved by the City's
5 adoption of the Update, which fails to ensure that the City's climate response is integrated into the
6 City's planning framework through this Update. WEC and its members are further aggrieved because
7 the legislative process for this Update lacked transparency, involvement, and engagement. A decision
8 in WEC's favor would vacate and remand the challenged Update and thus substantially eliminate the
9 prejudice that the City's adoption of the Update has caused WEC.

11 **V. ESTIMATED TIME FOR THE HEARING ON THE MERITS**

12 Petitioner estimates that the hearing on this matter will take up to four hours.

13 **VI. RELIEF SOUGHT**

14 Petitioner seeks the following relief:

15 A. An order vacating the City Council's decision to adopt the 2025 Bellingham
16 Comprehensive Plan update and remanding the Update to the City to take the necessary legislative
17 action to bring the Update into compliance with the GMA.

18 B. An order of invalidity, upon determining that continued validity of the 2025
19 Bellingham Comprehensive Plan update would substantially interfere with fulfillment of the goals
20 of the GMA.
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22 The Petitioner has read this Petition for Review and believes the contents to be true.
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Dated this 17th day of February, 2026.

Respectfully submitted,

BRICKLIN & NEWMAN, LLP

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