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BEFORE THE
CENTRAL PUGET SOUND
GROWTH MANAGEMENT HEARINGS BOARD

COALITION FOR HEALTHY ECONOMIC CHOICES IN KITSAP, a not-for-profit corporation; KITSAP CITIZENS FOR RURAL PRESERVATION, d/b/a KITSAP CITIZENS FOR RESPONSIBLE PLANNING, a not-for-profit corporation, v. KITSAP COUNTY,	Petitioners	NO. PETITION FOR REVIEW
	Respondent	

1 Petitioners

1.1 Coalition for Healthy Economic Choices in Kitsap
c/o Ray McGovern, Chair
PMB 173

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3 (360) 509-1024

4 1.2 Kitsap Citizens for Rural Preservation, d/b/a Kitsap Citizens for
5 Responsible Planning
6 c/o Tom Donnelly
7 10922 Horizon Lane ESE
8 Port Orchard, WA 98367
9 (360) 876-3129

2 Petitioners' Attorneys

3 2.1 Claudia M. Newman
4 David A. Bricklin
5 Bricklin Newman Dold, LLP
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7 Seattle, WA 98154
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9 3 Date of the Challenged Action

10 3.1 Petitioners are challenging certain aspects of Ordinance 370-2006, ("An
11 Ordinance Relating to the Growth Management Act and Regarding the Ten Year Update of the
12 Kitsap County Comprehensive Plan") and the environmental review associated with that action.
13 Petitioners also challenge Kitsap County Ordinance No. 367-2006, ("An Ordinance Regarding Ten
14 Year Comprehensive Plan Update Revisions to Kitsap County Code Title 17 (Zoning)") and the
15 environmental review associated with that action. The Kitsap County Board of Commissioners
16 adopted and enacted Ordinances 370-2006 and 367-2006 on December 11, 2006. Notice of those
17 actions was published on December 20, 2006. Kitsap County also published notice of availability

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1 of the Integrated Final Environmental Impact Statement and Comprehensive Plan for the Kitsap
2 County Ten Year Update on December 20, 2006. Excerpts of the text of the 2006 Comprehensive
3 Plan, Ordinance 367-2006, the EIS, and the map amendments are attached hereto.
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5
6 4 A Detailed Statement of the Issues Presented

7 4.1 Petitioners challenge certain aspects of the ten year update of the Kitsap
8 County Comprehensive Plan, specifically, the County's expansion of the South Kitsap Industrial
9 Area ("SKIA") Urban Growth Area ("UGA"), the creation of a new Industrial Multi-Purpose
10 Recreational Area (IMPRA) Comprehensive Plan designation and application of that designation to
11 lands within the expanded SKIA UGA. Petitioners also challenge the addition of the Urban
12 Holding Area zone ("UHA") in Chapter 17.322 KCC and the rezoning of certain lands within the
13 SKIA UGA as UHA.
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16 4.2 The Draft Environmental Impact Statement at issue in this appeal states that
17 the new IMPRA Comprehensive Plan designation and Urban Holding Area zone are meant to allow
18 "large-parcel economic opportunity projects of benefit to Kitsap County," such as a speedway or
19 "other unique uses." Uses within the IMPRA designation are expected to be large-scale industrial
20 projects and/or recreational uses, such as motor sports and other recreational facilities, and other
21 commercial and administrative uses customarily accessory thereto. The issues presented by these
22 actions are:
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1 County failed to conduct adequate environmental review of the probable significant adverse
2 environmental impacts of expansion of the SKIA UGA, creation of the new IMPRA designation
3 and UHA zone, and designation of existing rural forested lands as IMPRA and UHA.

4
5 4.6 Whether the County's adoption of Ordinances 367-2006 and 370-2006
6 violated RCW 36.70A.106 because the County failed to notify the Washington State Department
7 of Community Trade and Economic Development pursuant to the requirements of that provision.

8
9 4.7 Whether the County's adoption of Ordinance 370-2006 violated RCW
10 36.70A.100 because the County failed to coordinate, and ensure consistency with the
11 Comprehensive Plan adopted by other counties or cities, such as Mason County, pursuant to the
12 requirements of that provision.

13
14 5 Petitioners Have Standing

15 5.1 Petitioners have standing to raise their GMA and SEPA claims pursuant to
16 RCW 36.70A.280(2). Members of both Kitsap Citizens for Rural Preservation, d/b/a Kitsap
17 Citizens for Responsible Planning (KCRP) and the Coalition for Healthy Economic Choices in
18 Kitsap (CHECK) commented upon the actions at issue in this petition in writing and orally in
19 proceedings before Kitsap County decision makers on the matter.
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22 5.2 In addition, petitioners' interests are within the zone of interests protected
23 and regulated by the GMA and SEPA. The County's decision to approve the amendments
24 challenged herein will harm the petitioners. Members of petitioner organizations KCRP and
25

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8 Certification

8.1 The petitioners have read the Petition for Review and believe the contents to
be true.

Dated this ____ day of January, 2007.

Respectfully submitted,

BRICKLIN NEWMAN DOLD, LLP

By: _____
Claudia M. Newman
WSBA No. 24928
Attorneys for Petitioners

KCRP\GMHB 2007\Petition for Review