

1 BEFORE THE WESTERN WASHINGTON GROWTH MANAGEMENT HEARINGS BOARD

2  
3 ROBERT WIESEN,

4  
5 Petitioner,

Case No. 06-2-0009

6 v.

**ORDER DISMISSING PETITION FOR  
REVIEW**

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8 CITY OF BELLINGHAM,

9  
10 Respondent.

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12 THIS Matter comes before the Board upon the motion of Respondent, City of Bellingham, to  
13 dismiss the petition for review filed in this case. Motion to Dismiss Petition for Review, June  
14 13, 2006. Subsequently, the City and Petitioner joined in a proposed order of dismissal.  
15 Proposed Order Dismissing Petition for Review, July 11, 2006 (by City); July 14, 2006 (by  
16 Petitioner).  
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19 The Petition for Review alleges that the City of Bellingham failed to review, evaluate, and  
20 revise its comprehensive land use plan and development regulations, and failed to take  
21 legislative action as required by RCW 36.70A.130(1) within the timeframes required by  
22 RCW 36.70A.130(4)(a), expiring on December 1, 2004. The Petition for Review further  
23 alleges that the City failed to review the Bellingham UGA by 2002, as required by the Urban  
24 Fringe Subarea Plan, and as reflected in the Countywide Planning Policies (CPPs), the  
25 City's Comprehensive Plan, and Interlocal Agreement Number 1997-0454.  
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28 On May 15, 2006, the City adopted Resolution 2006-15, recommending changes to the  
29 Whatcom County Urban Fringe Subarea Plan and Bellingham's Urban Growth Area. On  
30 June 5, 2006, the City approved Ordinance No. 2006-06-057, adopting a new  
31 Comprehensive Plan. With these two adoptions, all parties agree that the City has taken  
32 legislative action pursuant to RCW 36.70A.130(1).

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**ORDER**

Based on the foregoing, the petition for review in this case is **DISMISSED** and this case is CLOSED.

Entered this 18<sup>th</sup> day of July 2006.

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Gayle Rothrock