

Opinion in PDF Format

Supreme Court of the State of Washington

Opinion Information Sheet

Docket Number: 76581-2  
Title of Case: 1000 Friends of Wash. v. McFarland  
File Date: 12/21/2006  
Oral Argument Date:

SOURCE OF APPEAL

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Appeal from King County Superior Court

Docket No: 04-2-37112-1  
Judgment or order under review  
Date filed: 01/11/2005  
Judge signing: Honorable Palmer Robinson  
JUSTICES

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See the end of the opinion for the names of the signing Justices.

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1000 Friends of Washington, et al. v. McFarland

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MADSEN, J. (concurring) -- It cannot be disputed that Washington citizens

are concerned with what many see as an erosion of private property rights. At the

same time many of these same citizens recognize the value of land use planning.

This tension is growing ever stronger as our population increases, bringing demands for increased housing and infrastructure. In the 12 years since this court

decided *Whatcom County v. Brisbane*, 125 Wn.2d 345, 884 P.2d 1326 (1994), the legislature has had many opportunities to amend the Growth Management Act, chapter 36.70A RCW, to allow greater participation by voters on local land use

measures. It has declined to do so. As amicus Master Builders Association of

King and Snohomish Counties points out, this may reflect the legislature's interest

in providing speedy and predictable regulations for land development and building

processes. Whatever the reason, the balancing of interests is for the legislature and

the legislature apparently agrees with the Brisbane majority that initiative and

referendum have no place in that balance. Accordingly, I concur in the result

reached by the majority.

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AUTHOR:

Justice Barbara A. Madsen

WE CONCUR:

E. Fairhurst

Justice Mary

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