








LeAnne M. Bremer

Partner

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“My aim is to truly understand clients’ needs and to attend to them with an empathetic and responsive approach. In forming partnerships with clients, together we can develop a common strategy that is designed to achieve their objectives efficiently and with added value.”

LeAnne Bremer likes to solve problems. Whether it is obtaining development approvals for clients in the face of opposition from planning staffs or neighbors, drafting complex documentation for mixed-use developments, or finding and presenting the winning argument in a land use appeal, LeAnne appreciates a good challenge. In all cases, she strives to be responsive, positive, and effective.

LeAnne focuses her practice on land use, real estate, and government affairs for a variety of clients, including developers, institutions, and individual property owners. She also has a public law subspecialty, as general counsel for the Port of Longview, managing all of its legal matters, and practicing in a variety of areas important to the Port. She represents other ports and school districts on real estate transactions and land use matters. In addition, LeAnne provides land use regulatory and permitting guidance to clients in the cannabis industry.

LeAnne has substantial experience in preparing land use applications and presenting them to decision-makers for approval. A significant part of the permitting process requires LeAnne to negotiate conditions of approval with staff and, at times, challenge conditions attached to development before local decision-makers and in court. Additionally, LeAnne has extensive experience in growth management legislation and the implications of development and environmental issues for property owners. LeAnne has drafted legislation at both the local and state levels. She has represented private property owners and local and regional businesses in planning and transactional matters regarding sales and acquisitions of real estate and other real estate matters, including drafting covenants, easements, boundary-line adjustments, and condominium documentation. She has extensive experience in cases involving the unconstitutional taking of private property.

LeAnne serves on the firm’s executive committee, and is partner-in-charge of the firm’s Vancouver, Washington, office.

Education

J.D., Lewis & Clark Law School, 1989

- Bureau of National Affairs Law Student Award recipient in recognition of the most satisfactory scholastic progress in the field of law during the final school year by a member of the class of 1989

B.A., Portland State University, arts & letters, with honors, 1986

Bar Admissions

Oregon, 1990
Washington, 1989

Court Admissions

U.S. Court of Appeals for the Ninth Circuit, 2009

U.S. District Court, Western District of Washington, 2003

Professional Activities

- Miller Nash, Executive Committee member, 2010-2012, 2018-present
- Clark County Bar Association, member
- Washington State Bar Association
 - Environmental and Land Use Section, Executive Committee member, 2016-2020
- Oregon State Bar, Real Estate and Land Use Section, member
- Washington Women Lawyers, St. Helens Chapter, member

Civic Activities

- Educational Service District 112, board member
- Clark College Foundation
 - Chair, 2021-present
 - Vice chair, 2019-2021
 - Board member, 2017-present
- Greater Vancouver Chamber of Commerce, board member
- Humane Society for Southwest Washington
 - Chair, 2021-present
 - Board member, 2011-present
 - Vice chair, 2019-2020
- Free Clinic of Southwest Washington, past board member and Executive Committee member
- Columbia River Economic Development Council (CREDC)
 - Past board member, 2013-2019
 - Public Policy Committee, past member
- Council for the Homeless, past board member
- YWCA-Clark County, past board member, 2006-2011

Representative Experience

Public Projects

- *Port Representation*
 - Provides general counsel services to Port of Longview, which involves providing and managing a variety of legal services related to real estate leasing and development, infrastructure needs, environmental cleanup and permitting, procurement contracts, open public meetings laws, public records requests, and the review, drafting and negotiating of a variety of contracts with agencies, tenants, and other parties.
 - Represents other Washington ports on land use permitting and real estate matters, as well as development of zoning ordinances and regulatory documents.
- *Local School Districts.* Representing a number of Washington K-12 school districts on land use permitting and real estate transactions.
- *Transportation Cooperative.* Assisted in purchase of land for transportation cooperative composed of public agencies.
- *Interlocal Agreements.* Drafting numerous interlocal agreements among public agencies for joint projects or services.

Land Use

- *Gorge Regulations.* Challenged the U.S. Forest Service's refusal to allow for a minor boundary line adjustment of two parcels in the Columbia River Gorge National Scenic Area in GLW Ventures, LLC v. Department of Agriculture in federal court and before the Gorge Commission.

- *Shoreline Permitting.* Successfully challenged the designation of Mill Pond as a regulated water body under the Shoreline Management Act before the Shoreline Hearings Board in Camaslakeland, LLC v. the Department of Ecology. Assisted other clients in obtaining shoreline permits or challenging conditions attached to shoreline permits.
- *Development Agreements.* Drafted and negotiated many development agreements, covenants, and other contracts to facilitate new or revised development proposals for private and public projects.
- *Land Use Hearings and Administrative Appeals.* Present projects to hearings examiners and local, regional, and state land use boards, and at times, when necessary, defend projects in courts.
- *Land Use Permitting.* Prepared, negotiated with staff, and obtained approval for all types of land use applications: comprehensive plan amendments, rezones, conditional use permits, site plan review applications, subdivisions, short plats, shoreline permits, development agreements, planning director interpretations, temporary use permits, habitat permits, and wetland permits.
- *Legal Lot Determinations.* Won several contentious appeals for clients in which jurisdictions have denied the clients historic, buildable lots.
- *Vested Rights.* Assisted many clients in preserving vested rights for development projects and their immunity from later-enacted land use control ordinances.

Land Use Appeals—Judicial

- *Simon's Way Development Inc. v. Clark County.* Prevailed in challenging Clark County's impermissible attempt to regulate a Class III forest road approved by the Department of Natural Resources at the Washington Court of Appeals, Division II.
- *Benchmark v. City of Battle Ground.* The Supreme Court ruled that the city's requirement for a developer to improve street frontage was unlawful. The key in that case was the fact that the developer would put few trips on the street that the city was requiring the developer to improve. The required connection between an impact of the development and the need for the public improvement was lacking.
- *Habitat Watch v. Skagit County.* The Washington Supreme Court ruled that an environmental group's challenge to golf course project was untimely under the Land Use Petition Act. The court found that not only did the environmental group not file an appeal in time after learning the project was going forward, but that filing a motion for reconsideration with the county, instead of court, was the wrong venue in which to challenge the permit.
- *Isla Verde v. City of Camas.* The Washington Supreme Court ruled that the city's requirement for a developer to set aside 30 percent of its land as open space as a condition of subdivision approval was unlawful. The court resolved an important issue that had yet to be firmly determined in prior cases: that a Washington statute, RCW 82.020.020, prohibits governments from requiring developers to pay fee, dedicate land, or make an improvement as a condition of a permit unless the condition directly mitigates an impact of the development. The court stated this statute applied even though the city would not take title to the open space.

Real Estate

- *Real Property Tax Appeals.* Successfully challenged county's assessment of back taxes, penalties and interest for alleged removal of property from the open space program in GG One, Inc. v. Clark County. The Board of Equalization found that the property conveyed to the county for wetland and storm water purposes was still open space and that the property owner was entitled to a tax refund.
- *Condominium Projects*
 - Prepared condominium documentation for a four-tower mixed-use development with an underground public parking garage, commercial and office space, apartments, and nested residential condominium units.

- Prepared condominium documentation for several office, commercial, and industrial buildings in Washington and Oregon.
- Converted several apartment buildings and duplexes into condominiums.
- *Mixed-Use Development.* Ongoing representation for a developer of a mixed-use business park, consisting of a 374-acre master planned development for industrial use and office, retail, and residential space.
- *Office Development.* Assisted clients in developing sites in Clark County, Washington, for a medical clinic, professional office buildings, and retail businesses.
- *Real Estate Sales.* Assisted major company as local counsel in reviewing a purchase and sale agreement, lease, and other real estate documentation involved in the sale of its campus.
- *Office Leasing.* Developed form lease and assisted in negotiating leases with tenants on behalf of downtown Seattle building owner.
- *Zoning and Comprehensive Plan Amendments.* Represented clients in changes to zoning and comprehensive plan amendments, including advocating for property to be included in urban growth area.
- *Energy Projects*
 - Assisted client in obtaining land use approval for biomass facility.
 - Represented energy client contesting requirement for environmental impact statement.
 - Assisted client in shoreline permitting and environmental review for expanded energy project in Anacortes, Washington.
 - Represented fuel industry in commenting on proposed local legislation regulating industry.
- *Homeowners Association Documentation.* Drafted numerous CC&Rs, articles of incorporation, bylaws, public offering statements, and other documents for developer clients consistent with the Washington Uniform Common Interest Ownership Act.

Legislation, Ballots & Lobbying

- Drafted and advocated for local or state legislative amendments on behalf of clients or as volunteer member of committees to ensure good planning rules and regulations. Examples include proposed amendments to expand funding options for transportation benefit districts, to allow a school district partially located in a non-Growth Management Act county to collect impact fees, and to provide for a property tax exemption for school or college foundations.
- Drafted ballot measure for light rail vote.
- Drafted ballot measure for school district asking for advisory vote on whether school district should charge and collect school impact fees.
- Assisted in drafting Employment Mixed Use Overlay ordinance in Ridgefield, Washington.

Cannabis Business Projects

- Secured regulatory exemption from shoreline management rules for cannabis business as a non-agricultural use.
- Advised clients on whether cannabis business met local zoning regulations.
- Obtained zoning amendment to allow cannabis business in commercial zone.

Publications

- “Whole New Bodies of Law,” *Vancouver Business Journal*, interview (Mar. 2020)
- “That Was Fast! 2017 Washington Legislature Proposes Bills Responding to the Hirst Decision,” Miller Nash Graham & Dunn, *From the Ground Up* (Jan. 2017)
- “Washington Supreme Court Strikes a Blow to Vested Rights,” Miller Nash Graham & Dunn, *From the Ground Up* (Jan. 2017)
- “In Vino Perseverance: Winery Launch Faces Barriers to Entry,” *Vancouver Business Journal* (July 2016)

- “The GVCC’s Public Affairs Committee Progress Report,” *Vancouver VISION Magazine* (July/Aug. 2016)
- “SCOTUS Provides Pathway to Courts’ Challenging Army Corps’ Wetlands Calls,” Miller Nash Graham & Dunn, *From the Ground Up* (May 2016)
- “Education Funding and Affordable Housing Rise to the Top of Discussion,” *Vancouver VISION Magazine* (May/June 2016)
- “The Legislative Outlook Breakfast—What to Expect in 2016,” *Vancouver VISION Magazine* (Jan./Feb. 2016)
- “A Sound View of Expansion,” Clark County Bar Association, *Hearsay* newsletter (Feb. 2015)
- “Lenders and Contractors Beware: Timing and Clarity is Everything,” *Vancouver Business Journal* (October 3, 2014)
- “Minimizing Risk in a Construction Contract: From a Contractor’s Perspective,” Miller Nash, *Groundbreaking News* (Apr. 2014)
- “Clark County Embarks on Process to Update Its Comprehensive Land Use Plan,” Miller Nash, *Groundbreaking News* (Dec. 2013)
- “The 2012 Washington Legislature Passes Only a Handful of New Laws Related to Real Estate and Development” (Sept. 2012)
- “Open for Business: Streamlining the Permitting Process,” *Greater Vancouver Chamber of Commerce’s Chamber News*, (Summer 2012)
- “Clark County Hearings Examiner Softens County’s Hardened Stance on Legal Lot Determinations,” Miller Nash, *Groundbreaking News* (May 2011)
- “Clark County Takes a Harder Stance on Recognizing Legal Lots,” *Development Dispatch* (Jan. 2011)
- “Should I Sell it or Donate it? Tax and Other Implications of Donating Real Estate to Charities,” *Vancouver Business Journal* (Sept. 2010)
- “Checks and Balances: 2010 Laws Foster Land Development and Construction, but a Court Opens the Door to More Regulation,” *Vancouver Business Journal* (May 2010)
- “What Is the Washington Legislature Up To In 2010—Part II,” *Development Dispatch* (Feb. 2010)
- “What Is the Washington Legislature Up To In 2010?” *Development Dispatch* (Feb. 2010)
- “People, Power, Property, and Proceedings: A Citizen’s Guide to BPA’s Proposed I-5 Reinforcement Project,” *Vancouver Business Journal* (Jan. 2010)
- “Err on the Side of Caution: Don’t Delay in Filing Your Land Use Appeal,” *Development Dispatch* (Dec. 2009)
- “Extensions Stimulate Economy: Three States Cannot Be Wrong, But the Columbian Is,” Miller Nash, *Groundbreaking News* (Oct. 2009)

Presentations

- “2018 Legislative Update,” Washington State Bar Association, Environmental and Land Use Law Section Midyear Meeting & Conference (May 2018)

Personal Activities

LeAnne has been married to Bob Mayfield since 1987. Bob is a freelance writer and winemaker for the Windy Hills Winery in Ridgefield, Washington. Her older daughter Beatrice is attending the University of Washington law school, and younger daughter Rosie recently graduated from New York University, earning a Bachelor of Science degree in nutrition. LeAnne and Bob live in Ridgefield, Washington, and she enjoys hiking, traveling, gardening, reading, needlework, and entertaining friends and family.