



# Growth Management Services

Issue 2 - March 2007

The Department of Community, Trade, and Economic Development (CTED) invests in Washington's communities, businesses and families to build a healthy and prosperous future.

Greetings!

Welcome to the second issue of Planners Update, a new electronic newsletter from CTED's Growth Management Services program. We will be sending this newsletter at least monthly to share helpful information related to planning in Washington state. We hope the electronic format will allow you to quickly review the information and choose those topics for which you would like more detail.

Please feel free to send us any comments or ideas for how to make this newsletter more useful. You can also use the link below to provide additional names of planners who might like to receive this newsletter in the future.

Leonard Bauer,  
Managing Director  
Growth Management Services

## Planner's Update: News That Planners Can Use

### In this issue

- [New Critical Areas Ordinance Guidance](#)
- [School Siting Report](#)
- [Attorney General's Takings Memo](#)
- [Audio Conference Training Series](#)
- [Transfer of Development Rights: Making it Work in Washington](#)
- [The 2007 PAW Spring Conference](#)

### New Critical Areas Ordinances (CAO) Implementation Guidance

A new technical assistance tool to assist small cities and towns implement their CAO, has been drafted by CTED's Growth Management Services (GMS) Program and, BHC Consultants. Critical areas include frequently flooded areas, geologically hazardous areas, wetlands, areas with critical recharging effect on aquifers used for potable water, and fish and wildlife habitat conservation areas. A key goal of the project is to condense and simplify the language and administrative steps so small towns with limited staff can successfully interpret and administer their CAO.

This draft document recommends simple procedures and includes

## Audio Conference Training Series

### Growth Management Services

is proud to host the American  
Planning Association

### Audio Conference Training Series

### Maintaining Neighborhood Character

March 14, 2007

1:00 p.m. – 2:00 p.m.

### Inclusionary Housing

May 23, 2007 - 1:00 p.m. –

2:30 p.m.

Second in the series:

### Maintaining Neighborhood Character

Many historic neighborhoods are experiencing rapid teardowns and the rebuilding of monster homes or other buildings that undermine smart growth principles. For historic and conservation districts this is a pressing issue. Learn how communities have developed codes and guidelines, as well as community visioning programs, that respond to these incompatible developments. As communities grow and change, explore how historic preservation can be successfully linked to new development. In a lively, conversational format, the speakers discuss the most recent work and challenges facing planning commissions and planning agencies. This program is especially suitable for planning commissioners and officials and their staff.

All trainings will be held at

examples of ordinance language for varying city needs, examples of common permitting scenarios, and some useful public information brochures. The document can be located on the GMS Web site at [www.cted.wa.gov/growth](http://www.cted.wa.gov/growth) click the link to What's New.

Comments on the draft guidance document are welcomed through March 2007. To learn more about this project, call (360) 725-3046 or e-mail [douglasp@cted.wa.gov](mailto:douglasp@cted.wa.gov).

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## School Siting Report

In December, more than 60 officials from cities, counties, school districts and other organizations gathered at a School Siting Summit to discuss how to improve the way schools are planned for in Washington. The summit was co-sponsored by the Office of the Superintendent of Public Instruction (OSPI) and the Washington State

Department of Community, Trade and Economic Development (CTED). A *Summary Report of the First Summit on School*

*Planning and Siting in Washington* is now available at <http://www.cted.wa.gov/site/1005/default.aspx>.

In the near future, additional resources on the topic of school planning and siting will be posted at this new web page on the CTED Growth Management Services (GMS) website.

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## Attorney General's Takings Memo

### Just Released by the Washington Attorney General:

*Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property*

The Attorney General has just released updated guidance on regulatory takings by state and local governments. This document is being distributed to selected state agencies and all local governments in Washington. It will be posted on the Attorney General's website, <http://www.atg.wa.gov/takingsmemo.aspx> and on CTED's growth management web page, <http://www.cted.wa.gov/site/377/default.aspx>

The Growth Management Act, in RCW 36.70A.370, directs the Attorney General to prepare this guidance to provide an "orderly, consistent process" for state agencies and local governments to use to assist them in avoiding unconstitutional takings of private property. This process must be used by state agencies and by local governments planning under RCW 36.70A.040. Other local governments are encouraged to use the process for their land use planning activities. The guidance document consists of four parts: (1) the recommended process for evaluating proposed regulatory or administrative actions to avoid unconstitutional takings of private property; (2) a summary

CTED's offices  
906 Columbia Street SW  
in Olympia

Time after the audio conference  
is reserved for discussion.

Please RSVP to (360) 725-3000  
or e-mail [janu@cted.wa.gov](mailto:janu@cted.wa.gov)

**For more information on  
audio conference trainings  
visit**

[www.planning.org/  
audioconference](http://www.planning.org/audioconference)

#### Quick Links

[www.cted.wa.gov/growth](http://www.cted.wa.gov/growth)  
<http://www.mrsc.org/>  
<http://www.smartgrowth.org/>  
<http://www.planningpaw.org/>

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[Janu@cted.wa.gov](mailto:Janu@cted.wa.gov)

of the general constitutional principles governing takings and substantive due process; (3) a list of warning signals that may indicate a possible constitutional concern; and (4) an appendix listing and briefly summarizing significant takings decisions from the United States Supreme Court and the Washington appellate courts.

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### **Transfer of Development Rights: Making it Work in Washington**

A workshop hosted by the Cascade Land Conservancy and the Washington State Department of Community, Trade and Economic Development

This workshop will explore strategies for implementing successful TDR programs throughout the Central Cascades region of Washington State. National expert Rick Pruetz will present case studies from around the country, and local panelists will review existing programs in the Central Cascades region.

**Who should attend?** Local planners, city managers, developers, and community stakeholders interested in a healthy future for our cities and natural landscapes.

#### **When is it?**

Wednesday, March 28, 2007, 10:00am – 2:30pm

#### **Where is it?**

Seattle REI Conference Room, 222 Yale Avenue North

Please register online at [www.cascadeland.org/events/tdr-workshop](http://www.cascadeland.org/events/tdr-workshop)

For more information, contact Alison Van Gorp at (206) 292-5907 x127 or [alisonv@cascadeland.org](mailto:alisonv@cascadeland.org)

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### **The 2007 PAW Spring Conference**

"Planning Our Future, Honoring Our Past", will be held at the the Marcus Whitman Hotel and Conference Center in Walla Walla, Washington on March 29 and 30, 2007. Please see the [final conference announcement and registration form](#) for more information.

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**Washington State Department of Community, Trade and Economic Development  
Growth Management Services (360) 725-3000**

