

# MEETING SUMMARY

## TDR/PDR Multi-Stakeholder Work Group

Wednesday June 6, 2018, 2:30-4:30 PM

Planning and Development Services – Annex Conference Room

Attendees – Members	Perspective	Present
Chris Behee	City of Bellingham	<input checked="" type="checkbox"/>
Michael Jones	City of Blaine	<input type="checkbox"/>
Rollin Harper	Cities of Everson, Nooksack, and Sumas	<input checked="" type="checkbox"/>
Jori Burnett	City of Ferndale	<input checked="" type="checkbox"/>
Dave Timmer	City of Lynden	<input checked="" type="checkbox"/>
Bill Henshaw	Building Industry	<input checked="" type="checkbox"/>
Betty Sanchez	Realtors	<input type="checkbox"/>
Myrle Foster	Rural Property Owner	<input checked="" type="checkbox"/>
Ralph Black	TDR User	<input checked="" type="checkbox"/>
Phil Thompson	Economist	<input checked="" type="checkbox"/>
Steve Powers	Affordable Housing	<input checked="" type="checkbox"/>
Rod Erickson	Agriculture	<input checked="" type="checkbox"/>
Karlee Deatherage	Environmental	<input checked="" type="checkbox"/>
Rud Browne	Council Member	<input checked="" type="checkbox"/>

Attendees – Alternates/Representatives	Perspective	Present
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

<b>Quorum Present</b>	<b>YES <input checked="" type="checkbox"/> NO <input type="checkbox"/></b>
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Attendees - Staff	Present	Attendees - Staff	Present
Matt Aamot	<input checked="" type="checkbox"/>	Mark Personius	<input type="checkbox"/>
Chris Elder	<input checked="" type="checkbox"/>		<input type="checkbox"/>

Attendees – Guests	Organization (if applicable)	Present
Larry Davis	Agricultural Advisory Committee and Whatcom Conservation District Supervisor	<input checked="" type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

Meeting was called to order at about 2:30 pm.

### Approval of March 7, 2018 Meeting Summary

The March 7 meeting summary was approved without changes.

### Open session to take public comment

There were no public comments.

### **Other Factors and/or Growth Management Tools**

The Work Group reviewed a preliminary draft discussion paper relating to “Other Factors and/or Growth Management Tools.” This paper includes information on existing Comprehensive Plan policies relating to urban growth area (UGA) expansions and rezones, the 2016 Comprehensive Plan update, RCW 82.02.020 relating to fees/charges for reclassification of land, and the “Growth Management Tools Report” issued by the County and City Planner Group in 2015. The Work Group approved the preliminary draft paper, which will be incorporated into their report, with one change: “. . . The County worked together with the cities to judiciously ~~size~~**expand** UGAs in the 2016 Comprehensive Plan update. . .”

### **Economic Value of Development Rights**

The Work Group reviewed a preliminary draft discussion paper relating to “Economic Value of Development Rights.” This paper indicates that two important questions are whether density credit program incentives are desirable to developers and whether the price of incentives allows developers to increase profit. The paper provides examples of incentives that could be offered in a density credit program. The Work Group approved the preliminary draft paper, which will be incorporated into their report, with two changes:

. . . For example, if a developer voluntarily contributes cash to reduce development in rural or agricultural areas, a variety of urban incentives could be offered including **but not limited to:**

- Increased commercial floor area;
- Increased building height;
- Reduced parking requirements;
- Increased impervious surface;

- Reduced open space requirements; and
- Reduced setbacks . . .

The corresponding cost to developers to access these incentives will need to be developed and adjusted over time to meet market demands.

### **Interlocal Agreements**

The Work Group reviewed a preliminary draft discussion paper relating to “Interlocal Agreements.” This paper discusses existing interlocal agreements and the potential for new or amended interlocal agreements to address a density credit program. The Work Group approved the preliminary draft paper, which will be incorporated into their report, without any changes.

### **Recommended Policy and Regulatory Changes**

The Work Group reviewed a preliminary draft discussion paper relating to “Recommended Policy and Regulatory Changes.” This paper summarizes the primary recommendations of the Work Group relating to:

- Voluntary Density Credit Program
- Whatcom County Comprehensive Plan Amendments
- Voluntary TDR Program
- Mandatory TDR Program
- TDR Bank
- New PDR Fund

The Work Group approved the preliminary draft paper, which will be incorporated into their report, with the following changes:

TDR/PDR Work Group Recommendations are shown below:

#### **Voluntary Density Credit Program**

The Work Group finds that the density credit model, where a developer pays cash to receive development incentives instead of purchasing TDRs, is a simple and efficient tool that could potentially provide supplemental funding to reduce development in agricultural and rural areas through the County’s existing PDR program. Therefore, the Work Group recommends that the County and cities primarily focus on the density credit model in the future and that new incentives

should generally be tied to a density credit program (rather than ~~existing~~ TDR programs).

. . . The density credit program should be expanded for the following, as discussed earlier in this ~~report~~ paper: . . .

- Small cities;
- Additional areas in the Birch Bay UGA;
- Certain rural areas; and
- Accessory dwelling units.

#### Voluntary TDR Program

. . . the existing TDR program should be simplified as much as possible. However, new incentives should generally be reserved for the density credit program. . .

#### Mandatory TDR Program

A Civil Deputy from the County Prosecuting Attorney's Office stated that, in his opinion, the County ~~cannot~~ require TDRs for UGA expansions or rezones under RCW 82.02.020.

The ~~TDR/PDR Work Group recommends that the~~ County ~~should~~ consider deleting WCC 20.89.051 (2) and (3), which state that certain rezone requests and UGA expansions are required to transfer development rights from designated TDR sending areas.

#### New PDR Fund

~~The TDR/PDR Work Group recommends that the County~~ ~~create~~ a PDR fund, in consultation with the Whatcom County Finance Department, ~~only~~ if significant new funding sources become available. The Conservation Futures fund is adequate at the existing time to serve the needs of the PDR program.

## Introduction Section of the Draft Report

The Work Group reviewed a preliminary draft discussion paper relating to the "Introduction" section of the draft report. This paper includes introductory material, including text relating to:

- Agricultural and Rural Lands
- Watersheds
- City Planning/Urban Growth
- Existing TDR and PDR Programs
- Whatcom County Comprehensive Plan Policy 2A-14
- List of Work Group members.

The Work Group approved the preliminary draft paper, which will be incorporated into their report, with one change: "... Maintaining agricultural lands and rural character are both important to the quality of life and sense of place in Whatcom County ... ." (several typos were also corrected).

### Next Meeting

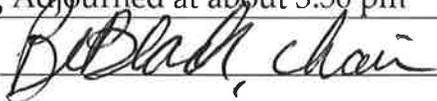
October 3, 2018.

The next (and possibly final) meeting of the TDR/PDR Work Group will be on Wednesday October 3, 2018. At that meeting, the Work Group will discuss, and possibly vote on, the final version of the report.

Between now and then, staff will review all the chapters that the Work Group has worked on over the last 15 months and suggest any further amendments (relating to code changes that have occurred since the Work Group discussed a topic, etc). Staff will e-mail out a preliminary draft version of the report prior to the meeting, with suggested changes shown with underlining and strikethroughs.

Meeting Adjourned at about 3:50 pm

Signed: \_\_\_\_\_



Ralph Black, Chairperson