

**Summary of  
Whatcom County TDR/PDR  
Multi-Stakeholder Work Group Final Report**

**Density Credit Program  
Potential Code Amendments**

Whatcom County Planning and Development Services  
Presentation at County Council's Planning and Development Committee  
January 29, 2019

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**I. Background Information**

**II. Work Group Recommendations**

**III. Potential Docket Items**

# I. Background Information



# TDR / PDR Work Group

Ralph Black	TDR User (Chair)
Jori Burnett	City of Ferndale (Vice-Chair)
Chris Behee	City of Bellingham
Michael Jones	City of Blaine
Rollin Harper	Cities of Everson, Nooksack, and Sumas
Dave Timmer	City of Lynden
Bill Henshaw	Building Industry
Betty Sanchez	Realtors
Myrle Foster	Rural Property owner
Phil Thompson	Economist
Steve Powers	Affordable housing
Rod Erickson	Agriculture
Karlee Deatherage	Environmental
Rud Browne	County Council Member

# II. Work Group Recommendations

## **Whatcom County TDR/PDR Multi-Stakeholder Work Group**

### **Final Report**

October 3, 2018

# A. Voluntary Density Credit Program

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- More emphasis on Density Credit Model
- Less emphasis on TDRs

# What is a Density Credit Program?

- Voluntary – Developers may choose to develop under current zoning **or** purchase density credits.
- Incentives – Developers can access incentives such as increased density in designated areas.
- Ag Preservation – Any funding raised through the density credit program will go into the existing PDR program.

# Density Credit - Advantages

- Developers know the cost up front;
- Developers do not have to find and negotiate with a willing TDR seller(s);
- Local government can use the cash on their highest preservation priorities;
- The cash can be utilized in an existing PDR program; and
- Simplifies administration of the program.

*The TDR Handbook: Designing and Implementing Transfer of Development Rights Programs*  
by Nelson, Pruetz, and Woodruff (2012)



# Birch Bay Example (2017)



# Potentially Expanding the Density Credit Program

- Small Cities
- Birch Bay UGA
- Accessory Dwelling Units (ADUs)
- Rural Areas

# B. Comprehensive Plan Amendments

## Whatcom County Comprehensive Plan

Adopted August 9, 2016  
Whatcom County Planning and Development Services



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## Density Credit Program Focus



# C. Voluntary TDR Program

- Keep existing, *voluntary* TDR Program
- But emphasize Density Credit Program over TDRs in the future

# Keep TDR Program



# D. Mandatory TDR Program

- Do not keep existing, *mandatory* TDR Program

# E. TDR Bank

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- Not Recommended



# F. New PDR Fund

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- Create new PDR fund if significant new funding sources become available

# III. Potential Docket Items



# To Docket or Not to Docket?

## Density Credit Program

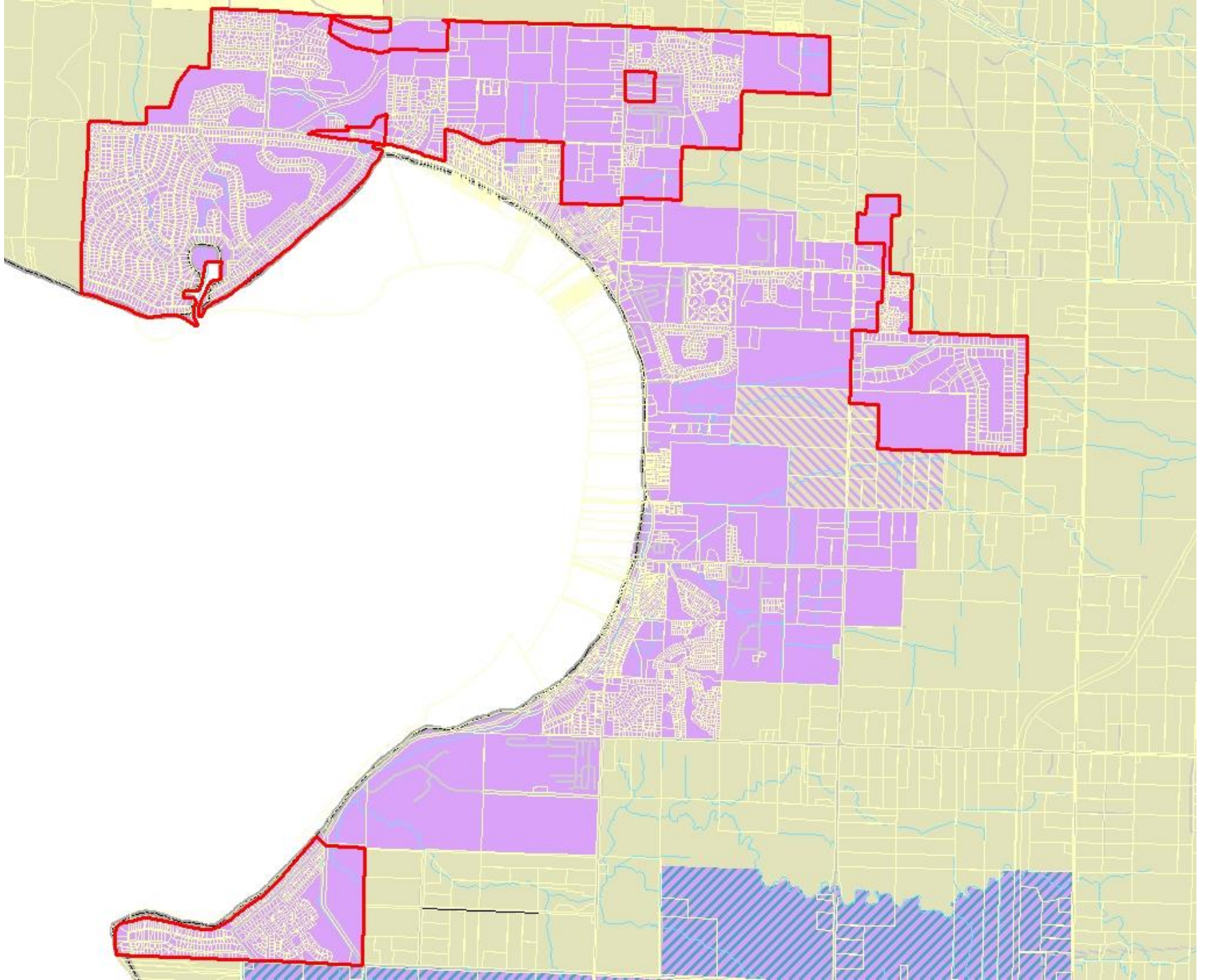
- Birch Bay UGA / UR4 Zone
- ADUs – Size limits
- ADUs – Occupancy requirements
- Rural areas

## TDR Program

- Rural Areas

# Density Credit Program: Birch Bay UGA

- Urban Residential 4 dwellings/acre (UR4) zone



# Density Credit Program: ADUs

- Size Limits
- Owner Occupancy Requirement

# ADU – Size Limits

- Current Size Limit is 1,248 s.f.
- Work Group Recommendation:  
1,748 s.f. with density credits

# ADU – Owner Occupancy Requirement

- Current Code: Owner must live in either the house or ADU
- Work Group Recommendation: Owner would not need to live there if density credits purchased



# Density Credit Program: Rural Areas

- Current R5A zone:  
  
One dwelling/five acres
- Work Group Recommendation for R5A zone:  
  
One dwelling/2.5 acres if density credits purchased (and public water available)

# TDRs: Rural Areas

- Current R5A zone:
  - Can't transfer development rights between R5A parcels.
- Work Group Report includes:
  - Considering a proposal to allow transfer of development rights between R5A parcels (although no formal recommendation)

# TDRs: Rural Area Example

Two separate 20 acre parcels both zoned R5A.

- The owners would typically be allowed to divide the land and build four homes on each parcel.
- Under this approach, the density could be transferred from one of the parcels (e.g. that has development constraints or high quality agricultural soils) to the other parcel (which does not have as many constraints).
- The end result could be zero development capacity on one of the 20 acre parcels and eight dwellings on the other 20 acre parcel.



# Comp Plan Rural Element

## **Policy 2MM-1**

Areas zoned for densities greater than one dwelling per five acres shall be contained within Rural Neighborhood boundaries.

Rural Neighborhood boundaries shall not be expanded beyond those established in 2012, which were drawn to include areas that were developed at higher rural densities in 2011.

# To Docket or Not to Docket?

## Density Credit Program

- **Birch Bay UGA / UR4 Zone**
- **ADUs – Size limits**
- **ADUs – Occupancy requirements**
- **Rural areas**

## TDR Program

- **Rural Areas**