

MEETING SUMMARY

TDR/PDR Multi-Stakeholder Work Group

Wednesday March 7, 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 checked="" 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 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 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"/>

Quorum Present	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
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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
		<input type="checkbox"/>

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

Approval of February 7, 2018 Meeting Summary

The February 7 meeting summary was approved without changes.

Open session to take public comment

There were no public comments.

PDR Fund to Protect Agricultural and Rural Lands

The Work Group previously reviewed this preliminary draft discussion paper at the December and February meetings. Staff made proposed changes, based upon the Work Group's discussion at the February meeting. The Work Group did not have any further modifications.

The Work Group reached consensus (with Rud abstaining) to preliminarily approve the "PDR Fund to Protect Agricultural and Rural Lands" discussion paper, which will be incorporated into the Work Group's report.

Proposed Sending and Receiving Areas

Staff provided an overview of the preliminary draft "Proposed Sending and Receiving Areas" paper. The Work Group gave preliminary approval to the draft at the last meeting, with the exception of the last section entitled "TDR Program: Sending and Receiving Areas" (which would allow a land owner who has two separate non-contiguous parcels to transfer density from one parcel to the other).

Rud stated that his proposal would allow transfer of development rights from areas with good agricultural soils to areas with lower quality soils that are closer to infrastructure, such as a public water system. Rud indicated that development on the receiving parcel should be clustered. Ralph indicated that rural clustering could provide green space adjoining the development. Jori asked if there would be a test to determine if the receiving property is less constrained by wetlands, etc. For example, a receiving site could have water service, but have more wetland constraints than the sending parcel. Karlee expressed concern about transferring development rights into the Lake Whatcom Watershed. Rollin was concerned about transferring development rights into UGAs or UGA Reserves that may make re-development later on at urban densities more difficult. The Work Group discussed whether transfers could occur within Rural Forestry (RF) zones. Myrle asked if RF lands could be rezoned later on.

Jori indicated that higher density in a RF area, through transfer of development rights, could create an argument to rezone the area for higher densities. Staff indicated that the RF designation is considered Resource Lands under the Whatcom County Comprehensive Plan. The Work Group decided that RF lands should not be included in the density transfer proposal. Jori asked if development rights from multiple parcels could be transferred to a rural parcel, creating a relatively high density on that receiving parcel. Chris Behee asked if allowing such a density increase in particular rural areas may get the attention of the Growth Management Hearings Board. Chris was concerned that a ring of suburban subdivisions could be created around cities that could affect how cities develop over a period of decades. Jori also was concerned that allowing suburban densities around cities could create future problems. Michael was also concerned about allowing such development inside UGAs. The Work Group (with Rud abstaining) added language to the effect that:

- The proposal would encourage protection of higher quality agricultural soils and critical areas without an overall increase in the number of dwellings allowed in the rural area.
- Density could be transferred from parcels with high quality agricultural soils.
- The receiving parcel would be developed as a cluster subdivision.
- This concept should not be allowed to increase density in the Lake Whatcom Watershed, UGAs and UGA Reserves, or Lummi Island.

After discussing the next item on the agenda for several minutes, Rud asked the Work Group to circle back and consider whether the language should limit this proposal to only a land owner who has separate parcels. He raised the issue if it could apply to different property owners? It was noted that this would essentially expand the existing TDR sending and receiving areas in the County to much of the rural zone. TDR sending areas are currently the Lake Whatcom Watershed and certain environmental sensitive areas in Birch Bay. TDR receiving areas currently exist in the City of Bellingham, the Bellingham UGA, and the Birch Bay UGA. The Work Group modified the language (with Rud abstaining) as follows:

As mentioned, the Work Group recommends focusing on the density credit model, rather than traditional TDR sending and receiving areas. However, using the traditional TDR program, an opportunity may exist to allow the owners of a land owner who has two separate non-contiguous parcels to transfer density from one parcel to the other. . .

The Work Group reached consensus (with Rud abstaining) to preliminarily approve the "Proposed Sending and Receiving Areas" discussion paper, which will be incorporated into the Work Group's report.

Draft Comprehensive Plan Policies

Staff indicated that the proposed Comprehensive Plan policy changes were intended to reflect a shift in emphasis from a traditional TDR program to a density credit model in accordance with the Work' Groups general guidance. Staff provided an overview of the proposed policy changes.

Rollin asked that the title of each Comp Plan chapter be inserted (i.e. Chapter 2 – Land Use). Phil asked if the TDR Handbook citation in the rationale for Policy 2A-14 changes applied to all of the points listed above. It does, and the formatting will be changed to reflect this. At Rollin's request, there was consensus to add "transfer of development rights" back into Policy 2F-4 in the Land Use Chapter. This would recognize there still is a TDR program, but deleting TDR from the other policies would reflect the shift in emphasis to a new density credit model – as the traditional TDR model has not worked well in the past. At Rud's request, a reference to best available science and the Wildlife Advisory Committee was added to Policy 10L-16. Policy 10P-17 was modified to encourage the cities of Blaine and Ferndale to establish density credit programs.

The Work Group reached consensus (with Rud abstaining) to preliminarily approve the "Draft Comprehensive Plan Policies," which will be incorporated into the Work Group's report. Staff noted that the policy changes may go to Planning Commission for review prior to issuance of the Work Group's final report, but a final decision on the policy changes by the County Council would not be made until early 2019.

Other

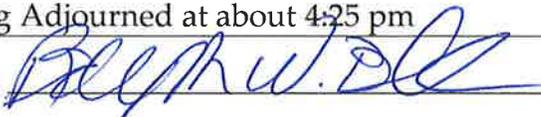
We briefly discussed other tasks set forth in existing County Comprehensive Plan Policy 2A-14 relating to other factors and/or GMA tools, economic value of development rights, and interlocal agreements.

Next Meeting

April 4, 2018.

Meeting Adjourned at about 4:25 pm

Signed: _____



Ralph Black, Chairperson