

## TRANSFER OF DEVELOPMENT RIGHTS (TDR) WORKGROUP

Soil Conservation District Office

Upper Marlboro, MD

Meeting 7: 11/20/2015

9:00 a.m.

### Member Attendees:

Yates Clagett Jr. (Chairman), Boyd Campbell, Regina Speed-Bost, Steven Darcey, Gale Lammers, Ken Dunn

### Staff Attendees:

Jackie Brown, Kathleen Canning, Barbara Stone, Derick Berlage, Fatimah Hasan

### Other Attendees:

Kim Rush Lynch, University of Maryland, Agricultural Marketing Consultant

In order according to the agenda:

1. Welcome and Administration  
The Chairman welcomed members and staff.
2. Review and Approval of October 30 meeting minutes  
The minutes were approved.
3. CR-76-2015 – Resolution concerning Transfer of Development Rights Work Group

Chairman Clagett informed the members of a resolution (CR-76-2015) adopted by the County Council on November 3, 2015. CR-76-2015 amends the membership of the TDR Work Group to include nine members, instead of eleven, and extends the reporting date for the TDR Work Group to May 1, 2016. A copy of the resolution was provided to each member.

4. TDRs – Continuation of October 30 discussion

Ms. Hasan, M-NCPPC Planning Department, provided information via a handout summarizing topics discussed at the October 30 meeting: “Lot Data in the Sending Areas (Rural and Agricultural Areas), “Administrative Cost of a TDR Program”, “Input from Anne Arundel County” and “Market and Demand for TDRs”.

With confirmation from the Maryland Department of Planning that transferring development rights from Tier IV to Tier III is allowed, the Work Group members discussed market and demand, administrative cost (costs proportionate to benefit), and Tier III residents comfort level with increased density. Derick Berlage, M-NCPPC Planning Department, commented that it took Montgomery County 20 years to obtain robust receiving areas. Mr. Berlage suggested a possible cost of one work year, or \$100,000 for administration of a TDR program. Ms. Hasan commented that a report from Nevada indicated one-quarter to one-half of a staff person's time for their program.

Ken Dunn informed the Work Group that for developers, maximum density is generally not possible in most zones due to road construction and stormwater management facilities, and in some mixed use or comprehensive design zones, the economics do not allow for more than 4-5 stories. Mr. Dunn commented and Boyd Campbell agreed that every 7-8 years, there is a downturn in the housing market. Mr. Dunn suggested that a TDR program needs to be voluntary, not tied to upzoning, and thought should be given to commercial TDRs.

There was significant discussion on demand for increased density and even if there is no current demand or demand in the foreseeable future, TDRs may be a beneficial tool to have when there is demand. If start up and administrative as well as educational costs are minimal, the program can be an extra tool to preserve land in Tier IV. Suggestions were made for either a consultant to assist the Work Group in evaluating demand or an unscientific discussion on demand with representatives of the development community. There was agreement that a Work Group recommendation for a TDR program should include a full analysis of interest for increased density and program cost.

5. Next Steps/Other Business

Continue discussion of TDR program administration. Planning Department evaluation and examples of properties that may have a need for upzoning

6. Meeting Adjourned at 10:20 a.m.

NEXT MEETING: January 2016

