

TRANSFER OF DEVELOPMENT RIGHTS (TDR) WORKGROUP  
Soil Conservation District Office  
Upper Marlboro, MD  
Meeting 9: 1/15/2016  
9:00 a.m.

Member Attendees:

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

Staff Attendees:

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

Other Attendees:

Mark Somerville, President, Caruso Homes

In order according to the agenda:

1. Welcome and Administration

The Chairman welcomed members and staff. Ken Dunn introduced Mark Somerville to the group and welcomed his input as a builder to the discussion of a TDR program.

2. Review and Approval of November meeting minutes

The minutes were approved.

3. Exploring Options for a TDR Program

- Recap of January 6 meeting with National Center for Smart Growth
- Discussion – TDR Demand

Chairman Clagett, Boyd Campbell, and Fatimah Hasan met with faculty members at University of Maryland, National Center for Smart Growth, to discuss a TDR program as a land planning tool. Ms. Hasan summarized points that were highlighted by the faculty members. 1) Receiving areas must be places of demand; 2) Strong incentives are necessary in sending areas; 3) There must be demand for bonus density; 4) TDRs should be the only option for bonus density; 5) TDRs should move growth from rural to designated growth areas

The Work Group discussed creating economic demand, costs of a TDR program, as well as costs such as infrastructure if subdivisions proceed in the rural area of the County. Ms. Hasan

commented that in other counties with TDR programs, demand grew over time. Phil Hutton commented on the need to discuss factors influencing demand and the Work Group's responsibility to influence those factors in the future. Derick Berlage commented that even though no one can control the economic market, there is a means to control density in receiving areas by setting density lower to give a developer an incentive to purchase TDRs.

Ken Dunn reiterated his comment from the prior meeting that if a TDR program is going to work, it has to be an incentive, not a downzoning and the incentive could be in areas that developers want more flexibility. Mr. Dunn suggested that a program could apply in any zone with creativity and as an option to the developer. Chairman Clagett suggested the possibility of a TDR offsetting other costs such as school impact or permitting fees, or setbacks. Mark Somerville suggested more flexibility in regulations especially in large lot zones. Mr. Berlage inquired about the value of an extra lot with Mr. Dunn and Mr. Somerville responding that it depends on the lot and location in the County. Regina Speed-Bost commented that consideration should be given to looking ahead to the future, and incentives should still be in the toolbox for later; identify a path towards incentives (Is there a point where TDRs could offset other costs, incentivize?) Mr. Hutton suggested developers wanting assurance of plan approval prior to purchasing TDRs. Gale Lammers commented on agricultural to agricultural TDRs and possible flexibility in moving TDRs from one property to another in the future.

#### 4. Next Steps/Other Business

- Planning Department will research properties, areas of opportunity for future development, in the R-A, R-E and R-R Zones.
- Review of a development flowchart.
- Mr. Dunn and Mr. Somerville will develop a “wishlist” for incentive toolbox.
  
- Discussion of other TDR programs' impact to sending areas, benefits to landowners and overall cost based on this evaluation

#### 5. Meeting Adjourned at 10:30 a.m.

NEXT MEETING: February 12, 2016