



Pierce County Transfer of Development Rights FAQ

Q: Is there a precedent for Pierce County’s market-based TDR program?

A: Yes. Pierce County’s TDR program is modeled on successful and sensible market-based TDR programs. These programs respect current zoning, but require TDR credits when a landowner elects a density increase beyond the current zoning limitations.¹ The City of Black Diamond’s TDR program is also representative, providing an example that is consistent with the Growth Management Act in Washington State. In fact, there is a precedent in Pierce County. The Housing Affordability Task Force High Priority Strategy #2 created voluntary and *required* inclusionary zoning mechanisms.²

Q: Does the TDR program respect property rights?

A: Yes. The TDR program does not change the zoning or entitlement on any property in Pierce County. There is a national precedent in TDR programs to down zone property and then require the landowner to purchase back the property’s previous density.³ Pierce County’s balanced and fair TDR program does not downzone anyone and respects property rights.

Q: Does TDR create “no net growth” in Pierce County?

A: No. The program allows and actually encourages additional growth in receiving sites. Additionally, the program does not remove development potential on any buildable lands. All sending sites are resource lands or critical areas that are not included as developable land in Pierce County’s buildable lands study. Simply put, TDR promotes additional, responsible growth in Pierce County

Q: Does TDR work in concert with Pierce County’s affordable housing strategies?

A: Yes. None of the seven high priority strategies adopted by the Pierce County Housing Affordability Task Force are adversely affected by the TDR program.

Q: Will the TDR program conserve farmland if the comprehensive plan/PUD TDR requirement is removed from the ordinance?

A: No. Receiving sites drive conservation in TDR programs. The only receiving sites in the TDR ordinance are comprehensive plan amendments and PUDs. Removing the comprehensive plan/PUD requirement removes the marketplace from the TDR ordinance. Although cities may become receiving sites, cities are not required to help conserve Pierce County farmland. No receiving sites means no farmland conservation.

Q: Does the Pierce County TDR differ from King County’s TDR program?

A: Yes. The King County ordinance is largely based upon purchasing development rights with taxpayer dollars. In a robust housing market, the Pierce County program will achieve conservation without relying upon additional taxes.

¹ See, New Jersey Pinelands; Boulder County, CO; Charles County, MD; Malibu Coastal Zone; Tahoe Regional Planning Agency; Cambria, CA;

² *Housing Affordability*, Pierce County Community Services Department and Housing Division (2007), p. 4

³ See, Calvert County, MD; West Hempfield Township, PA; Burbank, CA; Pasadena, CA; San Francisco.