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Agenda

Tacoma Planning Commission

747 Market Street, Room 1036, Tacoma, WA 98402-3793
Phone (253) 591-5365; FAX (253) 591-2002
www.cityoftacoma.org/planning

(To view the agenda online: www.cityoftacoma.org/planning > "Planning Commission" > "Agenda Packets")

MEETING: Regular Meeting

TIME: Wednesday, August 20, 2008, 4:00 p.m.

PLACE: Tacoma Municipal Building, City Council Chambers
First Floor, 747 Market Street, Tacoma, WA

A. CALL TO ORDER

B. QUORUM CALL

C. APPROVAL OF MINUTES – N/A

D. GENERAL BUSINESS

1. Downtown Plan and Code Update

Description: Continue discussion of proposed policy revisions to update the Downtown Element of the Comprehensive Plan

Actions Requested: Review; Discussion

Support Information: None

Staff Contact: Peter Huffman, 591-5373, phuffman@cityoftacoma.org

2. Cascade Agenda

Description: Review the "Cascade Agenda" campaign organized by the Cascade Land Conservancy as it relates to the City's growth management policies and strategies

Actions Requested: Informational; Comment

Support Information: See "Agenda Item GB-2"

Staff Contact: Elliott Barnett, 591-5389, elliott.barnett@cityoftacoma.org



3. Mixed-Use Center Code Revisions

Description: Review key issues and concerns reflected in the testimony received at the public hearing on August 6, 2008, as well as in written comments received to date

Actions Requested: Review; Discussion

Support Information: None

Staff Contact: Donna Stenger, 591-5210, dstenger@cityoftacoma.org

E. COMMUNICATION ITEMS

1. Land Use Administrator's Reports and Decisions – *"Agenda Item C-1"*

F. COMMENTS BY PLANNING DIVISION

G. COMMENTS BY PLANNING COMMISSION

H. ADJOURNMENT



City of Tacoma
Community and Economic Development Department

Agenda Item
GB-2

TO: Planning Commission
FROM: Peter Huffman, Manager, Planning Division
SUBJECT: Cascade Agenda
DATE: August 14, 2008

At the next meeting on August 20th, Elliott Barnett of the Planning Division and staff from Cascade Land Conservancy will provide a briefing to the Planning Commission about the Cascade Agenda campaign. The Cascade Agenda is a long range vision for sustainable growth in the Puget Sound region, calling for conservation of the region's valuable open space, agricultural and resource production lands while concentrating growth in vibrant, livable communities (visit www.cascadeland.org/cascade-agenda for more information).

On July 17, 2007 the City Council approved Resolution 37233, authorizing execution of a \$129,000 agreement with Cascade Land Conservancy to assist the City with development of the Green Tacoma Partnership and the Cascade Agenda Cities Program in Tacoma. The resolution initiated an 18 month work program consisting of three components: (1) Green Tacoma Partnership, (2) Transfer of Development Rights, and (3) Land Use Policy Outreach and Training. Over the past year, CLC has worked to strengthen the Green Tacoma Partnership by increasing community participation in open space efforts, assisted the City in development of the Open Space Habitat and Recreation Plan (OSHRP), and worked to place valuable open space properties into conservation status. In addition, CLC is currently conducting a policy analysis on the potential for the establishment of a City Transfer of Development Rights program. Third, CLC has now concluded an outreach and education program in Tacoma aimed at building community understanding and engagement in land use and environmental issues.

While the Planning Commission has already discussed the OSHRP, this meeting will provide an overview of the other two components of Tacoma's Cascade Agenda program — the TDR analysis (currently in a preliminary stage) and the Cascade Agenda education and outreach effort (now completed). Attached are a TDR cover memorandum, a CLC report on TDR in Washington State, and CLC's Tacoma Indicators report which summarizes their education and outreach efforts and analyzes implementation of the Cascade Agenda in Tacoma.

If you have any questions, please contact Elliott Barnett at 591-5389, or elliott.barnett@cityoftacoma.org.

PH:eb

Attachments

GB-2 Attachment 1:

Potential for a Transfer of Development Rights (TDR) Program in Tacoma

What is TDR?

The City of Tacoma is in the first stages of a process to consider developing and/or participating in a Transfer of Development Rights (TDR) program. TDR is an innovative policy tool utilized by communities across the country to achieve public goals, including conservation of farmland, open space, and historic sites and buildings. TDR uses a voluntary, market-based approach to move development rights from farms, forests and natural lands into areas where infrastructure, roads, schools, and services are available to support development. Development rights are purchased from landowners in “sending areas”, in exchange for a covenant that prevents future development of the property. Development rights can also be “sent” from historic sites or buildings. The development rights are then used to purchase an increase in development potential within “receiving areas,” such as urban centers where more growth is planned and where specific policy for receiving density and/or height increases have been established in development regulations. Additional information on TDRs is available in the attached “white paper” prepared by Cascade Land Conservancy.

TDRs are currently a subject of interest in our region and state, as a promising method for achieving community and growth management goals. During the 2007 session, the State Legislature enacted Second Substitute House Bill 1636, directing the State Department of Community, Trade & Economic Development (CTED) to assist local governments to develop a *regional* TDR program in the Central Puget Sound area (Pierce, King, Kitsap and Snohomish County jurisdictions)¹. A handful of communities in Washington currently have TDR programs up and running. In late 2007, Pierce County joined their ranks, adopting a TDR program to support open space and farmland preservation goals.

Tacoma’s Involvement To Date

The City Council has expressed preliminary support for exploring Tacoma’s TDR options. In 2007, the Council added a policy to the Comprehensive Plan (Policy LU-GGD-12), calling for the City to work proactively to develop a feasible TDR program to help achieve growth management, environmental, economic development, housing and land use goals (see attached policy). Also added in 2007, Policy LU-MU-5 further indicates that Tacoma’s designated Mixed-use Centers are appropriate “receiving areas” for the transfer of development rights from other locations in the City, County or region (see attached policy). In addition, the draft Open Space Habitat & Recreation Plan (OSHRP) includes a policy indicating that Tacoma’s designated Habitat Corridors, and other open spaces designated in the OSHRP, would be appropriate “sending areas” for development rights. A TDR program, if adopted by the City Council, could support and be integrated with some of the City’s priority planning efforts, potentially including Tacoma’s open space, Mixed-Use Centers, historic preservation and affordable housing programs.

Staff are currently gathering information and conducting a preliminary analysis of the issues, opportunities and challenges associated with implementing a TDR program in Tacoma. In July 2007, the City Council authorized a contract with Cascade Land Conservancy (CLC) to assist in this analysis (the Cascade Agenda Cities program). Under the scope of work, CLC will analyze the potential application of TDRs in Tacoma, provide a range of TDR program options and

¹ Information is available at CTED’s website: <http://www.cted.wa.gov/site/1060/default.aspx>.

assist in developing implementing legislation, if needed. CLC will also convene community stakeholders to discuss TDR, provide training and assistance to staff on TDR approaches, conduct education and outreach to community groups, and lobby the State Legislature for funding to support the success of the program. CLC will complete their work by early 2009. As we learn more during the CLC process, we will evaluate and make a recommendation as to whether to initiate in early 2009 a separate economic feasibility analysis to help guide successful program implementation.

TDR Review and Policy Options

If Tacoma were to proceed with a TDR program, a number of significant policy decisions would need to be made. The first step would be to set the conservation and development goals of the program (common goals include conserving open space, agricultural and resource lands, and historical and cultural assets). Another key decision is the scope—should the TDR program apply only within the City, between the City and Pierce County and/or other municipalities within the County, or on a regional basis (if a regional program is created). Also fundamental is determining the “marketplace” for TDRs—where the “sending” and “receiving” areas will be, and how the exchange of development rights will be structured. Options for the administration of a TDR program must also be analyzed—a City-wide program would likely be administered by City staff, while an inter-jurisdictional program would require Interlocal agreements and likely be jointly administered. An assessment of staffing resources and potential costs to the City will be included as part of this review. Also, a thorough review and analysis of existing and proposed regulations will need to take place.

One of the significant challenges to implementing a successful TDR program is the necessity of developing a thorough understanding of the development climate of the community. For a TDR program to be successful, there must be demand to purchase development rights within the urban centers designated as receiving areas. Once purchased from sending areas, development rights (also referred to as credits) are used to buy something of value to developers working within receiving areas—options include the right to go beyond zoning height or density limits, a reduction in specified development requirements, a change in the land use intensity or zoning, or some combination of these benefits. Factors that affect the cost of development, including property values, construction costs, real estate variables and costs associated with meeting regulatory requirements need to be considered in making the determination if a TDR program is likely to be utilized by the development community. It is worth noting that, since the primary purpose of a TDR program is to protect or preserve land in the sending areas, development rights can be purchased and “stored” in a bank and ultimately used in the receiving areas when market conditions are favorable.

To help address the need for detailed information about market conditions, the City is receiving assistance from the State of Washington Department of Community and Economic Development (CTED). As part of their efforts to support the development of a regional TDR program, CTED selected Tacoma as one of 8 jurisdictions to participate as a case study in a TDR market analysis. The study was provided to the City free of charge, and consists of an analysis of the market feasibility of implementing TDR in Tacoma. A report prepared by CTED’s consultant, Solimar Research Group, Inc., has now been completed and is available online at <http://www.cted.wa.gov/site/1060/default.aspx>. Their analysis provides preliminary support for the market feasibility of a TDR program in Tacoma, concluding that market conditions are strong enough to support TDR, at least within some of Tacoma’s Mixed-use Centers. Additional analysis of market conditions may be necessary to inform the City’s TDR review.

Once enough preliminary information and analysis is complete, a public outreach and community discussion can begin, involving a range of potential options for a TDR program. Discussions will also occur before the Planning Commission and City Council. Under the department's work program, the City's TDR study is likely to be completed in 2009 and, if directed by the Council, implementation could occur later that year. While real estate markets are currently affected by the nation's subprime mortgage industry collapse, it is hoped that our timing in developing a City TDR program may enable our community to fully participate in the recovery to follow.

Comprehensive Plan policies related to TDRs adopted in 2007:

LU-GGD-12 Transfer of Development Rights Program

Work proactively with neighboring jurisdictions, state agencies and other stakeholders to develop a feasible Transfer of Development Rights program to help achieve growth management, environmental, economic development, housing and land use goals. Transfer of Development Rights is a land use tool that uses a voluntary, market-based approach to move development rights away from areas where growth is deemed less appropriate, such as farms, forests, natural lands and historic sites, into areas where growth is desired and where adequate infrastructure, roads, schools and services are available.

LU-MU-5 Transfer of Development Rights

Mixed-use centers are appropriate "receiving" areas for the transfer of development rights from other locations in the City, county and region.

DRAFT OSHRP Policy:

OS-LF-12 Transfer of Development Rights

Lands meeting the City's criteria for conservation which are located within the designated Habitat Corridors, and lands achieving other open space goals of this Plan, are appropriate "sending areas" for the transfer of development rights to other locations in the City, county and region.



Transfer of Development Rights (TDR) in Washington State: Overview, Benefits, and Challenges

By Jeff Aken, Jeremy Eckert, Nancy Fox, and Skip Swenson
The Cascade Land Conservancy

I. Introduction

The Washington State Legislature has directed the state’s Department of Community, Trade and Economic Development (CTED) to develop a regional transfer of development rights (TDR) program in central Puget Sound. The TDR program is focused on four central Puget Sound counties (King, Kitsap, Pierce, and Snohomish) and the 71 cities within their boundaries.

TDR is a market-based mechanism that supports the voluntary transfer of development rights from areas where a community would like to discourage development to places where that community would like to focus new growth. The central Puget Sound TDR program will build upon existing TDR programs, pilot projects, and private initiatives.

CTED convened a Regional Transfer of Development Rights Policy Advisory Committee to assist the agency in developing a regional TDR marketplace, including developing strategies for financing infrastructure and conservation. This issue paper is the first in a series of papers being developed by the Cascade Land Conservancy to assist the committee in its review.

The purpose of this first of five issue papers is to provide an overview of the TDR concept, including a brief survey of TDR use throughout the country, an assessment of common pitfalls, identification of the most promising directions for setting up effective TDR programs, and a review of the potential benefits to cities, counties, and the state. This analysis is intended to help the TDR policy committee build on the experiences of other jurisdictions in creating an effective structure for TDR in Washington State.

In identifying the factors that define successful TDR programs, this paper focuses on possible roles the state could play in promoting local participation and building regional structures for TDR. A key conclusion is that the state should consider using both “carrots and sticks” – that is, offering incentives, providing support, and requiring local TDR participation where appropriate.

II. What Is TDR?

Transfer of development rights (TDR) is a market-based tool for helping implement a jurisdiction's growth policies. TDR uses the "economic engine" of new growth to conserve lands with public benefits, such as working lands (farms and forests), environmentally sensitive areas, or open space. It is also sometimes used to further a community's goals for historic preservation and/or housing affordability.

Through individual transactions, development rights are transferred from privately owned farmland, forestland, and natural areas (known as *sending sites*) to areas that can accommodate additional growth (known as *receiving sites*). Landowners in sending areas receive compensation for giving up their right to develop, while developers in receiving areas pay for the right to develop at greater densities or heights than would otherwise be allowed. When development rights are removed from a sending site, a conservation easement is placed on it, allowing for permanent protection of the parcel (unlike zoning regulations, which can be changed).

TDR does not limit growth; rather, it allows communities to plan more effectively by directing that growth into areas most appropriate for it. In their comprehensive plans and development regulations, communities can identify which areas are suitable to receive development rights and how much additional development is appropriate.

Here are three key features of TDR:

- ***It is voluntary.*** Generally, if landowners in the sending areas choose not to participate, they are entitled to develop as permitted by current zoning. Likewise, in receiving areas, developers not participating in TDR are allowed to build up to current zoning. But to receive additional uses, density, or height, they must purchase TDR credits. (In the most successful programs, participation in TDR is the *only* way developers can achieve higher-intensity development than current zoning allows.)
- ***It is market-based.*** TDR creates a marketplace that allows property owners to buy and sell development rights to one another. Individual property owners may freely negotiate prices for the purchase and sale of these rights. Development thus pays to conserve open space rather than the city or county having to use limited public funds.
- ***It is flexible.*** TDR can be designed to accommodate the needs of each community. Of the 181 TDR programs in the United States, the vast majority are oriented toward environmental and farmland conservation.¹ Fifteen programs target historic preservation and 12 focus on infrastructure and urban design.² The goals of each program reflect the conservation and development objectives of the jurisdiction.

¹ Rick Pruetz and Erica Pruetz. *Transfer of Development Rights Turns 40*. American Planning Association, Planning and Environmental Law, Vol. 59, No. 6 (June 2007).

² Rick Pruetz. *TDR Doesn't Always Work—Why Try It Here?* Public Presentation, March 28, 2007, Seattle, Washington.

III. Why TDR Is Needed

Washington State's population is growing by more than a half a million people every decade. This rapid growth poses a host of threats to Washington's forests, farms, wetlands, and wildlife habitat, as well as to Washingtonians' quality of life. Traffic congestion, especially in Western Washington, clogs highways and contributes to worsening air pollution. Clean drinking water supplies are threatened by conversion and pollution. Flooding and landslides are becoming yearly events in many areas of new development. Schools, sewers, and water systems are strained by new growth.

To address these concerns, in 1990 the Washington State legislature adopted the Growth Management Act (GMA). The GMA established planning requirements aimed at promoting more compact patterns of development, reducing sprawl and protecting resource lands and environmentally critical areas. It recognizes and encourages "innovative land use techniques" such as TDR to help achieve the purposes of the act. TDR goes beyond traditional zoning by compensating landowners who give up their right to develop, by protecting property from development in perpetuity, and by engaging the market to generate private funding for land conservation.

By helping to concentrate development in areas best suited for growth, TDR can help mitigate many of the public costs and impacts of sprawl. These include:

Loss of farm and forest lands. In spite of widespread agricultural zoning, Washington is losing farmland (including ranchland) at the rate of about 23,700 acres per year, according to USDA Census of Agriculture figures in 1997 and 2002. This equates to about 10% of the area of Mount Rainier National Park lost each year. Other USDA statistics indicate that more than 5,000 farms were lost in the 9 years from 1997 to 2006.³ The American Farmland Trust notes that the loss of prime farmland accelerated about 30% in the years 1992-1997 compared with the preceding 5 years. AFT also reports that 75% of Washington's remaining active farmland and ranchland has a market value that exceeds its value for agriculture, suggesting that the threat of continuing conversions is high.⁴

A similar story applies to productive forestland in Washington State. Since the late 1980s, Washington's forests have declined by over 17%.⁵ In addition, forestlands on or near the urban-rural fringe have a development value of 15-20 times their value as forests.⁶ This suggests that as the region grows, an even greater percentage of working forests will be at risk for conversion.

³ USDA Website:

http://www.nass.usda.gov/Statistics_by_State/Washington/Publications/Annual_Statistical_Bulletin/2007/ab9.pdf. Accessed December 5, 2007.

⁴ AFT Website: <http://www.farmland.org:80/programs/states/wa/WAthreat.asp>. Accessed December 9, 2007.

⁵ College of Forest Resources, University of Washington. *The Future of Washington's Forests: Washington Department of Natural Resources Report*. 2007.

⁶ Ibid.

In addition, a large percentage of forestlands are now owned in investment structures such as TIMOs (timber investment management organizations) and REITs (real estate investment trusts). Government regulations dictate a limited lifespan for these investment tools and require that shareholder profits are maximized. Many of these ownerships will reach the end of their lifespans in the next 5 to 10 years. Unless tools like TDR are in place at that time, it is likely that many of Washington's timberlands will be converted to real estate development.

Infrastructure costs. Following a pioneering study for the federal government in 1974,⁷ numerous studies have documented the public costs of sprawl. In 2005, the Puget Sound Regional Council reviewed these studies and concluded that, while methodologies vary, almost all conclude that sprawl is more costly than compact patterns of development.⁸ Savings on the capital costs of infrastructure are particularly significant. The Brookings Institution projected national infrastructure costs over a 25-year period (2000–2025) and concluded that 11.8%, or \$110 billion, could be saved in road-building costs and 6%, or \$12.6 billion, in water and sewer costs by adhering to more compact development patterns.⁹

Cost of community services. Sprawl adds to the cost of ongoing community services as well. According to a study published by the American Farmland Trust in 2002, saving land saves taxpayers money. This study measured the net fiscal contribution of different land uses, by comparing the cost of providing public services to the tax revenues from various land uses. Based on studies in 125 communities across the country, AFT concludes that working farms and forests cost taxpayers only \$.37 for every tax dollar collected, compared to \$1.19 for lands in residential use.¹⁰ This is consistent with the Brookings Institution's conclusion that a compact pattern of development could save 3.7%, or \$4 billion, annually for operations and service delivery.¹¹

Environmental quality. The environmental impacts of sprawl are well documented. Compact growth patterns use up to 21% less acreage than sprawling development.¹² Sprawling development leads to higher rates of impervious surface and increased stormwater management costs. Runoff per unit for development at 8 units per acre is ¼ that of 1 unit per

⁷ Real Estate Research Corporation. *The Costs of Sprawl: Environmental and Economic Costs of Alternative Residential Development Patterns at the Urban Fringe*. 3 vols. Washington, D.C.: U.S. Government Printing Office, 1974.

⁸ Puget Sound Regional Council. *VISION 2020 + 20 Update: Information Paper on the Cost of Sprawl*. Puget Sound Regional Council, December 19, 2005.

⁹ Mark Muro and Robert Puentes. *Investing in a Better Future. A Review of the Fiscal and Competitive Advantages of Smarter Growth Development Patterns*. Washington, D.C.: The Brookings Institution Center on Urban and Metropolitan Policy, 2004.

¹⁰ Freedgood, Julia. *Cost of Community Services Studies: Making the Case for Conservation*. American Farmland Trust, 2002.

¹¹ Muro and Puentes, op. cit.

¹² Robert W. Burchell, Anthony Downs, Samuel Seskin, et al. *Costs of Sprawl 2000*. Washington, D.C.: Transit Cooperative Research Program, Transportation Research Board, National Research Council: TCRP Report 74, 2002.

acre.¹³ Puget Sound communities spend more than \$100 per person on stormwater management,¹⁴ and yet stormwater is still the leading cause of pollution in the Puget Sound.¹⁵

The Puget Sound Regional Council recently assessed environmental impacts in a draft environmental impact statement for Vision 2040, an update of growth policies for the region. It concludes: “Alternatives with a more focused growth pattern . . . have potentially lower overall environmental impacts. . . . Because less land would likely be required to meet growth needs, growth in rural or natural resource areas could be reduced or avoided. Compact growth also reduces the regional levels of automobile use and congestion, and improves transit use, carpooling, walking and bicycling, which in turn lowers air pollution, water pollution, and energy use.” Loss of wildlife habitat, increased flooding, and other environmental impacts are all associated with sprawl.

Jobs and the economy. Washington State was built upon farming and forestry. They are a significant piece of our heritage, still provide essential jobs, and are a significant part of the state’s economic base. Loss of forest and farmland associated with sprawl could significantly affect these sectors of the economy. Some key indicators include:

- The value of Washington’s food and agricultural production (including food processing) was assessed at \$5.6 billion in 2001.¹⁶
- Farms and farm-related activities provide more than 523,000 jobs in Washington State.¹⁷ Pure farm employment represents over 82,000 jobs.¹⁸
- Total employment in the state’s forest products industries was approximately 43,700 in 2003.¹⁹
- The 1995 gross business income for the Washington forestry and forest-products sector was about \$16 billion.²⁰
- Forest products account for over 10% of the employment in 18 of the state’s 39 counties.

Climate change. The link between sprawl and global warming has only recently come to the forefront of public consideration. A new book published by the Urban Land Institute²¹ analyzed scores of academic studies and concluded that compact development – mixing housing and businesses in denser patterns, with walkable neighborhoods – could do as much

¹³ Lynn Richards. *Protecting Water Resources with Higher-Density Development*. Environmental Protection Agency, 2006.

¹⁴ Derek Booth. *Damages and Costs of Stormwater Runoff in the Puget Sound Region*. 2006.

¹⁵ *SeattleP-I* Website: http://seattlepi.nwsource.com/local/341881_pugetsound01.html. Accessed December 5, 2007.

¹⁶ Municipal Research and Services Center of Washington, *Agricultural Lands Introduction* Web page.

¹⁷ USDA Website:

http://www.ers.usda.gov/Data/FarmlandRelatedEmployment/ViewData.asp?GeoAreaPick=STAWA_Washington. Accessed December 5, 2007.

¹⁸ *Ibid.*

¹⁹ Washington State University Website: <http://cru.cahe.wsu.edu/CEPublications/misc0511/misc0511.pdf>. Accessed December 10, 2007.

²⁰ College of Forest Resources, University of Washington, *op. cit.*

²¹ Smart Growth America Website, “*Growing Cooler: The Evidence on Urban Development and Climate Change*,” <http://www.smartgrowthamerica.org/gcindex.html>. Accessed January 1, 2008.

to lower emissions as many of the climate policies now promoted by state and national politicians. It concludes, “Depending on several factors, from mix of land uses to pedestrian-friendly design, compact development reduces driving from 20 to 40 percent, and more in some instances.” In California, Attorney General Gerry Brown recently sued San Bernardino County for its failure to assess the impact of sprawl on increasing greenhouse gases. With both Seattle and King County tracking climate impacts of new development, the relationship among sprawl, carbon emissions, and climate change is ripe for study in Washington State.

Additional research needed. The various data provided above paint a sobering picture of the costs and environmental impacts of continuing sprawl. However, there has not been a comprehensive study of the cost of sprawl at the state level in Washington State. In particular, stormwater management concerns associated with development have not been adequately quantified; recent flooding in Lewis County illustrates the urgency of further study in this area. Similarly, climate change has emerged as a paramount issue within Washington State and the nation, yet little has been done to quantify the impact of sprawl on carbon emissions or the potential benefits of concentrating development to reduce the rate of climate change. Additional research is sorely needed in these areas to understand the ramifications of various growth patterns and help shape and refine growth management strategies in the future.

IV. A Brief History of TDR

The challenge of effectively managing growth is by no means unique to Washington State. Local jurisdictions across the country have grappled with it, and many have turned to innovative tools such as TDR to supplement conventional zoning regulations. Since the adoption of the first TDR program 40 years ago, use of TDR has become widespread.

In 1968, New York City enacted the first transfer of development rights program to protect landmark buildings. TDR was used to protect Grand Central Station by transferring development rights from this site to adjacent properties. Since that time, more than 180 programs have been adopted by local and regional jurisdictions in 33 states.²² Most are located on the East and West coasts, but there are also a number of inland programs, including several in Colorado. Success of the programs varies widely, with a few protecting thousands of acres and many never having made a transaction. See Appendix A for an overview of the most active TDR programs in the nation.

Nationally, the most successful TDR programs have focused on farmland preservation and environmental protection. Here are three leading examples:

- Montgomery County, Maryland, is frequently cited as one of the most successful programs in the country, having protected more than 50,000 acres of farmland through TDR. It created demand for selling TDRs by downzoning most agricultural lands in the county from 1 dwelling unit per 5 acres to 1 per 25. Most demand for TDRs has been in suburban and fringe areas, not urban cores.

²² Rick Pruetz, and Erica Pruetz, op. cit.

- The New Jersey Pinelands program is an example of regional cooperation. It involves 60 communities and 7 counties in a region-wide TDR program initiated by the state. It includes a TDR bank managed by the State of New Jersey, which primarily acts as a clearinghouse for buyers and sellers and provides support to communities with TDR programs, but can also act as a buyer or seller “of last resort.”
- Boulder County, Colorado adopted a program that contains interlocal agreements with 9 cities; a proposed 2007 update to the program will require TDR credits to be purchased to construct very large homes.

Appendix B provides a summary of TDR programs enacted in Washington State. It shows that 13 jurisdictions have adopted TDR ordinances; however, one of these programs (Island County) was revoked due to limited demand for increased development above current zoning. Most of the Washington State programs are aimed at agricultural land preservation and/or environmental protection, but some reflect other goals, such as affordable housing (Seattle), historic preservation (Seattle and Vancouver), and watershed protection (Whatcom County). Programs that have protected the greatest acreages are located in King County: King County itself (about 2,000 acres, plus 89,500 acres from which the county purchased development rights that are now banked for future sale), Black Diamond (1,600 acres), Redmond (415 acres), and Seattle (883 acres).²³ Almost half of the existing programs in the state have yet to generate any TDR transactions.

Five of the six county-based programs rely on interlocal agreements, allowing density to be transferred from rural areas of the county into incorporated cities. King County has accomplished transfers through interlocal agreements with Seattle, Black Diamond, and Issaquah; but only Issaquah has a current TDR agreement with King County. Additional interlocal agreements will be needed in the future in order to support the sale and transfer of development rights currently held in the King County TDR bank.

Selected national and local case studies are summarized in Appendix C.

V. Program Fundamentals

While no two TDR programs are exactly alike, there are certain key features common to most programs. Following is an overview of TDR basics. (See Appendix D for a glossary of related terms.)

Goal-setting. TDR is a flexible planning tool that can and should be customized to support the planning goals of each individual community. While most TDR programs aim to protect natural areas, open space, and farmland, some are focused on low-income housing (e.g., Seattle) and historic preservation (e.g., San Francisco). Clear community goals with broad public support are essential to a successful TDR program.

Sending sites. A critical early step in designing a TDR program is the identification and mapping of sending areas from which development rights can be sold. In determining the

²³ Acreages for TDR programs in King County were provided by local planners in each jurisdiction.

size and location of sending areas, a number of factors must be considered: the number of development rights that could be transferred, the availability of receiving areas to accept the rights, the extent to which existing zoning supports land conservation, and the relative priority of saving “close-in” sites subject to strong development pressure vs. lands further from urban centers with less development pressure.

Receiving areas. Designating viable receiving areas is one of the most critical and challenging aspects of program development. Many programs strive to designate receiving areas that can accommodate an amount equal to or greater than the likely supply of TDRs from sending areas. Key factors in the designation include market demand for development, availability of infrastructure and services to support development, and community support for or opposition to increased development. While many programs establish both sending and receiving areas within a single jurisdiction, some larger programs have established cross-jurisdictional exchanges through intergovernmental agreements. Receiving areas may be designated through an initial planning process, added through incremental designations over time, or both.

Development bonuses. Within receiving areas, developers are granted the option of added density or other development bonuses in exchange for purchasing TDRs. While most TDR programs offer increased residential density (either single family or multi-family) as a bonus, other incentives can be offered, such as increased floor area (Redmond, WA), added height (Issaquah, WA), increased lot coverage (Miami-Dade County, FL), or reduced limits on impervious surfaces (Issaquah, WA).

Allocation and exchange rates. The value of TDRs is directly affected by two key elements: the allocation rate (or number of TDRs each sending site can potentially sell) and the exchange rate (the number of added units or other credits available to a developer who purchases a TDR). These rates need to be carefully calibrated to make sure there are incentives for both buyers and sellers to participate. In some jurisdictions, allocation of TDRs to sending areas is based on how many units would be allowed under current zoning; other programs allow extra TDRs (e.g., 2–5 times what zoning would allow) to provide an incentive for landowners to sell their rights.

Transaction mechanisms. Many programs offer some form of facilitation for TDR transactions, such as providing an information clearinghouse to help link potential buyers and sellers. A good example of this is seen in Collier County, Florida. Other jurisdictions have created TDR banks to help facilitate private transactions and to act as the buyer or seller of last resort. Examples of such banks include the King County TDR bank and the Pinelands (NJ) Development Credit Bank. In some cases – such as Malibu and San Luis Obispo, California – seed money has been provided to initiate a TDR bank and make initial purchases of TDR credits; in such cases, the credits are subsequently sold to developers, enabling the bank to create a revolving fund available for future TDR purchases.

Conservation easements. Once development rights have been sold from a sending site, those rights are relinquished and a conservation easement is placed on the property. These easements are generally held and enforced either by the city or county sponsoring the

program or by a local land trust. Responsibilities for monitoring and enforcement of conservation easements over time need to be clearly assigned and funded.

Program administration. Certain staffing and administrative procedures are needed for smooth operation of a TDR program. These include outreach to landowners and developers, facilitation of transactions, recording of conservation easements, tracking of TDRs, and coordination of TDR transactions with a jurisdiction’s zoning and permitting processes. TDR programs should also be evaluated and updated over time.

VI. Limiting Factors

While many TDR programs have been enacted, not all have not been successful. In fact, only a handful of programs have protected 5,000 or more acres of land, and some have not generated a single transaction. In looking for ways to promote regional-scale TDR programs in Washington State, it is important to understand what factors have limited TDR program effectiveness elsewhere and to identify those factors that have contributed to making certain programs highly successful. Following are some of the most significant obstacles that appear to have limited TDR implementation.

Inadequate receiving areas. Without adequate receiving areas, there is no market for TDRs and a TDR program cannot succeed. A robust TDR program needs to have sufficient market participants, on both the sending and receiving sides, to generate transactions and to stabilize the market for and price of TDRs. While lands to be protected – sending areas – can be easy to identify, many jurisdictions have found it difficult to designate viable areas to receive the development rights. Communities are often reluctant to accept additional density without assurances of adequate infrastructure and protections for neighborhood character. The presence or lack of a regional consensus on appropriate locations for growth can significantly affect a jurisdiction’s ability to designate adequate receiving areas – especially where the resources to be protected lie in one jurisdiction, while the appropriate areas for development are inside a neighboring municipality.

A few second-generation TDR programs require the purchase of TDR credits as a condition of any upzones. This may apply within a particular designated area or across the jurisdiction. Examples of this include the new Pierce County, Washington, program, which requires the purchase of TDR credits for comprehensive-plan amendments that increase density in the unincorporated county. The Malibu coastal zone also requires the purchase of TDR credits if a landowner creates a new lot. This type of mechanism can help address the need for receiving site designations and take advantage of demand for upzones. Collier County, Florida, has designated rural fringe areas as receiving sites, in order to increase density for growth and to minimize conflicts in existing neighborhoods over additional density. Boulder County, Colorado, is proposing to require TDR credits to build very large houses.

Lack of infrastructure and amenities to support increased density. If the areas designated to receive TDRs lack the infrastructure needed to support added growth – e.g., roads, utilities, and stormwater facilities – they will not realistically be able to support TDR development. If significant infrastructure upgrades are needed, the cost may be prohibitive to a developer,

even with the added development density enabled through TDR. The lack of adequate infrastructure in urbanizing areas is a critical issue for growth management in general, and is a specific roadblock to successful TDR implementation.

Insufficient demand for development/density. TDR is a market-based mechanism and, as such, can succeed only if there is demand for development. If developers are not interested in building to the higher densities established for receiving areas, there will be no marketplace for TDRs.

While local jurisdictions do not control the market, their zoning decisions have a substantial impact on developer interest in TDRs. In areas where zoning already allows development beyond what the market can support, there is no value to a developer in participating in TDR. Similarly, if rezones to higher densities can be achieved without participation in TDR, interest in TDR will be undercut. The second-generation programs mentioned above (under “Inadequate receiving areas”) attempt to take advantage of where development is occurring. Newer programs are also tapping into developer demand for flexibility in development standards other than density, such as floor area ratios, impervious surface, and setbacks.

Weak financial equation for buyers and/or sellers. Neither buyers nor sellers will participate in TDR transactions unless they have a financial incentive to do so. The demand for selling and purchasing rights – and therefore TDR price – is determined in large part by the allocation or exchange rate for development credits. If the price is too low, few landowners in sending areas will be motivated to sell development rights. If the price is too high, developers in receiving areas will have little interest in purchasing credits, since they would not create additional profit for their projects.

Many people assume that TDR means a 1-to-1 exchange of development credits from a sending area to a receiving area. However, this ratio rarely results in equivalent values for both areas, because the right to build one house in a low-density area is generally worth more than the right to build one additional unit in a higher-density area. A recent economic study in Pierce County sought to quantify this relationship, by analyzing comparative sales data for properties zoned for different levels of density. Appendix E illustrates the declining value of a development right in unincorporated Pierce County as density increases. Based on this analysis, the study proposes that the exchange rate for TDRs be based upon a multiplier, so that purchasing one TDR would gain a developer the right to build more than one additional unit in a receiving area.

Increasingly, jurisdictions are investing in market studies to help refine their programs so that they reflect a solid understanding of the market. However, such studies can be expensive and standard methodologies have not yet been established. For smaller jurisdictions in particular, such studies may be out of reach. Recognizing this dilemma, the state of New Jersey now provides up to \$40,000 of seed money to communities that wish to pursue market studies.

Lack of program leadership and transaction support. A review of TDR history shows clearly that adopting legislation to enact a TDR program is not enough, by itself, to ensure program success. Active support and leadership are needed to foster a robust marketplace for

TDR transactions. Especially at the outset of a program, support is needed to overcome the natural uncertainty that property owners may feel in considering a new and unfamiliar form of real-estate transaction, and the unease that developers may feel about a new step or option in the development permitting process. Public education, program advocacy, and transaction support appear to be key ingredients in successful programs, especially when the program is young.

VII. Success Factors and Promising Directions for TDR

In reviewing the national experience with TDR to date, four factors stand out as key elements in highly successful programs. Washington State has an opportunity to build on other jurisdictions' experience by focusing on these elements to make TDR an effective growth management tool.

A. Ensure Zoning Compatibility

The underlying zoning and development regulations in sending and receiving areas may be the single most potent factor in the success of a TDR program. Zoning regulations can either create or undermine property owner and developer interest in the program. Property owners in sending areas are much more likely to participate if they have more to gain economically through TDR sale than by developing their property under existing zoning regulations. Developers will participate if TDR incentives – which may include not only increased density but also flexibility in standards such as impervious surface limits, parking requirements, and minimum setbacks – offer significant financial value beyond what can be achieved under baseline zoning regulations.

Some jurisdictions have initiated TDR programs with a large-scale downzoning of resource-based lands to be preserved, using TDR as a means of compensating landowners for the development restrictions and creating a strong incentive for participating. (For example, Montgomery County [MD] downzoned its agricultural lands from 1 unit per 5 acres to 1 per 25, allowing TDR sales based on the original zoning density.) While widespread downzoning may not be feasible in many areas, zoning must be consistent with the long-term conservation goals of a local plan. Landowners wishing to continue farming or forestry activities may resist the idea of a permanent development restriction (conservation easement) on their property. For example, where zoning in an agricultural area allows 1 unit per 5 acres, property owners may well expect incompatible development on neighboring properties, which would undermine the long-term viability of farming in the area and thus make a conservation easement unattractive. Furthermore, the smaller the lot sizes allowed, the greater the number of development rights that must be assigned – perhaps exceeding the capacity of receiving areas to accept these credits.

On the receiving side, zoning and TDR participation are also closely linked. As noted in the section above, zoning that matches or exceeds market demand for development negates the profit a developer might achieve through TDR. Reducing the base zoning in TDR receiving areas is an option to reinforce this profit incentive; but again, downzoning is often not feasible and may even conflict with city planning objectives favoring concentrated growth. A

more reasonable approach would be to incorporate TDR provisions into any rezone approved by a jurisdiction, whether through a comprehensive plan update or through individual requests for zoning reclassification (as discussed in the Pierce County and Malibu examples above). In this way, a portion of the increased value created by the increase in development potential can be allocated to support regional conservation goals. If, on the other hand, developers are successful in achieving upzones without participation in TDR, there will be little demand to fuel the TDR marketplace.

Application of land use policies and development regulations in Washington State is a responsibility of local cities and counties. However, the state has provided a framework of goals and requirements for local plans and regulations through the Growth Management Act and updates to the act. If TDR is to become a more prominent tool for growth management in Washington State, state and regional planning guidance should support effective TDR programs.

B. Support Market Studies to Fine-Tune TDR Programs

As noted above, TDR programs founded on a clear understanding of the local real-estate market are far more likely to generate TDR transactions. Without such an assessment, TDR values may not generate interest from potential buyers and sellers. Assessing the value of TDRs from both a seller's and buyer's perspective is critical to the design of workable allocation and exchange rates, to effectively calibrate the economic equation for TDR transactions and thereby generate an active market.

Many examples of TDR market studies have now been completed by local jurisdictions across the country, and can serve as a starting point for future work in this area. However, no consensus or "model" methodology has been developed. Some studies rely on a direct sales comparison approach, examining the effect of conservation easements on resource lands and the effect of various zoning levels on the value of various properties. Others use a capitalization or pro forma approach to determine how much a development credit is potentially worth to a developer.

Market studies to support TDR program design must be tailored to local market conditions. However, the state plays a useful role in helping to define appropriate contents, design prototype methodologies, and provide support. This would make local market studies more cost-effective to undertake, especially for smaller municipalities. Local jurisdictions should also be encouraged and supported in setting up review mechanisms and protocols for updating TDR values over time.

C. Facilitate TDR Transactions

Jurisdictions that have been most successful with TDR have recognized the need to help buyers and sellers connect, and in many cases have created a bank or brokerage institution to facilitate transactions. Public support for TDR transactions can take a variety of forms, depending on the types of transaction mechanisms established. Even when programs rely strictly on individual private transactions (rather than a bank) to accomplish TDR sales, the

sponsoring agency can encourage participation by conducting outreach to eligible landowners and developers, and by providing a clearinghouse for interested parties and technical support for transactions. TDR banks go further by eliminating the need for individual buyers and sellers to connect, and by helping even-out economic cycles that may favor TDR purchases at one time and TDR sales at another. Another variation is a TDR credit program, which enables developers to pay a set fee to a TDR bank in lieu of purchasing individual TDR credits. These and other methods will be explored in Issue Paper #2, “Alternative TDR Transaction Mechanisms.”

Typically a TDR bank, brokerage, or other support program is set up at the municipal or county level, consistent with the extent of the TDR program. To accommodate programs at a regional scale, however, a TDR bank such as New Jersey’s may be needed. The Pinelands Development Credit Bank, an independent state agency, administers a TDR program more than 60 separate jurisdictions. It helps facilitate private transactions, provides information on the program to landowners and developers, maintains lists of interested buyers and sellers, tracks transactions, and, in limited cases, acts as the buyer or seller of development credits. For regional-scale programs to go forward in Washington State, some form of regional clearinghouses with support and structure provided by the state may be appropriate.

D. Consider Both Carrots and Sticks to Achieve Local Participation

Large-scale TDR success cannot be achieved without active participation from Washington State cities and towns, which represent most of the areas in the state where higher-intensity development is deemed appropriate. Under present law, counties and cities can collaborate by entering into interlocal agreements to enable TDR transfers to cross jurisdictional boundaries, typically from outside urban growth areas to inside them.

There are inherent limitations to this approach. Some cities have expressed concern that requiring TDR for higher-density development will place them at a competitive disadvantage in attracting economic growth, relative to nearby cities that do not sign on to the program. Conversely, many cities are concerned about the impacts of additional growth, especially where municipal infrastructure and services are not adequate to serve it. Yet without city participation, it is difficult to find viable TDR receiving areas, and growth-management goals calling for more concentrated patterns of development may be harder to achieve.

One possible solution is for the state to play a role in helping implement GMA policies through TDR. The New Jersey Pinelands program represents a notable example of active state involvement. There, the state designated agricultural and resource lands within a 1-million-acre area and established planning and zoning requirements to preserve them, including TDR. The state set up a bank to facilitate transactions, and it monitors the program to insure compliance with the Pinelands Comprehensive Management Plan, which encompasses 60 independent jurisdictions.

If TDR is to be successful in Washington, state policy needs to recognize that cities may be reluctant to embrace TDR, and that therefore a combination of “carrots” and “sticks” – both incentives and mandates – may be necessary to ensure widespread local participation. For

example, one of the most effective measures would be to give participating jurisdictions priority for state funding to meet their infrastructure needs. Funding for needed capital improvements and amenities to support attractive urban growth could be a powerful incentive for participation. (This approach will be explored in Issue Paper #3, “Capital Budget Allocation Options for TDR.”) The state may also want to consider mandating regional TDR programs where resources of statewide significance are concerned.

As noted above, cities may be reluctant to use TDR if it is seen as a barrier to development; meanwhile, if rezones are easy to achieve in unincorporated areas while TDR is required for development in cities, growth may be pushed out to the rural areas, achieving the opposite of the region’s growth-management objectives.

For this reason, a different balance between mandates and incentives may be appropriate in urban vs. rural areas. In unincorporated rural areas, public policy discourages development but development economics favor it, since land is less expensive there. In these areas, a strong state hand may be appropriate to insure that the costs of sprawl are not externalized to the public. On the other hand, in urban areas considered more appropriate for development, state policy may appropriately lean toward incentives to support development and overcome the higher cost of land and infrastructure improvements.

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APPENDIX A – TOP NATIONAL TDR PROGRAMS

Top National Programs	Year Started	Program Objective	Acres Preserved in Sending Areas	Number of Projects in Receiving Areas	Interlocal Agreements	TDR Bank	Zoning	Comments
Blue Earth County, MN	1977	Farmland, woodlands, habitat, and open space	4,000	100	No	No	1 du/40 acres in sending sites; in 1970 these lands were designated as Ag protection zones and zoned at 1/40.	Requirement for contiguous transfers leads to juxtaposition of noncompatible uses.
Boulder County, CO	1981	Agricultural lands	4,700	15	Yes (Boulder, Niwot, Longmont, Lafayette, Louisville, Broomfield, Erie, Lyons, Superior)	No	TDR program sending sites are primarily 35-acre rural parcels.	Program is being evaluated as of fall 2007 and may require TDR credits to be purchased for large houses (greater than 3,250 square feet).

Top National Programs	Year Started	Program Objective	Acres Preserved in Sending Areas	Number of Projects in Receiving Areas	Interlocal Agreements	TDR Bank	Zoning	Comments
Calvert County, MD	1978	Agricultural lands	11,652 (Jan 2007)	15,602 TDRs transferred (2007)	No	No (county does purchase and retire development rights)	Not downzoned initially, but downzones did occur in 1999 and 2003. Zoning changed from 1du/5ac to 1du/20ac. Strong zoning ordinances require all upzones include TDR.	Also has PDR program that has retired development rights on more than 5,000 acres. Cost of TDRs per dwelling unit is about \$37,500. Allows transfers to other rural/semirural areas.

Top National Programs	Year Started	Program Objective	Acres Preserved in Sending Areas	Number of Projects in Receiving Areas	Interlocal Agreements	TDR Bank	Zoning	Comments
Collier County, FL	N/A	Ecologically sensitive areas	2,327 (1,400 additional acres pending final approval)	12 completed transfers	No	No	Downzoned to 1 du/40ac, but state restrictions were even more restrictive for certain parcels, so this allowed some development to occur. Receiving areas on urban/rural fringe.	Base price set by county of \$25,000 per TDR. Many TDRs severed to take advantage of bonus structure, but relatively few used at this point.
Dade County, FL	1981	Environmentally sensitive lands	N/A	829 credits used	No		Most sending sites are 1du/40ac.	N/A

Top National Programs	Year Started	Program Objective	Acres Preserved in Sending Areas	Number of Projects in Receiving Areas	Interlocal Agreements	TDR Bank	Zoning	Comments
Douglas County, NV	2002	Agricultural lands	3,620	N/A	No	N/A	Sending sites are FR (forest range) or A (agricultural).	TDR seen as more effective than clustering. TDR credit transfers not allowed between watersheds.
Malibu Coastal Zone, CA	1979	Antiquated lots	924 lots retired	505 transfers	No	Yes (bank run by land conservancy)	Parcels were not downzoned, but creation of new lots requires purchase of TDCs in this program.	N/A

Top National Programs	Year Started	Program Objective	Acres Preserved in Sending Areas	Number of Projects in Receiving Areas	Interlocal Agreements	TDR Bank	Zoning	Comments
Montgomery County, MD	1980	Agricultural lands	50,857	10,160 severed/9,669 used	No (being considered)	No	90,000 acres of farmland was downzoned from 1du/5ac to 1 du/25ac. Dedicated staff allows computerized tracking and updating of the program.	A TDR bank was used at program inception, but was dropped after it was no longer needed. Considering mandating TDR for new subdivisions outside of current receiving areas.

Top National Programs	Year Started	Program Objective	Acres Preserved in Sending Areas	Number of Projects in Receiving Areas	Interlocal Agreements	TDR Bank	Zoning	Comments
New Jersey Pinelands, NJ	1981	Pinelands preservation	49,962	5,802 severed/4,068 used	Yes (with 60 jurisdictions)	Yes (Pinelands Development Credit Bank)	Within Pinelands management areas, PDC credits needed to increase density, when a variance is needed, and when needing a waiver from Pinelands regulations.	State legislation provides grant money (up to \$40,000) to perform economic feasibility analysis of proposed TDR programs. Price for a development right in 2006 was \$25,599.

Top National Programs	Year Started	Program Objective	Acres Preserved in Sending Areas	Number of Projects in Receiving Areas	Interlocal Agreements	TDR Bank	Zoning	Comments
Palm Beach, FL	1980	Agricultural lands, environmentally sensitive areas, and workforce housing	43,000 (but see far-right column)	435 sold in 2005	N/A	Yes (7,698 units in the bank, 2005)	N/A	\$100 million bond purchased 9,000 TDRs that are in the county TDR bank. This accounts for a significant portion of the acres protected. Price per TDR credit was \$81,000 in 2005.
Pitkin County, CO	1994	Preserve Sub-Alpine and Alpine environments	5,358 acres deed restricted through TDR	204 certificates issued/70 used in receiving sites	No (being considered with Aspen and Basalt)	No	TDR required in rural remote zones and visually constrained sites. TDR required to build houses greater than 5,750 square feet.	Current market price for a TDR credit is around \$300,000. Of the 70 credits used, 28 have been for new development and 42 have been for additional FAR.

Top National Programs	Year Started	Program Objective	Acres Preserved in Sending Areas	Number of Projects in Receiving Areas	Interlocal Agreements	TDR Bank	Zoning	Comments
Tahoe Regional Planning Agency, NV	1987	Environmental and water quality	2,200 mitigation projects	215 projects	Yes (South Lake Tahoe)	Yes (run by Tahoe Land Conservancy)	5 types of trading rights: (1) impervious surface coverage, (2) residential development, (3) residential allocation, (4) commercial floor area, and (5) tourist accommodation units.	25-35 transfers approved per year, influenced by stringent building restrictions.

APPENDIX B – WASHINGTON STATE TDR PROGRAMS

Jurisdiction	Year	Objective	Acres Preserved in Sending Areas	Number of Projects in Receiving Areas	Current Interlocal agreements	TDR Bank	Comments
Bainbridge Island	1996	Agricultural lands	0	0	No	No (under consideration in 2008)	Undergoing review in 2006 and will continue to be adjusted with information from an open space plan and consideration of TDR bank in 2008.
Black Diamond	2003	Open space protection (wetlands, freshwater bodies, wildlife corridors, greenways, viewpoints, etc.)	1,600	N/A	No	Yes	A complex program that expanded uga and placed conservation easements on 1,600 acres of forestlands outside the city boundaries.
Clallam County	1998	Agricultural lands, critical areas, low-density open space	0	N/A	Yes (Sequim and Port Angeles)	No	They have yet to have completed a transaction.
Island County (Revoked)	1984	Agricultural lands	88	N/A	N/A	N/A	Program was revoked due to lack of receiving sites/insufficient demand

Jurisdiction	Year	Objective	Acres Preserved in Sending Areas	Number of Projects in Receiving Areas	Current Interlocal agreements	TDR Bank	Comments
Issaquah	2005	Critical areas	10	1 (1 additional TDR is held by Issaquah)	Yes (King County)	No	Interlocal agreement with King County allows for up to 75 TDRs to be transferred from Issaquah Creek watershed.
King County	1993	Rural resources and public benefit lands	91,500 (89,500 protected through the purchase of development rights that are banked for possible future use)	301 transactions	Yes (Issaquah)	Yes	Had an interlocal agreement with Seattle that has expired. The county is working to create additional interlocal agreements.
Pierce County	2008	Agricultural lands and open space	N/A (program starts 04/08)	N/A (program starts 04/08)	No	Yes	All upzones in unincorporated Pierce County will require TDRs.
Redmond	1995	Agricultural lands and critical areas (Northern Sammamish Valley)	415.55	13 projects using 559.35 TDRs	No	No	TDR credit allows additional square footage or reduction in parking or open space requirements. Average TDR price is \$24,000 as of 2007.

Jurisdiction	Year	Objective	Acres Preserved in Sending Areas	Number of Projects in Receiving Areas	Current Interlocal agreements	TDR Bank	Comments
Seattle	1985	Affordable housing, historic preservation, and open space protection	883 acres of rural land protected (3 projects) and 833 units of low-income housing	4 projects completed using rural credits and 40 transactions for affordable housing, landmarks, and performing arts.	Yes	Yes	TDR receiving in the Denny triangle is no longer offered under current zoning.
Snohomish County	2004	Farmland, resource lands, and open space	72	14 TDRs were purchased by the county on a 72-acre parcel for later sale when the market is more established.	Yes (Arlington)	No (some funds may be available to purchase and transfer/hold rights)	Pilot project with the city of Arlington. Initial rights were bought by the county for \$42,857. Receiving area is unincorporated Snohomish County—potential for future annexation into Arlington.
Thurston County	1996	Agricultural lands	0	0	Yes (Lacey, Olympia, Tumwater)	No, but TDRs can be held by intermediates	County has been reviewing program to see what adjustments need to be made to create a market for TDRs.

Jurisdiction	Year	Objective	Acres Preserved in Sending Areas	Number of Projects in Receiving Areas	Current Interlocal agreements	TDR Bank	Comments
Vancouver	N/A	Historic preservation	N/A	N/A	N/A	N/A	Unable to confirm successful transfers.
Whatcom County	1999	Lake Whatcom and Birch Bay watersheds	N/A	52 TDRs transferred	Yes (Bellingham)	N/A	No current updates on program due to staffing changes in Whatcom county. Updates should be forthcoming in 2008.

APPENDIX C – SELECTED CASE STUDIES

For more case study data, see Rick Pruetz, *Beyond Givings and Takings*, and book updates at <http://www.beyondtakingsandgivings.com/updates.htm>.

Berthoud, Colorado

Population: 4,839

Type of Program: Density transfer fee

Summary: Berthoud has a density transfer fee (DTF) system instead of a TDR program. The program focuses on protecting watersheds and agricultural lands. With development in the pipeline the city did not want to undertake the identifying of sending and receiving sites as in a traditional TDR program. Instead, they opted to create a density transfer fee, which allows development above base density if a fee is paid. Berthoud imposes this fee as a requirement of upzoning a parcel. The fee is \$3,000 per additional single-family unit and \$1,500 per multi-family residential unit. The developer pays the density transfer fee at the time of permit issuance. Open space is acquired with revenue from the fee. As of 2002, the program had preserved 180 acres. This program is successful in part because of its simplicity: It is less expensive to set up and administer than a TDR program.

Cambria, California

Population: 6,232

Type of Program: Interjurisdictional/local

Summary: Cambria, a coastal community located in San Luis Obispo County, instituted a TDR program in 1985 with the purpose of preserving its small-town character, open space, and native Monterey Pine habitat. A local land trust, the San Luis Obispo Land Conservancy, has played an active role in the program – buying, holding, and selling development credits using a revolving fund initiated with a grant from the California Coastal Commission. As of 2005, the land trust had successfully retired 250 lots from antiquated subdivisions in the area and purchased more than 85,000 square feet of development credits. The resale of these credits has doubled the initial seed money, allowing the trust to be more flexible when opportunities arise to purchase additional credits. The program preserved important pine habitat in the Fern Canyon area and is helping to build a permanent greenbelt surrounding Cambria.

Issaquah, Washington

Population: 11,212

Type of Program: Interjurisdictional/local

Summary: In 2005, Issaquah enacted a TDR program to protect critical areas such as aquifer recharge areas, stream corridors, and wetlands within the city. The program also authorizes transfers from land in the Issaquah Basin, which is outside city limits, based on an interlocal agreement between the city and King County. King County provides funding to help pay for infrastructure and amenities in Issaquah in exchange for the acceptance of increased development. The interlocal agreement allows up to 75 density rights from King County to be transferred into Issaquah. The program has successfully protected 10 acres of open space in its first year.

Livermore, California**Population:** 73,345**Type of Program:** Interjurisdictional/local

Summary: The Livermore ordinance is designed to protect agriculture and open space in and adjacent to North Livermore. The program uses transferable development credits (TDC) to protect areas outside of the urban growth boundary. Three mechanisms exist for establishing receiving sites: (1) a new planned development, (2) a TDC combining zone in which different zoning and development classifications apply depending on the use of TDCs, and (3) a standard zone incorporating baseline densities and bonuses for using TDC credits. Livermore offers an in-lieu fee that can be paid instead of obtaining TDCs. This fee is then used to acquire development rights in North Livermore.

Montgomery County, Maryland**Population:** 932,131**Type of Program:** Interjurisdictional/regional

Summary: Montgomery County, located north of Washington, D.C., operates one of the most successful TDR programs in the nation, having protected more than 51,000 acres of farmland within the county. The county has also protected 13,000 acres via a farmland preservation program. This TDR program has been successful because an aggressive transfer ratio provides a strong incentive to participate. The sending area was zoned at 1 unit per 25 acres in 1980, but allows up to five credits to be transferred per 25-acre parcel. This creates a 5 to 1 transfer ratio. Additionally, the program did not set out to protect farmland directly in the path of growth, but instead pursued more distant, attainable parcels with less economic pressure on them. The program is relatively simple and has low transaction costs, making participation straightforward. TDR credits have been selling for around \$42,000 each.

New Jersey Pinelands, New Jersey**Population:** N/A**Type of Program:** Interjurisdictional/regional

Summary: In response to a congressional designation of the New Jersey Pinelands as the country's first national reserve, the State of New Jersey adopted a management plan to protect the one-million-acre area. This plan uses TDR to encourage landowners within the inner preservation area to sell "Pinelands Development Credits" (PDCs). The plan requires 23 jurisdictions to provide receiving areas for the PDCs from 60 jurisdictions in the Pinelands sending area. Sending site owners are encouraged to sell their PDCs both by environmental regulations, which make development difficult, and by a 4 to 1 transfer ratio, which quadruples the value of their development rights to receiving areas. The state assisted by providing seed money to begin a bank that works in conjunction with the private market. As of 2006, the program had permanently preserved over 49,962 acres of agricultural and environmentally sensitive lands. The average price per PDC was \$25,599 in 2006.

Redmond, Washington**Population:** 46,391**Type of Program:** Internal city program

Summary: Redmond has a successful internal TDR program. To date they have protected approximately 415 acres in 13 transactions. The sending sites are within the city limits and focus on agricultural lands, critical habitats, and recreation and historical resources. Receiving sites include the city center along with business and industrial parks. The city restricts the amount of development redirected to any one neighborhood to 35% of the available development rights. One TDR credit allows developers an additional 8,712 square feet of business or industrial floor space per credit. Alternatively, the developer may apply development credits towards a reduction in park and open space requirements. One TDR credit can also be used for height or parking bonuses.

APPENDIX D – TDR GLOSSARY

Allocation rate

An allocation rate is the number of development rights allocated per sending site; i.e., the number of rights that can potentially be sold from the site. The allocation rate may be greater than, less than, or equal to the amount of development allowed by zoning, depending on the goals of the TDR program and the need for incentives.

Appraisal

An unbiased and systematic process of estimating the value of a property, whether it be market value, insurable value, or other defined value of a specific parcel or property.

Conservation easement

A conservation easement is a legal agreement between a landowner and a land trust or government agency that permanently limits uses of the land in order to protect its conservation values. It allows the landowner to continue to own and use the land and to sell it or pass it on to heirs. A conservation easement is placed on a sending site at the time development rights are sold from the property. The conservation easement typically prohibits any further development of the property but allows resource uses, such as farming and forestry, to continue.

Development bonus

A development bonus is a zoning-code provision that allows more intensive development in exchange for provision of specific public benefits, such as neighborhood amenities, affordable housing, or purchase of TDRs. Development bonuses often allow increased building height or density, but can also include flexibility in use restrictions or other development standards.

Development rights

Land is thought of as real property and ownership extends to all aspects of the land, including minerals below the ground surface, air above, and all other resources located on the land. Owners of real property also own development rights, which allow development of that land in accordance with local land-use regulations. Development rights can be bought, sold, donated, or otherwise transferred. Restrictions on a property's development rights are usually recorded in a conservation easement.

Exchange rate

The exchange rate is the relationship between the number of development rights allocated to a sending site (typically a specified number of single-family dwelling units) and the amount of development bonus available on a receiving site (which may be extra single-family units, multi-family units, commercial square footage, and/or flexibility in development standards). The term encompasses both simple transfers of dwelling units from one site to another and more complex conversions of development credits; it is therefore used in place of the term "transfer ratio" (see below).

Interlocal agreement

An interlocal agreement is a legal contract between two or more local jurisdictions (cities and counties) that specifies the conditions under which development credits may be transferred between jurisdictions (typically from an unincorporated county into an incorporated city). Interlocal agreements must be endorsed by the legislative bodies of both jurisdictions.

Purchase of development rights

Purchase of development rights (PDR) refers to the removal of development potential from a parcel. The development rights are purchased and then retired and a conservation easement is placed on the parcel. PDR programs are generally used to protect resource and farmlands.

Receiving areas

Receiving areas are those sites eligible for development bonuses through the purchase of TDRs. The TDR program designates receiving areas, specifies the type and amount of bonus available on these sites, and details the process for approval of projects using the TDR bonus.

Sending areas

Sending areas are designated areas where landowners may sell their development rights in exchange for placing conservation easements on their property. Sending areas are typically agricultural lands, forest areas, or environmentally sensitive sites.

Transfer ratio

This term is used in many TDR programs to describe the numerical relationship between the amount of development potential forgone on sending sites, and the amount of additional development allowed on receiving sites. A 1 to 1 ratio means that the sending sites forgo the same number of houses per acre as are allowed on receiving sites. It implies a simple transfer of dwelling units from one area to another.

TDR bank

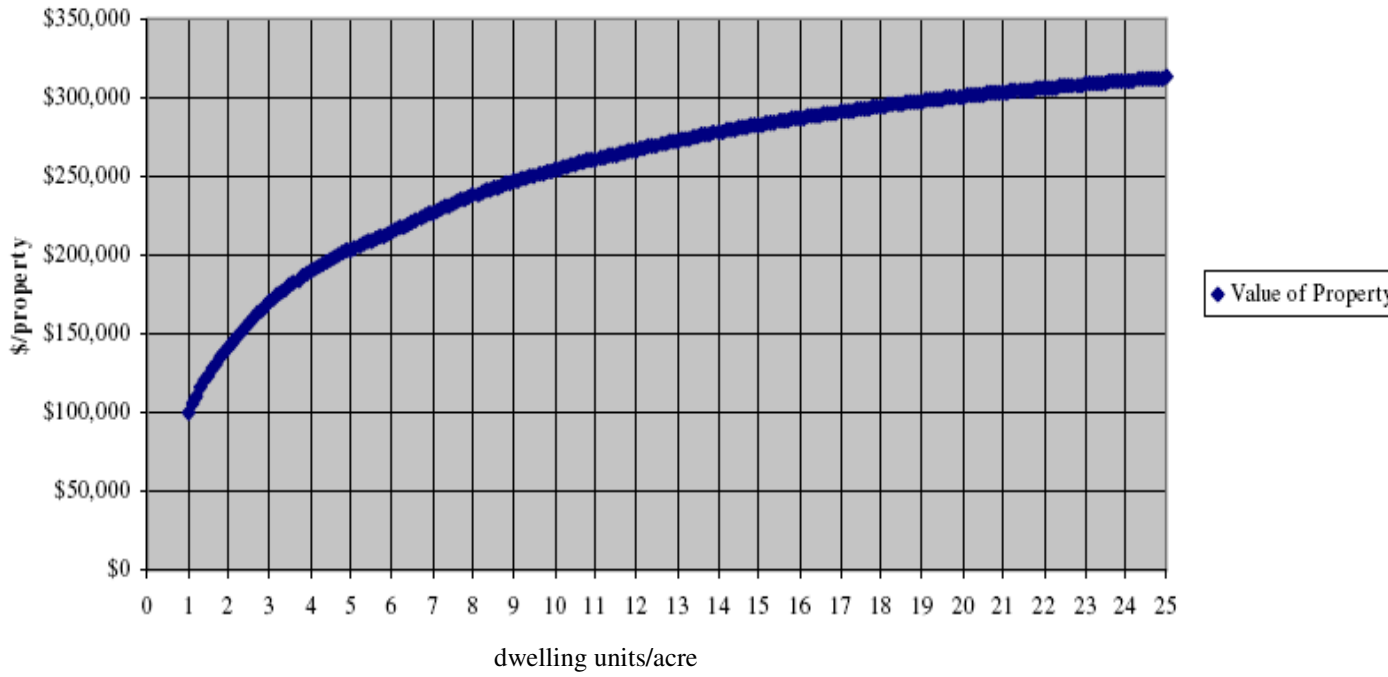
A TDR bank is an entity operated by a local jurisdiction, regional government, or private nonprofit organization for the purpose of buying, selling, and holding development rights, and/or facilitating private TDR transactions. By providing a single point of contact, a TDR bank can streamline the process for buyers and sellers of development rights.

Transaction types

A TDR program can offer one or more transaction types, which are the various mechanisms available for buying and selling development rights. The simplest transaction type is a private transaction between the owner of a sending site and the developer of a receiving site, executed at the time a TDR development project is proposed. Other options include buying and selling development rights to/from a TDR bank or a private investment corporation, or participating in a conservation credit or purchase of development rights program run by the local city or county.

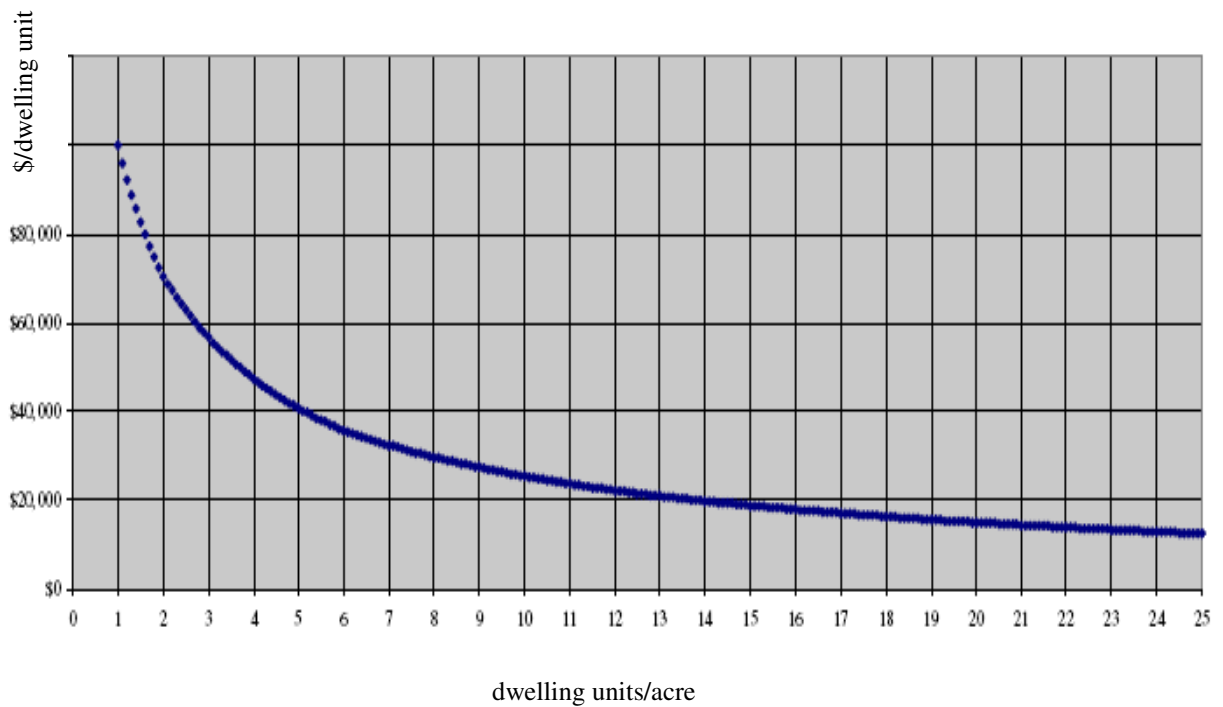
Appendix E PIERCE COUNTY PROPERTY VALUES AND VALUE OF DEVELOPMENT RIGHTS

Graph 1: Property Values



Additional density means higher property values.

Graph 2: Value of Development Rights



At lower densities, each development right is worth more than at higher densities

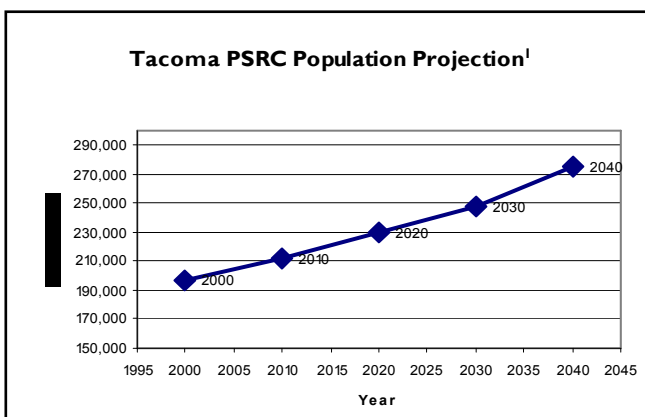


TACOMA INDICATORS

As the first Cascade Agenda Leadership City, Tacoma has acknowledged that in its city, quality of life, a strong economy and a healthy environment are all three mutually beneficial and interdependent—one cannot exist without another. This report focuses on key indicators and policies that will illustrate and shape future development in Tacoma in a way that will make it complete, compact and connected. The report also includes recommendations for how Tacoma can make changes and improvements that will be most effective in helping the city further its livability.

The Cascade Agenda is a 100-year collective vision for the Central Puget Sound region, with the goals of conserving 1.3 million acres of working farms, forests, and natural areas and creating vibrant and livable communities, while sustaining a strong regional economy. The Cascade Agenda Cities Program, enlists the region's cities to improve the livability of their neighborhoods—making them complete, compact and connected—and spectacular enough for people to choose to live there, saving the region's natural and working lands from poorly planned development. The City of Tacoma and the Cascade Land Conservancy formed a partnership in 2007 to work together to make Tacoma even more livable.

The Puget Sound Region is growing rapidly, expecting to add 1.7 million additional residents by 2040. Tacoma, the third largest city in the state with a population of 201,700, is expecting an additional 61,000 new residents by 2022.¹ Infrastructure, public amenities, housing and transportation choices, along with careful planning, will be necessary to support this population growth while enhancing quality of life. The policies undertaken now will determine whether Tacoma achieves the goals outlined in its comprehensive plan while protecting natural areas, working farms and forests that will make Pierce County spectacular for future generations.



In order to accommodate future growth and protect open space, cities will have to grow differently. For decades, most new development in America catered to the automobile. As a result, the built environment became increasingly auto-dependent. Sprawling development patterns and separation of uses increase commute times, make it difficult to walk or bike to daily destinations, increase transportation and infrastructure costs, reduce open space, and negatively affect human health.²

taking these steps, Tacoma is making smart choices for future growth, protecting open space, promoting economic development, and making neighborhoods affordable, attractive places to live, work and raise a family. These policies and programs signify a change from the way growth has occurred over the last fifty years and will require significant investments from the City and strong collaboration with the neighborhoods and local businesses to prove effective.

The City of Tacoma has a vision of becoming a destination city, with a vibrant economy and livable neighborhoods. To that end, Tacoma has taken a leadership role in the Puget Sound Region by developing policies and programs to achieve this vision. By

TACOMA DEMOGRAPHIC PROFILE

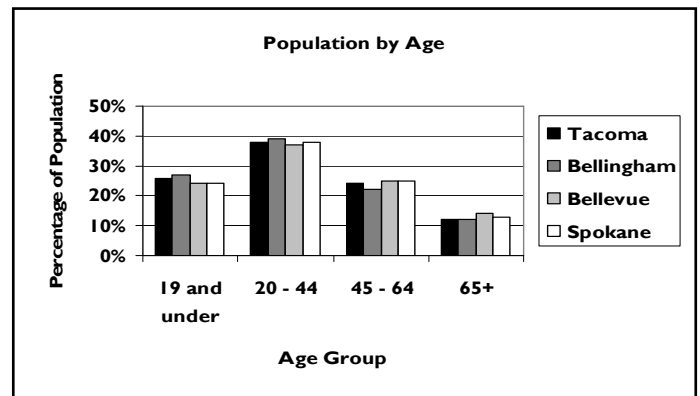
Economic, social and physical diversity are essential elements of prosperous neighborhoods and communities that provide a high quality of life for all its citizens.

AREA: Tacoma comprises **49.72 square miles** (excluding water) and is the third largest city in Washington, behind Seattle and Spokane.

POPULATION: Tacoma has **202,700 residents** and is the third most populous city in the state of Washington.³ In comparison, Seattle has 592,800 residents, Spokane 204,400 and Vancouver, 164,400.

AGE: Median age in Tacoma is **35.7 years old**. In 2006, 26% of Tacoma's population was 19 years old and under, 38% was between 20 and 44, 24% was between 45 and 64 and 12% were older than 65 years old.⁴

HOUSEHOLD SIZE: Tacoma had an average of **2.49 people** per household in 2006, which represented an increase from 2000. This is slightly lower than the Washington State average, but is higher than comparable cities in the state.⁵ Across the Puget Sound region, average household size decreased from 3.04 persons per household in 1960 to 2.49 in 2000.⁶



HOUSEHOLD INCOME LEVELS: The median household income level in Tacoma is **\$44,262**.⁷ The population of Tacoma consists of a strong middle class relative to similarly sized cities in the state. There are a greater percentage of households in the income brackets of \$25,000 - \$100,000 and in the narrower median category of \$50,000 - \$75,000 than in similar cities. A strong middle class is essential to the economy of a city, powering the success of service industries and retail centers.

COMPLETE

Complete: *Urban neighborhoods have a vibrant mix of people, public gathering spaces, civic and cultural anchors and retail establishments*

The Cascade Agenda Cities Program looked at the following indicators to gauge Tacoma's completeness: 1) jobs to housing ratio 2) local businesses strength 3) retail sales tax revenue 4) employment 5) schools 6) creativity and 7) diversity. Complete cities provide opportunities to live near our place of work, a strong local economy with access to all of our daily shopping needs, good schools for our children, places for the community to gather and casually run into our neighbors, arts and culture that we can all enjoy, and a strong sense of place.

LIVE AND WORK: Tacoma has a jobs to housing ratio of approximately **1.21 jobs per housing unit**.⁸ The national jobs to housing ratio was approximately 1.3 jobs per housing unit in 2002.⁹ The Pierce County average ratio is .84. In comparison, Bellevue has 2.24 jobs per housing unit and Seattle has 1.82 jobs per housing unit.¹⁰ Great cities need a strong local economy that provides a broad range of jobs for residents. A goal of the Growth Management Act is to encourage the development of housing in proximity to job growth. Working towards a

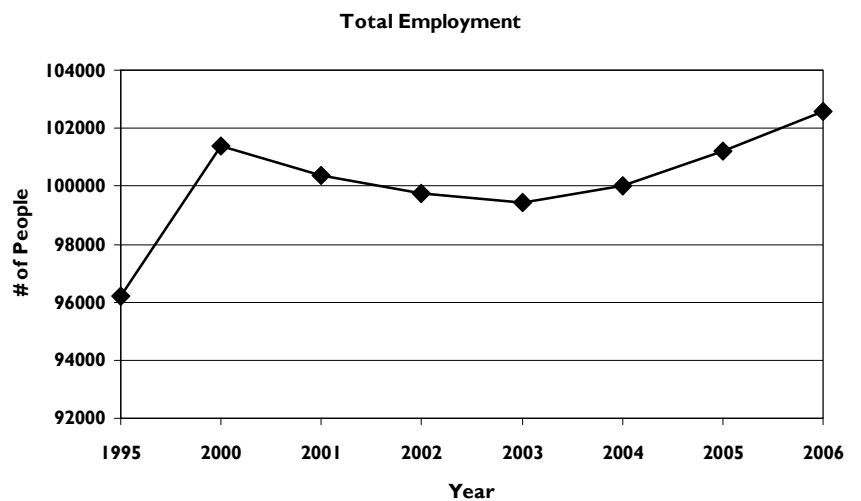
balance of jobs and housing can begin to reduce the need for long commutes and keep living and working communities easily accessible to each other.

LOCAL BUSINESS DISTRICTS: Tacoma has **12 neighborhood business districts** that promote local business and neighborhood vitality.¹¹ These districts work to promote thriving and vibrant commercial areas. In addition, entities such as Go Local Tacoma and the Cross District Association of Tacoma also work to promote local business in the city. Surrounding neighborhoods benefit from strong, business districts through access to daily needs, local business development and increased walkability.

RETAIL SALES TAX: Tacoma generated **\$40,469,032 in local retail sales and use taxes** in 2006¹². Local retail sales tax can indicate the opportunities residents have to meet their daily shopping needs within the community. This can reduce the need to drive to other cities to make purchases, thereby contributing to the local economy and local tax revenues. Tacoma generates higher retail sales tax revenues than Bellingham and Spokane, and generates comparable sales tax revenue to Bellevue.¹³

Tacoma also had the highest sales tax growth rate of the cities listed above from the period of 1997-2006, showing an increase of 56%. In the shorter term, Tacoma had the second highest growth rate since 2004 among these cities at 19%, just behind Bellevue at 22%.

EMPLOYMENT: The City of Tacoma has **102,585** covered jobs as of 2006. Tacoma has gained nearly over 6,000 jobs since 1995, steadily growing since the 2001-02 recession.¹⁴ Since 2003, employment has been growing at a faster rate than the population¹⁵. Therefore, the increase in jobs is indicative of an expanding job market and economic development within the city.



A strong local economy allows people to live and work in the same community while providing living-wage jobs.

The five sectors in Tacoma that employed the most people in 2007 were: (1) Trade, Transportation and Utilities; (2) Government; (3) Education and Health Services; (4) Leisure and Hospitality; and (5) Professional and Business Services.¹⁶

CREATIVITY: The Cascadia Corridor, which includes Tacoma, was rated one of the **top five most vibrant, creative mega-regions in North America** and one of the top ten globally in 2006 by Richard Florida, author of the *Creative Class*.¹⁷ Tacoma-Pierce County's Creative City Leadership project is working to strengthen Tacoma's ability to attract both workers and industries. A thriving arts and culture scene makes a city more livable and helps to attract a skilled work force.

SCHOOLS: Tacoma had a **67.6% 4-year high school graduation rate** in 2007, compared to the Washington State average of 70.4% and the cities of Bellevue (88.6%), Bellingham (72.5%), Seattle Public Schools (44.7%) and the Spokane School District (63.8%).¹⁸

A strong public school system is an important driver of where families choose to live. In order for cities to attract

and retain families, they must have good schools and educational opportunities for their residents.

DIVERSITY: For Tacoma residents reporting one race, **74 percent were White; 12 percent Black or African American; 2 percent American Indian or Alaska Native; 8 percent were Asian.** Tacoma is more racially diverse than the Washington State average.¹⁹ Cultural and racial diversity are important to creating a vibrant city.

POLICIES THAT HELP CREATE A COMPLETE TACOMA

- **Historic Preservation** Tacoma's efforts in historic preservation protect features associated with community identity, create a unique sense of place, and have positive implications for climate change. Buildings such as Union Station, Alber's Mill on the Thea Foss waterway are examples of the success of Tacoma's policies in preserving historic buildings. These policies maintain the historical character of the city and encourage compact growth patterns.
- **Design Review** Design review is under consideration for 2008 Comprehensive Plan updates. Adoption of well-written design review standards across the city will allow for innovative development that meets the expectations and objectives of the neighborhoods and the city while accommodating future growth.
- **Mixed-Use Center Code Revisions** Tacoma is reviewing codes in its mixed-use centers to create incentives that encourage a vibrant mix of uses and pedestrian friendly streetscapes in areas of more intense development that include a mixture of jobs, housing and access to transit.
- **Economic Development Strategy** Tacoma has participated in a large-scale downtown planning effort that will implement an economic development strategy along with increasing transportation choices in the core downtown area. The City is working with Angelou Economics to identify target industries and code updates to improve the livability of its downtown core.
- **International Financial Services Area** Tacoma is in the process of applying for a LIFT grant through the State Community, Trade and Economic Development Department, which would result in streetscape improvements and promote economic growth in the city core.

COMPACT

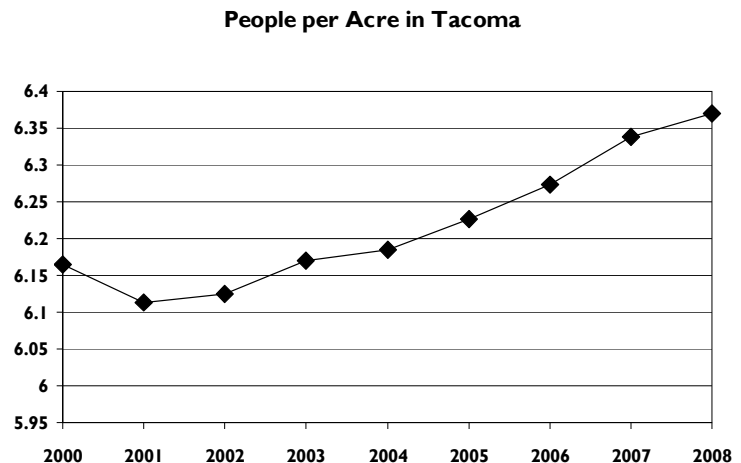
Compact: Design new development to make neighborhoods efficient, walkable and affordable.

The Cascade Agenda Cities program looked at the following indicators to measure how compact Tacoma is: 1) gross density 2) mix of housing units 3) housing affordability and 4) vehicle miles traveled. Compact cities encourage infill over expansion, offer a variety of compact housing types, provide affordable units, and reduce car trips by providing employment, housing, goods and services within a compact area.

PEOPLE PER ACRE: The gross population density of Tacoma averaged **6.37 residents per acre** and gross household density averaged **2.67 households per acre** in 2006.^{20,21} In order to accommodate additional population growth within existing city boundaries, Tacoma will need to continue its pattern of consistent infill and increasing density that has been occurring since 2001.²²

Development that averages six housing units per acre or more can support neighborhood businesses and transit service. It generally takes 1,000-2,000 housing units within a 10-15 minute walk to support retail areas.²³

www.cascadeagenda.org



Development above 15 households per acre allows for more frequent bus service and the potential for light rail. Unlike low-density suburban neighborhoods, compact neighborhoods have enough residents and employees to support neighborhood business, transit and lively interactive neighborhoods. The ability to meet one's daily needs in the community and having access to transit reduces the need to drive. Tacoma can easily achieve densities of at least seven, which is the LEED for Neighborhood Development prerequisite, households per acre while continuing to protect single-family neighborhoods by creating areas of compact development near transit and mixed-use centers.

TYPES OF HOUSING: Tacoma had **85,057 total dwelling units** in 2007, of which **65.5% were single family and 34.0% were multi-family with two or more dwelling units per structure**. Since 2000, Tacoma has added 1,891 multi-family units and 2,064 single-family residences.²⁴ This increased ratio of single to multi-family housing will help Tacoma accommodate expected growth, but Tacoma needs more multi-family housing to accomplish the City's goal of serving the housing needs of a growing population in an efficient and compact way.

Increasing housing choices is important for maintaining a diverse community. Many seniors and "empty-nesters" want to downsize but stay in the same city. Many first time homebuyers cannot afford a large-lot single-family house, or do not want the added maintenance responsibilities of a yard. In Tacoma, single-parent families, couples without children, singles and seniors make up over 68% of households. Only 16.5% of residents are married couples with children.²⁵ Demographic trends make it likely that seniors, singles, starter households, and single parent households will continue to drive the demand for multi-family and other housing choices in Tacoma. A survey conducted by Coldwell Banker Real Estate professionals from across the country revealed that 52% of "empty nesters" that are moving cite the desire to downsize as the primary reason for their move. Forty nine percent of those moving are looking for multi-family homes, illustrating the strong demand for this housing typology.²⁶

AFFORDABILITY OF HOUSING: In Tacoma **46% of homeowners with a mortgage, and 48% of renters, pay more than 30% of their income for housing**.²⁷ Thirty percent of income is the accepted standard of "affordability."²⁸ In order for our cities to be attractive places to live and work, they must be affordable or people will continue to sprawl further and further out in order to find housing choices that fit their budget.

Census data shows that the percent of individuals paying 30% or more of their income for housing is slightly higher in Tacoma than Seattle. Tacoma's median home price was \$228,300 compared to Seattle's median home price of \$447,000.

VEHICLE MILES TRAVELED: In 2006, Tacoma residents traveled an average of **19 miles per person each weekday** and residents of the central Puget Sound region traveled an average of 23.14 miles per person each weekday.²⁹

Compact walkable communities can reduce the amount of vehicle miles traveled by 26%³⁰ by providing opportunities to get to daily destinations by walking, cycling or transit.

Reducing the need to drive has a significant impact on greenhouse gas emissions. The transportation sector accounts for about 54% of greenhouse gas emissions in Tacoma.³¹ In the Puget Sound region, transportation accounts for 50% of emissions. ³² Additionally, transportation costs are second only to housing costs in most family budgets, so reducing the need to drive has a direct effect on housing affordability³³. Compact development can reduce the need to drive, allowing residents to walk, bicycle or take transit to daily destinations and have more money available for other necessities.



PARKING REQUIREMENTS: Tacoma has higher parking requirements than Seattle, and similar standards to Spokane and Vancouver. High parking requirements can encourage vehicle use, increase development prices and lead to large areas of surface parking. High parking requirements can also inhibit higher density development by increasing costs that makes higher density development unattractive. All of these factors can inhibit the compactness of a city and contribute to a decline in walkability.

Development Type	Tacoma	Spokane	Vancouver	Seattle
Office	3/1,000 nsf*	2/1000 nsf	2.5/1000 nsf	1/1000 nsf
Retail	2.5-4/1000 nsf	3/1000 nsf	3.3/1000 nsf	2/1000 nsf
Multi-Family Residential	1-1.5/unit	1/ 4 residents	1-1.5/unit	1.1-1.25/unit
Single-Family Residential	2/unit	2/unit	1/unit	1/unit

*nsf= net square feet

POLICIES THAT HELP CREATE A COMPACT TACOMA

- **Tacoma Encourages Optimal Density.** Tacoma allows 70 dwelling units per acre in its downtown core and neighborhood centers, helping to encourage density. Additionally, the proposed mixed-use centers have minimum density requirements. Minimum requirements make sure that new development will provide enough residents and employees to achieve the goals outlined in the mixed-use center plan. These policies allow and encourage compact growth patterns.
- **Multi-Family Tax Exemption** This tax exemption creates an incentive for the creation of additional multi-family housing units within the mixed-use centers by creating a tax-break for development.
- **Accessory Dwelling Units** Tacoma allows attached accessory dwelling units in all areas of the city. These units provide both more affordable housing choices and increased densities within City boundaries.
- **Adaptive Reuse** Tacoma’s adaptive reuse policy allows the conversion of older buildings such as Alber’s Mill or Union Station to other uses after their usefulness as commercial or industrial properties has ended.
- **Flexibility in Setbacks** Tacoma’s flexibility allows for infill development on non-conforming lots, helping to encourage compact growth.

CONNECTED

Connected: Residents can use transit, walk and bike safely to daily destinations. Communities have links between natural and urban areas, allowing residents access to waterfronts, parks and trails.

The Cascade Agenda Cities Program looked at the following indicators for connectivity: 1) transit 2) mode split 3) walkability and 4) parks. Connected cities provide transit options that get us where we need to go faster than sitting in traffic; have streets that are safe and functional for all users; and allow us to walk or bike comfortably to our neighborhood parks and shops.

TRANSIT: Countywide an average of **51,800 people per weekday ride Pierce Transit.**³⁴ Sound Transit saw ridership increase 12.5% in 2007 compared with the national average of 2%.³⁵ Tacoma has begun to put the infrastructure in place for increasing transit connections and mobility. With bus, rail and streetcar options, Tacoma has made strides towards increasing connectivity within the city and the region.

Creating an efficient and accessible transit system is crucial to having a connected city. Transit provides the most practical alternative to commuting by private automobile for trips longer than 2.5 miles. On average, people will walk a quarter mile to catch a bus; when rail transit is available, they will walk up to half a mile.³⁶ Transit systems are most efficient when higher-density, mixed-use development is clustered at nodes along major routes, and policies such as low parking requirements encourage people to leave cars at home

MODE SPLIT: In 2006, **76% of Tacoma residents drove to work alone; 12% carpoled; 4% took public transportation**, and the remainder worked from home or used some other commuting method. On average, it took 24 minutes for a Tacoma resident to drive to work. In comparison, only 55% of individuals drive to work alone in Seattle and the average time spent commuting to work was 25.2 minutes for Seattle residents.³⁷

This indicator illustrates the opportunity that exists for creating more options for residents to get to daily destinations without driving. As development becomes more compact, the percentage of residents using transit and walking increases. Therefore, as Tacoma grows,³⁸ well-crafted land-use policies should increase the percentages of residents using transit, walking or cycling to reach their daily destinations.

WALKABILITY: The magazine “Prevention” recently named Tacoma the **fifth most walkable city in Washington**³⁹. Tacoma received high marks for open space and transit friendliness, but crime statistics and high vehicle ownership rates lowered the overall score. Tacoma has realized the importance of walkability. In an effort, to learn more about how to create livable, walkable neighborhoods the City has recently hosted lectures by Dan Burden and Lars Gemzoe. Both are nationally recognized experts on the subject of creating walkable communities.

Walk Score™ calculates the walkability of an area by locating nearby stores, restaurants, schools, parks, etc. that are within a walkable distance. The calculations result in a Walk Score number between 0 and 100. A Walk Score above 70 represents a very walkable area where residents can accomplish most errands on foot and it is possible to get by without owning a car. A score between 50 and 70 represents an area where some stores and amenities are within walking distance, but many everyday trips still require another form of transportation. A score below 50 represents an area that is not walkable and errands require driving or public transportation.

Walk Score approximates walkability. There are a number of factors that contribute to walkability that are not part of the Walk Score algorithm such as street width and block length, safety, pedestrian-friendly design, topography, transit, weather, and physical barriers to walking.

When evaluated for walkability, Tacoma’s historic and traditionally popular centers score high, as do the library, town hall, and Proctor neighborhood areas. However, Tacoma has a wide range of less walkable neighborhoods near Tacoma Mall and within neighborhoods.

Tacoma’s Mixed Use Centers	Walk Score
Narrows	26
Westgate	49
Proctor	88
6 th and Pine	66
Stadium	48
MLK	80
James Center	55
Tacoma Central	60
Tacoma Mall	74
56 th & South Tacoma Way	55
Lower Portland	34
McKinley	42
34 th and Pacific	57
38 th & G	71
72 nd & Portland	57
72 nd & Pacific	55

Walkable neighborhoods offer residents multiple benefits. They reduce the need to drive, resulting in lower fuel consumption, transportation costs and greenhouse gas emissions. They provide health benefits to residents by allowing easy, accessible exercise options. Additionally, walkable neighborhoods generate foot traffic that supports local businesses in the community.

PARKS, OPEN SPACE, TRAILS: Metro Parks Tacoma manages approximately **80 parks**, which cover **2729.25 acres**.⁴⁰ Eighty percent of these parks are neighborhood parks, but regional parks constitute the bulk (1906.11 acres) of the acreage. The level of service (LOS) for local parks is **4.2 acres per 1000 residents** as of 2003. Two neighborhoods are underserved, the North End and the Northeast neighborhoods. ⁴¹ The City of Tacoma's Comprehensive Plan calls for 7 acres of regional parks, 3 acres of local parks, and 2 acres of open space per 1,000 residents. Tacoma's LOS standards exceed the National Recreation and Park Association recommendations of a range between 6.25 and 10.5 acres of open space per 1,000 residents.⁴² Parks greatly enhance the quality of life in communities.

Parks and open space contribute to local ecology, healthy recreation, and a sense of neighborhood quality. An integrated network of parks and open spaces defines good neighborhoods and towns. Each resident in a well-designed city should live within ½ mile of a park or open space.

In addition to parks, the City of Tacoma is also taking steps to update its Open Space Habitat Plan. This document will outline how Tacoma will acquire, restore, manage and develop open space and habitat within the city. This plan will provide a roadmap to creating a complete and connected system of parks, trails, shorelines and open space within Tacoma.

Non-motorized trails such as the proposed Water Ditch trail and the Scott Pierson trail also allow connections across the city of Tacoma and to other communities, linking parks and open space to more urban areas of the city and connecting with regional trail systems.

POLICIES THAT HELP CREATE A CONNECTED TACOMA

- **Green Tacoma Partnership (GTP)** The Green Tacoma Partnership is a public-private partnership between the City of Tacoma, Cascade Land Conservancy, Metro Parks, Tahoma Audubon Society, citizens, educational organizations, neighborhood groups, non-profits, faith-based organizations and businesses all working together to sustain a viable healthy network of natural spaces throughout Tacoma.
- **Transit Oriented Development (TOD)** TOD is a development strategy encouraged through mixed-use center zoning and multi-family tax credits. This allows people to live, work and shop within the same neighborhood and reduces vehicle miles traveled.
- **City Arborist** Having an arborist on staff would provide a focused position that works to facilitate maintenance of street trees and canopy coverage within the city.
- **Shared Parking** Adopting this innovative parking policy allows for compact, walkable development. Additionally, shared parking reduces impervious surfaces and lowers development costs while maximizing resources dedicated to parking.
- **Pedestrian Amenity Standards** Implementing standards for sidewalk connectivity, block size, awnings and plazas increases the walkability of retail districts and strengthens economic development.



Policy Recommendations

Careful planning of the region's cities will provide opportunities for future generations. The following policy recommendations build upon the leadership and the policy initiatives that the City of Tacoma has already undertaken and will bring the City closer to its long-range vision and the goals of the Cascade Agenda, which the City has endorsed. Based on the *Cascade Agenda Cities Livability Self-Assessment*, many of these policy recommendations are also in alignment with the Mayor's Green Ribbon Climate Action Task Force and Priorities for a Healthy Pierce County.

1. Adopt a "Complete Streets" Policy and Create a Bike/Pedestrian Master Plan

- Complete Streets are safe and functional for all users, including, bikes, pedestrians, freight, transit and automobiles.
- A bike/pedestrian master plan would provide the framework, goals and objectives to help the City of Tacoma prioritize how it will designate, improve and facilitate walking and cycling within the community to increase bike/pedestrian activity.
- These policies would help Tacoma become more complete and connected. By increasing transportation options, more residents will be able to walk, cycle or use transit to meet their daily needs. This promotes a healthy, walkable community, reduces vehicle miles traveled, creates safer neighborhoods and assists in meeting climate goals of the Mayors Climate Protection Agreement and resolution 36835.
- Tacoma's Green Ribbon Climate Action Task recommended that Tacoma create a bike/pedestrian plan as a way of enhancing the livability of Tacoma and combating climate change. Additionally, the Climate Task Force and Priorities for a Livable Pierce County are advocating for a "Complete Streets" policy.

2. Require New and Renovated City Buildings to Meet or Exceed LEED Silver Certification (or equivalent)

- Buildings are one of the largest sources of greenhouse gas emissions; in addition, well-designed green buildings limit impervious surface, minimize heating/cooling costs and promote responsible land use practices.
- Requiring new and renovated city buildings to meet or exceed LEED Silver Certification (or equivalent) would show that Tacoma is taking a leadership role in creating energy efficient green buildings and would lower the operational costs of City structures.
- This policy option aligns with recommendations from Tacoma's Green Ribbon Climate Action Task Force and Seattle, Vancouver, BC and Portland, OR have adopted similar policies.

3. Create Incentives for Green Building and Low Impact Development (LID)

- Green building is a whole-systems approach to the design, construction and operation of a building that integrates the built with the natural environment. Green building techniques include passive heating and cooling, natural lighting, and a whole systems approach to wastewater disposal.
- The City should continue working to remove barriers to Low Impact Development and create incentives, such as fast-track permitting, increased heights or intensity, or a reduction of parking requirements, to encourage participation in these programs.

4. Adopt City-wide Design Review for Projects with Four or More Units

- Design Review ensures that new compact development fits into the context and character of the neighborhood.

- Design Review can address neighborhood concerns and preserve the unique character of Tacoma's individual neighborhoods while allowing for innovation and flexibility.
- Tacoma is currently considering Design Review in the 2008 comprehensive plan update that would apply to nearly all areas of the city.

5. Establish Parking Maximums

- Too much parking is expensive, can inhibit compact development, increases impervious surfaces, reduces walkability, lowers density and can reduce space that the City could use to add neighborhood amenities.
- Adopting parking maximums rather than minimums, requiring parking studies that analyze actual demand, allowing fees-in-lieu of building the space, or requiring developers to hold open space in a "landscape reserve" for additional parking if needed are all policy changes that Tacoma should consider to help encourage compact growth.
- Parking maximums are also a strategy recommended by the Green Ribbon Climate Action Task Force.

6. Allow Innovative Housing Styles in Residential Neighborhoods

- Innovative, infill housing can increase housing choices and affordability with minimal impact on existing neighborhoods.
- These choices include cottage housing based on FAR, Detached Accessory Dwelling Units and other innovative housing types that increase access and affordability.

7. Adopt Incentives for Affordable Housing

- The standard definition of housing affordability is when it costs no more than 30% of monthly household income for mortgage/rent and utilities.
- Incentives for affordable housing, such as expedited permitting schedules or reduced fees, could increase the supply of affordable housing in Tacoma. The City should also consider policies that authorize inclusionary housing regulations, City assistance with land assembly for affordable housing projects, or pursuing funding mechanisms to support the development of affordable housing.

8. Create Public Amenities Fund to Spur Quality Redevelopment

- Tacoma should use a public amenities fund to provide community assets that mitigate the increase in population resulting from new development. These amenities may include road improvements, neighborhood parks and open space, streetscape/sidewalk improvements or trails, depending on the needs of the community.
- This fund would allow Tacoma to show leadership in efficiently planning for expected growth and make anticipatory key investments in neighborhoods where the City wishes to focus privately financed redevelopment.

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