

From: [Rebecca Messinger](#)
To: [Oliver Orjiako](#); [Jose Alvarez](#); [Cnty 2025 Comp Plan](#)
Subject: FW: TDR Technical Memo
Date: Monday, April 27, 2026 8:32:20 AM
Attachments: [Toyer-Cities TDR Technical Memo.pdf](#)
[image001.png](#)

For tonight's hearing. Thank you!



Rebecca Messinger
Clerk to the Council
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From: David Toyer <david@toyerstrategic.com>
Sent: Sunday, April 26, 2026 11:13 PM
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Subject: TDR Technical Memo

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Councilors –

I'm looking forward to attending Monday's hearing so that I can provide additional information on TDRs. In the meantime, attached please find a copy of a TDR Technical Memo we recently prepared for the cities in response to questions, including some from your March 18th joint meeting.

Thank you,

DAVID K. TOYER, PRESIDENT
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April 26, 2026

Clark County Council
1300 Franklin Street
PO Box 5000
Vancouver, WA 98666-5000

TDR POLICY ADOPTION

Dear Councilors:

Thank you for granting me the opportunity to present at your March 18, 2026, joint work session as part of the presentations from the cities of Ridgefield, Camas, and La Center.

In response to your questions about TDRs and King County's 3 to 1 program, as well as the cities' request that we provide further guidance on how TDR policies could be integrated into Clark County's comprehensive plan update, we prepared the attached TDR Technical Memorandum that analyzes TDR programs and policies from across Washington and makes recommendations on specific policy language that Clark County could adopt.

The key takeaways from this Technical Memorandum are:

- The opportunity to adopt TDR policies within this comprehensive plan update is strategically important as linking the use of TDRs to the cities' proposed UGA expansions creates an immediate market demand between interested sellers of development rights and the developers that would purchase them.
- Clark County would not be the first county to establish a mechanism that permits UGA expansions linked to the use of TDRs – such policies and regulations already exist in Kitsap and Snohomish counties.

At the conclusion of your April 27th and 28th hearings, we recommend the following actions:

1. Select a "Preferred Alternative" that includes adopting TDR policies as a measure allowing proposed UGA expansions and ensure this analysis is completed during the preparation of the Final Environment Impact Statement (FEIS).
2. Direct county staff to work with cities to prepare and recommend formal TDR policies that will be included in this comprehensive plan update.
3. Direct county staff to begin working on an TDR interlocal agreement (ILA) with interested cities, which ILA would clearly articulate how TDRs can be used in conjunction with a UGA expansion.

I look forward to participating in your hearing on April 27th. Should you have any questions, please do not hesitate to reach out to me at 425-344-1523 or david@toyerstrategic.com.

Very Sincerely,

David Toyer
President

Attachment – TDR Technical Memo



TECHNICAL MEMORANDUM

April 15, 2026

Mr. Steve Stuart
City Manager
City of Ridgefield
230 Pioneer Street
Ridgefield, WA 98642

TRANSFER OF DEVELOPMENT RIGHTS

Dear Mr. Stuart,

The following Technical Memorandum has been prepared as a follow up to our March 18, 2026, Transfer of Development Rights (TDR) Presentation to the Clark County Council.

Overview

This memorandum is intended to:

1. Provide additional background on existing TDR programs.
2. Identify the TDR policy framework and implementation measures (countywide planning policies and comprehensive plan policies used in other Washington¹ counties and their cities.
3. Suggest draft countywide planning policies and comprehensive plan policies that Clark County could consider during the current periodic update.
4. Provide an opinion on the viability of a TDR program in Clark County.

Four-to-One Program

Separately, we researched a question from Chair Marshall regarding King County's Four-to-One² program and whether there is information available as to the amount of agricultural or resource lands it has protected. According to a September 2019 review of the program, there have been nine applications approved resulting in 360 acres added to the urban growth boundary and more than 1,300 acres of open space created and conserved. However, none of the lands are agricultural and resource lands because such lands are excluded from eligibility by the program.

Should you have any questions, please do not hesitate to contact us at any time.

Very Sincerely,

David Toyer
President

¹ While TDR programs are not exclusive to Washington State, we've focused our analysis on Washington counties and cities because of the unique nature of Washington State's Growth Management Act laws and the fact that TDR programs have been uniquely adopted to complement GMA's framework and help in balancing its goals.

² The Four-to-One program is intended to create a contiguous ban of open space along the county's original 1994 urban growth boundary. For qualifying properties, landowners can apply to have 20% of their land added to the UGA in exchange for 80% of the land being permanently added to King County's open space system. The program is capped at 4,000 acres allowed to be added to urban growth areas.



CONTEXT

Expansion Requests

The cities of Ridgefield, Camas, and La Center have proposed expansions to their Urban Growth Areas (UGAs) for the purpose of accommodating additional future employment and residential development. These expansions are being reviewed as part of Clark County's periodic comprehensive plan update. In support of the proposed UGA expansions, the cities are further advocating for the creation of a county TDR program that would link these expansions to the long term conservation of agricultural lands.³ Based on outreach to and input from local developers and landowners, the cities believe there is sufficient market interest from which such a TDR program can be created. Additionally, County's Planning Commission has recommended inclusion of several UGA expansions in the county's periodic update on the condition that they be tied to a TDR program.

Status of County Periodic Update

Currently, Clark County is behind in its adoption of the required 2025 periodic update, but the county anticipates adopting the update later this summer. Given that the cities' UGA expansions have been studied for probable significant impacts in the County's October 2025 Draft Environmental Impact Statement (DEIS), the adoption of a related TDR program to permanently protect agricultural lands in exchange for such expansion would serve as additional mitigation that could be accounted for in the county's Final Environmental Impact Statement (FEIS).

Timing is a Factor

As the county considers whether it will move forward with creating a TDR program that can be linked to expansions of the UGA, a key question among County Councilors and stakeholders has been whether sufficient time and resources are available to support adoption of a TDR program *before* adoption of the comprehensive plan update.

Proposed Phased Approach

In response to the concern regarding timing, the cities of Ridgefield, Camas and La Center and their consultant (our firm) proposed at a March 18th joint work session with the Clark County Council that the county take a phased approach in adopting a TDR program. Our presentation recommended the county move forward in three phases as outlined in Table 1 (below).

Table 1 – Phased Approach to Creating TDR Program

Phase	Timing	Themes	Actions
Phase 1	Now	Create a policy framework Capture market interest Capitalize on a unique opportunity	<ul style="list-style-type: none"> a. Adopt of initial TDR policies concurrent with the current comprehensive plan update. b. Negotiate Interlocal Agreements (ILAs) outlining the jurisdictional process for creating and implementing a TDR program tied to the cities' specific UGA expansions. c. Apply a zone or zoning overlay to the UGA expansion areas consistent with the ILAs that would require adoption of TDRs to fully effectuate the expansions.
Phase 2	12-24 months post plan adoption	Engage stakeholders Confirm market feasibility Establish TDR Program Conserve agricultural lands	<ul style="list-style-type: none"> a. Complete full market feasibility study and stakeholder processes. b. Finalize and implement a TDR program. c. Amend policies as needed for consistency.
Phase 3	2-4 years post plan adoption	Monitor progress Report outcomes Adjust implementing measures	<ul style="list-style-type: none"> a. Collect and evaluate data. b. Report annual progress and outcomes. c. Convene taskforce to review program and recommend adjustments

³ Some of these expansions require Clark County to consider de-designation of agricultural lands based on factors identified in WAC 365-190, which the county is permitted to do because it has completed a comprehensive [agricultural lands study](#).



BRIEF OVERVIEW OF TDR PROGRAMS⁴

TDR programs establish voluntary, market-based systems that allow landowners, typically those located in rural areas, to sell their development rights to developers in urban areas or urban centers as a means of achieving specific conservation goals identified by the local jurisdiction(s). TDRs are similar to other conservation tools such as purchase of development rights (PDR), conservation easement and fee-in-lieu programs, and “buy-protect-sell” programs, except that TDR programs primarily rely on developer interest in purchasing development rights versus acquisition models that depend upon government funding or private contributions to land trusts and other conservation groups.

TDR programs have been established in several Washington counties and some of these programs include participating cities; however, some cities such as Bainbridge Island, Black Diamond, Everett, Mount Vernon, Snohomish, Redmond, and Woodinville have locally adopted programs not associated with their county’s TDR program while Burlington, for example has a local purchase of development rights program intended to help fund a Skagit County conservation easement program called the Farmland Legacy Preservation Program. In the case of Clallam, Kitsap, and Kittitas counties, each has adopted countywide TDR programs, but none have city participation.

According to the 2025 TDR and LCLIP Guidebook⁵ prepared by ECONorthwest for the Washington State Department of Commerce conservation based TDR programs have been established in eight counties and twenty-one cities. Table 3 on page 5 identifies these jurisdictions and highlights key elements of their current programs. Additionally, reference notes have been added to identify program details and recent program changes (including programs that have been suspended).

MOST COMMON CONSERVATION GOALS

While the most common conservation goal of TDR programs is preservation of agricultural lands, other conservation goals include forest lands, resource lands, watersheds, shorelines, riparian lands, and critical areas/priority habitats. Table 3 on page 5 also includes detail on each jurisdiction’s conservation goals. In the case of Clark County’s, public engagement to date suggests that the primary focus for conservation is the preservation of agricultural lands.

POLICY FRAMEWORK

Washington’s Growth Management Act (GMA) at RCW 36.70A.210 requires counties and cities to adopt countywide planning policies (CPPs) – “one or more written statements that establish a countywide framework from which county and city comprehensive plans are developed” – along with local and county comprehensive plans. Additionally, while RCW 36.70A.110 grants counties the authority to establish UGA boundaries, counties are required to consult with affected cities.

Among the eight counties that have TDR programs, all have at least one CPP devoted to TDRs though the level of detail among these policies varies widely from statements that “innovative development techniques” will be considered (Thurston County) to more complex policies that specify the full design of TDR programs.

Table 4 on page 7 presents a broad summary of the CPPs and comprehensive plan policies used by each county while Tables 5 and 6 on pages 8 and 9, respectively, highlight a sampling of specific CPPs and comprehensive plan policies associated with adopted county TDR programs.

⁴ Washington State has a regional “Landscape Conservation and Local Infrastructure Program” (LCLIP) that applies to select cities in King, Pierce and Snohomish counties, providing them with targeted financial incentives when they accept transferred development rights. However, because this program has limited, regional application it was not evaluated in the context of this memorandum and any recommendations for Clark County or its cities.

⁵ Commerce’s website indicates that the workbook is currently being updated to include additional case studies.



TDRs & UGA EXPANSIONS

Fundamentally, TDR programs work because landowners are willing to sell their development rights and developers are interested in incentives that strengthen the proformas of their projects. Common incentives offered to developers include increased density, increased floor area ratios (FAR), increased building heights, etc. However, the policies for Skagit and Snohomish counties provide an opportunity directly associate TDRs with the expansion of a UGA boundary.

Kitsap County's TDR program allows the Board of Commissioners to require TDRs for certain expansions of UGAs. Likewise, Snohomish County's CPP DP-2.e.8⁶ enables the expansion of a UGA through the purchase of TDRs from agricultural or forest land sending sites. Snohomish County's approach is further supported by comprehensive plan policies, including LU.1.A.12 which requires that areas realizing an increase in the number of allowable lots or dwelling units because of a comprehensive plan amendment or expansion of an urban growth boundary are required to be designated TDR receiving areas.

Our research did not identify specific UGA expansions in either county that have been completed on the condition that TDRs offset such expansions; however, the policies exist.

TDR PROGRAM UTILIZATION

Except for King County's TDR program, many county and city TDR programs have experienced either no activity (Clallam County for example) or little activity (Pierce County) over the last decade, leading to criticism that such programs do not work. To understand the utilization challenges faced by TDR programs, we reviewed the reports identified in Table 2 (below) which directly and indirectly address TDR utilization in several of the counties with such programs.

Based on our review of these reports, we have identified several themes:

- **Inadequate Incentives.** As base densities have been increased over time to respond to GMA mandates and other local land use policies, the density incentives in TDR programs have become less attractive in the marketplace.
- **Inadequate Program Market Size.** Areas having reduced development pressures due to lower population growth and areas having a limited number of receiving sites typically do not attract sufficient program interest.
- **Program Competition.** Where multiple conservation programs, such as TDRs, PDRs, conservation easements, fee-in-lieu models, and "buy-protect-sell" programs are competing to acquire development rights, TDRs tend to be lesser used.
- **Artificial Market Demand.** As available funding for land trusts, non-profits, and local, state and federal government program conservation programs increases, there appears to be greater focus on following through with conservation easements, fee-in-lieu models, and "buy-protect-sell" programs, which can increase amount of total land conserved but it appears this may mask inadequate market-based incentives until funding for those programs declines.

Table 2 – Recent TDR Reports, Studies, and Evaluations

County	Date	Report
Clallam	June 12, 2025	Draft Technical Memorandum Prepared by Facet
Pierce	2025	Pierce County Land Conservation Plan
Kitsap	April 2023	The Future of Farming in Kitsap County
Whatcom	October 3, 2018	Whatcom TDR/PDR Multi-Stakeholder Work Group

CONCLUSIONS & RECOMMENDATIONS

1. Based on the status of Clark County's periodic update, sufficient time exists for the county to consider policies that initiate creation of a TDR program.
2. Other counties have established policies that permit use of TDRs to expand urban growth boundaries.
3. Current municipal, developer, and landowner interest in use of TDRs in exchange for boundary expansion has identified a unique market incentive which could be the basis for a broader, effective TDR program.
4. Adoption of a TDR program can help further conservation goals, especially the conservation of agricultural lands.

⁶ Originally added by Amended Ordinance 03-072 in 2003 as UG-14.d.5. At the same time, Snohomish County also added UG-14.d.8 allowing expansions subject to preservation a substantial natural or cultural feature as open space to create a separation between urban and rural areas.



Table 3 – Overview of TDR County & City TDR Programs

	Created	Major Changes	Part of County Program?	Has Interlocal Agreement With County?	Conservation Goals	Permits UGA Expansion?
Clallam County	1998	<i>Under Review</i> ¹	--	--	Agricultural Lands	No
King County	1998	2024	--	--	Resource & Riparian Lands	No
Bellevue	2009		Yes	Yes	Agriculture & Forest Lands	No
Black Diamond	1996		No ²	No	Agriculture & Forest Lands	No
Issaquah	2005		Yes	Yes	Issaquah Creek, Adjacent Rural Lands	No
Normandy Park	2012		Yes	Yes	Shoreline, Vashon Island	No
Redmond	1995		No	No	Agricultural Lands & Critical Areas	No
Sammamish	2011		Yes	Yes	City Critical Areas, Adjacent Rural Lands	No
Seattle	2013		Yes	Yes	Agriculture, Forest & Open Space Lands	No
Shoreline	2025		Yes	Yes	Agriculture, Forest & Open Space Lands	No
Woodinville	2007	<i>Repealed</i> ³	No	No	In-City Critical Areas	No
Kitsap County	2006		--	--	Rural Lands	Yes ⁴
Bainbridge Is.	1996		No	No	Wetlands, Recharge Areas, Agriculture Lands & Open Space	No
Kittitas County	2009		--	--	Agriculture & Forest Lands	No
Pierce County	2007	2025	--	--	Agriculture & Forest Lands	No
Tacoma	2012		Yes	Yes	Agriculture & Forest Lands	No
Snohomish County	2004		--	--	Agriculture & Forest Lands	Yes ¹¹
Arlington	2004	<i>Suspended</i> ⁵	No	No	Agriculture Lands	No
Everett	1991	--	No	No	In-City Critical Areas	No
Snohomish	2010		No	No ⁶	Agricultural & Forest Lands	No
Thurston County	1994	2025 ⁷	--	--	Agricultural Lands	No
Lacey	1994		Yes	Yes	Agricultural Lands	No
Olympia	1994		Yes	Yes	Agricultural Lands	No
Tumwater	1994		Yes	Yes	Agricultural Lands	No
Whatcom County ^{8,12}	1999	2022	--	--	Watersheds	No
Bellingham	2001		No	No ⁹	Lake Whatcom Watershed, Critical Areas	No
Burlington	2007	2010 ^{10,12}	--	--	Agricultural Lands	No
Mount Vernon	1999	2019	--	--	Parks, Wetlands & Agricultural Lands	No

¹ Proposed to be suspended based on March 2026 draft documents for periodic comprehensive plan update and development regulation amendments.
² Established by Black Diamond Urban Growth Area Agreement (BDUGAA) and the Black Diamond Open Space Agreement (BDOSPA).
³ Ordinance 784 (2025) repealed provisions for on-site critical areas density credits and density credit transfers.
⁴ Receiving areas include those areas proposed to be included within an urban growth area by a Comprehensive Plan amendment, site-specific application, or subarea plan. KCC 17.580.080(C).
⁵ Applied to a 337 acre subarea (Brekhus/Beach) annexed to the City in 2007 with a TDR receiving overlay. In 2017, the City removed TDR receiving overlay citing market conditions but retained AMC 20.37, Transfer of Development Rights.
⁶ 2013 Interlocal Agreement enabled city's use of Conservation Futures funds to acquire agricultural lands, which city retains rights to sell local credits.
⁷ Program amended to allow TDR credits to be used to increase the permitted size of a detached rural accessory dwelling unit from one thousand square feet to twelve hundred square feet, to be used in any Title 20 zone that allows residential uses, and expands program to include certain zones in Rainer, Tenino, and Yelm UGAs. Ordinance No. 16575.
⁸ Current receiving areas are the Bellingham UGA and the Birch Bay (non-municipal) UGA. WCC 20.89.050(5).
⁹ The 2012 Interlocal Agreement on "Planning, Annexation and Development" replaced in 2022 with agreement that does not directly establish TDR program cooperation. However, Section 12.C addressing offsite wetland mitigation indicates mitigation may include purchase or transfer of development rights.
¹⁰ Transfer or Purchase of Development Rights Program replaced by the "Burlington Agricultural Heritage Credit Program." Ordinance 1717, 2010.
¹¹ Comprehensive plan amendments that allow additional lots or dwellings units, including UGA expansions, are required to be TDR receiving areas. SCC 30.35A.080(3).
¹² As of 2018, the primary focus of Whatcom County has been their Conservation Easement Program (a purchase of development rights program) and Bellingham has promoted a fee-in-lieu of density program through its Lake Whatcom Watershed Property Acquisition Program (LWWPAP).



SUGGESTED POLICY FRAMEWORK

In accordance with the Phased Approach to Creating a TDR program outlined in Table 1 on page 2, we suggest Clark County initiate a TDR program by amending its CPPs and adding policies to its comprehensive plan as part of Phase 1.

Clark County Could Amend Countywide Planning Policy 1.1.14 to read:

Coordination of land use planning and development:

- Clark County and each municipality shall cooperatively prepare land use and transportation plans and consistent development guidelines for the urban area.
- Clark County and interested municipalities shall establish and record interlocal agreements that cooperatively adopt a market-based system for the transfer of development rights to support mutually agreed upon conservation goals (i.e. preservation of agricultural lands). These interlocal agreements shall include the following provisions:
 - That when expansions to the urban growth boundaries of the municipality are approved, such expansion shall be contingent upon the transfer of development rights from eligible sending areas designated by the county as eligible agricultural or resource lands to the expanded area(s).
 - That the municipality and the county shall establish market-based density and other incentives that encourage the use of transfer of development rights to increase residential and non-residential densities within targeted receiving areas within existing urban growth boundaries.
 - That full implementation of a transfer of development rights program should be completed by Clark County and participating municipalities by [insert date].
 - Guidelines for monitoring, reporting, and reassessing market conditions.
- Comprehensive Plans must be coordinated. The comprehensive plan of each county or city shall be coordinated with and consistent with, the comprehensive plans adopted by other counties or cities with which Clark County or city has, in part, common borders or related regional issues. The city and Clark County shall play partnership roles in the production of plans which provide the opportunity for public and mutual participation, review and comment.
- Conversion of industrial or employment lands to non-industrial or non-employment center districts may occur within the following parameter:
 - Protect and preserve lands zoned heavy industrial for heavy industrial uses.
 - Protect employment center lands from conversion to residential.
 - Consider rezoning of employment center lands to non-retail commercial or business park if the proponent can show that (a) the zone change would accommodate unforeseen and rapidly changing commercial development needs and (b) the proposed designation is more suitable than the current designation given the land's site-specific characteristics and (c) the proposed zone change will generate jobs at a higher density than the current comprehensive plan zone allocation.

Amend Countywide Planning Policy 1.1.17 to read:

Establish consistent regional criteria to determine the size of urban growth areas for the 20-year comprehensive plans that:

- assume the need for residential market factor lands added to the amount called for in the population forecast to build in flexibility.
- include a household size of 2.66 people per household
- utilize innovation programs, including the transfer of development rights, to conserve designated agriculture, forest or mineral resource lands;
- ensure an adequate supply of buildable land;
- have the anticipated financial capability to provide infrastructure/services needed for the 20-year growth management population projections; and, balance industrial, commercial and residential lands.

Add New Comprehensive Plan Policy

Clark County shall create and implement a market based transfer of development rights program that is authorized through the establishment of interlocal agreements with one or more cities and:

- a. Identifies and supports countywide conservation goals for the preservation of agricultural and resource lands;
- b. Establishes criteria for selecting appropriate sending areas by land use designation, zone, or other conservation priority;
- c. Relies on a market study to identify market-based incentives to ensure utilization of the program in furtherance of conservation goals;
- d. Permits the transfer of development rights from sending areas to receiving sites within participating cities or to expansions of the urban growth boundary when such expansions are identified as receiving sites; and
- e. Creates guidelines for monitoring, reporting, and reassessing market conditions.



Table 4 – Counties’ Policy Framework

	Has Adopted TDR Program	CPPs for TDRs	Most Relevant CPP Policies	Current County Comprehensive Plan Goals & Policies Address TDRs	Relevant Plan Goals & Policies	Active ILA with Cities for TDRs
Clallam County	Yes	Yes	Affordable Housing Policy 3	Yes	See Chapters 31.03 and 31.04*	No
King County	Yes	Yes	DP-63, DP-64	Yes	U-118, 239, 242, 244; R-309, 501, 502, 503, 504, 505, 724; E-406; S-216 and 822; T-310; and I-401	
Kitsap County	Yes	Yes	CW-3	Yes	Rural and Resource Lands Policy 1.8, Parks Policy 3.4, Rural and Resource Lands Strategies 1.g, 2.a and 2.b, and Climate Change Strategy 7.c	No
Kittitas County	Yes	Yes	Policy 10.1	Yes	Policies LU-G5, LU-P49, RR-P107, RR-P117, RR-P130, RR-139, and NE-P7**	No
Pierce County	Yes	Yes	Policies C-17, and ENV 3.6 and 7.6	Yes	Goal Lu-93 and Policies LU 7.2, 28.6, 29.9, 32.2, 63.5, 69.1, 93.1 to 93.3; ED 4.1.1, HO 7.1 and 8.4; and OS 3.2	Yes
Skagit County ¹	No	Yes	Policies 4.4 and 9.2	Yes	Goal 5A-3	No
Snohomish County	Yes	Yes	Policies DP-2.e.8, DP-31, DP-32	Yes	Goal LU 14, Objectives LU 14.A – 14.C, Policies LU 1.A.1, 1.E.4(b), 7.A.4(c), 7.D.1, 8.A.2, 8.E.1, 10.B.5, 14.A.1 to A.13, 14.B.1 to B.10, 14.C.1 – C.3; PR 4.B.1; NC 1.C.2(g); and UC 10.16	No
Thurston County	Yes	Yes	Policy 3.1.i	Yes	Policies LU-1.B.9, 2.C.4; H-5.A.6; NR-2.B.1 and 2.B.2,	
Whatcom County	Yes	Yes	Policy H.3	Yes	Policies 2F-4; 2U-5 and U-7; and 10J-5***	No

¹ Although Skagit County does not have a TDR program, it was identified as having an existing policy framework that could readily support adoption of a program.

* As of March 2026, County’s 2026 comprehensive plan update draft proposed to suspend the TDR program due to inactivity.

** [Link to proposed draft policies as part of 2026 Comprehensive Plan Update.](#)

*** Whatcom County has not yet adopted its 2025 periodic comprehensive plan update.



Table 5 –Examples of Existing Countywide Planning Policies

County	Policy	
King	DP-63	Use a range of tools, including land use designations, development regulations, level-of-service standards, and transfer or purchase of development rights to preserve Rural and Natural Resource Lands and focus urban development within the Urban Growth Area.
King	DP-64	Use transfer of development rights to shift potential development from the Rural Area and Natural Resource Lands into the Urban Growth Area, consistent with the Regional Growth Strategy. Implement transfer of development rights within King County through a partnership between the County and cities that is designed to: <ul style="list-style-type: none"> a) Identify rural and resource sending sites that satisfy countywide conservation goals and are consistent with regionally coordinated transfer of development rights efforts; b) Preserve rural and resource lands of compelling interest countywide and to participating cities; c) Identify appropriate transfer of development rights receiving areas within cities; d) Identify incentives for city participation in regional transfer of development rights (i.e. county-to-city transfer of development rights); e) Develop interlocal agreements that allow rural and resource land development rights to be used in city receiving areas; f) Identify and secure opportunities to fund or finance infrastructure within city transfer of development rights receiving areas; and g) Be compatible with existing within-city transfer of development rights programs.
Kitsap	CW-3	The Kitsap Regional Coordinating Council member jurisdictions should: <ul style="list-style-type: none"> a. Make decisions together when needed. b. Coordinate and cooperate on land use policy, capital planning, infrastructure development, environmental issues, and cultural resource management/planning. c. Work together to meet Buildable Lands program requirements in RCW 36.70A.215. d. Develop a program for the Transfer of Development Rights to preserve lands with important public benefits. e. Maintain/preserve distinct urban identities with green breaks, open space, or other natural features. f. Promote tiering and/or phasing of infrastructure development within Urban Growth Areas. g. Develop and implement land use policies, regulations, and incentives to promote the efficient use of urban areas. h. Incorporate provisions addressing community health, equity, and displacement into appropriate regional, countywide, and local plans.
Snohomish	DP-2	An expansion of the boundary of an individual Urban Growth Area (UGA) that results in a net increase of residential, commercial or industrial land capacity shall not be permitted unless: <ul style="list-style-type: none"> a. The expansion is supported by a land capacity analysis adopted by the County Council pursuant to RCW 36.70A.110; b. The resulting total additional population capacity within the Snohomish County composite UGA as documented by both City and County comprehensive plans does not exceed the total 20-year forecasted UGA population growth by more than 15 percent; c. The expansion otherwise complies with the Growth Management Act; d. Any UGA expansion should have the support of affected cities. Prior to issuing a decision on a UGA boundary change, the County shall consult with affected cities and give substantial weight to a city’s position on the matter. If the County Council approves an expansion or contraction of a UGA boundary that is not supported by an affected city, it shall include in its findings how the public interest is served by the UGA expansion or contraction despite the objection of an affected city; and e. One of the following conditions is met: <ul style="list-style-type: none"> 8. The expansion will result in the realization of a significant public benefit as evidenced by Transfer of Development Rights (TDR) to the expansion area from Agriculture or Forest lands designated as TDR sending areas. The expansion area shall not be a designated forest or agricultural land of longterm significance.
Snohomish	DP-32	Jurisdictions should encourage the use of transfer of development rights (TDR), purchase of development rights, and conservation incentives. The objective is to focus growth in the Urban Growth Areas while lessening development pressure on rural and resource areas. Specific steps regarding TDR include: <ul style="list-style-type: none"> a. Designating additional TDR sending and receiving areas; b. Developing zoning incentives to use TDR in urban areas not already designated as receiving areas; c. Coordinating efforts to establish a regional TDR program; and d. Ensuring that an area designated as a TDR receiving area by the County remains a receiving area after annexation or that the city provides an equivalent capacity for receiving TDR certificates elsewhere in the city when the County and the affected cities have adopted an interlocal agreement addressing the TDR program.



Table 6 – Examples of Existing Comprehensive Plan Policies

County	Policy	
King	R-501	<p>King County shall continue to operate an effective Transfer of Development Rights Program to:</p> <ul style="list-style-type: none"> a. Permanently conserve private lands with countywide public benefit; b. Encourage higher densities in urban areas; c. Reduce residential development potential and maintain low density in the Rural Area and Natural Resource Lands, and on low density urban lands along the Urban Growth Area boundary; d. Incentivize establishment of regional open space, as well as local open space in urban areas; e. Protect natural resources while preserving housing potential and incentivizing development in locations best suited for growth f. Steer development growth inside the Urban Growth Area in ways that promote quality urban neighborhoods where residents want to work and live; and g. Contribute to climate change benefits.
King	R-502	<p>To promote transfers of development rights, King County shall:</p> <ul style="list-style-type: none"> a. Facilitate transfers from private property owners with sending sites to property owners with receiving sites; b. Operate the King County Transfer of Development Rights Bank to facilitate the Transfer of Development Rights market, maintain supply to the extent feasible, and bridge the time gap between willing sellers and buyers of Transferrable Development Rights through buying, holding, and selling Transferable Development Rights; c. Work with cities to develop interlocal agreements that encourage transfers of development rights into cities; d. Work with cities regarding annexation areas where Transferrable Development Rights are likely to be used; e. Work with communities and seek funding and other means to provide public amenities to enhance the livability of incorporated area neighborhoods accepting increased densities through the Transfer of Development Rights Program; f. Provide amenities to urban unincorporated Transferrable Development Right receiving areas to improve the livability of the receiving area; the type, timing, and location of amenities provided to urban unincorporated Transferrable Development Right receiving areas should be informed by a public engagement process including members of the affected receiving area and the city affiliated with annexation; g. Work with the Washington State Department of Commerce, Puget Sound Regional Council, and King County cities to implement Washington State Regional Transfer of Development Rights legislation; and h. Explore new opportunities to increase Transfer of Development Right demand, prioritizing new receiving sites or Transfer of Development Right use within urban areas.
Snohomish	LU-1.A.1	<p>UGAs shall contain sufficient land capacity for a variety of land uses and densities, including green belts and open space, in suitable locations to accommodate the urban allocated portion of the county's 20-year population and employment projections as established in the CPPs. No expansion of the UGA that increases population or employment capacity shall be permitted if the resulting total additional population capacity within the Snohomish County composite UGA as documented by both City and County comprehensive plans would exceed the total 20-year forecasted UGA population growth by more than 15 percent. A portion of the 20-year forecast UGA population may be reserved for allocation to Transfer of Development Rights (TDR) receiving areas.</p>
Snohomish	LU-1.A.12	<p>All UGA expansions that add residential land capacity shall be designated as TDR receiving areas and all development approvals in such areas shall be consistent with adopted TDR policies in this chapter.</p>