1. Proposed Revisions to draft #1 of M49 TDC Rules
The following proposed revisions to draft #1 of M49 TDC rules (now reflected in draft #2) derive in part from previous RAC discussions and in part from DLCD Policy Team meetings and subsequent staff discussion. We submit them for your consideration and our further discussion on Monday.

- Substitute M49 TDC “certificates” for TDC “deeds.”
- Provide a .2 bonus credit for each 20 acres that are subject to a deed restriction or conservation easement up to one bonus credit per claim, in addition to other bonus credits.
- Limit parcel sizes in RR-10 receiving areas to 5 acres and in RR-5 receiving areas to 2.5 acres.
- Require that TDCs used in Rural Reserves must originate from Rural Reserve locations.
- Drop the proposal to require that two TDCs be used to permit one dwelling within a Rural Reserve.
- Clarify that receiving areas within Urban Reserves are not permitted.
- Add a provision describing the DLCD issuance of TDCs.
- Add a section on transfer of ownership of TDCs.
- Add a section on buy-back of utilized TDCs when protected properties are included in UGBs.
- Add a section on TDR record keeping.
- Add a section on TDC bank options.
- Add a section on the amendment of TDC programs.

2. Issues that need further discussion and/or legal guidance

- Whether to use both deed restrictions or just conservation easements for properties that qualify for bonus credits.
- Whether the option of allowing land divisions to separate two or more dwellings in EFU zones is compliant with the minimum parcel size requirements of ORS 215.780.

Prepared October 29, 2014 by DLCD Staff:

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