

# Transfer of Development Rights: Another Tool for Maintaining Functional Forestlands?

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# What is Transfer of Development Rights (TDR)?

## **Definition:**

An implementation tool that encourages the voluntary shift of development from places that a community wants to protect to places where growth is more acceptable.



# Why look at TDR?

- Address large-lot development patterns across regional forestlands.
- Conservation financing options are currently limited.
- A tool that communities can craft to meet local priorities.
- Voluntary, incentive-based approach.



# The basic components of a TDR program:

- **Sending and receiving areas**
- **Two-layered zoning**
- **TDR bank**
- **Deed restriction on development**

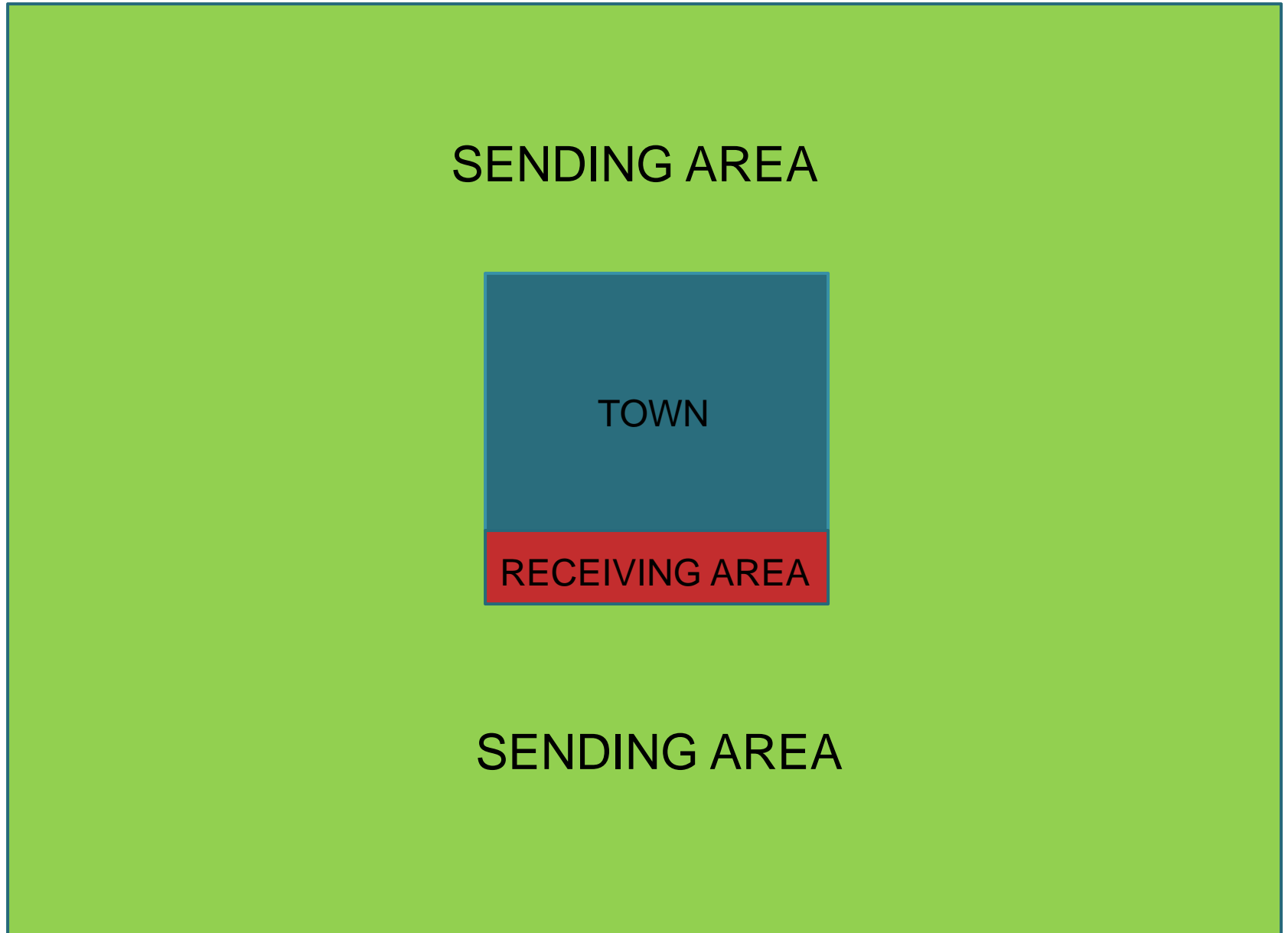


SENDING AREA

TOWN

RECEIVING AREA

SENDING AREA



A diagram illustrating data flow between two sites. A large light green rectangle contains a smaller dark teal rectangle on the left and a smaller red rectangle on the right. A white arrow points from the teal rectangle to the red rectangle. The teal rectangle is labeled 'SENDING SITE' and the red rectangle is labeled 'RECEIVING SITE'.

**SENDING  
SITE**

**RECEIVING  
SITE**

# Where has TDR been used?

- **California:** At least 29 communities have TDR programs.
- **United States:** At least 134 communities have TDR programs.
- **High-activity programs:** Montgomery County, MD; New Jersey Pinelands, NJ; Boulder County, CO; San Luis Obispo County, CA.



# Density Transfer Charge (DTC):

- **Voluntary program like TDR**
- **No designated sending and receiving areas.**
- **Landowners apply for higher-density zoning on a per case basis.**
- **DTC fees are used to finance a conservation program targeting priority resource lands.**





# How might TDR or DTC help maintain functional forestlands?

- **Transfer development from urban interface forestlands to nearby areas slated for growth.**
- **Finance the conservation of large intact tracts by allowing increased development on smaller tracts.**



# Potential Obstacles to TDR:

- Supply and demand for land zoned high density.
- Objections to high density development.
- Other constraints on densification
- Objections to “sacrificing” one area for the sake of protecting another.



# Conclusions:

- **The concept of harnessing development value to leverage conservation holds promise for the future.**
- **TDR is an option that should be kept on the table as we pursue regional land use goals.**
- **Site-specific applications for TDR need further investigation.**



# END

