

# TDRs

## TRANSFER OF DEVELOPMENT RIGHTS

An Overview of the TDR Tool

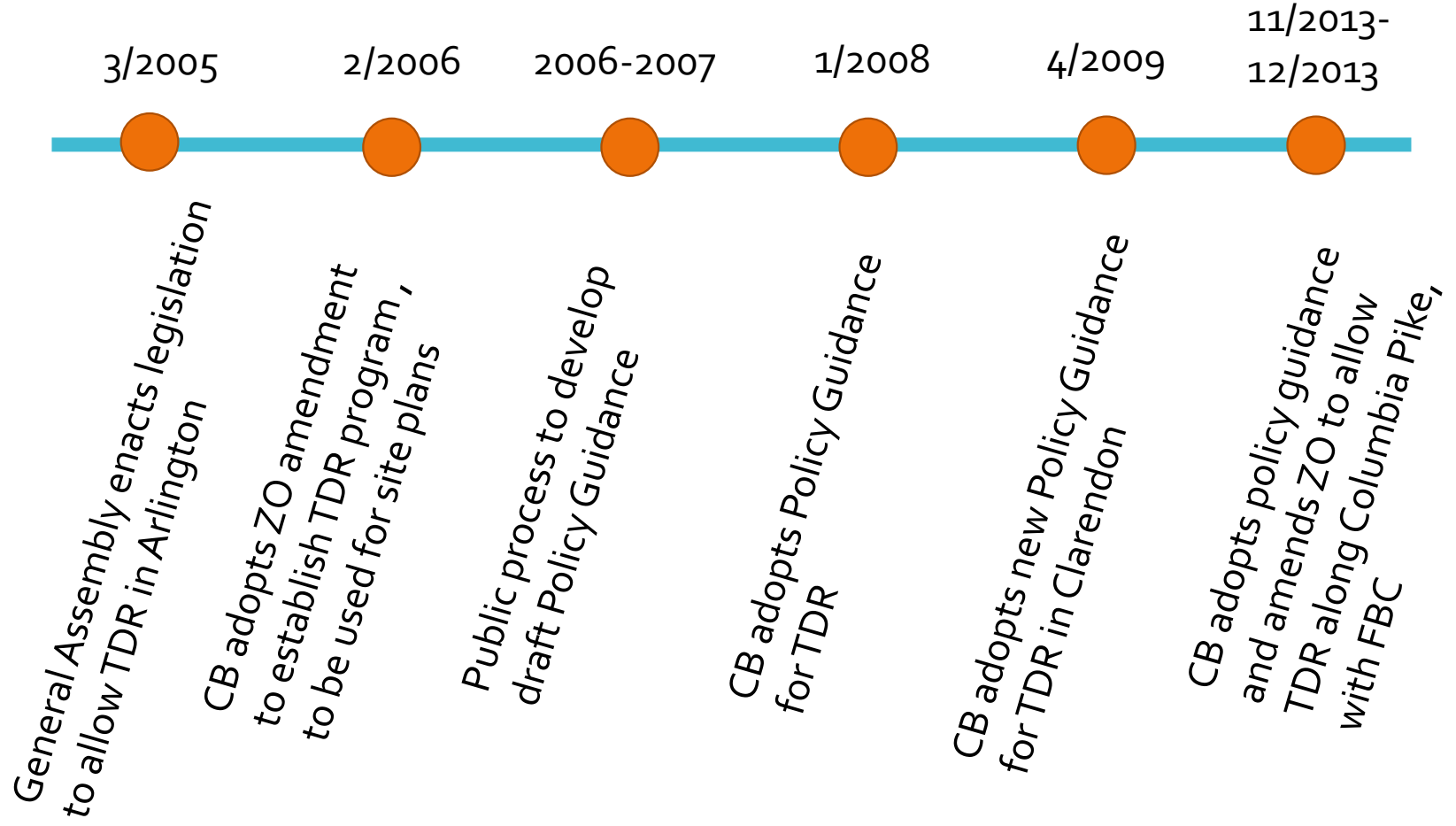
CPHD - Planning



# What is TDR?

- Transfer of Development Rights
- A state-wide legislation that allows for the dedication of density and other development rights in the County's Zoning Ordinance for County Board's with the County Manager form of government
- TDRs are a tool that helps preserve a special condition on a parcel of land (i.e. open space or historic structures)

# Program History



# How TDR is implemented?

- Sending Sites and Receiving Sites
- Sending Sites must meet specific purposes as set forth in ACZO §15.5
- County Board certifies amount of density that can be transferred from a Sending Site
- County Board approves transfer of density to a Receiving Site, which must be either a site plan or, as of 2013, a FBC project
- Zoning and planning guidance for Receiving Site must allow for and be appropriate to receive additional density
- Amount of density to transfer is generally based on the unused by-right density at Sending Site. Additional density may be approved by County Board based on additional policy guidance for specific areas
- Value of density to be transferred is determined between 2 property owners

# Purposes for Sending Site designation

- Open Space
- Historic Preservation
- Affordable Housing
- Community Recreation
- Community Facilities

As set forth in ACZO §15.5 .7

# Where is TDR planned?



- Countywide
  - Sending Sites can be any parcel in County that meets the TDR purposes
  - Receiving Sites can be any parcel where a site plan can be approved and the GLUP, Zoning, and Sector Plan/Area Plan allow for density transfer
- Areas/Plans with specific TDR provisions and specifically identified Receiving Sites:
  - Clarendon
    - Historic Preservation (density formula adopted in ACZO) and Open Space (1:1 density ratio for amount of open space created/preserved)
    - Density transfers limited to/from within Clarendon
  - Columbia Pike\*
    - Conservation Areas (Historic Preservation & Affordable Housing); density formula set in FBC (2x – 3x # of units preserved)
    - New Neighborhoods Parks: 1:1 density ratio for amount of open space created
  - Fort Myer Heights North\*
    - Historic Preservation, Affordable Housing, and Open Space (density formula in ACZO)

\* Sending & Receiving Sites identified in Plan; Density can also be transferred to other countywide sites

# Where & How has TDR been used?

- 3001 Washington Blvd. & Walgreens/Kenyon Peck bldgs. (historic preservation)
- Founders Square & Mosaic Park (open space)
- Wendy's/Wells Fargo (Courthouse) & Wakefield Manor (historic preservation)
- PenPlace (Pentagon City) & Long Bridge Park (open space, community recreation/community facilities)

# Implementation Limitations



- Timing:
  - Has the Receiving Site been identified? Is the arrangement between both land owners ready and/or finalized?
  - If the Receiving Site has not been finalized, it may delay achieving the Sending Site objective(s)
  - TDRs work best when both sites are identified and approved at the same time
  - Sending Sites are taxed at the total density that will remain plus the density to be transferred, unless a receiving site has been identified and approved
- County does not act as TDR bank to buy density from Sending Sites and sell to Receiving Sites
- TDRs accomplish County goals; however, the Receiving Site area or neighborhood may not be the direct recipient of community benefit
- Limited supply of Receiving Sites



# Other density tools to achieve planning goals

- County Board can move density from one portion of a site to another portion of a site as part of the site plan approval
- Clarendon Market Common
  - By site plan approval, additional height and density approved above retail along south edge of Clarendon Blvd to achieve open space along 11<sup>th</sup> Street and lower building heights between Clarendon & Wilson Blvds
- Clarendon Center
  - Similar to Market Common; density shifted from north block to south block to preserve historic building and scale (Underwood Building and several adjacent facades)
- Long Bridge Park
  - Through a GLUP note and ultimately as part of a PDSP and subsequent site plan approvals, the park (i.e. north tract) was created by shifting density that could have otherwise been built there to other portions of Potomac Yards (i.e. south tract)