

INTRODUCTION

Kittitas County's transfer of development rights ("TDR") program is a voluntary, incentive-based, and market-driven approach to permanently conserve rural farms, ranches and forestlands, while encouraging responsible growth and economic development in more appropriate and higher density areas.

The program is based on free-market principles and prices that would motivate landowner participation. In summary, rural landowners receive financial compensation without having to sell or fully develop their land and developers are financially motivated to purchase development rights as they are able to create additional dwelling units within their projects.

PROGRAM OVERVIEW

The right to develop land for residential or commercial purposes is one of a bundle of rights associated with land ownership. The TDR Program allows landowners of designated sending sites to separate the right to develop from the bundle of other property rights. Sending sites are typically farms, agricultural and/or forest lands.

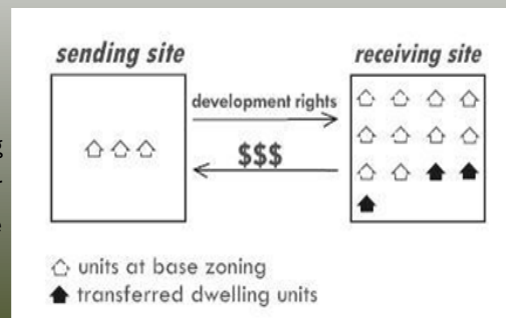
Through TDR, the separated rights are turned into a tradable commodity that can be bought and sold—just as land can be bought and sold. When a landowner chooses to separate some, or all, development rights, the property is permanently preserved through a conservation easement. Landowners *can* retain development rights on their property for future use and the land remains in private ownership.

TDR credits are typically bought by developers of designated receiving sites. Receiving sites are typically areas eligible for increased density, such as rezones and performance based cluster subdivisions. The purchased TDR credits give developers the ability to build additional units that exceed the number allowed by the existing zoning. The diagram below illustrates the basic TDR principle.

PROGRAM ELIGIBILITY

If you are a **developer** interested in buying TDR credits, the receiving site criteria (see KCC 17.13.030) will determine whether your property is eligible as a receiving site.

If you are a **landowner** interested in certifying your property as a sending site, the sending site criteria (see KCC 17.13.020) will determine whether your property is eligible as a sending site. The calculations of available development rights on sending sites are provided in KCC 17.13.040.



FREQUENTLY ASKED QUESTIONS (FAQ'S)

How many development rights can I get?

The zoning of a parcel and its size are used to calculate the number of development rights that are attached to a parcel. The number of residential development rights that an unincorporated sending site is eligible to sell is determined by applying the sending site base density dictated by the underlying zoning as established in Title 17, Zoning, to the area of the sending site. Any portion of the sending site used for residential development or reserved for future residential development in the TDR conservation easement shall be subtracted from the calculation at base density.

Example: Owner A wishes to rezone 80 acres of land currently zoned Forest and Range to Rural - 5 (receiving site). Owner B owns 640 acres of land zoned Commercial Forest (sending site). Owner B's property is eligible for up to eight TDR credits (640 ac. / 80 ac. = 8 or the total sending site acreage divided by the base density of underlying zoning). Owner A would be required to obtain four TDR credits from Owner B (4 x 20 ac. = 80 ac. or 1 TDR credit per 20 ac. of receiving site area). Owner B could then choose to retain the remaining four TDR credits or sell them to additional receiving sites.

If I already have a house on my property, or if I would like to build a house in the future, can I still participate in the TDR program?

Yes. If you have more than one development right available on your property (the combination of zoning and acreage would allow you to subdivide and build more than one house), then you may be able to participate in the TDR program. For example, if your house is on an 80 acre lot in an area zoned Forest and Range, you could transfer up to 3 TDR credits from your property and retain 1 for your residence.

How do I buy or sell certified development rights?

You can use a variety of methods much like buying or selling land or water rights. You can also contact CDS for a list of approved TDR sending sites or list of interested land developers.

How do I apply to become a sending site?

You can review the steps of the TDR enrollment process or contact CDS staff at any time (509)962-7506.

TDR FLOW CHART

Confirm Sending Site Eligibility

(see KCC 17.13.020.)

Pre-Application Meeting with CDS (encouraged)

TDR Sending Site Application

(Prepared and submitted by applicant.)

Certificate Letter of Intent

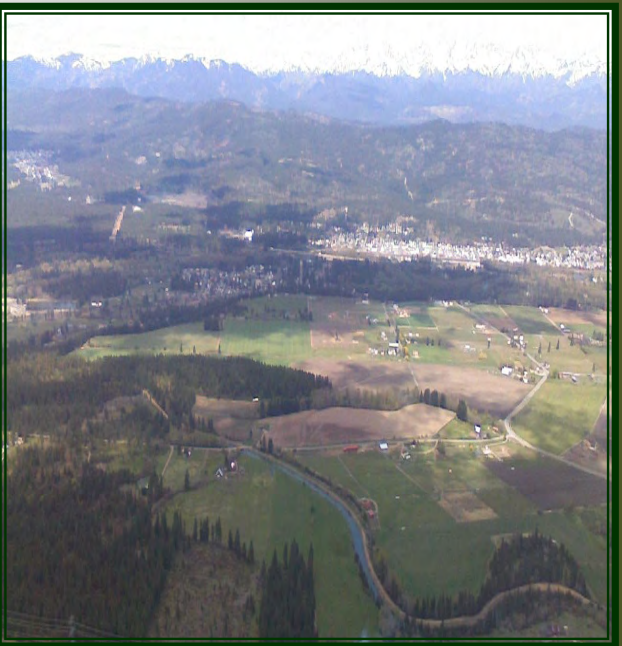
(Issued by CDS based upon review of application materials.)

TDR Conservation Easement

(Prepared by CDS and recorded with the
Kittitas County Auditor.)

TDR Certificate

(Issued by CDS.)



CITIZENS GUIDE TO TRANSFER OF DEVELOPMENT RIGHTS CHAPTER 17.13 KCC

For more detailed information about the Program,
visit the Kittitas County TDR Code
(Chapter 17.13 KCC)

For questions about the TDR Program, please
contact Kittitas County Community Development
Services at:

411 North Ruby Street, Suite 2
Ellensburg, WA 98926
(509) 962-7506
www.co.kittitas.wa.us

