

What are Transfer Development Rights (TDR)?

A transferable development rights program (TDR) is a tool communities can use to achieve land preservation. The preservation is accomplished by allowing one landowner to forego development rights in exchange for compensation from another landowner who wants development rights over and above what zoning laws allow.

TDR programs transfer the development rights of a predetermined parcel — known as a **giving parcel** — to another lot, known as the **receiving parcel**. Thus, while the development rights are reduced or eliminated by a deed restriction on the giving parcel, increased density for development is allowed on the receiving parcel. The giving sites are typically deed-restricted so that very limited uses are allowed after the rights have been sold with the primary intent of maintaining the land as open space.

The owner of the giving parcel permanently relinquishes the development right on their property in exchange for payment from the owner of the receiving parcel. The owner of the receiving parcel is then allowed to exceed the regular dimensional building parameters specified in zoning ordinances. These transferred rights are known as development credits.

What are the benefits to the city when there is a TDR?

When development rights are sold, the giving parcel is prevented from developing the area. This preserves the open space which enhances the quality of life for residents. It also avoids the necessity for the city to spend funds to increase the utility infrastructure and to provide the education services necessary to support residential development.

When development rights are purchased, the structure that is built on the receiving parcel will provide additional tax revenue to the city.

What are the negative impacts to the city when there is a TDR?

When a development project is built in the TDR receiving area the resulting development may cause an increase in traffic, may require additional police and fire services, and may require additional city services .

How do the current zoning ordinances relate to a TDR?

The current TDR zoning ordinances specify where a giving parcel and a receiving parcel can be located. The zoning ordinances also specify the extent to which a development in the receiving area can exceed the parameters of the zoning regulations. (The current ordinances were previously approved by Town Meeting.)

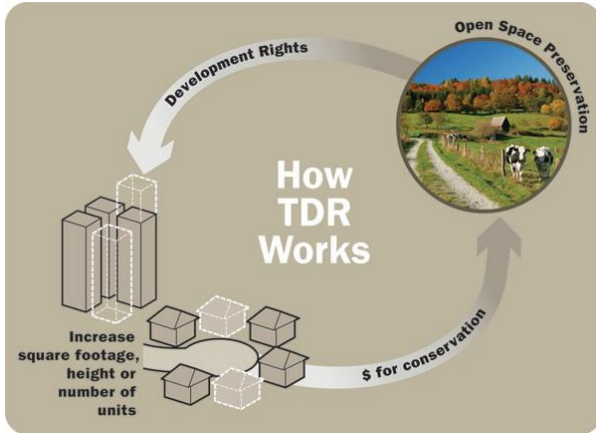
What are the current zoning ordinance restrictions?

- **For a TDR giving parcel?**
The giving parcel can only be in an R-4 residential area. The TDR rights apply to 6,500 sf. per giving acre.
- **For a TDR receiving area location?**
The receiving parcels can only be in the Priority Development Sites: 9/90 Park, Technology Park, and the TJX area.
- **For a TDR receiving area development?**
The maximum Increase in Building Height/Additional Floors is **35%**, the maximum Increase in Lot Coverage is **15%**, and the maximum increase in FAR (Floor Area Ratio) is **50%** more than the allowed in a non-TDR area (an increase from .32 to .48).

What are the recommended changes that have been discussed:

- Increase lot coverage by 75% and FAR increase from .48 to .68.
- Change TDR rights to apply to 10,000 sf. per giving acre.
- Allow the ZBA, by a variance, to increase the zoning parameters, other than height, by a maximum of 10%.

Transfer Development Rights (TDR) Process Diagram



Do you have any questions or comments?

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Information Committee
Transfer Development Rights

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