

# Town of Springfield Transfer of Development Rights (TDR) Program Draft Program Summary 3/4/09

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## TDR Program Goal:

Preserve farmland and manage growth in the Town by shifting some permitted housing development from areas slated for long-term agricultural use to areas planned for more intensive development.

## Evolution of Town TDR Program Discussions:

- 2002: Concept of TDR introduced in Town Comprehensive Plan for future
- 2004: Initial presentation/discussion of a draft Town TDR program design
- 2005-2006: Town TDR Committee appointed; meets to explore program options
- Early 2007: Town TDR Committee prepares revised draft TDR program design
- Late 2007: Town asks its planner to further refine draft TDR program
- Early 2008: Town asks Natural Heritage Land Trust to run revised program through scenarios & refine
- Summer 2008: Town meets with County committees to review draft program
- Fall 2008: Program design refined; proposed amendments to Town plan, ordinances, policies crafted

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## Highlights of Proposed TDR Program Design:

- Participation would be voluntary. If a landowner doesn't wish to participate in the Town's TDR program, he/she can still use the remaining development rights under Town planning policies (e.g., "1 split per 35 acres") on his/her own property.
- Sending Areas. Land planned for Agricultural Preservation in Town Plan, zoned A-1 Exclusive, and having remaining development rights, generally outside of Middleton and Waunakee growth areas. Development rights could be transferred away from sending areas, following which a conservation easement would be placed on the sending area property, recording permanent limitations on future uses of the land. "Super Sending Area" designation—based on highest quality soils, near livestock operations, on recharge areas, etc.—can increase transfer ratios in certain cases (see below).
- Receiving Areas. Where the development rights can be transferred to in order to build more houses, provided that Town placement and design standards are met. 3 receiving area types:
  - Type 1-Neighborhood Development in planned Rural Development and Agricultural Transition Districts on Town Planned Land Use map
  - Type 2-Sub-35 acre Lot Development in Agricultural Preservation Districts

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- Type 3-Farm-to-Farm Transfers on 35+ acre lots in Agricultural Preservation Districts
- Ratio of development rights transferred (in sending areas) to allowed (in receiving areas).
  - As a baseline, the transfer ratio is 1:1. In other words, one additional buildable lot can be created on the receiving area property for each development right transferred in from a sending area property.
  - Within Type 1 receiving areas, transfer ratio can grow to 2:1 if development right comes from a “Super Sending Area” OR where receiving area parcel avoids conflicts with farming, uses small lots, etc. Can grow to 4:1 ratio if BOTH of these two conditions are present.
  - Within Type 2 receiving areas, transfer ratio can grow to 2:1 if development right comes from a “Super Sending Area” AND lot sizes small, receiving land has poor soils, etc.
- Development Approval Process. Would be designed to weave within normal rezone/land division processes. Town may maintain a pre-qualified TDR sending area property owner list.
- Leveraging Resources. Program could be used in conjunction with purchase of development rights (PDR) programs that may open up grant opportunities.
- Formalizing Program: Recommended changes to Town plans and ordinances:
  - Amend Town Comprehensive Plan with program outlines/structure (then forward to County for inclusion in County plans).
  - Amend Town Land Division Ordinance to require evidence of TDR transfers
  - Adopt detailed procedures/criteria by Town Board policy
  - Integrate TDR program with Town’s Growth Management Program

**Next Steps:**

- Hold Town Public Informational Meeting
- Prepare plan, program, and ordinance changes for hearing and Town adoption
- Prepare application materials, publicity, etc.

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If Board willing, h

Summary prepared by Jim Welsh, Executive Director, Natural Heritage Land Trust and Mark Roffers, Vandewalle & Associates.

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