Transferable Development Rights

**TDR OVERVIEW**
- **TDRs** - Allow you to transfer the right to develop land from a desired preservation area to another area within the City.
- **Your Land** - When the rights to develop your land are sold, you can still use your land for agriculture, homestead & open space purposes.
- **TDR Purpose** - Ultimately, this allows the River Bottoms to be preserved as open space and farm land forever.

**SELLER PROCESS**
- **Calculate TDRs** - \((A-F) \times B\)
  - A - Total Area of Property
  - F - Floodway & 30% Slope Area
  - B - Base Density Designation*
- **Submit Application** -
  - Receive:
    - TDR Certificate
    - Deed of Severance
- **Sell TDRs** -
  - Connect with a Buyer
  - Receive Payment
  - Record a Deed of Transfer

**BUYER PROCESS**
- **Find & Secure Property**
  - Proof of Program Intent:
    - Find Property in Sending Area
    - Write LOI or Buy Property
- **Submit Application** -
  - Receive:
    - Amount of TDRs Required
    - Deed of Transfer
- **Develop Property** -
  - Guaranteed TDR Use
  - Complete Approval Process
  - Start Building

**SENDING / RECEIVING AREAS MAP**
- **Base Density Designation** -
  - 1 unit/acre for land inside the 100-year floodplain
  - & 2 units/acre for land outside the 100-year floodplain & 30% Slope
- **Determination of Eligibility Application** -
  - The property must be annexed into Spanish Fork City
  - Deeds of Severance & Transfer must be recorded in Land Records Office

*For additional information regarding the TDR program, please contact Spanish Fork City or refer to the Spanish Fork Municipal Code Section 9-20-100 Transfer of Development Rights.
Transferable Development Rights Overview

Definition:
A mechanism to limit development in the River Bottoms while providing property owners with a way to be compensated monetarily to leave their land undeveloped.

TDRs - Allow you to transfer the right to develop land from a desired preservation area to another area within the City.

Your Land - When the rights to develop your land are sold, you can still use your land for agriculture, homestead & open space purposes.

TDR Purpose - Ultimately, this allows the River Bottoms to be preserved as open space and farm land forever.
Transferable Development Rights

Guiding Principles:

1. Participation must be voluntary.
2. TDR values must be market driven.
3. Ample opportunity to sell development rights.
Sending Areas

**Base Density Designation:**
- 0 units / acre for floodway & 30% slope
- 1 unit / acre for 100-year floodplain
- 2 units / acre for land outside the 100-year floodplain

**Determination of Eligibility Application:**
- Property must be annexed into Spanish Fork
- Deeds of Severance & Transfer must be recorded
- TDRs don’t need to be associated with receiving areas

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\[ \text{Calculate TDRs} = (A-F) \times B \]
- **A** - Total Area of Property
- **F** - Floodway & 30% Slope Area
- **B** - Base Density Designation*

**Submit Application**
- **Receive:**
  - TDR Certificate
  - Deed of Severance

**Sell TDRs**
- Connect with a Buyer
- Receive Payment
- Record a Deed of Transfer
## Sending Areas

### TDRs:

<table>
<thead>
<tr>
<th>Sending Area</th>
<th>AC</th>
<th>DU/AC</th>
<th>TDRs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Floodway</td>
<td>152</td>
<td>0.0</td>
<td>0</td>
</tr>
<tr>
<td>30+% Slope</td>
<td>46</td>
<td>0.0</td>
<td>0</td>
</tr>
<tr>
<td>100-Year Floodplain</td>
<td>615</td>
<td>1.0</td>
<td>615</td>
</tr>
<tr>
<td>River Bottoms (Outside 100-Year)</td>
<td>663</td>
<td>2.0</td>
<td>1,326</td>
</tr>
<tr>
<td>Spanish Fork City Property (280)</td>
<td></td>
<td>-</td>
<td>(340)</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>1,476</td>
<td>-</td>
<td>1,941</td>
</tr>
</tbody>
</table>

615 acres in the 100-year Floodplain.  

663 acres outside the 100-year Floodplain & sensitive lands.  

\[
x \times 1 \text{ Right / acre in the 100-year Floodplain.} \\
\times 2 \text{ Rights / acre outside the 100-year Floodplain} \\
\hline
= 1,941 \text{ total development rights to be sent.}
\]
Sending Areas

Other Needs & Considerations:

1. Provision allowing posterity homes.
2. Provision requiring ongoing maintenance.
3. Provision to protect agricultural land access.
4. Noticing provision to surrounding properties of impacts of Agricultural uses.
# Receiving Areas

<table>
<thead>
<tr>
<th>Base Zoning</th>
<th>Base Density</th>
<th>Receiving Density</th>
<th>Multiplier</th>
<th>Density Increase</th>
<th>Maximum Density</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1-12</td>
<td>2.69</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>4.69</td>
</tr>
<tr>
<td>R-1-9</td>
<td>3.58</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>5.58</td>
</tr>
<tr>
<td>R-1-8</td>
<td>4.03</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>6.03</td>
</tr>
<tr>
<td>R-1-6</td>
<td>5.37</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>7.37</td>
</tr>
<tr>
<td>R-3</td>
<td>12</td>
<td>2</td>
<td>3</td>
<td>6</td>
<td>18</td>
</tr>
<tr>
<td>R-4</td>
<td>20</td>
<td>4</td>
<td>4</td>
<td>16</td>
<td>36</td>
</tr>
<tr>
<td>R-5</td>
<td>18</td>
<td>4</td>
<td>2</td>
<td>8</td>
<td>26</td>
</tr>
</tbody>
</table>

- **Find & Secure Property**
  - Find Property in Sending Area
  - Write LOI or Buy Property

- **Submit Application**
  - Guaranteed TDR Use
  - Complete Approval Process
  - Start Building

- **Develop Property**
  - Guaranteed TDR Use
  - Complete Approval Process
  - Start Building
## Receiving Areas

<table>
<thead>
<tr>
<th>Development Areas</th>
<th>Gross / Net Acres</th>
<th>Multiplier</th>
<th>Receiving Density</th>
<th>Total Increase</th>
<th>Sending / Receiving Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Benjamin Interchange</td>
<td>255 / 95.6</td>
<td>3</td>
<td>4</td>
<td>12</td>
<td>382.5 / 1147.5</td>
</tr>
<tr>
<td>1 Frontrunner</td>
<td>209 / 78.4</td>
<td>4</td>
<td>4</td>
<td>16</td>
<td>313.5 / 1254</td>
</tr>
<tr>
<td>1 Benjamin</td>
<td>984 / 369</td>
<td>1</td>
<td>2</td>
<td>2</td>
<td>738 / 738</td>
</tr>
<tr>
<td>1 Sugar Beet Factory</td>
<td>23 / 8.6</td>
<td>3</td>
<td>4</td>
<td>12</td>
<td>34.5 / 103.5</td>
</tr>
<tr>
<td>2 Downtown</td>
<td>344 / 129</td>
<td>2</td>
<td>2</td>
<td>4</td>
<td>258 / 516</td>
</tr>
<tr>
<td>2 800</td>
<td>65 / 24.4</td>
<td>1</td>
<td>2</td>
<td>2</td>
<td>48.8 / 48.8</td>
</tr>
<tr>
<td>3 Expressway</td>
<td>32 / 12</td>
<td>3</td>
<td>4</td>
<td>12</td>
<td>48 / 144</td>
</tr>
<tr>
<td>4 2700 North</td>
<td>39 / 14.6</td>
<td>3</td>
<td>4</td>
<td>12</td>
<td>58.5 / 175.5</td>
</tr>
<tr>
<td><strong>Total Acres</strong></td>
<td><strong>1,951 / 731.6</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>1,882 / 4,127</strong></td>
</tr>
</tbody>
</table>

Net Acres = Gross Acres/2 multiplied by .75.
Program Participation Steps

1. Property owner requests a determination of TDRs.
2. Staff Determines how many rights the owner is eligible to receive.
3. Property owner applies to receive Certificates of TDRs.
4. Property owner signs a conservation easement on property.
5. TDRs conveyed to owner for use on receiving properties.
6. When receiving property is approved TDRs are extinguished.
Conservation Subdivisions

Definition:
A development that sets aside a major portion of the site as conservation land and clusters housing on the remaining portion. This limits the area of developable property with the rest in a conservation easement.

Another Goal Promoting Potential Solution:
- Limit change in the River Bottoms
- Provides options for property owners to enjoy the value of their property.
- Adds an additional tool to the one-size-fits-all approach of the TDR program.

Potential for Erosion of Limiting Changes:
- Growth & Development in River Bottoms makes more growth & development in the River Bottoms possible.
- Conservation Subdivisions are often houses built on smaller lots allowing development to near the maximum allowed by zoning.