



## **Q:** What is Transfer of Development Rights?

**A:** Transfer of Development Rights (TDR) is a process that separates the potential for development, called a development right, from a property and transfers it to another property. TDR is a tool to use in meeting community land use goals of conserving important natural resource lands. Growth potential in resource land is transferred to areas that are more suitable for growth.

## **Q:** What is the purpose of a TDR program?

**A:** TDR programs use market forces to help fund the conservation of valuable natural resources. Landowners in “sending areas” can sell the development value of their land while still keeping the land itself to manage for resource production. Purchasers of development rights, usually developers, can use those rights to develop land in “receiving areas” where intense land use is more appropriate.

## **Q:** What is the Snohomish County TDR program?

**A:** Snohomish County is implementing its TDR program in phases. A pilot program was initially established with the City of Arlington for a sending area identified on the Stillaguamish River floodplain farmland near the city. A receiving area was also identified adjacent to the city, which has since been annexed into the city. Landowners or developers in this receiving area must purchase and use development rights for any new development. The county and city are currently working on revisions to the existing program to address market conditions.

## **Q:** How does the County establish “sending” and “receiving” areas?

**A:** The County designates sending and receiving areas through a planning process that includes consultation with cities and landowners. Sending areas are usually natural resource lands targeted for conservation. Receiving areas will be areas which are planned for growth where there is a market for development rights and services are available. Sending and receiving areas may be delineated on maps or can be identified by county and city code changes, interlocal agreements, or development agreements. Cities identify and administer any receiving areas within their city limits.

## **Q:** How does the “transfer” of development rights occur?

**A:** Most transfers occur directly between sending area landowners, and receiving area landowners or developers. The landowner and development right purchaser settle on a price for the rights and complete the transaction. The purchaser can then use the development rights to develop a specific piece of property.

**Q:** Is landowner participation in the County's TDR program voluntary?

**A:** Sending area landowners have the option to offer their development rights for sale or may choose retain current development potential. To develop in the existing Arlington receiving area, development credits are required for approval.

**Q:** What are the benefits of program participation?

**A:** Sending area landowners benefit by receiving income from development potential, while still retaining the operation. This generates capital in addition to the income produced by the traditional natural resource use of the land. Receiving area landowners benefit by gaining development rights that can be used to seek approval for new urban-level development.

**Q:** What constraints are placed on participating sending area properties?

**A:** When the county grants development rights for resource property, the sending area owner must grant Snohomish County a conservation easement that prevents any use or condition that reduces the agricultural production capability of the land. The landowner retains fee-simple ownership of the land and the right to sell, lease or other wise transfer their property to another individual. They also retain the right to exclude any member of the public from their property.

**Q:** Does the County intend to expand the TDR program?

**A:** The City of Arlington and the county are working on refinements to the existing program. The County has also adopted policies that allow the expansion of the TDR program and the establishment of new sending and receiving areas as additional opportunities become available to expand the program.

**Q:** Is there more information available on the TDR program?

**A:** The County TDR Program Manager can be reached through the following contacts:

- Phone: (425) 388-3311 and ask for information about TDR
- Email: [planning\\_division@snoco.org](mailto:planning_division@snoco.org)
- In person or by mail:  
Planning & Development Services  
2nd Floor Robert Drewel Building  
3000 Rockefeller Ave. M/S 604  
Everett, WA 98201-4046

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