



Montgomery County's Transferable Developments Rights Program in the Agricultural Reserve

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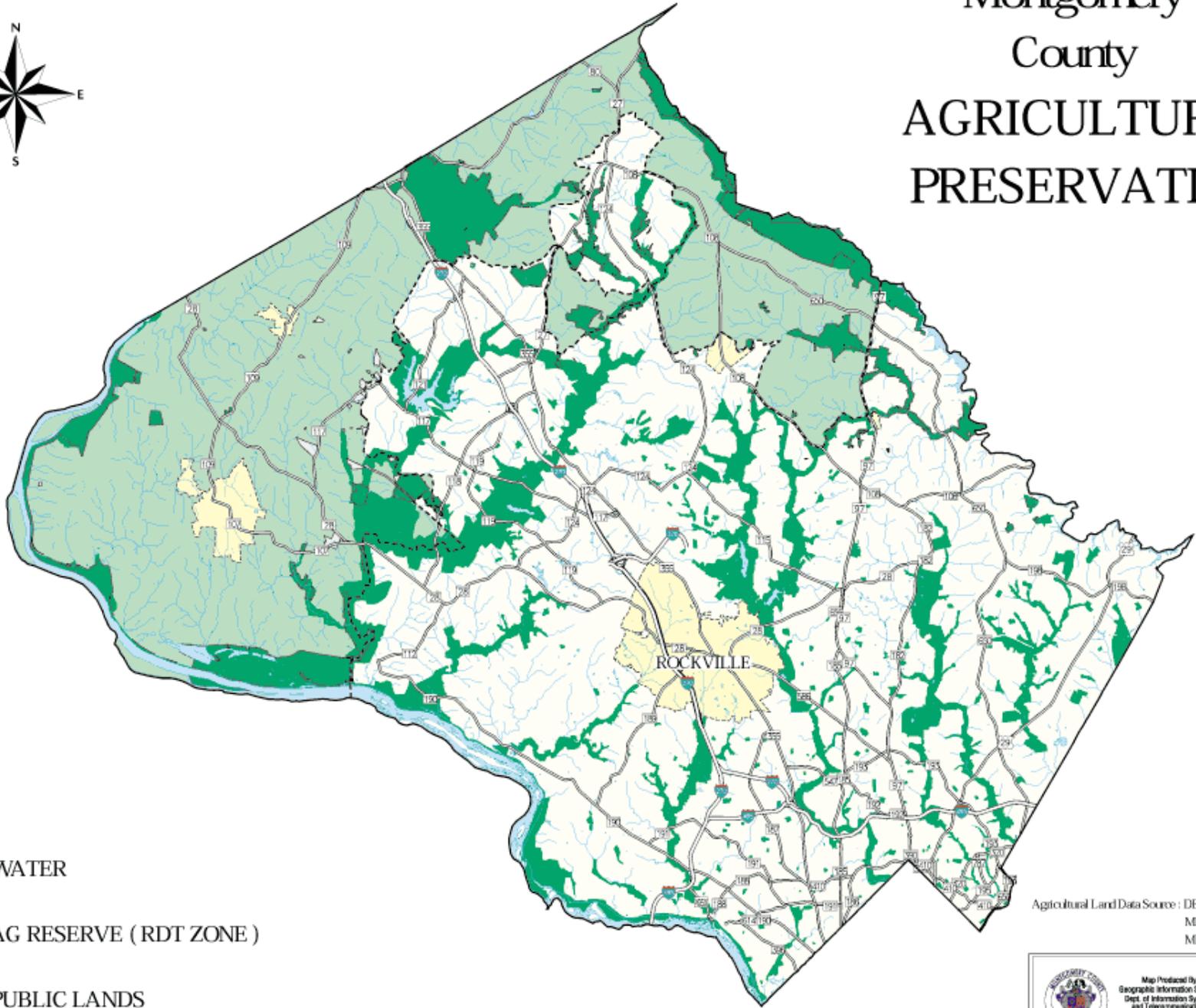
Photo courtesy of Lee Lanstaff

Master Planning and Agriculture Zoning

- *Functional Master Plan for the Preservation of Agriculture and Rural Open Space (October 1980)*
- Created a 93,000 acre agricultural reserve which reduced the threat of residential development from 1 unit per 5 acres to 1 unit per 25 acres.

Montgomery
County

AGRICULTURAL
PRESERVATION



-  WATER
-  AG RESERVE (RDT ZONE)
-  PUBLIC LANDS

Agricultural Land Data Source : DED Agricultural Services
MNCP& PC
MD Office of Planning

Map Produced by:
Geographic Information Systems
Dept. of Information Systems
and Telecommunications
Montgomery County, Maryland
Date: December 21, 2000



Agricultural Zoning

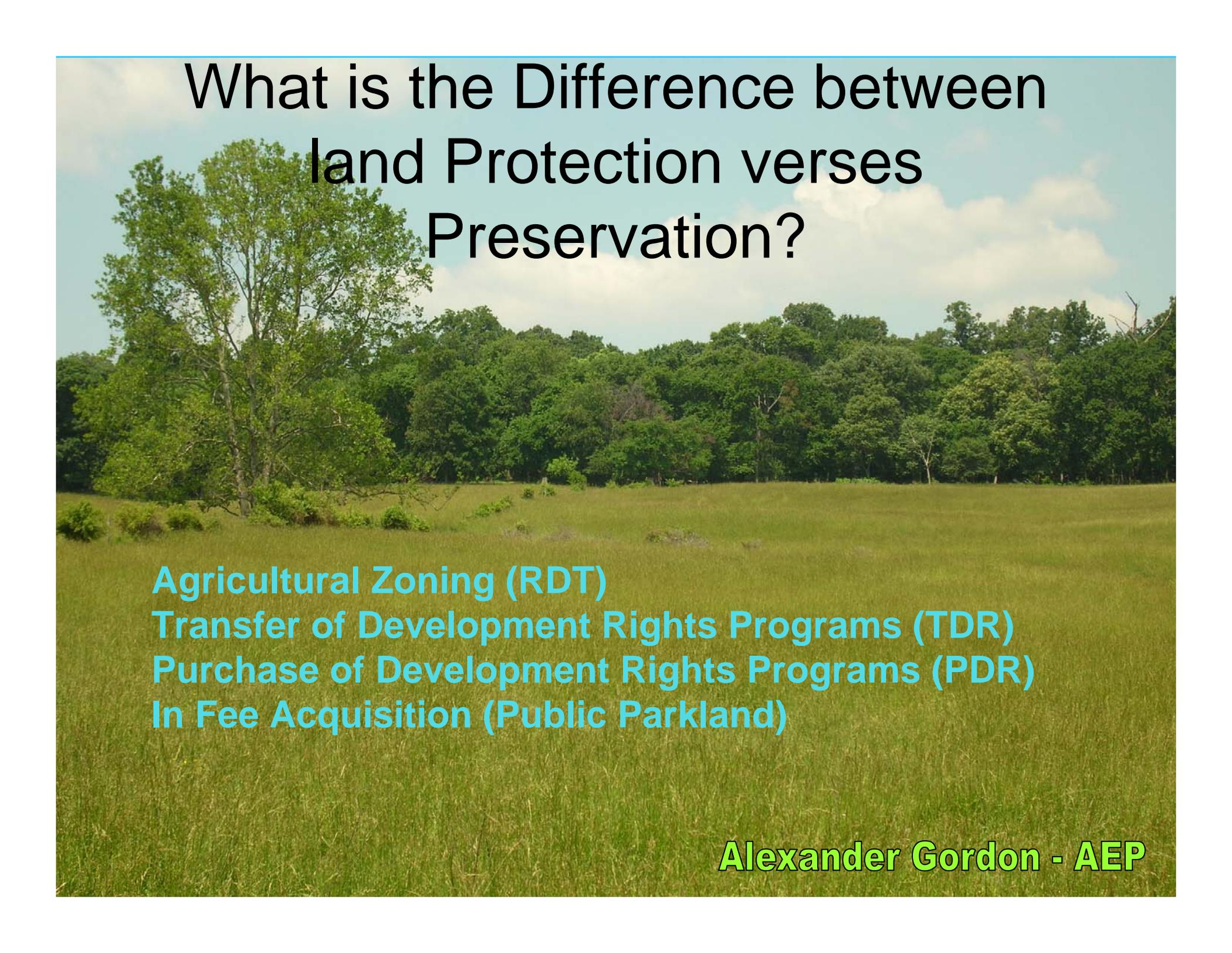
Agricultural Zoning – helps to promote Agricultural and Rural Landscapes

The Rural Density Transfer RDT zone reduced the threat of development from 1 unit per 5 acres to 1 unit per 25 acres

Agricultural zoning itself does not place long term protections to the land

Other preservation tools help accomplish long term preservation -Perpetual Easements

Batchelors Purchase - RLP



What is the Difference between land Protection verses Preservation?

Agricultural Zoning (RDT)

Transfer of Development Rights Programs (TDR)

Purchase of Development Rights Programs (PDR)

In Fee Acquisition (Public Parkland)

Alexander Gordon - AEP

Transferable Development Rights (TDR) Policies

TDRs are used to shift development from agricultural reserve to designated growth areas which are closer to public services;

**The number of available TDRs is based upon
The calculation of 1 TDR per 5 acres of land
in the agricultural reserve**

**Once a TDR is created the land is restricted
by a permanent TDR easement**

**This easement ensures the property can not be developed
for residential use at densities which exceed
1 unit per 25 acres**

TDR Easement

Application in the form of a Preliminary Subdivision Plan Utilizing TDR's

Planning Board Approval

Site Plan

Planning Board Approval

Recorded Easement and Deed of Transfer indicating restriction on the sending area and the ownership of TDRs



TDR SENDING AREA

Prepared Subdivision Record Plat indicating use of TDRs in the receiving area



TDR RECEIVING AREA

Planning Board Approval

Record Plat recorded in Office of Land Records

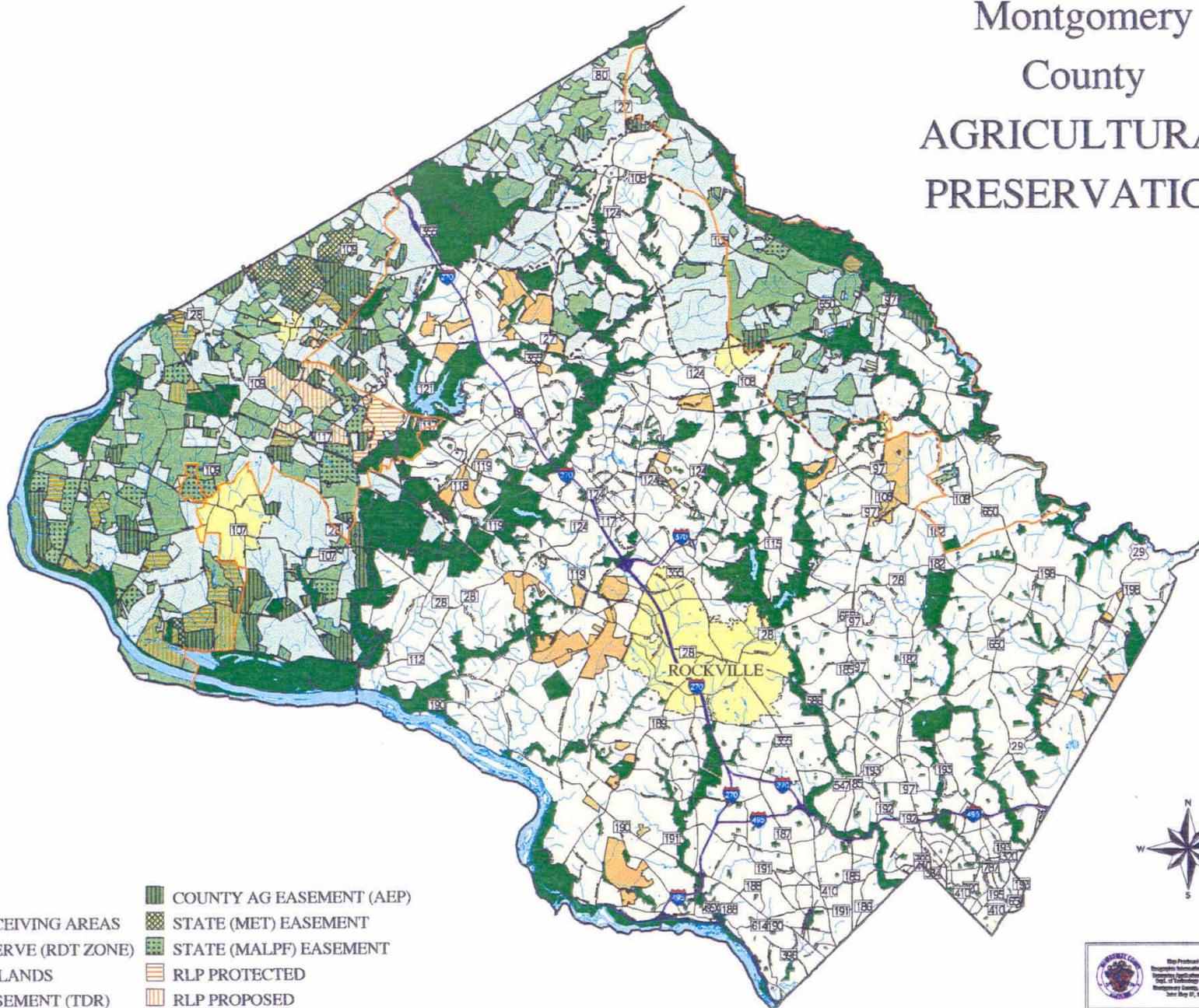
Transferable Development Rights (TDR) Process

- Montgomery County-approves Easement and TDR Deed of Transfer.
- The TDR Easement must be approved by the County Attorney and recorded prior to the recordation of the TDR Deed of Transfer.
- The County Attorney will assign serial numbers to TDRs at the time a TDR Easement is approved and recorded.
- Deed reservations for retained TDRs must be referenced in the TDR Easement if a grantor wishes to retain TDRs for future Transfer-Excess TDRs or to build a house-Buildable TDRs.

Transferable Development Rights (TDR) Process

- Computing the number of TDRS is done by using acreage on an RDT parcel on Tax Maps or using an actual survey.
- An approved record plat using TDRs must include a notation of the serial numbers of the TDRs used.
- The Development Review Division will maintain a list of the serial numbers of all TDRs that have been used and approved on record plats.
- Before a plat using TDRs will be recorded, the Development Review Division will check the serial numbers of the TDRs against the list of existing TDRs to make sure they have not already been used.

Montgomery County County AGRICULTURAL PRESERVATION

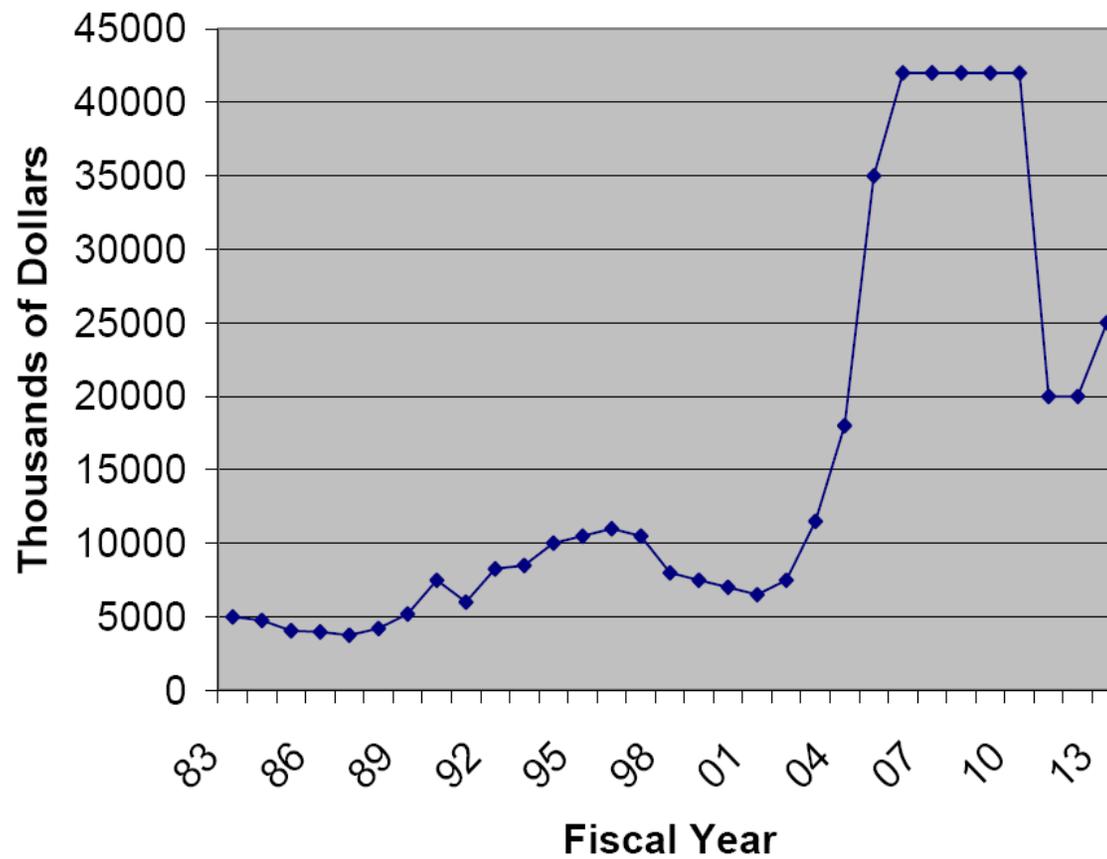


- | | |
|---|--|
|  WATER |  COUNTY AG EASEMENT (AEP) |
|  TDR RECEIVING AREAS |  STATE (MET) EASEMENT |
|  AG RESERVE (RDT ZONE) |  STATE (MALPF) EASEMENT |
|  PUBLIC LANDS |  RLP PROTECTED |
|  TDR EASEMENT (TDR) |  RLP PROPOSED |
|  AEP PROPOSED |  RURAL LEGACY AREA |



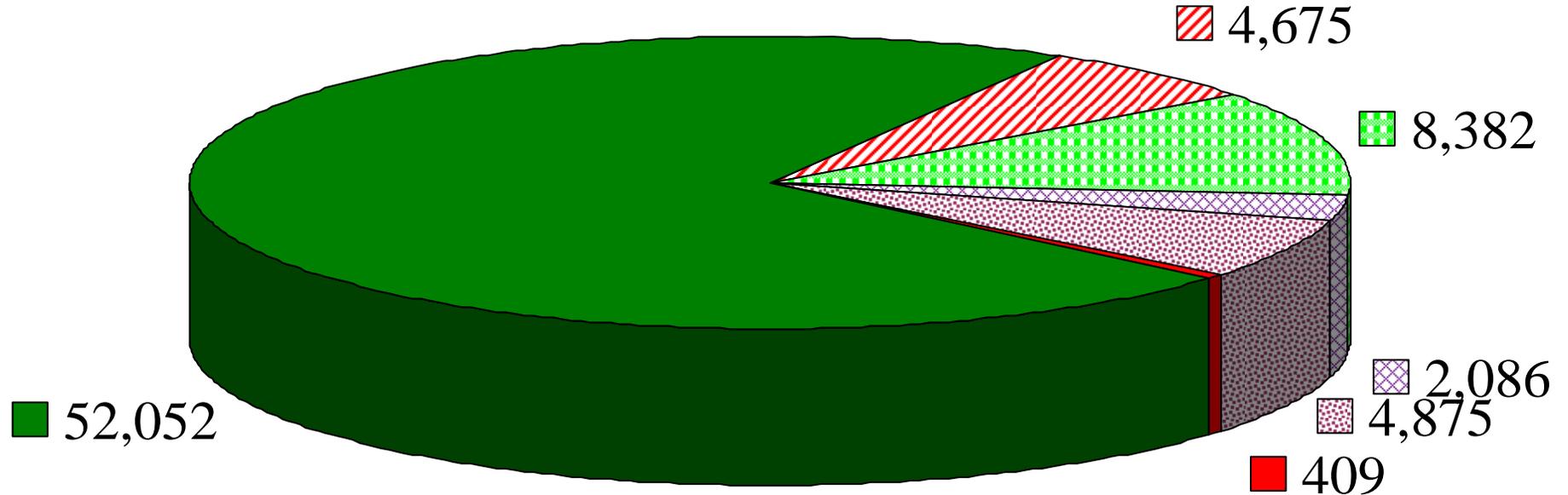
Agricultural Land Data Source: DED Agricultural Services
MNC/PA, PC

Average TDR Prices



Farmland Protected by Easements as of June 30, 2013 72,479 acres

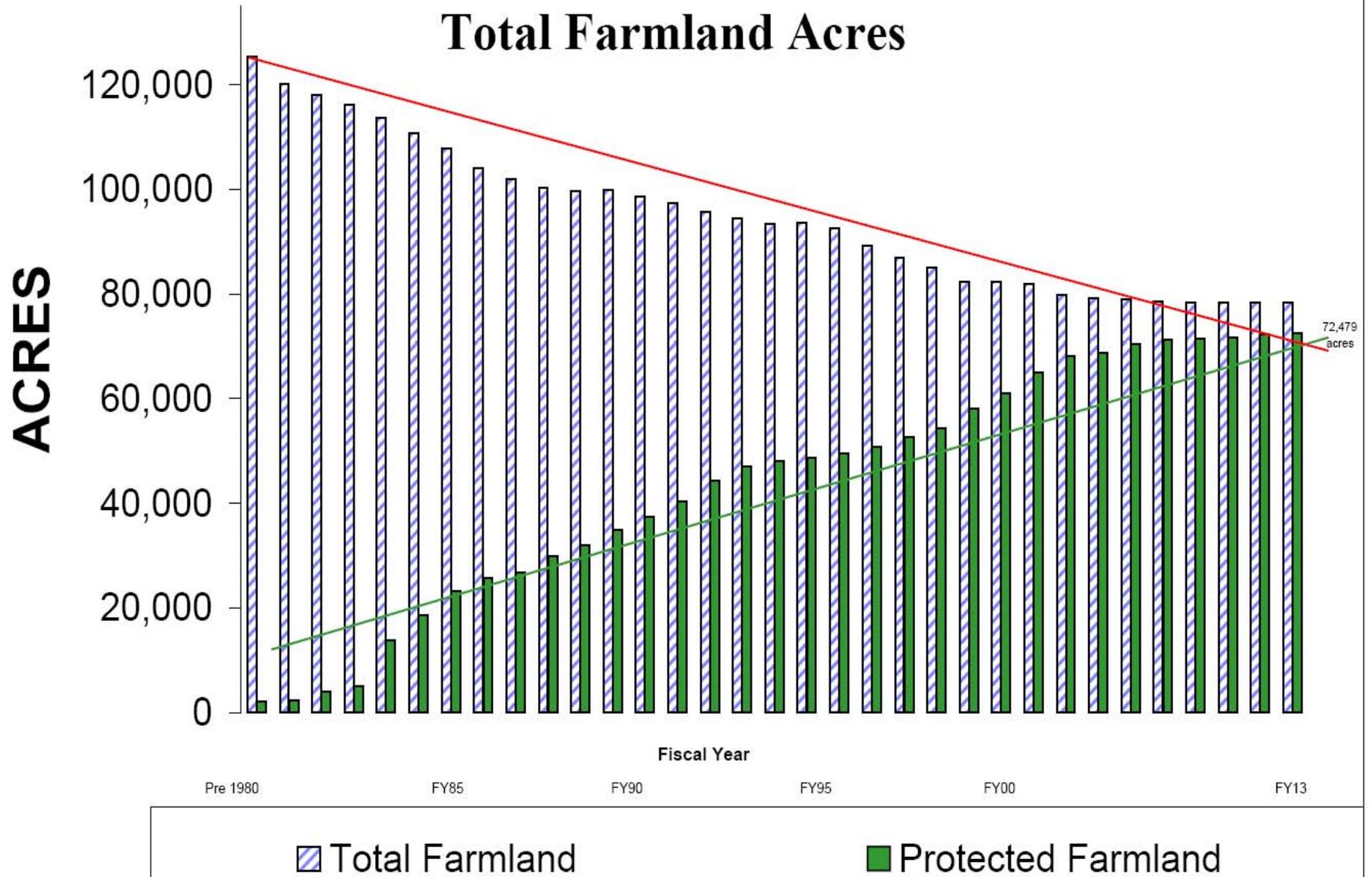
Public Sector Investment
\$59 Million



Private Sector Investment
“Wealth Transfer”
\$115 Million

 MALPF  AEP  MET  RLP  BLT  TDR

Protected Farmland Acres and Total Farmland Acres





Questions?

Report from Jeremy V. Criss
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