

# Transferable Development Rights



COMMUNITY DEVELOPMENT

## Pitkin County Community Development

**What is a Transferable Development Right (TDR)?** A TDR, or Transferable Development Right is a development right that may be transferred from a "Sending Site" to lands that are designated as suitable for development ("Receiver Site").

**What is a Sending Site?** A Sending Site is a lot/parcel of land from which development rights are severed and transferred. The Sending Site is restricted against further development. Sending Sites include:

- Any legally created lot/parcel within the Rural/Remote (R/R) or Transitional Residential (TR-1 and TR-2) Zone Districts .
- Lands within the Conservation Development PUD (CD-PUD) Zone District.
- Lands subject to an Open Space Preservation Master Plan.
- A "constrained site" or a "visually constrained site" not within the R/R, CD-PUD, TR-1 or TR-2 Zone Districts.
- A "Limited Development Conservation Parcel" located within the AR-10, RS-20, RS-30, RS-35 or RS-160 Zone Districts.
- Properties designated to the Pitkin County Historic Register.

**What is a Receiver Site?** A Receiver Site is a lot/parcel of land within unincorporated Pitkin County to which development rights are transferred from a Sending Site.

- Special Review approval is required to designate a lot/parcel a Receiver Site for TDR(s), except when a TDR (s) is used for additional floor area within the Aspen Urban Growth Boundary and in certain County approved subdivisions.

\*The purchase of a TDR does **not** automatically guarantee approval of a receiver site for development. Development of a receiver site is still subject to any applicable land use reviews, including Special Review, Site Plan Review, Subdivision, etc.

## How TDRs Can Be Used:

### To Obtain a GMQS Exemption for a New Development Right.

- TDRs may only be used to create a new development right for a single family residence on a lot/parcel within the Aspen Urban Growth Boundary.
- Each TDR for a new development right provides 2,500 square feet of floor area.
- Subject to a One-Step Special Review by the BOCC.
- The number of TDRs required for exemption from the Growth Management Quota System (GMQS) depends upon the floor area of the residence proposed.
- TDRs from any Sending Site may be used on any Receiver Site approved for a new development right.

### To Obtain a GMQS Exemption for Additional Floor Area.

- Special Review approval is not required to utilize TDRs for additional floor area up to the final maximum floor area on lots in certain County approved subdivisions or on lots/parcels within the Aspen Urban Growth Boundary.
- A One-Step Special Review by the Hearing Officer is required to utilize TDRs for additional floor area up to the final maximum floor area on all other lots/parcels within eligible Zone Districts.
- Each TDR used for additional floor area provides 2,500 square feet of floor area, except within the TR-2 Zone District, where one TDR provides 1,000 square feet of floor area.
- The number of TDRs required for a GMQS exemption depends upon the size of the residence desired.
- TDRs from any Sending Site may be used on any Receiver Site as a GMQS exemption for additional floor area.

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