



ALLEGHENY LAND TRUST

Transfer Development Rights

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Projects



Incorporated in 1993, Allegheny Land Trust has protected more than 2,000 acres of biologically diverse land in 27 municipalities in Allegheny County.

These conservation lands provide public benefits in the form of:

- Natural Stormwater Management
- Passive Recreational Opportunities
- Protection of Unique & Diverse Habitats
- Protection of Scenic Character
- Enhanced Property Values Without Creating a Demand on Municipal Services



Dead Man's Hollow



Sycamore Island



Wingfield Pines
AMD treatment
system

Public Benefits of Green Space Quantified

***Air Quality - 4,000# carbon/acre w/est. value \$163.00 annually**

***Stormwater Management - 800,000 gallons/acre w/ est. value \$41,000 annually**

Enhanced Property Values - \$10,000 /household (*Measuring the Economic Impact of Greenspace in Pittsburgh, May 2010 CMU Heinz College report for URA*)

Demand on Municipal Services is Minimal -

**NO infrastructure to maintain
RARE need for law enforcement
NO demand on schools**

*Estimate based on 225 trees (8" DBH or greater) per acre. Values interpolated from

Despite these well documented and
substantial public and economic
benefits

concerns arise about

how dedicated parks and other green
spaces do not generate tax revenue

ALT suggests a tested and proven tool:
a **Transfer Development Rights** program,
to help municipalities achieve the following:

- Virtually generate property tax revenue from green space and tax-delinquent real estate
- Fund and maintain cost-effective Green Infrastructure to reduce flooding and Combined Sewage Overflows to help meet the region's EPA consent decree
- Permanently protect open spaces for public amenities
- Generate new source of private revenue
- Improve the City's urban environment.

How Transfer Development Rights (TDR) Work

Real estate - The Bundle of Rights

Hunting

Timber

Mineral

Access

Agricultural

Development (as per local zoning)

Residential

Commercial

Etc.



The Bundle of Rights are Severable

(lease or sale)

Hunting 

Timber 

Mineral 

Access 

Agricultural 

Development (as per local zoning) 

Residential

Commercial

Etc.

Development Example

Residential R-1

1 dwelling unit per acre

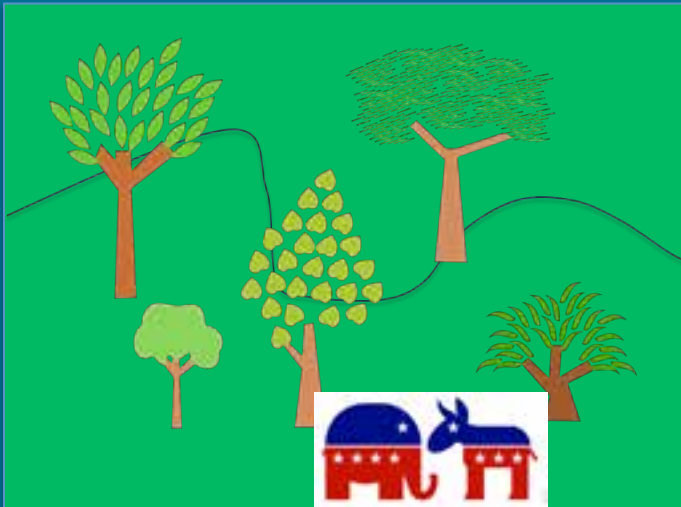
3 acres

= 3 Development Rights



Oversimplified illustration of how TDRs work

3-acre biodiverse property with 3 development rights



High Quality Stream, Diverse Forest, & Rare Animals

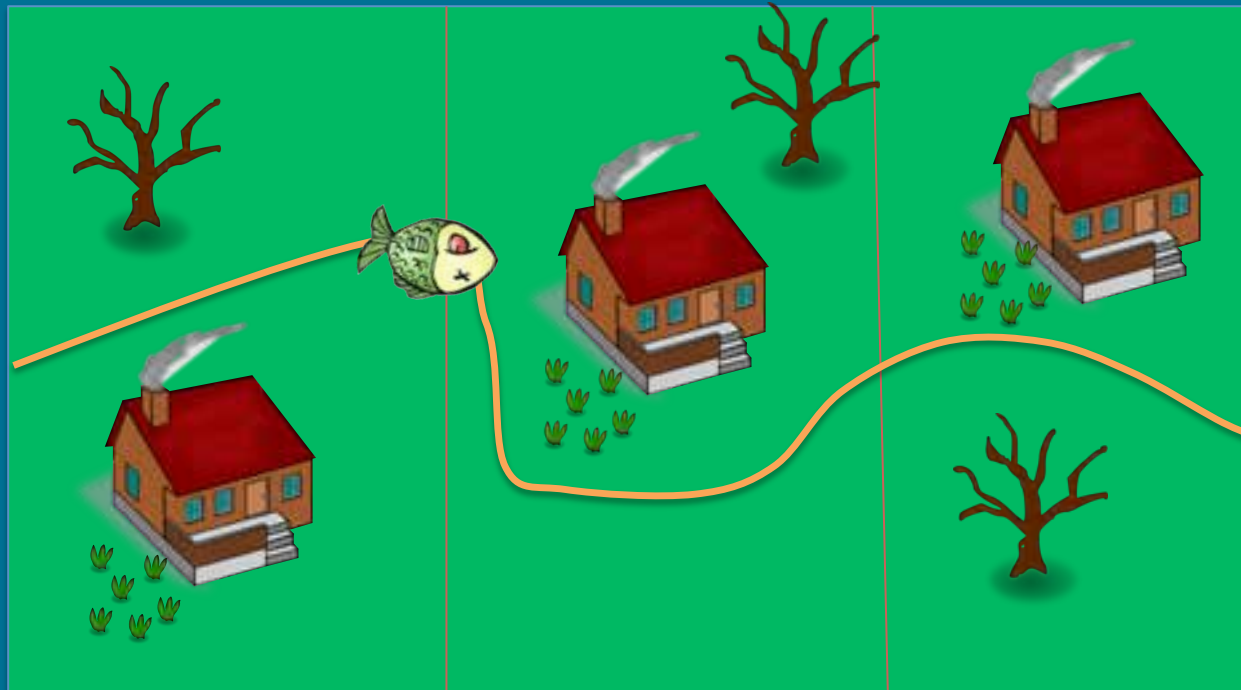
3 acre Tax-delinquent property with 3 development rights



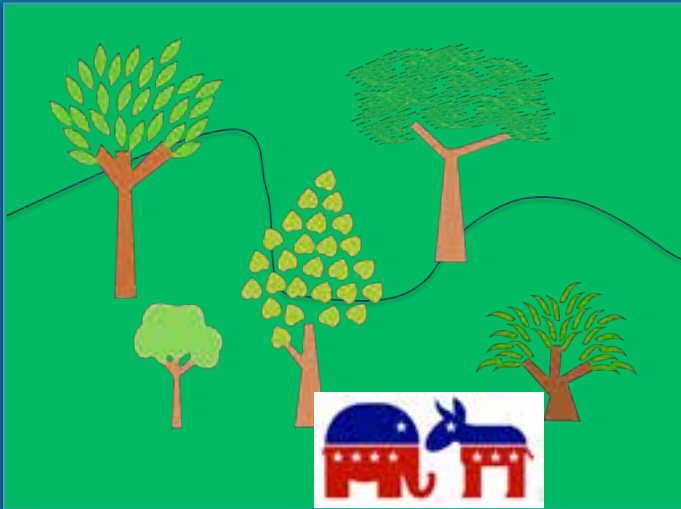
Abandon House & Car

Subdivide 3 Acres into 3, 1-acre Lots & Sell

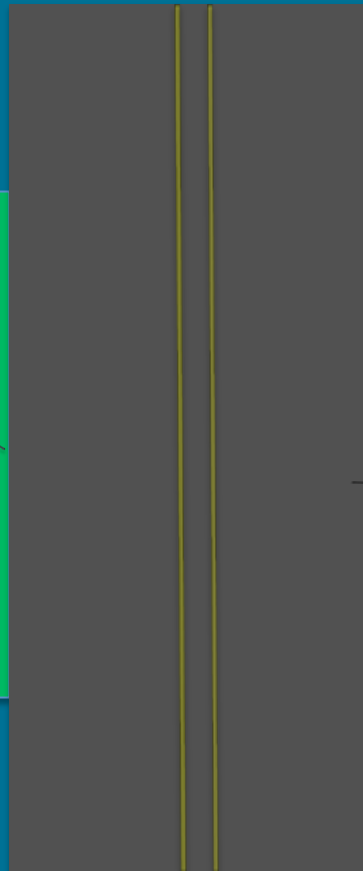
Loss of water quality, forest cover and habitat
Them



Or Sell & Transfer the Development Rights to Another Parcel

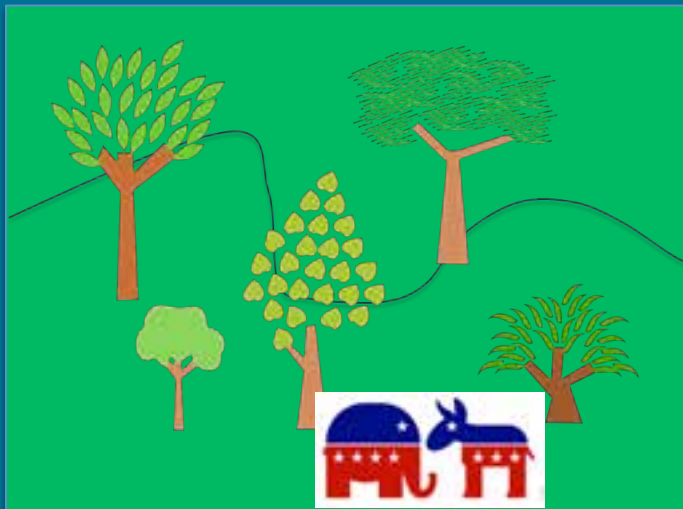


High Quality stream, diverse forest & Rare Animals

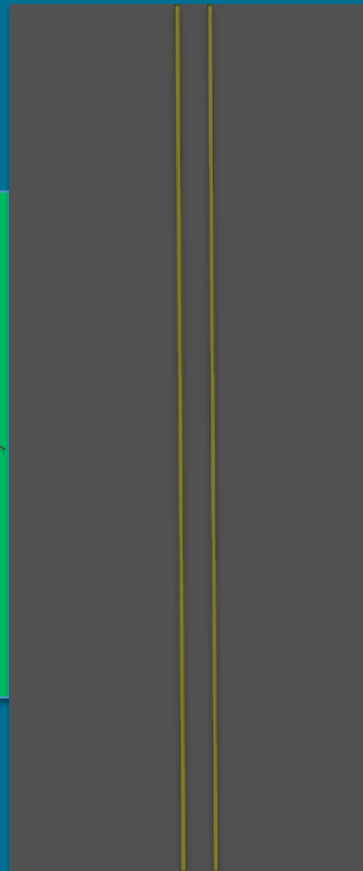


Abandon house & car

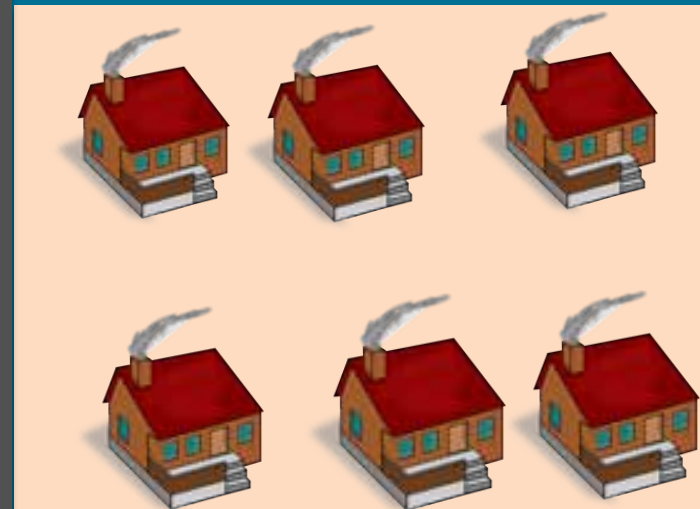
OR... Transfer the Development Rights to Another Parcel



High Quality stream, diverse forest & Rare Animals



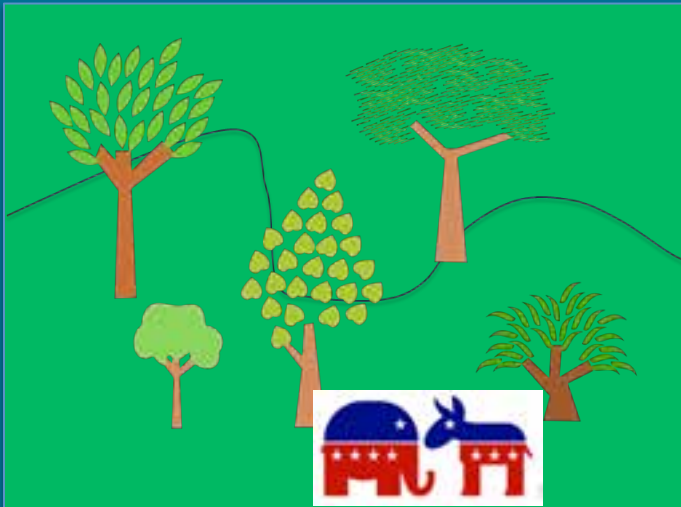
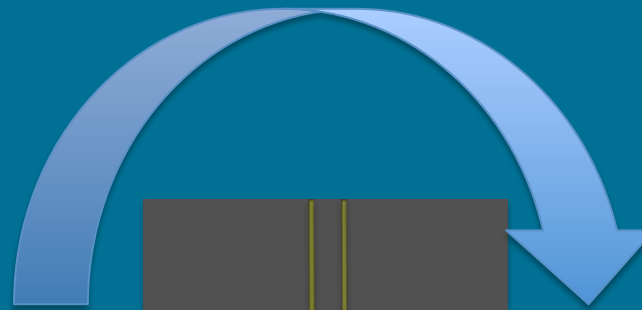
3 transferred development rights



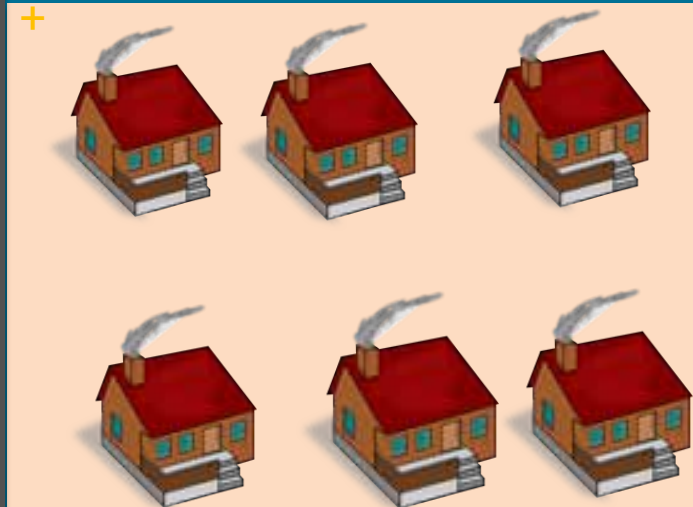
3 existing development rights

**TDR
Sending
Zone**

**TDR
Receiving
Zone**



3 transferred development rights



3 existing development rights

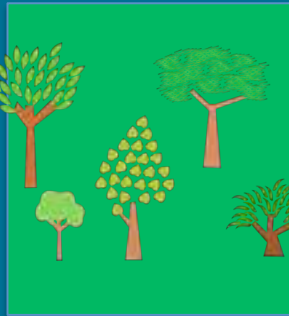
Instead of 3 houses on 3 acres ...

house on 3 acres

you have 6

AND Protected Green Space!

Benefits of a TDR Program



TDR Sending Zone

Land dedicated for a public purpose:

- Park
- Stormwater Management
- Greenway
- Agriculture
- Floodplains
- Wetlands

Reduced municipal infrastructure



TDR Receiving Zone

Assessed value and tax revenue increased

Development Rights can be translated into:

- Increased density
- Reduced Setbacks
- Increased square footage
- Other incentives created by municipality

You can't just sell & transfer your Development Rights like other rights

**Under the PA Municipalities Planning Code,
Municipalities can create a TDR program with:**





*Sending Zones where they want to protect land
& Receiving Zones where they want to have
development*

*The Municipality
can act as a Broker
buying & selling Development Rights*

If Municipality acts as Broker buying and selling Development Rights

- TDR Program could generate a new source of private revenue from Developers who buy the rights
- Revenue generated from sale of rights could be dedicated to construct and sustain GI or other

Where are TDR Programs Happening?

-  The TDR tool has been available for use by Pennsylvania municipalities for over two decades. Provisions for a Transfer Development Rights program are authorized in Sections 603 (c) (2.2) and 619.1 of the PA Municipalities Planning Code.
-  Approximately 33 municipalities in the Commonwealth had the TDR tool incorporated into their zoning ordinances as of 2008. Warwick Township, Lancaster County, has the most active TDR program that has helped to protect over 1,500 acres of prime farmland.
-  In Warwick Twp., Development Rights are being sold for \$4,000 each to developers who then are allowed to increase density in a new commercial & office park development.
-  Pittsburgh Cultural District to protect Historic Buildings (Benedum Theater)

In Summary . . .



Development is directed to where infrastructure exists and where municipalities prefer it to be.



Development rights that are currently tied to property that is not generating any tax revenue are transferred to another parcel and effectively put back into the marketplace where they can **generate property tax revenue**.



A new source of private funding is generated for the NPO's working to revitalize communities, addressing storm water and CSO issues, creating urban gardens, etc. This capital can be used to improve and steward vacant parcels, increase capacity for the NPO's and thereby accelerate community revitalization.



Land used for public purposes such as **green space and community gardens** are protected from being developed for a so called “higher and better use”.

Frequently Asked Questions

Q: How will the Sending and Receiving Zones be identified?

A: The Sending and Receiving Zones need to be identified through a public planning process with input from residents, developers and community groups. Sending Zones should be where it is determined that the land has a higher net public purpose than private development would.

Q: Who is eligible to purchase development rights and who would they purchase them from?

A: The most likely buyers would be developers and the seller would be the municipality or private landowner who owns the land.

Q: How are development rights priced?

A: Supply and demand impacts price. The Receiving Zone should be in desirable areas where developers want to invest and build, thereby creating a robust demand for development rights.

Frequently Asked Questions

Q: What do developers get when they buy development rights?

A: It could be higher density, more square footage or allowing a mixed use that makes their project more profitable. However, the overall density of the larger community hosting the Receiving Zone does not have to change.

Q: Who would benefit from a TDR program in your municipality?

A: Taxing bodies could receive more tax revenue, communities could receive more green space & developers could make higher profits.

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