



**APPLICATION FOR
TRANSFER OF DEVELOPMENT RIGHTS
PROGRAM CERTIFICATE**

RETURN TO:

Eric R. Lawrence

Director of Planning and Development
Frederick County
Department of Planning & Development
107 North Kent Street, Suite 202
Winchester, VA 22601
Phone: 540-665-5651
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FOR COUNTY USE ONLY:

Date Received _____
Completed Application Date _____
Director of Planning and Development Approval Date _____

This is an application for landowners interested in participating in a Transfer of Development Rights (TDR) Program offered through Frederick County. The purpose of the TDR Program is to promote the protection of agricultural lands and open

spaces located within the County's sending areas by transferring residential dwelling units to the County's designated receiving areas that are capable of accommodating planned residential growth.

Along with this application form, please submit the following:

Deed A copy of the original deed with the deed book and page number stamp, under which the owner acquired the property.

**Survey/
Plat** A survey or plat must accompany the deed.

Is there a lien held on any of the parcels included in this application (including, without limitation, holders of deed of trust liens and judgment liens)? If yes, please attach all lien information with this application.

yes no

**Deeds
of Trust** If there are any deeds of trust (including mortgages) on the property, a copy of the original deed of trust with deed book and page number stamp.

What is the type of ownership? Sole Owner Partnership Limited Liability Company
 Husband & Wife Corporation Other:

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Frederick County Department of
Planning & Development

Owner's Full Name

Mailing Address

Street

City

State

Zip

Email

Phone

Additional Owner's Full Name

Mailing Address (if different than above)

Street

City

State

Zip

Email

Phone

Additional Owner's Full Name

Mailing Address (if different than above)

Street

City

State

Zip

Email

Phone

Additional Owner's Full Name

Mailing Address (if different than above)

Street

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PROPERTY INFORMATION

If you need help filling any of this information out, please contact the Planning Department. **540-665-5651**

Below, please list the Property Identification Numbers and acreage for each contiguous parcel.

How many contiguous parcels are part of this application?

1 st Property's Tax Map Identification	Acreage
2 nd Property's Tax Map Identification	Acreage
3 rd Property's Tax Map Identification	Acreage
4 th Property's Tax Map Identification	Acreage

Magisterial District(s) for Parcels 1-4

Zoning District Classification(s) for Parcels 1-4

Are the parcels or parcel currently in Land Use?

What is the current use of the property(s)?

If the parcel(s) have an assigned address, list to the right.	Street City	Zip
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Are there any existing dwelling units located on the property? If yes, now many?	Yes	No
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Are there any other buildings on the property(s)? If yes, provide the type and number.	Yes	No
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Are there any existing easements or deed restrictions affecting this property? (eg. powerline corridors, access easements, conservation easements, etc.) If yes, please describe briefly	Yes	No
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How many density rights (number of dwelling units) do you plan on retaining on the site for existing or future development?

Other Comments:

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PROPERTY QUALIFICATION

If you need help filling any of this information out, please contact the Planning Department. **540-665-5651**

SENDING SITE CRITERIA:

I believe the property would qualify as a sending site because it contains one or more of the following public benefits as defined in Chapter 165, Article III – Transfer of Development Rights Program:

Zoned RA (Rural Areas), from which development rights have not already been purchased.

Located outside of the Urban Development Area (UDA) and the Sewer and Water Service Area (SWSA)

Designated in the Frederick County Comprehensive Policy Plan as Rural Areas.

Designated as an authorized sending property on the Frederick County Sending Areas Map.

Consist of at least twenty (20) acres of land under common ownership.

Be subdividable in accordance with Chapter 144 of the Frederick County Code, including but not limited to state road and access requirements.

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ESTIMATED DENSITY CALCULATION

We ask that you complete this worksheet to assist yourself and the Planning Department with evaluating the property. This is not a binding determination of the number of development rights a particular parcel may qualify to transfer.

To estimate the number of development rights that can be transferred from a sending site, the total area available for transfer must first be determined. The area available for transfer is the total sending site area minus a number of possible deductions (listed in Step 1). Then the transfer area is multiplied by the base density for the zoning district of the sending site.

Any fractions of development rights that result from these calculations shall not be included in the final determination of total development rights available for transfer.

Step 1. Deductions:

_____ square feet in existing conservation easements or similar encumbrances
_____ square feet in submerged lands (i.e. lakes, rivers)
_____ square feet of land area required by the zone for existing or proposed
development (existing dwelling units and proposed dwelling units)

_____ **Total Deductions (in square feet)**

Step 2. Sending Site Area Calculation:

_____ total area of sending site (in square feet)
subtract _____ total deductions (in square feet)
_____ **Total available sending site area (in square feet)**

Step 3. Convert Area to Acres:

_____ total available sending site area (in square feet) from Step 2.
Divide by 43,560 square feet per acre
_____ **Total sending site area in acres**

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Step 4. Estimate Available Development Rights:

To determine the development rights available for transfer, multiply the total sending site acreage from Step 3 by the base density of the zoning district. The base density listed is for transfer purposes only and do not imply actual development potential of a parcel.

Sending sites zoned:
RA (Rural Areas) District

Base density
1 right / 5 acres

Permitted Bonus Density:

*Sending Area #1

2 rights / 5 acres

*Sending Area #2

1.5 rights / 5 acres

*Sending Area #3

1 right / 5 acres

Estimated Available Development Rights _____

Any fractions of development rights that result from these calculations shall not be included in the final determination of total development rights available for transfer. Total available development rights calculated shall be rounded down to the nearest whole number.

The estimated number of available development rights calculation is provided to assist you with evaluating the property and developing your management goals. This is not a binding determination of the number of development rights a particular parcel may qualify to transfer.

APPLICATION CHECKLIST *Is the following information attached?*

- Legal Description of the Property
- Valid Survey
- Title Report
- Property Sketch or Site Plan - showing all existing and proposed residential units and other buildings, and any existing easements on the property.
- Verification of Taxes Paid (receipts from the Treasurer's Office)
- Zoning Ordinance Violation Inspection from the Planning Department
- Application Fee *

* Note: A \$50 review fee payable to the Treasurer of Frederick County will be required when the application is submitted Frederick County Department of Planning & Development. Once the application has been deemed complete by the Director of Planning and Development an additional fee of \$250 will be assessed to complete the application process.

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PROPERTY OWNER CERTIFICATION

I hereby certify that the information furnished on this application and the attachments are true, that I am the legal owner of the property described above, that I have marketable title to the property, and that I have the legal right to restrict the use of the property. I grant permission to Frederick County to seek an update from the Title Company prior its issuance of a Development Credit Transfer Certificate.

Signature of Owner (Applicant)

Date

Signature of Co-Owner (Co-Applicant)

Date