

**APPENDIX D**  
**DENSITY TRANSFER**

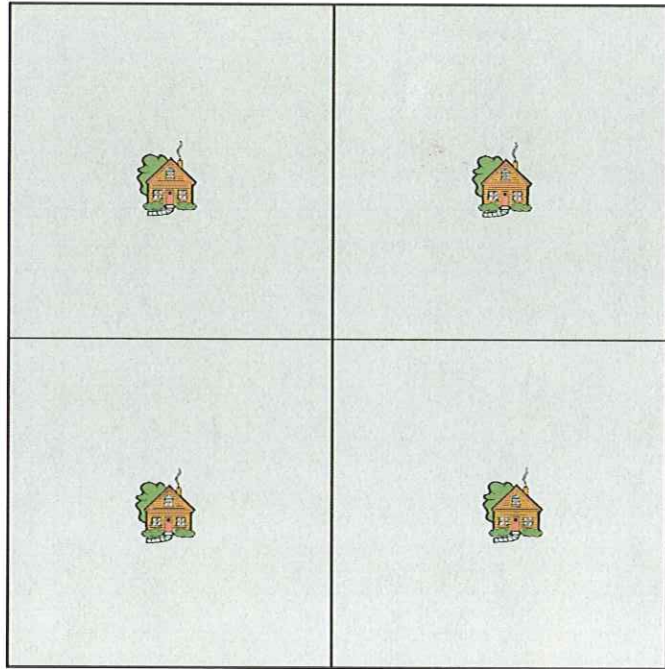
## DENSITY TRANSFER

Density transfer is an approach to density zoning used primarily in rural areas. It allows all or part of the permitted density on a tract(s) of land to be located anywhere or in various locations throughout the tract(s) where the minimum lot size is less than the minimum density acreage. Typically the transfer is allowed only within a single tract or among contiguous parcels in common ownership.

### Example 1

For example, if a landowner has 160 acres of farmland and the permitted residential density is 1 unit per 40 acres, the landowner would be allowed to build 4 dwellings. Under conventional zoning, the 160-acre tract of farmland would be subdivided into four 40-acre residential lots with one dwelling on each. This is depicted in Example 1 on the right. Under this scenario, the dwelling may be placed anywhere within the forty-acre lot on which it is located, but none of the land is likely to remain in agricultural use unless the resident engages in a small hobby-farm type activity.

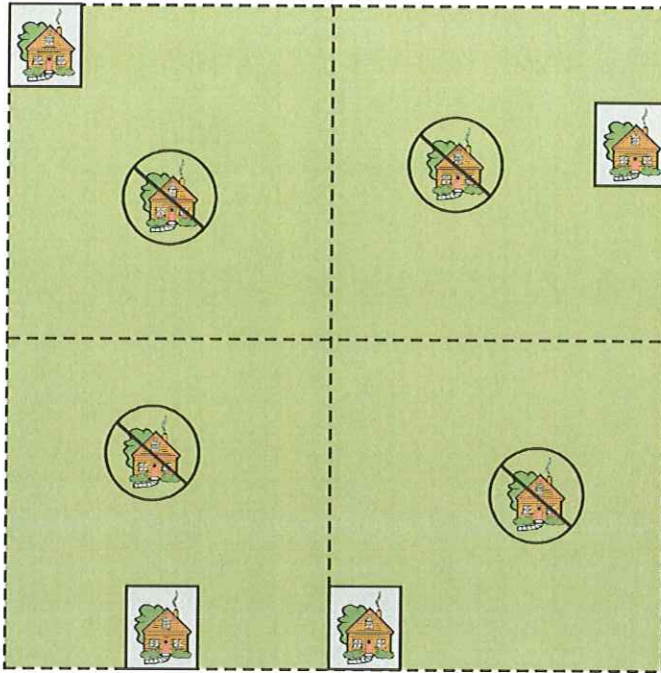
- **160 Acre Tract of Land**
- **Maximum Density of 1:40**
- **40 Acre Minimum Lot Size – Results in the Subdivision of the 160 Acres into 4 Forty-Acre Lots**
- **No Density Transfer**



In order to preserve farmland, open space or other features, the County has the option of allowing a lot size that is smaller than the permitted density. Under the example above, the landowner could divide off four one-, two-, five-, etc. acre lots and keep the rest in agricultural use. (Note, without maximum lot sizes, however, this method could still allow 20-, 30- 40- or more acre residential lots.) Dwellings would still need to be placed on the forty acres (or quarter-quarter section) from which the development right was derived. This is shown in Example 2 below.

### Example 2

- 160 Acre Tract of Land
- Maximum Density of 1:40
- 1, 2, 5, Etc. Acre Minimum Lot Size – Still Allows for Subdivision of 4 Residential Lots, With the Rest Remaining With the Landowner as an Outlot(s)
- No Density Transfer



In order to further preserve the maximum contiguous open space, farmland or other features, the County can also allow the transfer of density within the development. Using the same example, the landowner could still divide off four one-, two-, five-, etc. acre lots and keep the rest in agricultural use.

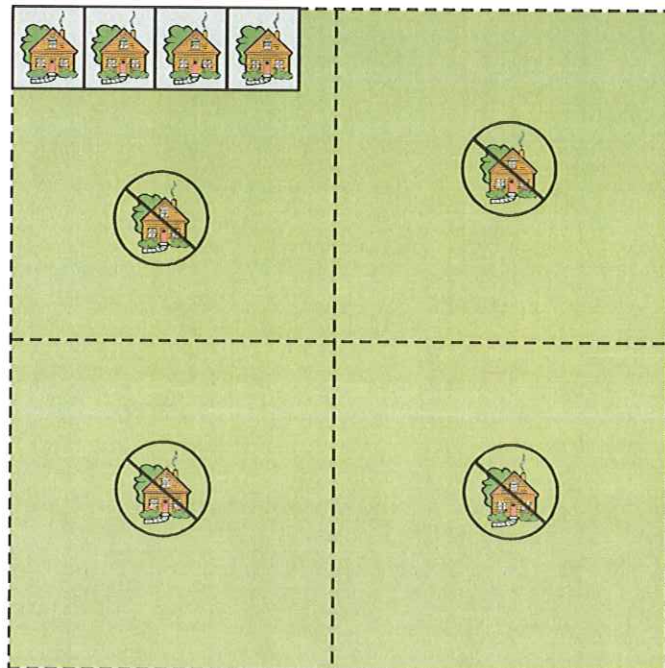
(Again, without maximum lot sizes, however, this method could still allow 20-, 30- 40- or more acre residential lots.) However, dwellings would not have to be placed on the forty acres (or quarter-quarter section) from which the development right was derived. They could be clustered or arranged in a number of locations anywhere throughout the 160-acre tract. One example of this arrangement is shown in Example 3 below.

Because dwellings do not need to be located on the specific 40 acres that was used to derive the development right, the County needs some sort of method to track land that has already been used in

the calculation for development. The most common way to do this is to place a deed restriction on the remainder of the tract.

### Example 3

- 160 Acre Tract of Land
- Maximum Density of 1:40
- 1, 2, 5, Etc. Acre Minimum Lot Size – Still Allows for Subdivision of 4 Residential Lots, With the Rest Remaining With the Landowner as an Outlot(s)
- No Density Transfer

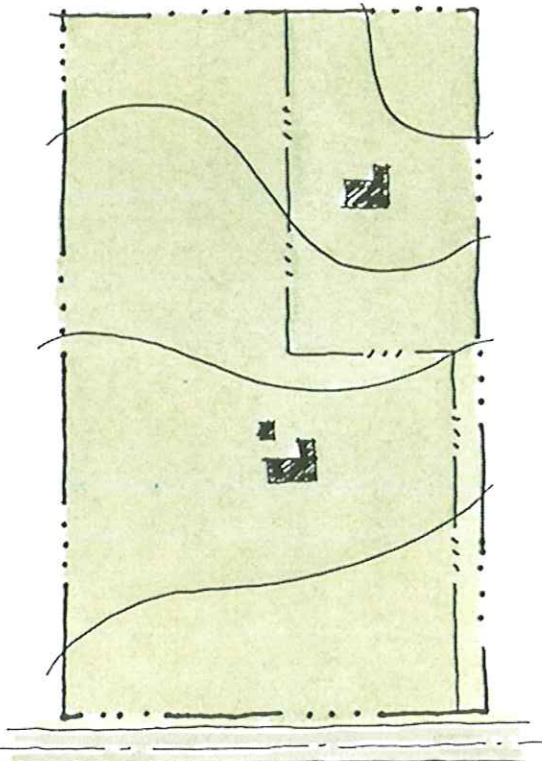


Density transfer can be used to achieve a number of objectives. It can allow for dwellings to be placed along an existing road or to share a common drive off an existing road. It can allow for the clustering of dwellings in locations with natural amenities such as woodland areas while preserving farmland. The following illustrations show development under conventional zoning for a 40-acre tract of land under conventional zoning (with varying lot sizes) and compares it to scenarios where dwellings are clustered through density transfer with minimum lot sizes of 2.5 acres to achieve a variety of objectives.

**EXAMPLE 4**

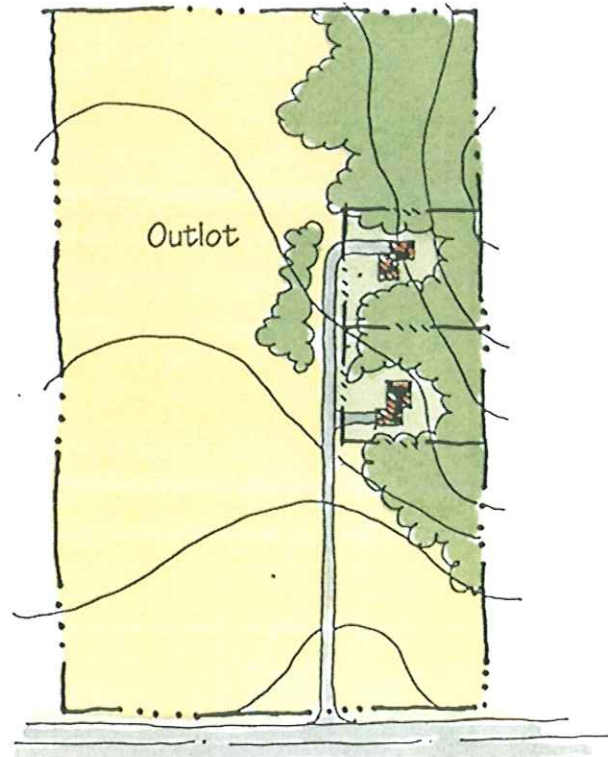
- **40 Acre Tract of Land**
- **Maximum Density of 1:20**

No Density Transfer



15 Acre Flag Lot

Utilizing Density Transfer

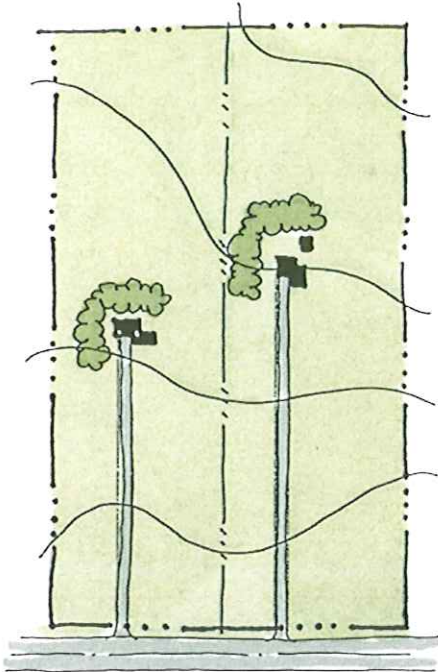


Two 2.5 Acre Lots with One 35 Acre Outlot  
Utilizes Natural Features

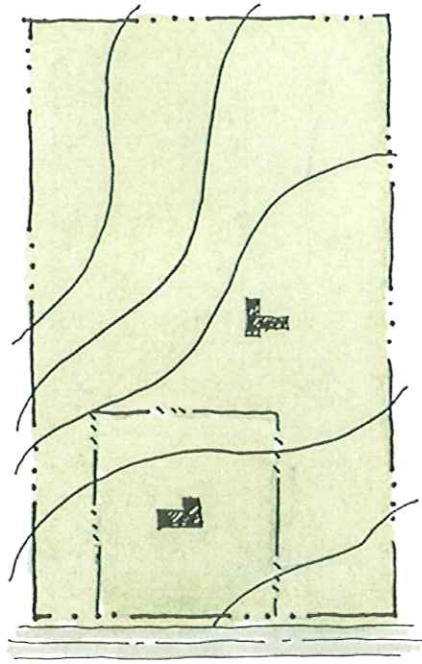
EXAMPLE 5

- 40 Acre Tract of Land
- Maximum Density of 1:20

No Density Transfer

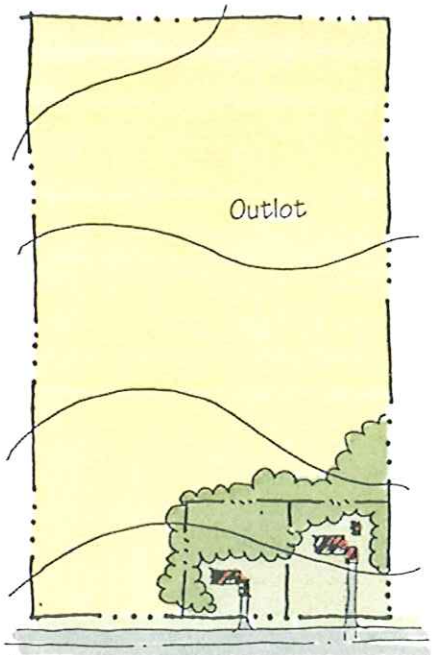


Two lot split, each 20 acres

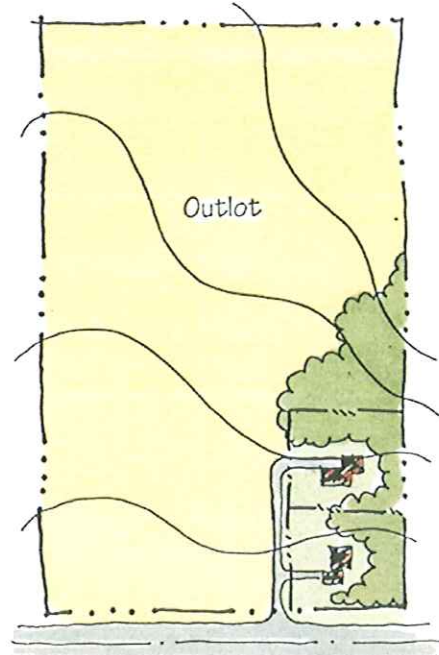


10 Acre/30 Acr

Utilizing Density Transfer



Two 2.5 Acre Lots with One 35 Acre Outlot  
Fronting on Road



Two 2.5 Acre Lots with One 35 Acre Outlot  
Fronting on Preserved Farmland