SARASOTA TRANSFER OF DEVELOPMENT RIGHT (TDR) PROGRAMS

The following Sarasota TDR Program descriptions have been provided by:

Sarasota has implemented three versions of TDR programs, which have protected 10,171 acres through six transactions.

Original Sarasota TDR Program

Sarasota’s original TDR program was adopted in 1982 to preserve environmentally-sensitive areas and discourage development of antiquated small-lot subdivisions. The program established a zoning overlay identifying four sending areas collectively called Residential Sending Zones (RSZs): 1) platted subdivisions which do not confirm to current development regulations, 2) environmentally-sensitive areas, 3) areas which should be preserved as agricultural, open space, or conservation lands, and 4) areas of historical or archeological significance. The number of units transferrable from an RSZ was based on the site’s zoning or the number of lots allowed through a previously-platted subdivision. Eligible receiving lands included the designated future urban area, town or village centers, and the overlaying residential receiving zone inside the urban service boundary. The transfer process under this program was complex, with separate rezonings required for designation of sending and receiving areas, and a transfer permit required for removing development rights.

Sarasota’s original TDR program protected 8,200 acres through transfers from four projects. A single transaction accounted for 8,169 acres of the protected acres. In this transaction, the county purchased the sending area parcel from the John D. and Catherine T. MacArthur Foundation in 1989 for $4.9 million for “public and County potable water supply, water conservation, recreation, environmental protection, and open space purposes” (Sarasota Ordinance 089-17). This transaction accounts for 80 percent of the total acreage preserved through TDR in Sarasota.

Conservation TDR Program

In 1999, the county created a new TDR program, referred to as the Conservation TDR Program. In many ways similar to the original program, the Conservation TDR program used a zoning overlay approach. In addition to a redefined Residential Sending Zone, the county identified a new Conservation Sending Zone (CSZ) overlay that applied to land of high ecological value, in a category 1 or 2 storm surge area, part of a watercourse or slough system, or an area of special flood hazard. CSZ may be created anywhere in the county for the purpose of transferring development rights to two newly-created receiving zones: the Future Urban Residential Receiving Zone (FURZZ) or Future Development (FUD) Overlay District. Transfers from the CSZ could occur at one unit per acre. FURRZ and FUD receiving zones can only be created on land designated as Future Urban Area and required at least 30 percent of the site to be preserved as open space. The program also included a High Density Residential Receiving Zone (HDRRZ). The HDRRZ overlay could be created in Town and Village Centers designated for
high-density residential development on the FLU map. The maximum density achievable in the HDRRZ overlay was 25 dwelling units per acre. Rights were allocated according to the underlying density. Although still included in the county code, the major sending and receiving areas in this program have been eliminated or replaced due to annexations and other regulations. Transfers required rezoning and board approval. One project, the 958-acre Toscana subdivision, was developed under the Conservation TDR program, protecting 730 acres located adjacent to the receiving site.

Sarasota 2050

Sarasota’s third TDR program was created through the 2002 adoption of the Sarasota 2050 comprehensive plan amendment and effectively replaced the Conservation TDR program. The plan includes TDR provisions to facilitate creation of new towns and villages outside the urban service boundary in balance with preserved open space, environmentally-sensitive lands, and agricultural activity. The program area covers 47,500 acres as well as an additional 36,000 acres of Agricultural Reserve Resource Management Area. Sarasota 2050 implements a Resource Management Area (RMA) system, which functions as an overlay to the Future Land Use Map. RMA provisions are voluntary, incentive-based, and do not affect underlying property rights. There are six resource areas: Urban/Suburban, Economic Development, Rural Heritage/Estate, Village/Open Space, Greenway, and Agricultural Reserve (see map of Resource Management Areas). The Village/Open Space RMA is intended to provide an opportunity for a new form of development outside the county’s urban service boundary as an alternative to sprawl. The 2050 TDR program is largely focused on the Village/Open Space RMA, where the program’s receiving areas may be located (see map ). The preferred development forms within the Village/Open Space RMA are Villages and Hamlets. Sarasota 2050 includes detailed design specifications for each development form.

Sending zones can include privately-held land within the Greenway RMA, Agricultural Reserve RMA, Rural Heritage/Estate RMA, and the Village/Open Space RMA. A point system creates incentives for landowners to transfer development rights from the most environmentally-sensitive land. Development rights that may be transferred are calculated based on the existing land characteristics and the proposed use of land. The greatest number of transferable rights is assigned to land with high resource value and higher likelihood to be otherwise developed, combined with a low-intensity proposed land use. For example, high dry scrub with a proposed land use of potable water storage facilities earns the highest number of transferable rights. A baseline environmental assessment and appropriate corresponding management plan must be included as part of the approval procedure for use of transferable rights.

Transfers are implemented through the Planned Development process including rezoning and board approval. Project master plans must designate all sending zones from which development rights will be transferred. Sarasota 2050 includes provisions for the county to establish a TDR Bank, which the county is currently working on. One transfer has occurred under this program to date. The Villages at Lakewood Ranch project protected 1,242 acres and supported development of 5,144 residential units.