

Transfer of Development Rights (TDR)

COUNTY

We have a TDR ordinance ready and waiting for Towns to adopt.

TOWNS

Towns must adopt the County TDR ordinance into their Town Comprehensive Plan so we can help track the town splits. Just like Density Policy, Towns should have rules around when, where and how a TDR can happen in their Town.

- Criteria (soils?)
- Ratios (1:1?)
- Mapped Areas

LANDOWNERS

A landowner must find another landowner willing to part with a development right. Sometimes the Town can be helpful with this.

CONTACT US

You have questions? We have answers.

<https://danecountyplanning.com/>

Phone: (608) 266-4266



You have a plot of land in rural Dane County and you'd like to build a house. But what if the Town and County won't allow the rezone because you are out of development rights? Before you give up you should check and see if your Town has a TDR program.

TDR Programs are intended to preserve larger tracts of farmland while moving development to more appropriate areas in the Town.

A TDR program allows willing landowners to buy/sell potential development rights (a.k.a "splits") that are normally available under town density policies. Usually someone with an extra split (for example a farmer) would sell the development right to someone in need of it.

Dane County does not get involved in the sale or in the amount of money that changes hands. This is a private sale between individuals.

More details are available here:

<https://danecountyplanning.com/planning/Transfer-Development-Rights>

- **TDR-R (Receiving)**

This overlay district is **where the splits are going**, the new residential parcel.

This will accompany the residential rezone to one of our many residential zoning districts. (For example: RR-2)

- **TDR-S (Sending)**

This overlay district is **where the splits are coming from**, the agricultural or open space parcel. This will usually not have a zoning change. (RR-2)

This Program must be used in concert with the normal [rezone](#) and CSM process used when landowners create residential parcels.

The differences are as follows:

1. The new residential parcel will need TDR-R overlay and an associated Deed Notice.
2. The ag or open area will need TDR-S zoning overlay and an associated TDR Agricultural Easement.
3. Both sending and receiving parcels will need to have a [Density Study](#) done.

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