



Guide to the City of Sammamish’s Transfer of Development Rights Program

The City of Sammamish’s Transfer of Development Rights (TDR) program allows landowners to sell development rights from their land (a "sending site") to a developer who then can use these rights to increase density on their project property (a "receiving site"). In exchange for selling its development rights, a "sending site" property will have a conservation easement placed on it that ensures that the land will be preserved for the public benefit. The receiving site will gain the ability to increase density on a development site beyond what is otherwise allowed by the zoning map.

General information about the City’s TDR program and the sending site application process is below. To access application forms and further information, please visit the City of Sammamish’s [TDR program website](#). The City’s regulations for TDRs are codified in Chapter 21A.80 of the Sammamish Municipal Code (SMC).

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1. What is a TDR, and what is the purpose of the TDR program?

A transfer of development rights (TDR) is a market-based tool that utilizes the demand associated with development to conserve environmentally sensitive lands, open space, and other lands with public benefits.

In a TDR program, a property within eligible area of the City may “send” all or a portion of its development potential to a property within an eligible “receiving site,” which may use the TDR to achieve development beyond what would otherwise be allowed by the City’s zoning code.

2. Who may apply to sell a TDR?

As part of the in-city TDR program, owners of properties located within the Thompson or Inglewood sub-basins, erosion hazards special district overlay or the wetland management areas special district overlay are eligible to sell TDR credits. A general map of these sending site areas is available [here](#).

A property within these areas is only eligible if it has intact development potential and provides a defined public benefit as defined in SMC 21A.80.030:

<p>A sending site is deemed to have a defined public benefit if the site is at least one of the following:</p> <ul style="list-style-type: none"> • Open space adjacent to or connected with a City park or open space lands 	<p>A sending site is deemed to have intact development potential if the area proposed for conservation is all of the following:</p> <ul style="list-style-type: none"> • Of sufficient area to create at least one development right pursuant to SMC 21A.80.050; and
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<ul style="list-style-type: none"> • Wildlife habitat for threatened and/or endangered species listed by the federal government or the state of Washington • Located such that preservation will provide additional protection for sensitive sub-basins or environmentally critical areas • Farmland • Forestland 	<ul style="list-style-type: none"> • Contiguous, except for division by public rights-of-way; and • The sending site's development rights or development capacity is not exhausted through any of the following: <ul style="list-style-type: none"> ○ Existing development on the site; or ○ Agriculture, recreation, or open space easements; or ○ Conservation of environmentally sensitive areas and their buffers through means including, but not limited to, an open space easement or native growth easement; or ○ Alteration by a conservation easement or through any agreement
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In order to sell a TDR, a property owner must first apply for [sending site certification](#) from the City. The City will review the application and, if approved, will issue a TDR certificate letter of intent stating the number of development rights available to be transferred and the expected terms of use for the sending site. Following issuance of this non-transferrable letter, it is the property owner's responsibility to place the appropriate conservation easement on the sending site property (see #4 below). The City will provide draft conservation easement language to be used. Once the property owner submits proof that the conservation easement has been recorded, the City will issue a serially numbered TDR certificate to the property owner that can be sold.

3. How many TDRs can be sold from a property?

The number of development rights eligible for sale on a sending site located in the in-City preservation sending site category shall be determined pursuant to SMC 21A.25.070 and 21A.25.080. The City of Sammamish offers a [density calculations worksheet](#) to assist property owners in determining the maximum number of units allowed on their property. A property owner may place a conservation easement on a portion of their property, leaving some of its development potential intact, but the portion of the property to be conserved must be made a separate legal lot.

No development rights may be assigned to land already encumbered by a conservation easement.

4. What are the requirements for properties that sell TDRs?

In exchange for the ability to sell a TDR, a conservation easement will be placed on the parcels from which the development rights were transferred, ensuring that no development will occur. "Development" includes, but is not limited to, any division, subdivision or partitioning of the property, whether by physical or legal process, which includes, but is not limited to, any subdivision, short subdivision, platting, binding site plan, testamentary division, or other process by which the property is divided into lots or in which title to different portions of the property are not held in unified ownership.

5. Where can a TDR be used?

Certified TDRs from eligible sending sites as part of the in-city TDR program may be used for additional residential density and commercial space in the Town Center subarea.

6. How can TDRs be purchased?

Purchases of TDRs through the in-City TDR program by eligible receiving site properties take place between property owners and without the involvement of the City. However, the City will maintain a list of property owners who have certified TDRs and are interested in selling.

7. What is the cost of a TDR?

The cost of a TDR is dependent on market conditions; there is no set price. The cost will ultimately be determined by the buyer and seller.

8. How many additional units does the purchase of one TDR provide in the Town Center?

The bonus density associated with each TDR purchased as part of the in-City program may be applied to the [Town Center subarea's B and C zones](#) and for additional Town Center commercial space based on the following incentive table, pursuant to SMC 21A.80.090(2):

		Sending Site		
		R-1	R-4	R-6
Receiving Site	Town Center Commercial	7,716 sq ft	3,560 sq ft	2,600 sq ft
	Town Center B- Zone	7 dwelling units	3 dwelling units	2 dwelling units
	Town Center C-Zone	4 dwelling units	2 dwelling units	1 dwelling unit