

## How do I know if I am entitled to TDCs?

You must have a legal building lot with legal access, and you must agree to keep your property vacant or restrict the residential square footage on the property to 2,000 square feet or less. If you meet these criteria, you need to submit a TDC Determination application to the TDC Clearinghouse or the County.

The form is available at [www.BoulderCountyTDCclearinghouse.org](http://www.BoulderCountyTDCclearinghouse.org). The County will determine if you are eligible for TDCs and the number of TDCs available from your property.

## My lender placed a mortgage or deed of trust on my property. Does that limit my right to TDCs?

You will need to obtain a subordination agreement from your lender before your TDC Certificates will be issued. That means your lender will recognize the development restrictions you place on your property through the TDC process. Please contact your lender as soon as possible to discuss this matter. The TDC Clearinghouse can provide you with additional information and assistance on this topic.

## How do I find out who has TDCs to sell or who wants to buy TDCs?

The TDC Clearinghouse was established to serve as a resource for buyers and sellers of TDCs. You may register with the TDC Clearinghouse to buy or sell TDCs. The TDC Clearinghouse maintains a website identifying potential buyers and sellers of TDCs.

See [www.BoulderCountyTDCclearinghouse.org](http://www.BoulderCountyTDCclearinghouse.org). You may also contact parties on your own and ask them if they would like to buy or sell TDCs. Generally, property owners who wish to build houses in Boulder County above the size threshold are potential buyers of TDCs, and property owners with vacant parcels or with residential square footage less than 2,000 square feet are potential sellers.

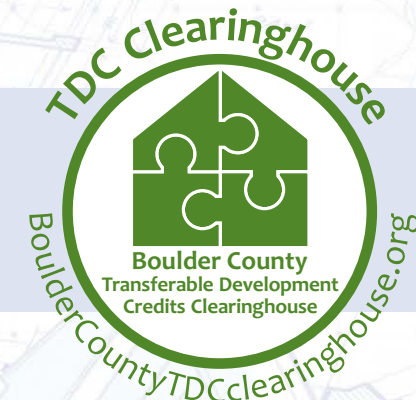
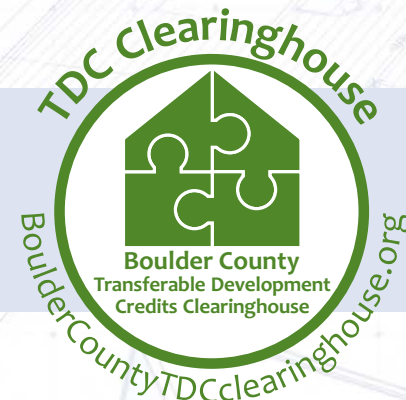
## Can TDCs be transferred from anywhere in unincorporated Boulder County?

Yes, this is a County wide program and TDCs from any part of unincorporated Boulder County may be used in any other part of unincorporated Boulder County.

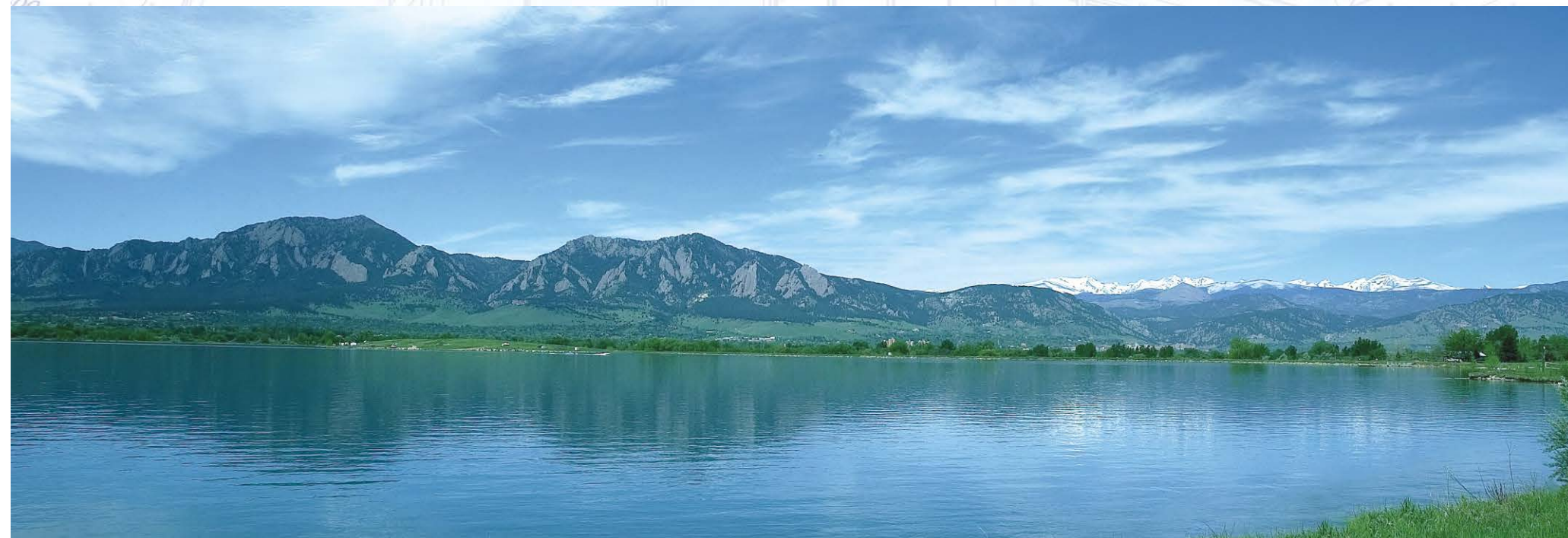
## If I purchase TDCs am I the only one who can use them?

TDCs may be bought and sold more than once. Each transaction requires the issuance of new TDC certificates by the TDC Clearinghouse and recording with the Clerk and Recorder. Note that TDCs cannot be used to allow residential development on vacant properties from which TDCs have been severed. If TDCs were severed from a Restricted Parcel that has a building limit of less than 2,000 square feet of residential floor area, TDCs may be used on the Restricted Parcel, but only to allow the construction of a residence up to 2,000 square feet in size, and only when an amended restrictive covenant is placed on the property.

**Additional Information is available from the Boulder County TDC Clearinghouse website at:**  
[www.BoulderCountyTDCclearinghouse.org](http://www.BoulderCountyTDCclearinghouse.org).



# Boulder County Transferable Development Credits (TDCs)



## Boulder County Transferable Development Credit (TDC) Program

### What is the TDC (Transferable Development Credit) Program?



The Boulder County TDC Program, became effective on August 8, 2008. The TDC Program provides landowners with a mechanism to transfer their rights to develop additional square footage on their lots to parties wishing to construct homes larger than the County-wide size threshold of 6,000 square feet of residential floor area. Landowners, who wish to transfer their rights to develop, restrict future construction on their properties to smaller homes or agree to keep the land permanently vacant. These development limitations are enforceable through restrictive covenants or conservation easements. The TDC Program helps offset the impacts of larger home construction in the County, preserves the rural character of the County,

and maintains a diversity of housing stock for County residents. The rights to develop additional residential floor area are called Transferable Development Credits or TDCs. The following questions and answers are provided to give you more information and details about the TDC Program.

### How does the TDC Program work?

Under the TDC Program, owners of vacant land or of homes up to 2,000 square feet of residential floor area may maintain their smaller homes or vacant parcels by severing their future development credits and selling them to buyers seeking to build larger homes (over 6,000 square feet of residential floor area). Participation by landowners desiring to limit the development on their property is voluntary. Landowners are free to sell their TDCs on the open market or through the Boulder County TDC Clearinghouse, which was established to help facilitate the market for TDCs. Landowners who wish to build homes larger than 6,000 square feet of residential floor area must purchase TDCs.

### Why did the County adopt the TDC Program?

The TDC Program implements the goals and policies included in the Sustainability Element of the Boulder County Comprehensive Plan and addresses concerns with the trend in large-scale development in areas that previously sustained modest houses that fit with the landscape.

Boulder County has experienced a steady increase in the size of homes being built on vacant properties as well as the replacement of smaller existing homes with larger homes. The County was concerned about the increasing use of resources to build larger homes, the impacts of this development on the environment and watersheds, and the negative effects to the rural neighborhood character of local areas. The TDC Program allows for larger homes to be built, as there is not a limit on house size, but requires that the impacts of those homes be offset through the preservation of either vacant land or smaller homes. The preservation of smaller homes also preserves a diversity of housing stock, which is another goal of the Comprehensive Plan.

### What is a Transferable Development Credit (TDC)?

TDCs or Transferable Development Credits are measures of residential square footage which must be purchased to allow the construction of homes above the Size Threshold of 6,000 square feet.

### How do I know if I need to purchase TDCs?

Under regulations adopted by the Board of County Commissioners, houses above 6,000 square feet of residential floor area may only be constructed in unincorporated Boulder County if the landowner purchases TDCs. There is a sliding scale to determine the number of TDCs needed to build additional floor area. The chart below illustrates how many TDCs are needed to increase the floor area of a residence above the Size Threshold of 6,000 square feet of residential floor area.

Number of Square Feet	Number of Credits	Total Additional Square Footage	Total Credits for Additional Square Footage
1st 500	1*	500	1
2nd 500	1	1,000	2
3rd 500	2	1,500	4
Each Additional 500 Square Feet	2		

\* Minor Additions (under 200 square feet) may be exempt.

For instance, if you wish to build a new house that contains 8,500 square feet of residential floor area, you will need to purchase 8 TDCs.

### Are there exemptions from the TDC Program?

Yes, in a number of limited and specific instances a development may be exempt from the TDC program and thus the 6,000 square foot size threshold. Please refer to the website, [www.BoulderCountyTDCclearinghouse.org](http://www.BoulderCountyTDCclearinghouse.org), or contact a Land Use staff member to see if your development is exempt.

### What is Residential Floor Area?

Residential Floor Area includes all attached and detached floor area of the principal residence and residential accessory structures, including garages, studios, pool houses, home offices and workshops. Gazebos and carports up to a total combined size of 400 square feet are exempt. Residential floor area does not include the area of any covered porch.

### Who can sell TDCs?

Owners of legal building lots with legal access who are willing and able to permanently restrict development on their properties may obtain TDC Certificates, and sell their TDCs. The number of TDCs available from a parcel will depend on its location in the mountains or the plains and whether all development is prohibited, so that the parcel remains vacant land forever, or whether existing or future structures are limited to a certain size. TDC Certificates are obtained by going through a County review process

### How many TDCs can I receive if I agree to restrict the size of my current or future house on my property?

The chart below shows the number of TDCs available for properties limited to certain sizes. The same rules apply to mountain and plains properties.

Size Limitation for Residential Floor Area	Number of TDCs Available
2,000 Square Feet	2 TDCs
1,500 Square Feet	3 TDCs
1,000 Square Feet	4 TDCs

### How many TDCs can I receive if I agree to maintain my property as vacant land?

As shown in the table below, the number of TDCs available from vacant building lots is based on the location of the property and whether the lot will be preserved through a restrictive covenant or conveyance in fee to Boulder County (or another land preservation organization approved by the County). Conveyance to Boulder County is only possible if the County agrees to accept the property in fee.

Vacant Properties	Mountains	Plains
Restrictive Covenant	5 TDCs	10 TDCs
Sale in Fee	7 TDCs	12 TDCs

### What is included in the Mountain Area and the Plains Area?

The Mountain Area includes the area west of CO 93 from its intersection with the south county line to the City of Boulder, west of the City of Boulder city limits, west of US 36 from the City of Boulder to CO 66, and west of the St. Vrain Supply Canal from CO 66 to its intersection with the north county line. The Plains Area includes all areas of the County that are not part of the Mountain Area.

### Is it possible to obtain bonus TDCs for significant conservation values, floodway mitigation, or historic preservation?

You may be entitled to bonus TDCs (maximum of 5 TDCs) for significant conservation values of your property, floodway mitigation, and/or historic preservation. This is a determination made by Boulder County when you submit a TDC Determination Application, and request a review for bonus TDCs.