

## Instructions:

Before the course, select four of the 11 tool topics to insert into the presentation, including at least one tool from each of the three goal categories. Replace each tool placeholder slide with the slides associated with each selected tool by moving or copy/pasting the slides from this section into the placeholder space. Delete the placeholder slide.

The goal categories are identified at the bottom of each tool slide and include:

1. Support the Rural Landscape
2. Help Existing Places Thrive
3. Create Great New Places

Select tools that are relevant to the region where the module will be conducted. Each tool discussion features a real-world example of where it has been used. You may choose to select the tools with examples in a region the same or similar to the workshop location. For example, an instructor conducting a workshop in a rural Midwestern community may select tools that have examples pulled from other Midwestern areas (such as tools #8 and #10).

You may also tailor the selection of the tools to the workshop based on your knowledge about the needs or existing conditions of the region. For example, if a region is already using a Transfer of Development Rights Program (tool #4), it would be best to select a different tool from Goal #1 to introduce new concepts or ideas to the participants.

Finally, choose tools that you will be comfortable presenting and answering questions about. Prior to selecting the tools, you may find it valuable to review the detailed explanations of the tools are available in Handout Two: Putting Smart Growth to Work in Rural Communities.

### MENU OF TOOL TOPICS (Choose 4 out of the 11 listed)



## Instructions:

Tool #4 begins with this slide. It focuses on the first goal and the fourth strategy listed under it on Handout One: Putting Smart Growth to Work in Rural Communities.

If you choose this tool to for discussion, replace one of the tool placeholder slides with the slides associated with this tool by moving or copy/pasting the slides from this section into the placeholder space. Delete the placeholder slide.



## Script:

“The first goal we discussed was to support the rural landscape. A number of proven strategies can be used to help create an economic climate that enhances the viability of working lands and conserves natural lands. One of these strategies is to link rural land preservation strategies to great neighborhoods. We will identify some tools and policies that support that strategy, and then we will focus in on one specific tool, transfer of development rights.”

Slide: 1

Time: 1 Minute

## Instructions:

Introduce the strategy, and mention the possible tools and policies related to it.

## Script:

“Linking rural land preservation strategies to great neighborhoods can help support the rural landscape by implementing sound policies that prioritize which land is most important to preserve and which land is best suited to accommodate future growth. Possible tools and policies related to this strategy include:

- Transfer of development rights, where development rights are transferred from working lands or conservation areas to areas more suitable for development
- Priority funding areas, which encourage development investment in certain geographic areas by providing targeted incentives, such as funding for infrastructure improvements. This can help to remove growth pressures from areas not targeted for development by making it more financially viable to develop in the priority funding areas.
- Agriculture, ranching, and forestry zoning, which restricts other uses, such as residential development
- Rural home clustering, an alternative to large lot, dispersed subdivision development

Many of these tools and policies are best implemented at the regional level, as resource-based economic activities often take place throughout a region and communities and counties can be more effective by partnering on these efforts. The following three slides will focus on transfer of development rights, providing a brief overview, discussion of benefits, and an example of successful implementation.”

### Strategy D: Link Rural Land Preservation Strategies to Great Neighborhoods

With strategic and early planning, a community can prioritize which land is most important to preserve and which land can accommodate the projected need for future growth.

#### Tools and Policies

- **Transfer of development rights**
- Priority funding areas
- Agriculture, ranching, or forestry zoning
- Rural home clustering



#### Goal #1: Support the Rural Landscape

Slide: 2

Time: 2 Minutes

## Instructions:

Explain the concept of transfer of development rights as an example of one way to incorporate preservation strategies.

## Script:

“Implementing a transfer of development rights (often called TDR) program allows a community to protect certain areas of land from development. TDR is a way to allow the right to develop a property to move to another property. For example, a farmer can sell the right to develop his farmland to a developer, who is then allowed to build at a higher residential density in a planned growth area. The farmer benefits financially by getting a financial return without selling his farmland for development. The developer benefits by being allowed to build at a higher density, or by building in an area that might otherwise not be designated for development. The lands designated for protection are classified as “sending areas,” and the rights to develop them are transferred to other areas, designated as “receiving areas.” These receiving areas are areas where the community wants to encourage growth.

TDR credits permit developers who buy them to build at higher densities in the receiving areas. They also provide financial opportunities for rural property owners to maintain their rural uses instead of selling them for development. There are a number of such programs in existence around the country, at all scales and sizes. They can be used to protect working lands to ensure that they can stay in production, as well as to protect sensitive natural areas. The public benefits both from the farmer preserving his farmland through the sale of his development rights and from the developer building more intense development in a planned growth area.

By adding the TDR tool to the zoning ordinance, the local government gives landowners in the sending area the legal ability to sever and sell development rights. The local government also determines how many TDRs the landowners have. For instance, the local government can grant one TDR for every five acres a landowner owns, so a landowner who owns 100 acres would have 20 TDRs. The local government determines how many TDR credits a developer must purchase to increase density.

Lands from which TDRs have been sold are permanently restricted from further

### Strategy D: Link Rural Land Preservation Strategies to Great Neighborhoods

#### Transfer of Development Rights (TDR)

- Protects one area of undeveloped land (“sending area”) by transferring the rights to develop it to another area (“receiving area”)
- More than 100 TDR programs across the country
- 26+ states have legislation enabling TDR



Goal #1: Support the Rural Landscape

Slide: 3

Time: 5 Minutes



## Script (Cont.):

development through a conservation easement. A conservation easement is a legally recorded restriction that generally limits the use of a property to farming, forestry, and open space. Other commercial, residential, industrial, or institutional land uses are not allowed, other than a primary residence for the farmer.

Local governments typically develop and administer these programs, however, they can also be administered as a regional program or by a land trust or other non-profit organization. TDR programs have administrative responsibilities, including monitoring the sale and transfer of development rights, and ensuring that conservation easements are put in place for protected lands. Some programs use revenues generated by sale of TDRs for purchase and protection of additional lands for farming or open space protection.”

**Strategy D: Link Rural Land Preservation Strategies to Great Neighborhoods**

**Transfer of Development Rights (TDR)**

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**Goal #1: Support the Rural Landscape**

**Slide:** 3 continued

**Time:** 5 Minutes

## Instructions:

Explain the benefits of transfer of development rights.

## Script:

“A TDR program can help a community ensure that development happens where they want it to happen – in priority areas that have been designated as most suitable for additional development, while at the same time providing financial returns to property owners who wish to keep their land from developing.

TDR programs provide an economic incentive to conserve important lands such as agricultural areas, sensitive natural resources, and other working lands. The land owner can sell the development rights as an alternative to selling the land. When a landowner sells the right to develop his property, the landowner receives a cash payment. But the land is still private property, and the landowner retains all of the other rights and responsibilities of owning land. Additionally, the transfer of development rights allows developers who purchase TDR credits to build at higher densities than normally allowed in the receiving areas, resulting in more efficient use of land and infrastructure and potentially higher profits.

TDR programs also provide local governments with a means of funding landscape preservation by providing them with funds to purchase lands or conservation easements to protect farms, forests, and ranches. This way, rural property owners have the option of selling a conservation easement and continuing to keep the land in production, rather than having to sell the entire property.

Each TDR program is unique and must be tailored to the needs of each community and region in which it is to be operated, but in all cases the basic approach is similar – the severing and sale of development rights, to be purchased and used in designated locations where growth is preferred.”

### Strategy D: Link Rural Land Preservation Strategies to Great Neighborhoods

#### Benefits of Transfer of Development Rights

- Provides an economic incentive to preserve land
  - Rural landowners have a financial incentive to not develop critical working lands (they can sell the development rights)
  - Allows developers to build at higher densities in desired development areas than they would normally be allowed
- Provides an economic mechanism to fund conservation
  - TDR dollars fund the local government purchase of selected rural conservation easements to protect farms, forests, or ranches elsewhere



#### Goal #1: Support the Rural Landscape

Slide: 4

Time: 5 Minutes

## Instructions:

Provide an example of successful implementation of transfer of development rights.

## Script:

“Montgomery County, Maryland, has a particularly successful transfer of development rights program. The county was losing 3,500 acres of land per year to sprawling suburban development before beginning its TDR program in 1980. Since implementing its TDR program, however, Montgomery County has been able to protect more than 93,000 acres of agricultural land. Today, Montgomery County has the highest percentage of farmland under agricultural land preservation easements in the nation.”

**Strategy D: Link Rural Land Preservation Strategies to Great Neighborhoods**

**Transfer of Development Rights Example**  
**Montgomery County, Maryland**

- County was losing 3,500 acres of land per year to suburban sprawl
- Rural Density Transfer program started in 1980
- More than 93,000 acres (of the county's 316,000 acres) are still in agriculture



**Goal #1: Support the Rural Landscape**

**Slide:** 5

**Time:** 1 Minute

**Additional Information:**  
For an overview of their programs, see: <http://www.choosemontgomerymd.com/programs-incentives/agricultural-preservation>