

# Transfer of Development Rights in Rhode Island

## A Creative Tool to Protect Natural Resources and Community Character

The transfer of development rights (TDR) is an innovative way to direct growth away from lands that communities want to preserve to locations well suited to support development. TDR is a voluntary market based land use tool. It allows property owners in preservation areas to sell their development rights to protect their land from being developed in perpetuity by a conservation easement. In turn, a property owner in a location that the community determines is suitable to support growth can buy those development rights and transfer them to build at a density higher than allowed under the current zoning. If the market conditions are favorable, developers are willing to purchase development rights to protect farms, drinking water, habitat and other natural assets to get bonus density where the community wants more growth. Therefore, new development is paying to preserve meaningful open space for future generations to enjoy.

*Add 3 pictures to show how TDR works from page 1 of the TDR Guidance*

There are over 200 successful TDR programs across the country. However, TDR historically has not been successful in New England. The new DEM *Rhode Island Transfer of Development Rights Manual* makes important changes to customize the approach to enable it to work effectively in Rhode Island. Moreover, there are market trends and fiscal benefits to communities and developers that currently support the success of TDR in Rhode Island. The TDR guidance contains the following:

- Key factors for successful TDR programs
- Different options to implement TDR in RI
- A small scale approach for TDR
- Case studies for successful TDR
- TDR ordinance guidance

A copy of the *Rhode Island Transfer of Development Rights Manual* can be obtained by visiting the DEM website at [WWW.DEM.RI.GOV](http://WWW.DEM.RI.GOV) and search for Transfer of Development Rights.

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