



Transfer Development Rights

History

As a community, Rice County has recognized that prime farmland is a vital economic resource and has focused on preserving this economic strength. In the 1960s, Rice County adopted its first zoning ordinance describing, among other things, how many homes could be built in the rural areas of the county. The amount of homes that are allowed in a certain area is considered the residential density. The housing density in Rice County has always been based around the preservation of productive farmland. As the community developed and planning progressed, zoning ordinances followed the goals and ideas of other documents. One key document is the Comprehensive Land Use Plan. This plan, created and updated by many stakeholders in the community, offers direction through goals and objectives.

TDR Concept Background

Prior to the Transfer Development Right process, zoning in the agricultural district was based on the quarter-quarter (QQ) section of land. The homes that were permitted needed to be built inside that QQ. One negative issue that burdened some landowners regarding using the QQ sections to determine density was the logistics. Building homes far away from roads or on prime farmland were not only poor, but also the only options for some owners. In 2004, Rice County adopted an ordinance allowing the process of moving housing development rights in an effort to encourage preservation of agricultural land and open space. Land owners, in select districts, now have the opportunity to move Transfer Development Rights (TDR), to a more desirable location within a township. Transferring a building right from a prime piece of farmland or a wetland creates a parcel which may be permitted for one single-family dwelling, typically on marginal land or near roads and services. Development rights are calculated by using standards found in the Rice County Zoning & Subdivision Ordinance [Chapter 520](#).

TDR Process

The platting process is used to transfer multiple rights into larger developments while a waiver of plat is standard for one-lot transfers. Procedures used for both methods are found in [Chapter 523](#) of the Zoning Ordinance. Applicants collect all required information for a proposal including: survey of the proposed lot, soils information showing a septic system can be installed, road access permit, and a legal description of where the TDR originates. A development that utilizes four transfer rights gains one bonus transfer right to encourage grouping lots in close proximity, sharing utilities and development of safe and durable roadways. Applications are accepted by the Environmental Services Department and sent to several state and local agencies to solicit comments regarding compliance with regulations they administer. The application is then presented to the Rice County Planning Commission for their review, and their recommendation is given to the County Board for final decision.

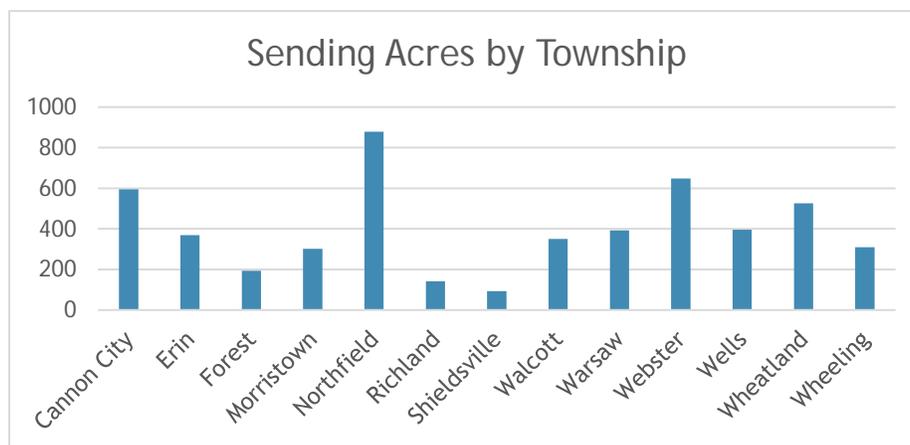
TDR Statistics

From 2004 through 2016, Rice County has approved 192 lots in the agricultural and urban reserve districts which are each eligible for construction of a single-family dwelling. Seventeen of these lots were created as bonus lots through the approval of five-lot plats.

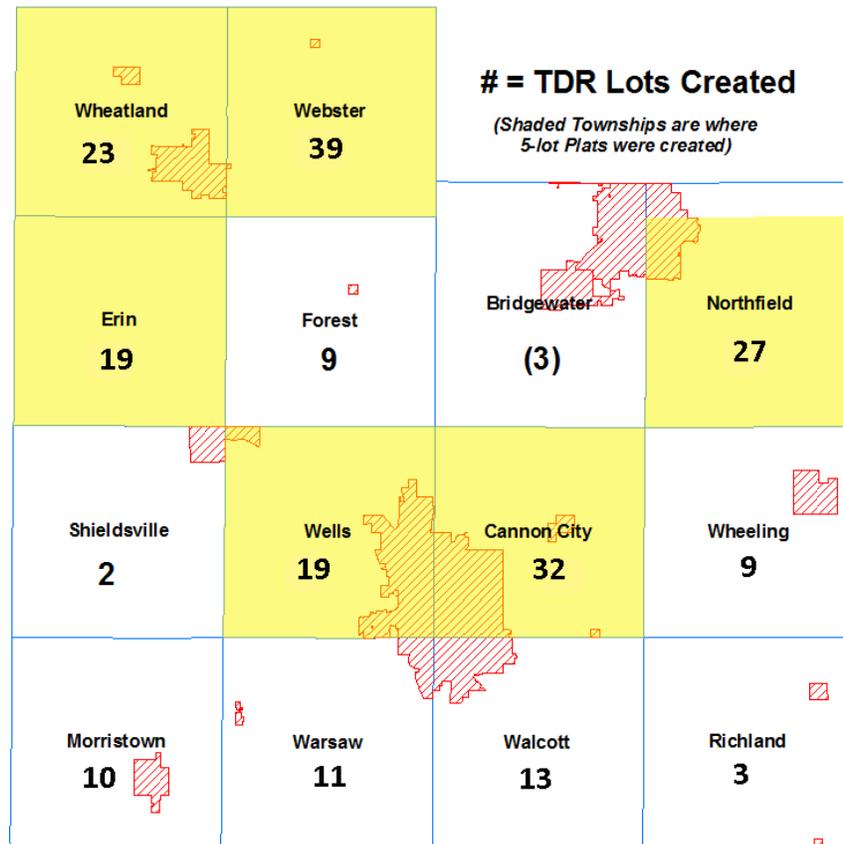
Conservation easements have been recorded on deeds of the areas from where those 175 rights were derived. Placing a conservation easement on a parcel of land, generally, will not affect the way people use the land. Conservation easements are recorded so that the owner and the county can track where a home may not be permitted. Farm land will remain productive agriculturally and open space will remain undeveloped. As of the end of 2016, 5,862 acres have been protected by this type of conservation easement.

Land Use	#	Acreage
Receiving Acres	192	533
Sending Acres	175	5,862

Below is a graph of the number of acres that have been reserved from building by means of a conservation easement. The low number of acres in Shieldsville and Richland Townships reflect the low account of activity in those townships.



The following picture depicts the number of lots by township created using the Transfer Development Right (TDR) process. The northern part of the county has had more TDR activity with 39 new lots in Webster Township, 32 in Cannon City Township, and 27 new lots in Northfield Township, respectively. The southern, outlying areas have seen the fewest new lots created. Only two lots have been created in Shieldsville Township and three in Richland Township. Also, the theory of clustering lots together has, for the most part, in Rice County found to be successful. The townships shaded in yellow have one or more five-lot plats that were created. The remainder of the townships saw only one- or two-lot proposals.



For more specific information about the completed Transfer Development Rights visit the Rice County [Beacon website](#). You can select and view lots and easements from the planning group on the left menu by selecting Transfer Development Rights.