



Kittitas County Transfer of Development Rights Program Recommendations: Frequently Asked Questions

Q: Is there a precedent for a voluntary, market-based TDR program in Kittitas County?

A: Yes. Kittitas County's transfer of development rights (TDR) program is modeled on other successful and sensible market-based TDR programs. These programs respect current zoning, but require TDR credits when a landowner elects to build beyond the current zoning allowances.

Q: Does TDR work?

A: Yes. TDR works well when it is designed to help a community achieve its land use goals and is supported by land use policies and regulations. Nationally, TDR programs have conserved over 380,000 acres of farmland, forestland and open space. It is important to keep in mind, however, that TDR should not be expected to achieve land conservation goals overnight. It is a long-term conservation tool that is influenced by market conditions and that performs best when coupled with other conservation tools.

Q: Do all landowners have to participate in the TDR program?

A: No. The Kittitas County TDR program is strictly voluntary. Landowners are free to sell all, some, or none of the unused development rights connected with their property.

Q: Will a TDR program in Kittitas County respect property rights?

A: Yes. The TDR program does not change the zoning or entitlement on any property in Kittitas County. In other parts of the country, TDR programs sometimes "downzone" rural property, reducing its development potential. This Kittitas County TDR program takes a fairer approach; it does not downzone land and respects property rights.

Q: If I sell my development rights, can I still work my land?

A: Yes. Selling development rights means only that you can no longer build on or otherwise develop that land. You can continue to farm or harvest timber on it. You can also use it for other economic uses, such as providing access for hunting or horse packing. Once payment is received for your development rights, a *conservation easement* is placed on the parcel that clearly spells these rights out.

Q: If I sell my development rights, do I have to let people onto my land?

A: No. Selling development rights means only that you can no longer build on or otherwise develop that land. You retain all other rights of ownership, including the right to restrict access.

Q: Are conservation easements permanent?

A: Yes. TDR agreements are purchase-and-sale transactions between buyers and sellers. Just as if you sold your house to someone else, selling your right to develop a parcel is a permanent transaction. However, if you face a genuine, serious hardship in the future because of a conservation easement, the program does offer a provision for repurchase of the development rights.

Q: Is TDR anti-growth?

A: No. A TDR program allows and actually encourages growth and economic development in receiving sites. Furthermore, Kittitas County's TDR program does not remove the development potential from buildable lands owned by those choosing not to participate. Simply put, TDR promotes responsible growth in Kittitas County.

Q: Will taxpayers bankroll the TDR program?

A: No. Unlike other TDR programs that are largely based upon purchasing development rights with taxpayer dollars and placing those rights into a TDR bank, the Kittitas County program will achieve resource land conservation without relying upon additional taxes or bonds.

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