

Reconciling Development and Conservation

Transfer of Development Credits (TDC)
Programs and Land Trusts

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Session 3A

New Conservation Tools

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From “Transfer of Development Rights: A Flexible Option for Growth in Pennsylvania”, Brandywine Conservancy



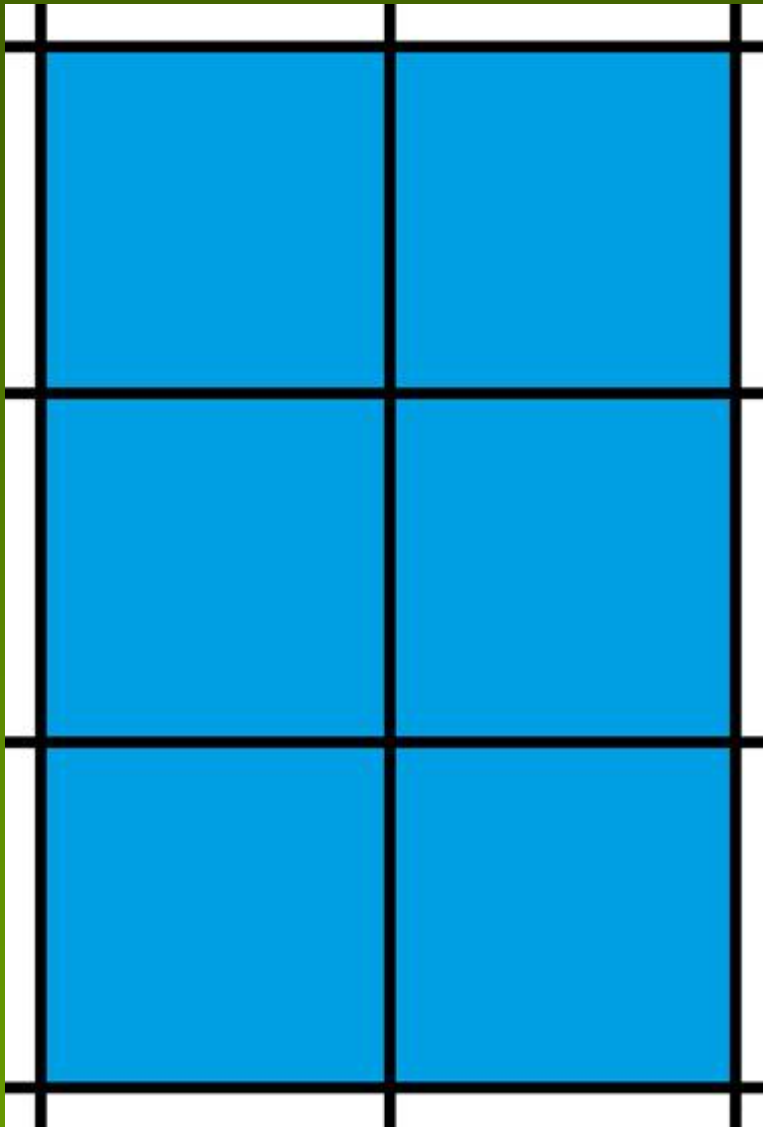
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Who Uses a TDC Program ?

- **Americans**
- **Some Canadians**
- **Municipal governments, and the landowners they represent**
- **Communities facing rapid growth, rapid land conversion**
- **Communities worried about loss of valued landscapes**



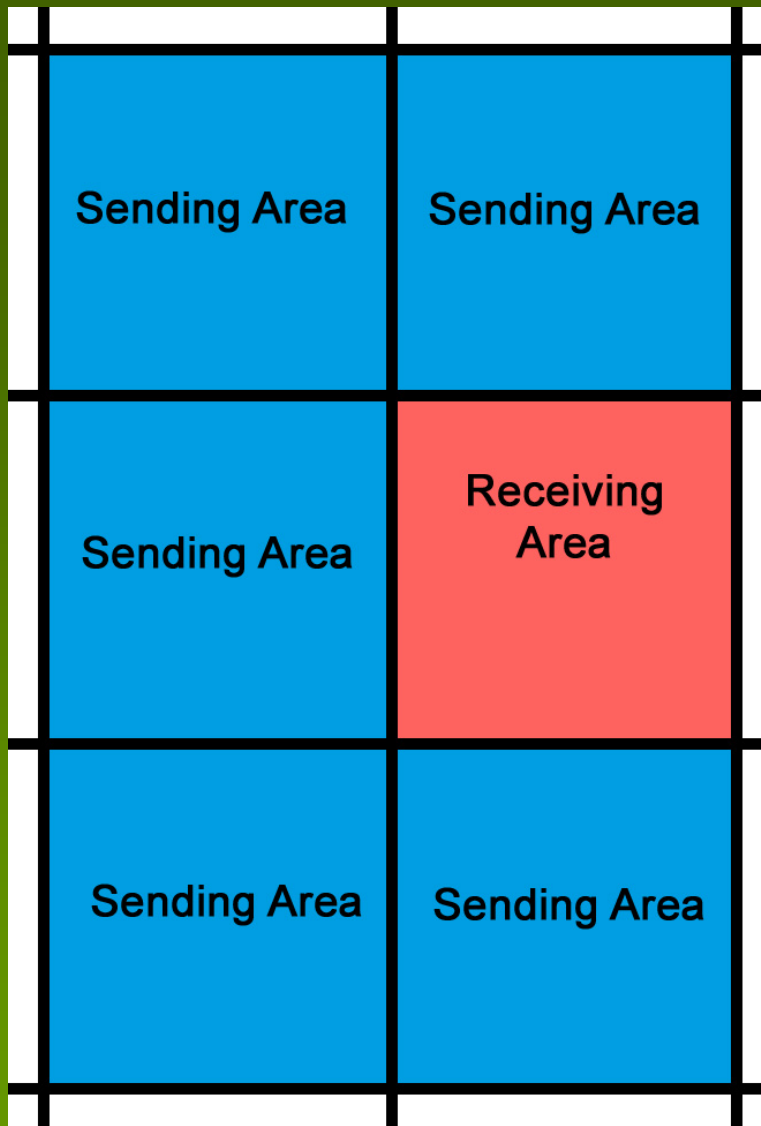
How does a "TDC" Program work?



**Determine the area
to which the TDC
program will apply**



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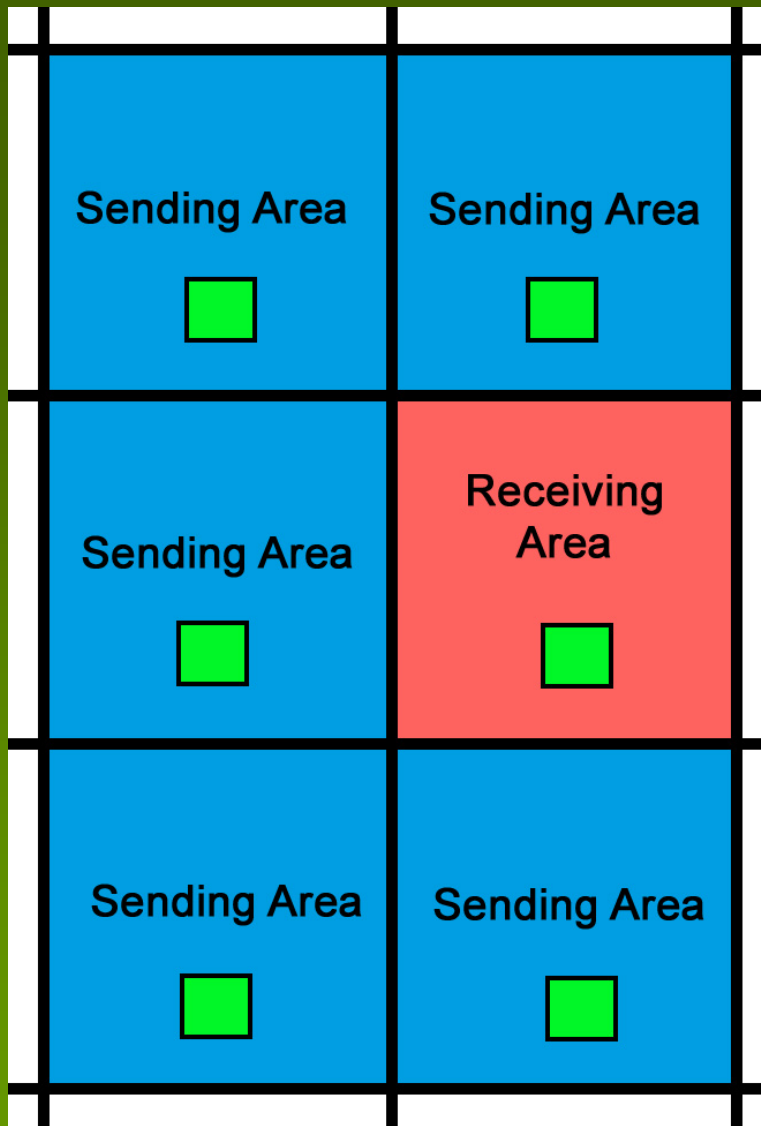


Designate
sending
(conservation)
areas

and

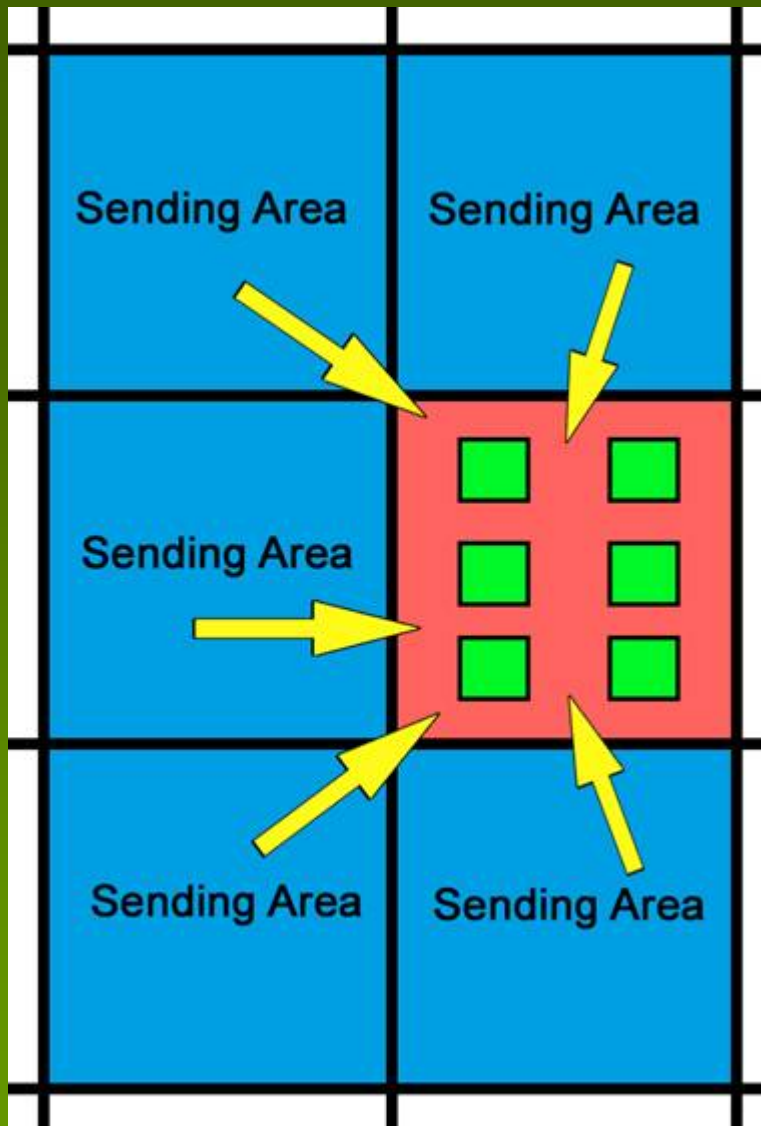
receiving
(development)
areas





Assign a
'development
credit' to each
parcel

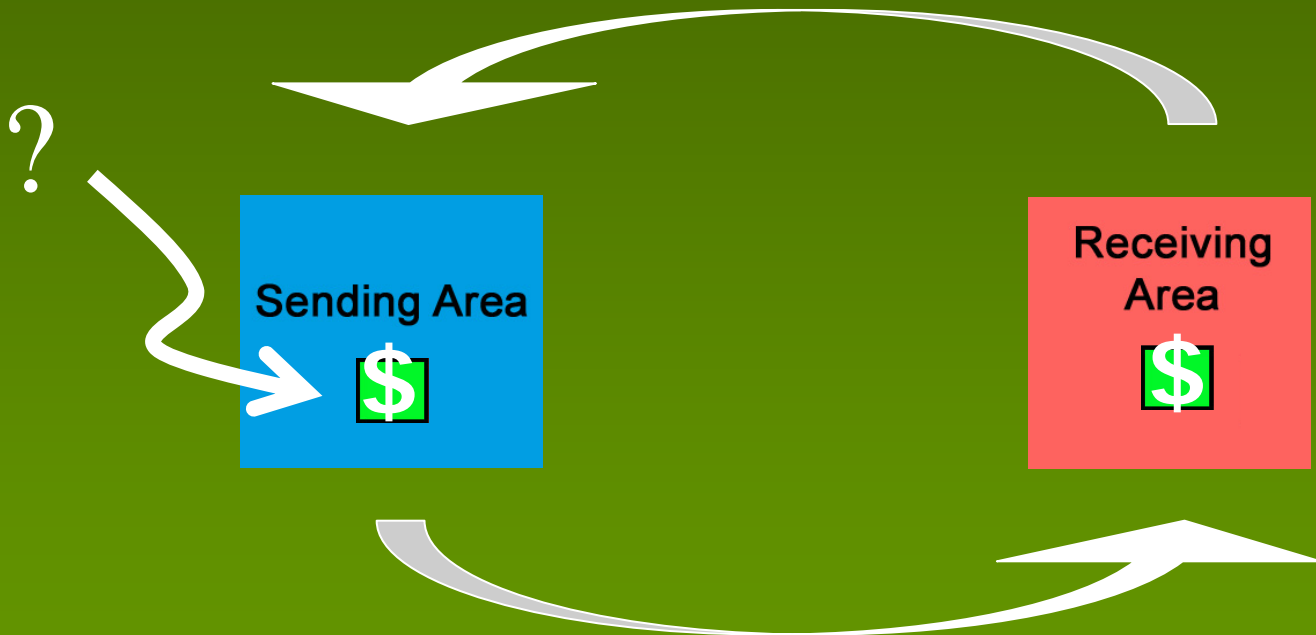




Developers purchase 'credits' from other parcels

Development potential is extinguished on 'sending' parcels





MULTI-CURRENCY



Sending Area



Receiving Area



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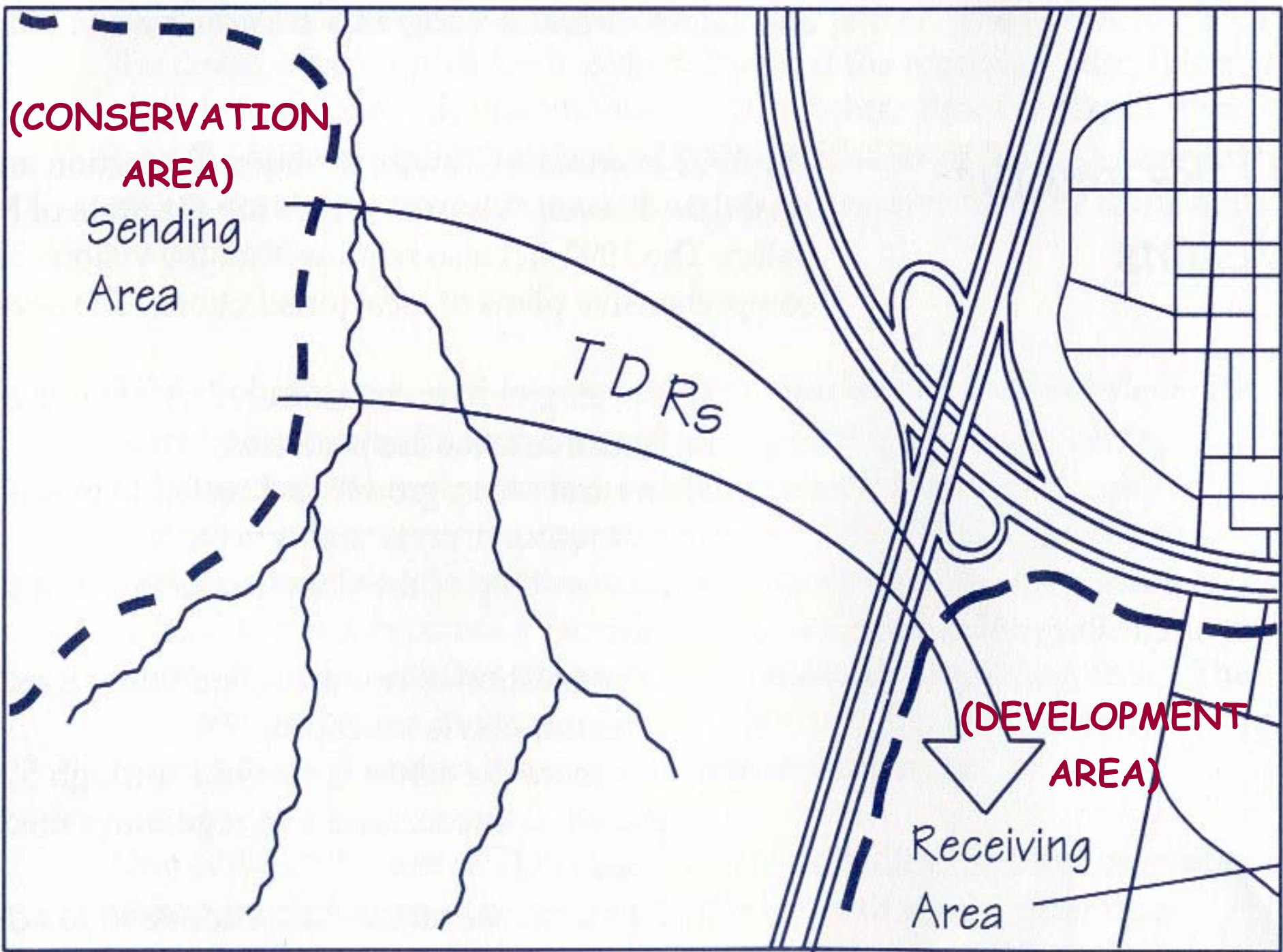
**(CONSERVATION
AREA)**

Sending
Area

TDRs

**(DEVELOPMENT
AREA)**

Receiving
Area



Quick Background

- In the U.S. since mid-60s
- Varying degrees of success
- Limited activity in Canada
 - First comprehensive, rural attempt Cypress County, 2003
 - Vancouver, Calgary, Toronto
 - Gaining prominence in Alberta (MD Bighorn)



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Features of TDC Programs

- **Municipal planning tool for promoting land conservation in the face of significant land conversion pressure**
- **May be initiated by Council, community, developers, conservationists, etc.**
- **Supports a community vision**



Features of TDC Programs

- **Hallmark: Method for restricting development (e.g., conservation easements)**
- **Hallmark: Market-based system for transferring credits; may be assisted (e.g., brokered)**
- **Successful TDR programs are never lonely, never stagnant!**



Features of TDC Programs

- Many ways for determining sending areas and receiving areas
- Credits may be based on development / conservation potential
- May be for a region, an entire county, multiple counties



The Alberta Experience



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Legislatively enabled?

Arlene Kwasniak, Faculty of Law at University of Calgary, reviewed legalities

- **Legislative jurisdiction**
- **Determine applications / set permitted uses**
- **Credit systems**
- **Density transfers**
- **Mechanisms to restrict development**



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Municipal Efforts

- **Cypress County**
 - First effort in Canada (comprehensive, multi-landowner, rural landscape)
 - Cypress Hills Fringe Area (2003)
- **Beaver Hills Initiative (Strathcona, Lamont, Beaver, Camrose, Leduc)**
 - Working with Alberta Research Council to identify market-based incentives
 - Seriously considering Transfer of Development Credits



Municipal Efforts (cont.)

- **Wheatland County**
 - Subdivision Credit Application Transfer (SCAT)
 - Goal: encourage clustered development in less-subdivided area
 - Maintains overall density (one-parcel-out of unsubdivided quarter)
 - Adjacent properties (not across road allowances)
 - No registration on title; no perpetual conservation



Municipal Efforts (cont.)

- **M.D. of Bighorn**
 - Area Structure Plan includes proposed Transfer of Subdivision Density (TSD)
 - Amendments made to MDP and LUB to allow TSD
 - No change to current MDP re: number of lots allowed to be subdivided from a quarter section
 - Currently a single landowner, but multiple parcels



TDCs and Land Trusts

What can Land Trusts do?

- **Initiate TDC discussions**
- **Participate in TDC discussions**
- **Contribute to planning sending and receiving areas**
- **Conservation easements**

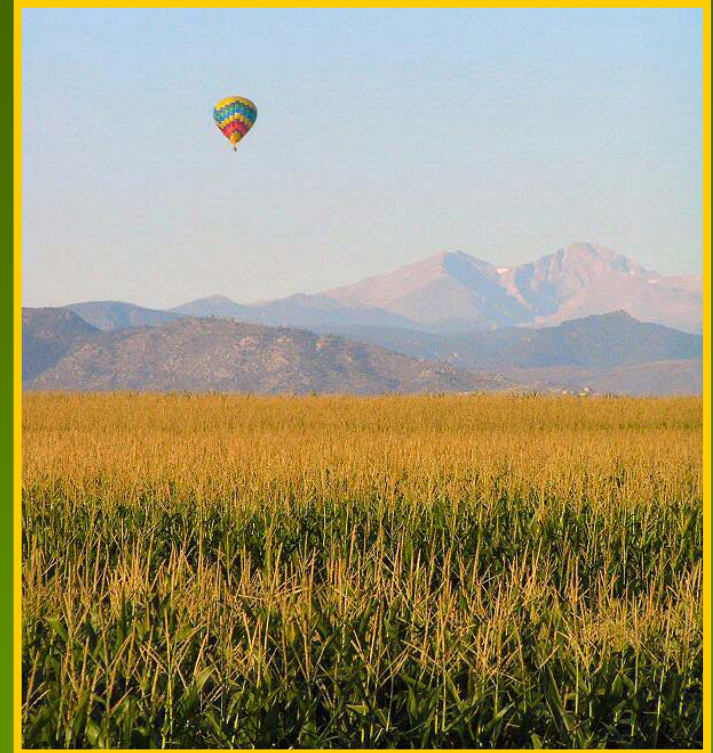


Photo credit: David Mosher, Larimer County



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TDCs and Land Trusts

Things to consider

- **What is the state of your conservation program?**
 - Are we currently achieving our goals?
 - What tools are we using? Are they effective?
 - What is missing, if anything?

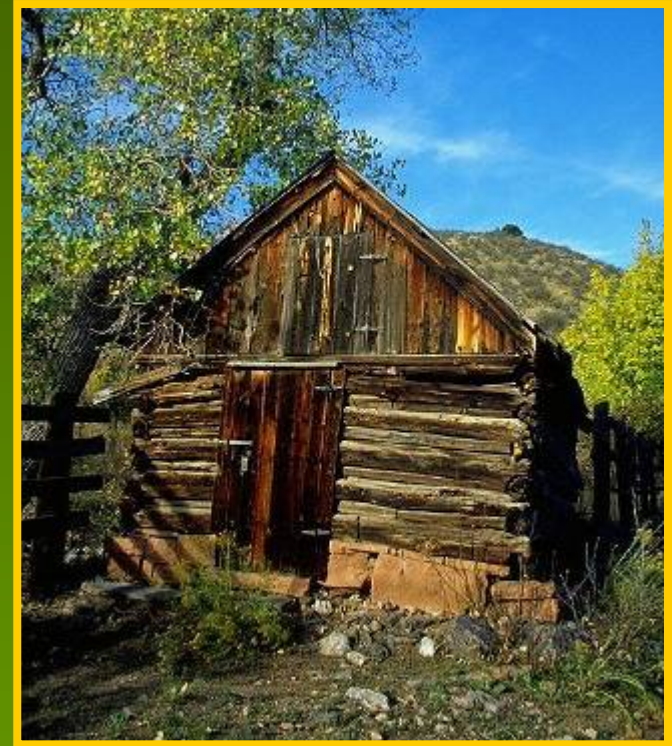


Photo credit: Charlie Johnson, Larimer County



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TDCs and Land Trusts

Things to consider

- This is a municipal tool!
- What is our interaction with local governments?
- What are the local governments' conservation goals
- What do we think about development in general?



Photo credit: Chuck Stiefke, Larimer County



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TDCs and Land Trusts

Level of involvement

- **Planning**
 - Contribute to valued landscape identification with GIS, data, protected areas locations, etc.
- **Provide CE support**
- **Hold CE's**
 - Are the goals of the program consistent with land trust goals?



Photo credit: Montgomery County



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