



Factors of Success for Albert TDC Programs

Determining which factors account for the success of TDC programs is difficult, and more so as the complexity and variety of the programs increases. Based on the Miistakis Institute's experience with the TDR programs we have visited, the TDR/TDC programs we have reviewed, and the provincial and municipal partners we have worked with on the TDC tool, the Miistakis Institute created this brief list of the conditions for success

Engagement of key stakeholders

On-going communication with, and genuine buy in of key stakeholders is critical to program success. Some key stakeholders will be the same regardless of the program, whereas some will vary, however some general categories can be identified. In Alberta, these might include: the community most affected by the program purpose (e.g., if the program's purpose is to conserve agricultural land, it is vital to engage the agricultural community), municipal council and staff, the development community, the voting public, local land conservation groups.

Support at a State / Provincial Level

Although the exact nature of support is debated, some level of provincial support is valuable, and may range from helpful to critical. Because municipalities get their powers from the Province, conversations with municipalities indicates a nervousness in proceeding with a TDC (or any) program without some measure of support from the higher level government. A review by Kaplowitz et al. (2008) noted that while the presence of enabling TDR legislation is not critical for success, several related state-level factors are, including support for background studies, complementary programs, and TDR banks— all of which can benefit from provincial-level support and guidance.

Well-conceived Credit System

The Miistakis Institute had the opportunity to meet and discuss program success with planners, real estate agents, brokers, landowners, developers, and others involved in four successful American TDR programs. Discussions about the implementation preferences and concerns generally centred around how credits were assigned, the value of them to sending area parcels, the ratios for their transfer, the influence of administration on their cost structure, etc. Clearly, a well-conceived credit system has a large impact on the smooth and effective operation of a TDC program.

Connection to Community Vision

Based on our discussions with various municipalities, there appears to be a temptation in Alberta to focus first on development of the TDC tool, and second on tailoring that tool to a community-based desire to conserve valued landscapes. The successful programs we reviewed related the TDC tool to pre-existing, well-established conservation goals. For example, in Boulder county, Colorado, comprehensive plans had for many years reflected residents' desire to see a physical separation between two large cities in the county; a desire supported by transferring development potential out of that greenbelt.

Attractiveness to Developers as well as Conservationists

Success seems to be dependent on securing the participation of developers and conservationists, perhaps at different critical stages. The Miistakis Institute's reviews found that government agencies and program facilitators identified developers as a key player whose participation was to be actively cultivated. It is likely the case that the *conservationists* represent the front end of a program (getting conceptual buy in, engaging voluntary participants in the early stages), but *developers* fully engage at the latter stage, one where incentives and recruitment take on a much different character.

Flexibility and Stability

In each of the four programs the Miistakis Institute visited, participants and program developers spoke (sometimes explicitly, sometimes implicitly) to the need to balance flexibility and stability. Programs are ever-changing, and aptly so. Like all things, those that evolved were able to keep pace with the changes in the economics and landscapes of their region. However, many participants, especially real estate agents, brokers and developers, spoke to frustrations with changing rules. Continued positive engagement seemed based on on-going communication, and sense that they were at least being made aware to the best degree possible of those changes. Not surprisingly, in the next breath they also spoke to their particular desires for program change.

Equity and Fairness

When conversations are initiated in Alberta around the TDC tool, the feature that attracts perhaps the most attention is the ability to 'level the playing field;' that is, that the program creates a financial benefit to *conserving* as well as *developing*. For this reason, programs – especially the credit systems – seem to be scrutinized for fairness and equity by all stakeholders. The programs we reviewed went to significant lengths not only to be fair and equitable, but also to be clearly *seen* as such.

Support/Coordination with Complementary Programs

In visits with the American TDR programs, it was rare not to be led to a different department and told about a complementary program. These were presented as pieces of a whole. Examples included the Great Outdoors Colorado-supported Parks and Open Space PDR in Boulder County; the Agricultural Preservation Board in Calvert County, Maryland; the Smart Growth Maryland state programs in Montgomery County; the Rural Land Use Process in Larimer County, Colorado. As well, all spoke to research and communication services which their programs relied on. The underlying message was the inability of the TDC program alone to accomplish all the valued landscape conservation work within any county.

Other Assessments of Factors of Success

There are also two other assessments of the factors for success in a TDC program included in the resources.

The first is a simple list created in 2012 by the New Jersey Pinelands Development Credits Program. This program, the largest multi-jurisdictional TDR program in the United States covering 40 municipalities and 1 million acres, provides what they call the “key ingredients to a successful TDR program.

The second is an academic review by Kaplowitz et al of 52 successful American TDR programs, identifying the program features that correlated positively with their measures of success (acres preserved, number of transfers, an respondent opinion). Briefly these were:

- Joint existence of a Purchase of Development Rights (PDR) program;
- Undertaking of background studies;
- Establishment of a TDR bank; and
- Type of development demand (specifically that programs aimed at addressing housing development correlated with success).