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"Transfer of Development Rights": An Effective Way to Preserve Florida's Natural Environments

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From pine scrubs to mangroves, from hardwood hammocks to swamps, Florida offers rich ecosystems found nowhere else in the US. Rapid development, however, can threaten our open spaces. Fortunately, as my research shows, there are tools state and local governments can use to conserve important natural areas.

Land conservation provides a myriad of benefits to communities. Conserved land protects watersheds and wetlands, reduces air and water pollution, prevents flooding, provides habitat, supports biodiversity, safeguards farmland, sequesters greenhouse gasses, supports recreation, and preserves scenic and cultural landscapes. From an economic perspective, conserved land is associated with increased property values, thriving tourism industries, and reduced water treatment costs. No wonder land conservation enjoys broad public support as well as political support across party lines.



In Florida, residents value land conservation and its benefits, as powerfully demonstrated in 2014 when 75% of Florida voters supported the Florida Land and Water Conservation Initiative (Amendment 1) to dedicate funding to the state's Land Acquisition Trust Fund. Florida has a long history as a leader in state public lands acquisition and preservation, notably through the Preservation 2000 and Florida Forever programs, which together have protected 2.4 million acres. However, in recent years, state funding for land conservation in Florida has been uneven, with Florida Forever unfunded in three fiscal years since 2011. Even when state funds are appropriated, these resources are insufficient to support many critical local land conservation goals.



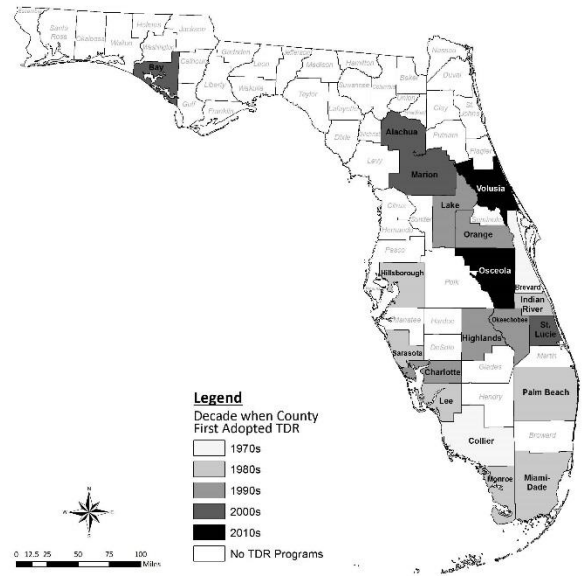
At the local level, Florida residents and local governments support land conservation in several ways. Local government general funds are often stretched too thin to support new conservation efforts, so bond referendums and dedicated tax allocations play an increasingly important role in funding land conservation. For example, in 2018, Florida voters supported at least four local ballot measures for **new public funds for park and land conservation**.

Local governments are also turning to market-based tools as a way to complement publicly-funded land conservation efforts. Transfer of development rights (TDR) programs are the leading market-based land conservation tool, with over 250 TDR programs nationwide. When a local government establishes a TDR program, it designates an area where land is targeted for preservation; this can be environmentally-sensitive land, farmland, ranch lands, recreational land, or other conservation lands as desired by the community. With a TDR program in place, private landowners in these areas can sell their right to develop land to private developers. Developers, in turn, transfer these development rights into urban areas or other locations appropriate for development. For the landowner who sells development rights, TDR offers many potential benefits including lower property and inheritance taxes and the ability to continue to use land for farming or other non-development purposes while ensuring a legacy of land stewardship. Developers benefit through increased opportunities to build and generate revenue. The community benefits because land is conserved without additional public costs, and because development is directed to areas appropriate for growth.

Florida is one of the leading users of TDR, with 31 programs established by 20 Florida counties. Given the many benefits of TDR, why do some counties adopt TDR while others do not? Are there local factors that contribute to adoption of market-based tools for local land conservation? I addressed these questions in a co-authored study published online in February 2019 in the *Journal of Environmental Planning and Management*. Together with Lucie Laurian of the University of Iowa and my USF School of Public Affairs colleague Stephen Neely, I analyzed why Florida counties adopt TDR programs.

We identified several local factors associated with TDR adoption:

- First, counties that adopt TDR tend to be larger in size. Although our research did not investigate why this may be the case, some potential explanations exist. Larger counties may have more land conservation needs and may thus require a broader range of tools. TDR may also help rationalize growth patterns across large areas.
- Second, counties that adopt TDR have higher agricultural product sales, suggesting that TDR is seen as an important resource for farm and ranch lands management.
- Third, TDR is associated with voter-supported land conservation ballot initiatives. This means that TDR is just one in a suite of tools used by communities for land conservation. Although further research is needed, this suggests that communities may not be using TDR primarily because of its market mechanism since non-market land conservation programs are also supported where TDR is used.
- Fourth, TDR is associated with home rule authority. This finding supports our research hypothesis that counties with the power to manage their affairs locally and with more flexibility are more likely to adopt innovative tools like TDR.
- Fifth, TDR adoption is associated with a greater percentage of Republican voters, which suggests that market mechanisms are a desirable strategy for land conservation in politically conservative areas, where limited government intervention and spending is typically valued. However—because we also find that TDR is associated with successful ballot initiatives for land conservation—this relationship requires further investigation.



Market-based mechanisms are widely seen as an important part of sustainability policies. This research offers insight into the adoption decisions of local governments for market-based land conservation.

This February, Florida Governor DeSantis signaled renewed support for land acquisition in the state through budget allocations for Florida Forever and major land purchases in Lake and Hamilton counties. However, it remains incumbent on local governments to develop and support their own land conservation programs, and TDR can play an important supporting role.

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