

What Are the Steps of the PDR Process ?

Step One - Landowner submits application to the PDR Administrator during an open application period.

Step Two - The property is evaluated according to the PDR criteria for eligibility and priority.

Step Three - The Board of Supervisors reviews the property rankings and designates the properties on which to purchase conservation easements.

Step Four - Discussions regarding the terms of the conservation easement occur between the PDR Administrator and the landowner, and then an appraisal of the selected property is performed.

Step Five - The County Administrator invites the landowner to sell a conservation easement to the County.

Step Six - If the landowner desires to sell a conservation easement, the landowner submits a written offer to the PDR Administrator.

Step Seven - The Board of Supervisors makes the final determination on accepting the offer and purchasing the conservation easement.

Step Eight - The landowner and the County sign the conservation easement and record it at the local courthouse.



For more Information or to Receive an Application, Please Contact:

Purchase of Development Rights (PDR) Program

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James City County, Virginia

PURCHASE OF DEVELOPMENT RIGHTS PROGRAM



A Tool For
Protecting Our
Land and Our
Quality of Life



The James City County Purchase of Development Rights (PDR) Program

An investment, the James City County Purchase of Development Rights (PDR) Program, is underway to protect our land and our quality of life. It is a voluntary program for landowners interested in preserving the natural character of their property. The James City County Board of Supervisors established the PDR Program, a program that pays landowners to protect the cultural and natural resource assets of their property. The PDR Program allows landowners to enter into agreements to sell the development potential of qualifying property to the County while maintaining the right to continue to own and use the property. The purpose of the PDR Program will be to protect open-space, community character, farm land, and natural resources within the County.

James City County experienced rapid growth in recent years. The County's population has more than doubled since 1970. During that time, significant changes transformed the predominately rural character of the County into a more urban and suburban environment. The County is the centerpiece of a unique historical and cultural area because it encompasses land important in the early years of our nation. We all value the history and beauty of our County and the importance of preserving the land that makes it unique. The PDR Program can ensure the future of your land by planning for the future now. How do you envision the County in the years ahead? The PDR Program is a tool that is available for landowners to assist in shaping the character and direction of our community.

What is a Conservation Easement?

The PDR Program compensates landowners who voluntarily sell the right to develop their property. Every property comes with a bundle of rights. In the PDR Program, the right to develop is separated and sold to the County. Except for the rights explicitly given up, the landowner retains the rights to own, use and control the land. The legal document used to restrict development is a conservation easement. A conservation easement is a legal agreement between the landowner and the County that places permanent limits on future development of the property and is recorded at the local courthouse. A conservation easement is a useful tool for protecting your land as it binds not only the current landowner but also all subsequent owners of the property. It provides the landowner with the assurance that the land will remain undeveloped by restricting intensive uses such as residential subdivisions while allowing traditional uses such as farming. By placing a conservation easement on the land, it shows your commitment to the stewardship of protecting the cultural and natural values of your property.

What Types of Property Will be Considered?

Properties for which applications have been received will be evaluated by a ranking system used to prioritize the purchase of conservation easements. Points assigned in the ranking process will be based upon achieving the overall goal of protecting open space by focusing on preserving community character corridors, farmland, and environmentally sensitive areas. The criteria that the PDR Program uses to rank properties for selection include:

- ✓ Size of the property
- ✓ Area in open land and farm land
- ✓ Soil productivity
- ✓ Presence of rare or endangered species
- ✓ Proximity to a river, reservoir or tidal marsh
- ✓ Located outside areas designated for public services
- ✓ Frontage on a public road or scenic corridor
- ✓ Contains a historic resource

What are the Economic Benefits?

If the landowner sells the development potential of the property, the County will pay a negotiated price based upon the difference between the present market value and the value of the land for farming, forestry, open-space, recreation, or rural use. Land from which development rights have been sold can continue to be farmed and generate income.

A conservation easement should help you save on taxes. An easement that is fully or partially donated to the County or a qualified organization may qualify as a charitable donation on your income taxes, subject to certain limitations. And your land under an easement may also reduce the amount of property taxes you owe.

A conservation easement, which reduces the taxable value of your land will help to keep it in your family by reducing the estate tax burden on your property. A new federal law may also allow your heirs to exclude a percentage of the value of your land under easement from your estate. You should consult your attorney and tax advisor to understand how an easement may assist in tax savings and estate planning.

The taxpayers of the County also gain economic benefits. Every farm and open-space area not developed means fewer demands on County resources. Economic studies generally show that property taxes on all but the most expensive houses do not cover the cost of services to them. In preventing housing subdivisions, the PDR Program preserves or increases the net tax revenue to the County and its citizens.

