

FAUQUIER COUNTY PURCHASE OF DEVELOPMENT RIGHTS PROGRAM

PRINCE WILLIAM CONSERVATION ALLIANCE

JANUARY 30, 2020

WHAT IS A PDR PROGRAM?



- A Purchase of Development Rights (PDR) Program allows a landowner to voluntarily sell the development potential on farm and forest land (by way of a permanent conservation easement) to a governmental agency or land trust. The landowner receives compensation in return for the restrictions being placed on the land. The landowner retains title to the land and has the ability to sell or pass on the farm to others. PDR programs are also known as Purchase of Agricultural Conservation Easement Programs (PACE).

LEGAL AUTHORITY

In Virginia, the legal authority for local PDR programs is provided by the Open Space Land Act (Virginia Code 10.1-1700 et seq.)



WHAT ARE DEVELOPMENT RIGHTS?

- Development Rights are one of the so-called “bundle of rights” associated with land ownership.
- A locality may acquire or restrict development through a purchase, leaving possession and other use with the fee simple owner.



FAUQUIER COUNTY PROGRAM GOALS & PURPOSE

- To preserve & enhance the county's agricultural industry.
- To implement the County Comprehensive Plan, which recommended a PDR Program as one tool to preserve farmland.

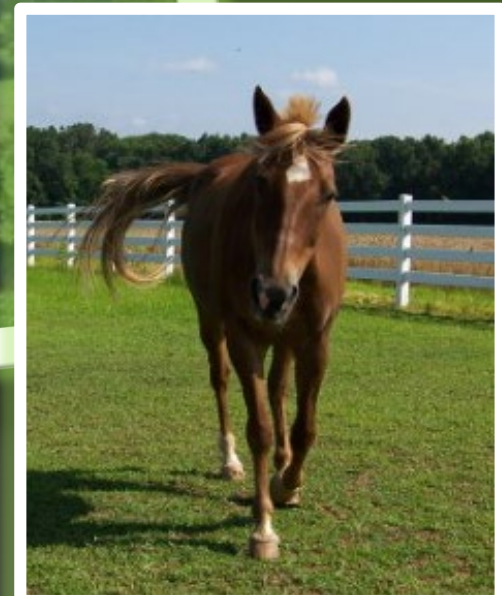
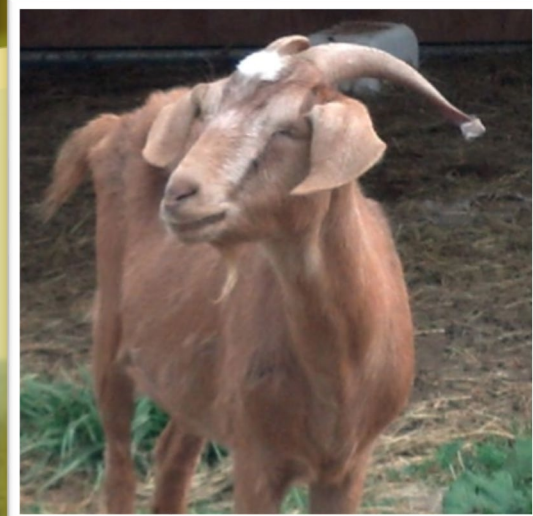


FAUQUIER COUNTY AGRICULTURAL PRODUCTION STATISTICS



- 2017 U.S. Census of Agriculture
- Cash Receipts: \$61 million
- Equine Industry: \$54 million annual revenue
- Acres in Farms: 216,666
- No. of Farms: 1,154
- Total Economic Impact: \$215 million
(Weldon Cooper Center/ UVA-2014)





FAUQUIER COUNTY, VIRGINIA



FARMLAND PRESERVATION PROGRAM
PURCHASE OF DEVELOPMENT RIGHTS

PDR ELIGIBILITY CRITERIA



1. Land is used for a bona fide agricultural operation
2. Parcel is greater than 50 acres, or comprises a combined area of contiguous parcels to total at least 50 acres.
3. Parcel is zoned Rural Agricultural (RA or Rural Conservation (RC)).
4. Parcel is not under conservation easement or otherwise restricted from development.

SCORING PROCESS

- When reviewing a PDR Application, the following are considered:
- Parcel size
- Maximum Potential Residential Density
- Strategic Value
 - Parcel Risk of development and road frontage
 - Proximity to Service District and proximity to sewer
 - Proximity to protected (eased) property
- Quality of Soils
- Agricultural Economic Viability
 - Property is actively farmed by the landowner or his/her immediate family member
 - If the property is not farmed by the landowner or his/her family, the property is leased to and actively farmed by another farmer;
 - The farm/property has substantial infrastructure improvements such as barns, bins, specialty structures, fencing, drainage, ditches, waterway improvements, etc.
- Historic, Scenic and Environmental Qualities



*This Deed is Exempt from Taxation under Virginia
Code §58.1-811(A)(3), §5.1-811(C)(4) and §17.1-266
[no retention of division rights]*

PIN #'s: _____

DEED OF EASEMENT

THIS DEED OF EASEMENT made this _____ day of _____, 201__, by and between
_____ and _____, Grantors (hereinafter "Grantor"); and the **COUNTY OF
FAUQUIER**, a political subdivision of the Commonwealth of Virginia (hereinafter the "County" and sometimes
"Grantee"), whose address is 10 Hotel Street, Warrenton, Virginia 20186.

WITNESSETH:

WHEREAS, Grantor is the owner in fee simple of the property located in Fauquier County, Virginia, consisting of
____ acres more accurately described in "**Exhibit A**" attached hereto and hereinafter referred to as the "Property";
and

WHEREAS, under the County's Purchase of Development Rights ("PDR") Program, the County is authorized to
acquire conservation easements over qualifying properties in order to accomplish the purposes of the PDR
Program and the Open-Space Land Act (Virginia Code §10.1-1700 *et seq.*); and

WHEREAS, the purpose of the Fauquier County Purchase of Development Rights Program is to protect the
critical mass of farmland which is necessary for the continued vitality of production agriculture by acquiring
conservation easements for the purpose of conserving lands for farming and to provide open space that
ameliorates the impact of development in the County as stated in the February 19, 2002 Resolution of the Board
of Supervisors and the April 19, 2004

- **PDR PAYMENT**
- The Current payment under the PDR Program is \$25,000 per residential development right.
- The number of development rights for each parcel are determined by the Fauquier County Department of Community Development, according to the County Zoning Ordinance.



STATUS OF FAUQUIER COUNTY PDR PROGRAM JANUARY 2020

PDR Easements currently in place or pending settlement are protecting:

- 74 Farms
- 13,090 acres
- 665 development rights purchased

Donated Conservation Easements currently in place are protecting

- Approximately 8,000 acres



SOURCES OF FUNDING FOR FAUQUIER PDR PROGRAM

- County Real Estate Tax (Conservation Easement Service District)
 - Currently .06 cents
- Non-County Sources:
 - Virginia Department of Agriculture & Consumer Services (VDACS) (PDR Matching Funds)
 - Virginia Department of Conservation & Recreation (DCR) (VA Land Conservation Fund)
 - U.S. Navy- REPI Program
 - USDA
 - Piedmont Environmental Council (PEC)
 - Donations

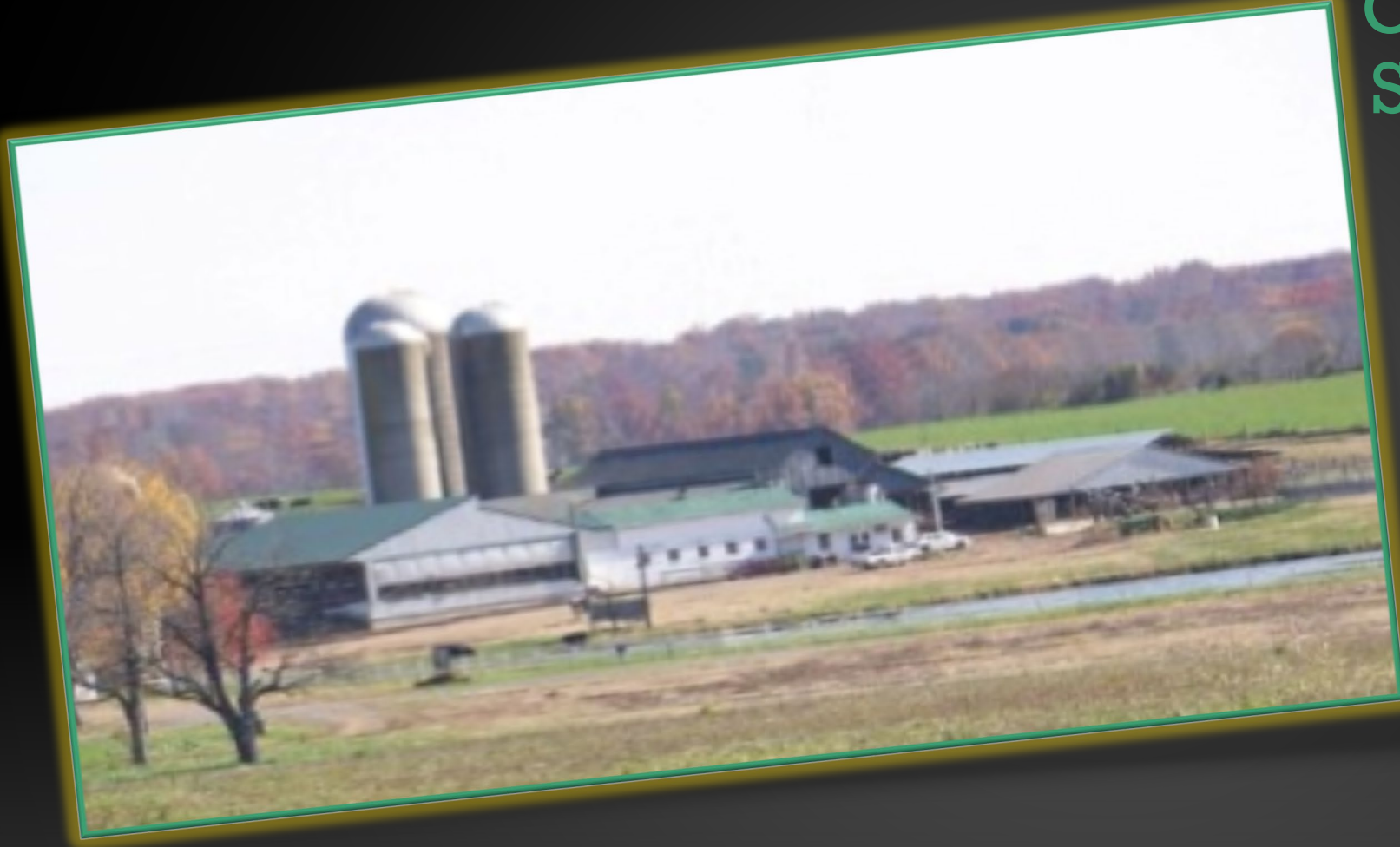
County has provided 2/3 of PDR Funding/ Non County 1/3



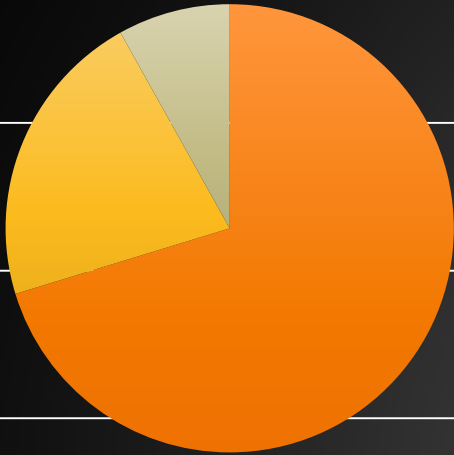
COMPATIBILITY WITH STATE AND FEDERAL TAX PROGRAMS

BARGAIN SALES:

- Virginia Land Preservation Tax Credit
- Federal Charitable Deduction



Purchase of Development Rights History



■ Cedar Run ■ Lee ■ Marshall ■ Scott ■ Center

■ 2004 ■ 2005 ■ 2006 ■ 2007 ■ 2008 ■ 2009 ■ 2010 ■ 2011 ■ 2012 ■ 2013 ■ 2014 ■ 2015 ■ 2016 ■ 2017 ■ 2018 ■ 2019

1263

1953

3255

4293

5684

6028

7007

7992

8372

8933

9183

10172

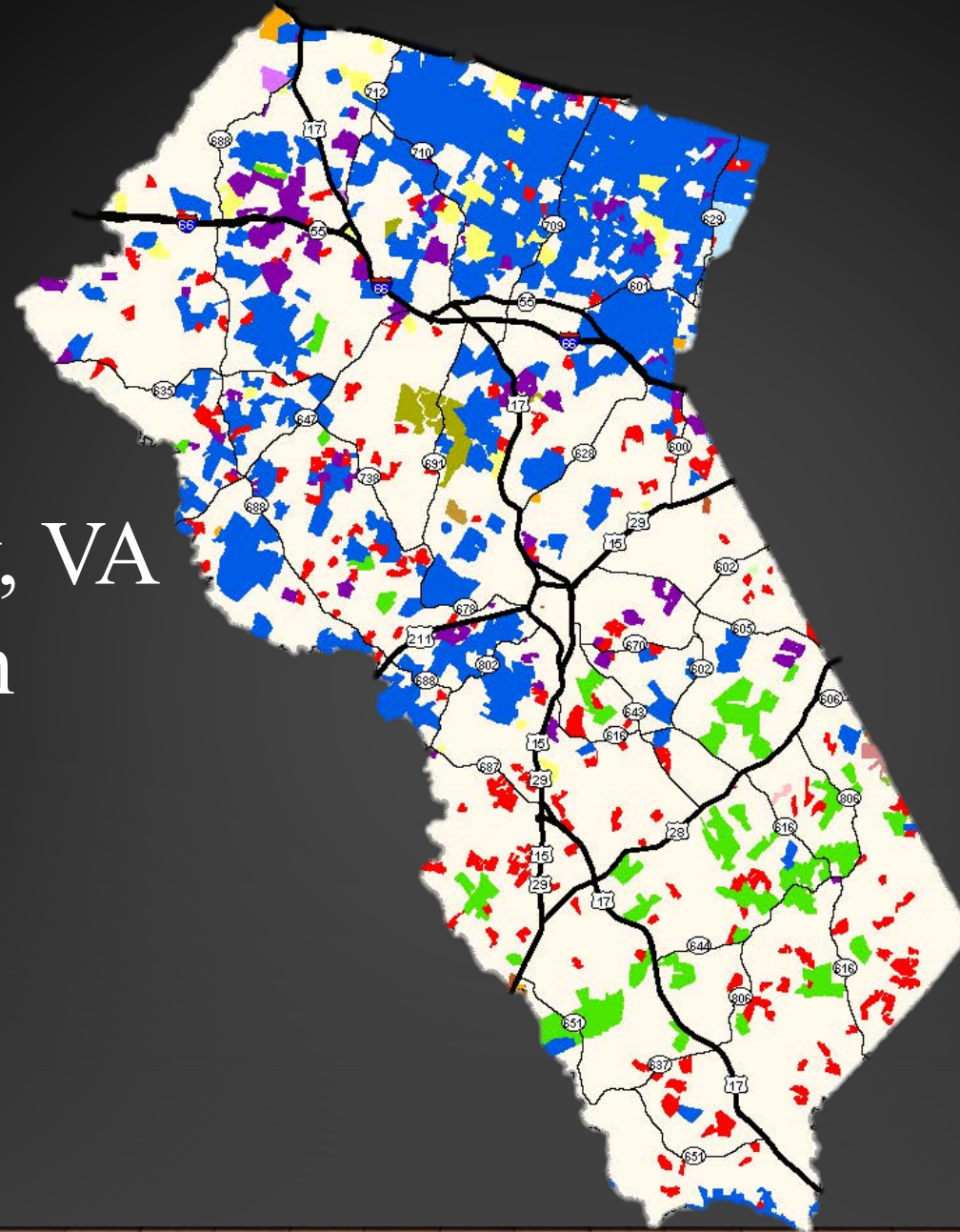
10681

11880

12680

13090

Fauquier County, VA Conservation Easements



- County of Fauquier
- Potomac Conservancy
- Humane Society Wildlife Land Trust
- Old Dominion Land Conservancy
- American Farmland Trust
- PDR
- Open Space
- PEC
- VOF Open Space
- VOF Owned
- Nature Conservancy
- Land Trust of VA
- EverGreen Enviromental
- Marsh Resources Inc
- Historic Resources
- Northern Virginia Conservation Trust



Fauquier County Purchase of Development Rights Program



*"A tool for preserving and enhancing the
agricultural industry"*



Administered by the
Fauquier County
Agricultural Development
Department











Fauquier County Board of Supervisors

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R. Holder Trumbo, Jr., Vice Chairman (Scott District)

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Christopher N. Granger (Center District)

Richard R. Gerhardt (Cedar Run District)

Fauquier County PDR Committee Members

John Schied, Chairman (Cedar Run District)

Ike Broaddus, Vice Chairman (Scott District)

Daron Culbertson (Lee District)

Doug Larson (Center District)

Ann McCarty (Marshall District)

**For more information on the Fauquier County PDR Program,
please contact the Agricultural Development Department**

Ray Pickering, Director

Raquel Kines, PDR Associate

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Warrenton, Virginia 20186

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(540) 422-8277 (fax)

www.fauquierag.com



**THIS FARMLAND IS
PERMANENTLY PROTECTED
THROUGH
FAUQUIER COUNTY'S
PDR PROGRAM**

It's Not Farmland Without Farmers.™


American Farmland Trust

www.farmland.org

