



## Purchase of Development Rights

### How Does PDR Benefit Communities?

- PDR preserves scenic vistas, natural areas and wildlife habitat.
- PDR helps replenish groundwater supplies and prevents down stream flooding.
- PDR encourages a diverse local economy, including the many businesses that branch off from or serve agriculture.
- PDR promotes sustainable land use and helps communities implement their land use plans/vision.
- PDR preserves the quality of life and rural character of the community.
- PDR can increase property values and provides locally grown food.

### What is PDR?

Purchase of Development Rights (PDR) is a method of preserving farmland and natural areas where landowners are compensated for voluntarily limiting future development on their land. Under a PDR program, an entity such as a county or land trust, purchases the development rights and records a permanent “land preservation easement” on the property deed. The land remains in private ownership and on the tax rolls, but can only be used for agricultural and open space purposes.

### What is a Land Preservation Easement?

An easement is a legal document that specifies certain rights or use limitations for a parcel of land. The easement is recorded on the property through the County Register of Deeds office where the land is located. A Land Preservation Easement limits the future use of a property to farming or open space, preventing other types of development such as residential and commercial uses. The easement stays with the property even if it is sold or passed on through inheritance, thereby assuring that development will not occur in the future. Land Preservation Easements can be customized to some extent to meet the specific needs of a property or landowner.

### Where is PDR working?

PDR programs have been used successfully in many areas around the nation. Currently 27 states have a PDR program. PDR programs were pioneered in Suffolk County, New York in 1974 and have since been used across the nation to preserve an estimated 400,000 acres of farmland alone. Programs focused on natural areas and other open spaces have protected additional acreage. One of the most successful PDR programs in the country is run by the Agriculture Preserve Board of Lancaster County, Pennsylvania. It has preserved over 23,500 acres of farmland since 1981. Closer to home, the Town of Dunn, located near Madison, initiated a PDR program in 1996. In Washington County, PDR has been used by the DNR to preserve farmland and natural areas in the North Branch Watershed of the Milwaukee River, including a portion of the Town of Farmington.

## What else is covered in a Land Preservation Easement?

Farm improvements and expansions are generally not restricted, but all farming operations must comply with applicable environmental standards. Land Preservation Easements will protect sensitive natural and cultural areas like wetlands, woodlands, stream corridors and archeological sites while limiting such things as building, grading, mining or land divisions. The easement can be tailored to meet the needs of each property and landowner.

## How does a Land Preservation Easement affect land ownership?

The landowner retains control of the land and may use or lease the property to others for agricultural or open space/recreational purposes. The land can still be sold, bequeathed or otherwise transferred to others just as any other property, but the development restrictions remain with the property. The owner retains all other rights and responsibilities that normally apply to land ownership, such as paying property taxes and complying with applicable regulations.

### How Does PDR Benefit Landowners and Farmers?

- PDR helps keep affordable land available for young farmers.
- PDR encourages long term planning and investment in agriculture.
- PDR helps minimize land use conflicts in rural areas.
- PDR recognizes individual property rights and compensates landowners for the development value of their land.
- PDR can help fund a landowner's retirement or health care without needing to sell farmland for development.
- PDR is voluntary.

## How much is an Easement worth?

The value of a Land Preservation Easement varies with each property and the specific conditions of the easement. A certified professional land appraiser must determine the easement value, using "comparable sales" on similar properties in the area. The appraiser first determines the value of the property as agricultural land. The appraiser then determines the value of the land if it were developed, following applicable land use plans and regulations. The difference between these two values is the value of the development rights or Land Preservation Easement.

## How are properties selected for PDR?

First a landowner must offer to sell the development rights to his or her property. All offered properties are then ranked based on adopted and published selection criteria. Credits assigned in the ranking process will be based on the overall goal of protecting prime farmland and associated natural areas. Some of the criteria commonly used for easement selection include:

- Soil productivity
- Parcel size and location
- Consistency with adopted land use plans
- Local support
- Cost and matching funds/donations
- Public uses (trails, etc.) or scenic values



Land Conservation  
Partnership

For more information contact **Sue Millin** at the Land Conservation Partnership  
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To view the **Washington County PDR Task Force Report** or get more information on other land preservation tools go to **www.lcpwc.org**