



PROTECT YOUR LAND: CONSERVATION EASEMENT OPTIONS - VIRGINIA



Donated

One of the most common forms of conservation easements. Landowner puts a conservation easement on his/her property without payment. With a qualifying easement, the full conservation easement value is considered a charitable tax donation and a specified percentage or amount can be utilized for federal and state tax incentives. (See Tax Incentives sheet for more information)

Bargain sale & purchase

Landowner is paid for a portion or all of the conservation easement value. With a qualifying easement, the un-reimbursed value is considered a charitable tax donation and a specified percentage or amount can be utilized for federal and state tax incentives (see Tax Incentives sheet for more information). Due to scarcity of funding, bargain sale and purchases easements are not as common as donated easements, and a landowner may have to wait for an extended period

of time before being able to protect his/her property and receive payment. Availability of funding is based on sources of funding and competition of applicants. State, federal, and non-profit agencies may have purchase options.

Transfer of development rights program

A rural landowner is compensated by a private entity (ex. a developer) for “sending” his/her development rights to a “receiving” property, which is typically is located in an area targeted for growth with access to existing public amenities or services. The receiving property can now develop with a higher density, without incurring the cost of seeking rezoning or permits. The rural sending property can continue to be used in its current state, subject to a conservation easement.

Agricultural and Forestal District (AFD)

Initiated by a landowner or group of landowners, an AFD is an area reserved for agricultural, forested, and open space lands. By establishing an AFD, a landowner and the county agree not to convert rural land into certain commercial, industrial, and residential use for four to 10 years. AFD’s provide stronger protection from development pressure than agricultural zoning, which can often encourage low-density residential sprawl. Also, AFD’s offer a higher level of certainty for protection, versus changing zoning regulations, because of their renewable four to 10 year terms.



Feel free to contact us to learn more about options for protecting your property!

