



APPLICATION:

SKAGIT COUNTY FARMLAND LEGACY PROGRAM

Application for the purchase of development rights and agricultural conservation easement funded by the Conservation Futures Property Tax Fund, Ordinance No. 16380.

This is an application to sell or donate unused development rights to Skagit County and place an agricultural conservation easement on the property. After sale of the development rights and approval of the conservation easement, the only permitted use of the land will be agricultural.

Instructions to the Applicant

Mail or drop off the completed application to the Skagit County address listed below.

Other options!

- **Call Sarah Stoner to discuss your application or**
- **Arrange a time to sit down with Sarah to fill out your application together**
- **(360) 416-1417 or scan completed application to sstoner@co.skagit.wa.us.**

- Together with this application, you will have received the following information:
 1. Site Selection Criteria (*attached as Appendix A, page 6*)
 2. Conservation Easement Template

Your Farmland Legacy Program manager Sarah Stoner is available if you have any questions, (360) 416-1417 or sstoner@co.skagit.wa.us.

Skagit County
OFFICE OF FARMLAND LEGACY
1800 Continental Place
Mount Vernon, WA 98273

Keep this page for files - to track progress & for staff contact information on the other side

Summary of Steps in the Enrolment Process



1. Lot of Record Certification

This process, completed with the Skagit County Planning and Development Services, determines the amount of development rights available to the landowner.

2. Farmland Legacy Program Application

Program staff will guide the applicant through the process.

3. Application Ranking

The Conservation Futures Program Advisory Committee completes a ranking of the application. Ranking criteria includes soil quality, size of farm, proximity to other protected lands, development pressures, etc.

4. Easement Valuation

Program staff commission an appraisal for the proposed enrollment. A before-and-after appraisal is completed which compares the value of the land before the easement and after the easement. The program's offer to the landowner is the difference between the before and after values.

5. Leveraged Funds

Program staff apply to various appropriate funding partners if needed to leverage local funding.

6. Finalized Easement

Skagit County, funding partners, and the landowner execute the conservation easement. A copy of the base easement template is available and provided in advance of application. Once easement is complete, Skagit County places funds in escrow and those funds are disbursed to the landowner once the easement is recorded with the Auditor's Office.

A. APPLICANT INFORMATION—OWNER(S) OF THE LAND

1. Owner(s) Legal Name(s)—as listed on the deed: _____

2. Mailing address: _____

3. Property address—if different from mailing address: _____

4. Telephone: _____

5. E-mail Address: _____

6. Contact Person—if different from (or in addition to) owner:

Telephone _____ Email _____

7. Farm Name, Corporate or Business Name: _____

8. Type of legal entity:

- individual
- corporation incorporated in the State of _____
- general partnership created in the State of _____
- limited partnership crated in the State of _____
- limited liability company created in the State of _____

9. Applicant has Legal Counsel No Yes
Legal Counsel (if applicable): _____

Mailing address _____

Telephone _____ Email _____

10. Applicant has Accountant No Yes
Applicant's Accountant (if applicable): _____

Mailing address _____

Telephone _____ Email _____

Are there any material facts or circumstances (e.g., pending litigation, bankruptcy, etc.) relating to any of the parties to the proposed transaction which have not been described and may potentially affect the transaction?

No Yes If Yes, please explain: _____

B. PROPERTY INFORMATION

1. What is the County Zoning/Comprehensive Plan Designation? Please note: only land designated Agriculture-Natural Resources Lands (Ag-NRL) by Skagit County is eligible.

Ag-NRL (Agriculture-Natural Resource Lands) Other

2. Please list all assessor parcel numbers offered for easement purchase and their respective acreage:

P_____ (ac.)	P_____ (ac.)	P_____ (ac.)
P_____ (ac.)	P_____ (ac.)	P_____ (ac.)
P_____ (ac.)	P_____ (ac.)	P_____ (ac.)
P_____ (ac.)	P_____ (ac.)	P_____ (ac.)

3. What is the total number of development rights on this land? _____

Development rights refer to the land's eligibility for development, based on its zoning and other applicable regulations (Resolution 16766). Residential development rights can be "exercised" (in the form of existing single-family homes on the property) or "unexercised." Either way, this eligibility is confirmed through the Lot of Record Certification Process.

Lot Certification (Recorded copy required):

Approved Lot Certification(s), previously recorded #PL-_____; OR,
 Approved Lot of Record Certification(s), landowner will submit for recording.

4. Total acreage offered for easement purchase: _____

5. Total number of development rights offered for easement purchase: _____

6. Are there any water rights associated with the parcels?

No Yes If Yes, please describe: _____

7. Lienholders will be required to subordinate their mortgage or deed of trust to the conservation easement. Please list all lienholders (mortgagees, deeds of trust, lessees, other encumbrances): _____

C. LAND USE INFORMATION

1. Please describe the agricultural use of the land, including number and types of livestock, general description of crops, forest products, specialty crops, etc.:

2. Please breakdown property by acreage:

- | | |
|--|---|
| <input type="checkbox"/> Tillable cropland _____ | <input type="checkbox"/> Dwellings _____ |
| <input type="checkbox"/> Nursery/Orchard _____ | <input type="checkbox"/> Farm Buildings _____ |
| <input type="checkbox"/> Pasture _____ | <input type="checkbox"/> Wetlands/Critical Areas _____ |
| <input type="checkbox"/> Woodland _____ | <input type="checkbox"/> Other, including asphalt, gravel, concrete _____ |

3. Please identify all residences and buildings on the property:

(staff only: estimated existing impervious surface ____%)

4. (Optional) Please identify all soil and water conservation practices and plans in effect on the property:

5. (Optional) Please indicate the percentage of “prime soil,” as defined by the USDA Natural Resource Conservation Service, on the property:

- 0-49% 50-75% 76-100%

6. (Optional) Are there any wetlands, Fish and Wildlife Protection or Native Growth Protection Areas, as defined in Skagit County’s Comprehensive Plan?

- No Yes If Yes, please describe: _____

7. (Optional) Is sewer service available at the property?

- Yes No If No, please indicate the distance from the property to the nearest sewer line:
- within 1,500 feet 1,500 to 2,500 feet
- 2,500-4,000 feet greater than 4,000 feet

D. OTHER SITE SELECTION INFORMATION

1. Describe the landowner's involvement in the farm operation (check all that apply):
 Sole Owner/Operator Family Partnership Partnership with Another Entity

If Partnership, Partner(s) Name(s): _____

- None, I lease the land to a separate entity. Name(s): _____

Is there more than \$30,000 per year in gross receipts from the sale of agricultural products produced on the land?

Yes No

2. Overall farm operation information: _____ Acres **included in this application**
+ _____ **Other** acres **owned** by you
+ _____ **Other** acres **leased** by you
= _____ Total acres of **entire farming operation**

3. (Optional) Are there any properties adjacent to your land that are subject to existing conservation easements, variance or plat restrictions, or public owned open space?

Yes No If No, please indicate the distance from your land to another property with the above restrictions:

within 1,500 feet 1,500 to 2,500 feet greater than 2,500 feet

4. Are there are any easements for access, utilities, or any other purposes?

No Yes If Yes, please describe: _____

5. Are there any anticipated or pending offers to purchase the land and convert it to a non-agricultural use; or any other reason to believe your land is under immediate threat of conversion?

No Yes If Yes, please describe: _____

6. Please indicate which payment option you prefer:

installment purchase cash payment

Please consider consulting with a financial advisor regarding these options

8. (Optional) Indicate if you are willing to have your project funded, in part, by the USDA-Natural Resources Conservation Service or other land conservation entities.

Yes No

Partner funding can help extend the reach of local County fund #122 (Skagit County Conservation Futures Tax Fund)

E. EXECUTION OF THE APPLICATION

All owners of the farmland tract must give their approval and consent to this application. It is understood that the application information herein is submitted in good faith, based on present expectations of the Applicant, to aid the Skagit County Conservation Futures Advisory Committee in its consideration of this application for the sale of a conservation easement to Skagit County, Washington.

The information in this application and supporting documents is true and complete to the best of my/our knowledge and is submitted for the purpose of the sale of a conservation easement to Skagit County, Washington.

I/We understand that this application is subject to review by the Conservation Futures Advisory Committee and the Board of County Commissioners of Skagit County, Washington in order to properly evaluate and process this application. I/We agree to allow Farmland Legacy Program staff and the Conservation Futures Advisory Committee members enter our property with advance notice.

I/We have read and understand the Conservation Easement and its terms.

Dated at _____, on the _____ day of _____, 20____.
(City) (State)

Name of Landowner Signature of Landowner

Name of Landowner Signature of Landowner

Name of Landowner Signature of Landowner

Name of Landowner Signature of Landowner

Farmland Legacy | Scoring Criteria and Points for Parcel Review

CRITERIA	Core ²	Edge
CHARACTERISTICS OF FARMLAND	55	25
Soil Quality		
75%+ is prime soil	5	5
50-75% is prime soil	3	3
<50% is prime soil	0	0
Size of Farm		
100+ acres	20	5
70-100 acres	10	3
40-70 acres	4	2
25-40 acres	1	1
Economic Productivity		
Yield > \$30K/yr gross	5	0
Yield < \$30K/yr gross	0	0
Proximity to Protected Land		
Adjacent	25	15
Within 1,500 ft	10	8
Within 2,500 ft	1	3
THREAT OF CONVERSION	30	60
Proximity to Urban Development		
Within 600 feet of UGB or commercial zone	0	25
600 to 1,500 feet to UGB or commercial zone	0	10
1,500-2,500 feet to UGB or commercial zone	0	3
>2,500 feet to UGB or commercial zone	10	
Proximity to Major Highway Intersections		
Within 1,500 feet of intersection of I-5, SR 20, or SR 534	0	15
Within 1,500 feet of intersection of other highways	0	8
Fronts on a major highway	0	6
Within 2,500 feet of major highway	0	4
>2,500 feet to major highway	10	
Availability of Sewer Service		
Sewers to the property	0	10
Within 1,500 ft	0	7
Within 2,500 ft	0	4
Within 4,000 ft	0	1
> 4,000 ft away	10	
Urgency of Sale/Ease of Conversion		
Imminent sale, septic suitability, substandard lots	0	10
SCENIC & ENVIRONMENTAL	10	10
Critical Areas		
Large wetland or habitat w/exceptional value	5	5
Moderate critical area with some value	3	3
No critical area	0	0
Scenic Value		
Exceptional scenic view from highway or other public viewpoint	5	5
Some scenic view from highway or other public viewpoint	3	3
No scenic view from highway or other public viewpoint	0	0
FINANCIAL CONSIDERATIONS	0	0
Bargain Sales and Leveraging	0	0
Price <50% of full value	0	0
50-70% of full value	0	0
70-90% of full value	0	0
90-99% of full value	0	0
COMMITTEE DISCRETION	10	10
TOTAL POINTS POSSIBLE	105	105

Core² criteria were developed to emphasize the *preservation of a critical mass of farmland*;

Edge criteria emphasize *threat of conversion*.

Appendix A from American Farmland Trust FLP Review, June 2011.