



**PIERCE COUNTY
PLANNING AND LAND SERVICES DEPARTMENT**

TRANSFER OF DEVELOPMENT RIGHTS – SENDING SITE

Thank you for your interest in the Pierce County Transfer of Development Rights (TDR) Program. The TDR Program is a market-based approach that allows the protection of valuable farmland, habitat, and environmentally sensitive land while encouraging growth in areas suitable for denser development. The program allows landowners to sell the right to develop their land and to transfer those development rights to a different parcel of land. In exchange, the sending parcel owner may receive money for the ‘development rights’ (i.e., the ability to build at higher densities) that are being sold. Pierce County does not guarantee the amount of income the sending site owner may ultimately obtain; that will be dependent upon market conditions. It is primarily the sending site owner’s responsibility to obtain a purchaser for the transferred development rights.

The parcel of land where the development rights originate is called the “sending” parcel. When the rights are transferred from a sending parcel, the land is restricted with a permanent conservation easement. The conservation easement limits the future development of the land by not allowing further subdivision or building of residential homes. Once a conservation easement has been recorded, the County issues TDR Certificates which the sending site owner can subsequently sell. The value of the TDR Certificates will be determined by market conditions. The parcel of land to which the development rights are transferred is called the “receiving” parcel. Persons who buy development right certificates from a sending site owner are generally allowed to build at a higher density than ordinarily permitted by the base zoning on the receiving site.

For a site to be considered a “sending” site, you need to fill out the application materials. If your property meets the criteria to be considered a qualified sending site, the County will issue a Letter of Intent indicating the number of density credits available for transfer to a receiving site owner.

Your site must meet at least one of the criteria listed on page 3 of the application to qualify as a sending site and transfer development rights off your property. If you are uncertain as to whether your property would qualify, please contact the TDR Administrator with your parcel number. In addition to the criteria on page 3, your property must meet the following:

- If a sending site consists of more than one lot, the lots must be contiguous.
- If a sending site has any outstanding statutory or code violations, the owner shall correct the violations, including any required abatement, restoration, or payment of civil penalties, before a TDR sending site may be certified.
- For lots on which the entire lot or a portion of the lot has been logged in accordance with a Class II, III, or IV special forest practice as defined in RCW 76.09 within six years prior to application as a TDR sending site, the applicant must provide an affidavit of compliance with the reforestation requirements of the Forest Practices Act.

The following items must be submitted with the completed application:

- A legal description of each parcel.
- A recent Title Report for the property. (Title Report must have been completed within 6 months of application submittal.)
- A site plan showing property boundaries, existing homes and other structures, all submerged lands (wetlands, lakes, streams), and any existing easements on the property. If more than one zoning designation exists on the property, please identify the boundary between the zones. Please attach pictures of the property and existing buildings.
- Affidavit of Compliance with Forest Practice Application requirements (if needed).
- Signed and notarized Right of Entry Agreement authorizing County staff or its designees to go onto your property to perform a due diligence inspection of the proposed sending site property.
- Letter of Authorization if not the applicant, the property owner/s must sign an authorization for the applicant who is acting as the property owner's agents (if needed) OR;
- Letter of Authorization, if applicant does not own all of property being considered as sending site for the Transfer of Development Rights program; other property owner/s must sign authorization for the applicant who is acting on their behalf (if needed).
- Application Review fees.

If you have any questions, please contact Kimberly Freeman, TDR Administrator, at kfreema@co.pierce.wa.us or 253.798.2784, or Diane Marcus-Jones at dmarcus@co.pierce.wa.us or 253.798.2616.



Parcel Number _____

**PIERCE COUNTY
PLANNING AND LAND SERVICES DEPARTMENT
TRANSFER OF DEVELOPMENT RIGHTS - SENDING SITE**

Submittal Standards <i>The number indicates the number of copies required</i>	REQUIRED	RECEIVED
APPLICATION:	2	
RIGHT OF ENTRY:	2	
SITE PLAN:	2	
VICINITY MAP:	2	
TITLE REPORT:	2, or disk	
FOREST PRACTICE AFFIDAVIT OF COMPLIANCE (IF NEEDED):	1	
PHOTOGRAPHS OF SITE AND BUILDINGS:	2, or disk	
LETTER OF AUTHORIZATION (IF NEEDED):	2	
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APPLICATION REVIEW FEE – QUALIFICATION OF SENDING SITE; OR:	\$500.00	
RE-ASSESSMENT OF SENDING SITE:	\$252.00	

APPLICATION: Completed and signed Sending Site Application.

RIGHT OF ENTRY: This form must be signed and notarized and will allow County staff, or its designees, to go onto your property to perform a due diligence inspection of the proposed sending site property.

SITE PLAN: Site plan must be drawn to scale (not less than 1"=100'). Show all property corners, existing and proposed structures, adjacent roads, all storage tank locations, all easements, well locations and north arrow. Site plans shall be at least 8 1/2" x 11". The site plan shall also show all submerged lands including wetlands, lakes and streams. If more than one zoning designation exists on the property, please identify the boundary between the zones.

VICINITY MAP: Also provide detailed directions to the site.

TITLE REPORT: The title report must have been completed within 6 months of application submittal.

FOREST PRACTICE AFFIDAVIT OF COMPLIANCE: If your parcel or a portion of your parcel has been logged in accordance with a Class I, II, III, or IV special forest practice as defined in RCW 76.09 within six years prior to the application as a TDR sending site, then provide an Affidavit of Compliance with the reforestation requirements of the Forest Practices Act.

PHOTOGRAPHS OF SITE AND BUILDINGS: Provide photographs of site, any submerged lands, and any structures.

LETTER OF AUTHORIZATION (IF NEEDED): The property owner must sign authorization to allow the applicant to act on the property owner's behalf.

LETTER OF AUTHORIZATION (IF NEEDED): If multiple landowners, all property owners must sign authorization to allow applicant to on all the property owners' behalf.

RE-ASSESSMENT OF SENDING SITE: A delay of the application process over 2 years, from the date of the Letter of Intent, requires an additional review fee.

SIGNATURE OF PLANNER, OK TO SUBMIT

DATE



**PIERCE COUNTY
PLANNING AND LAND SERVICES DEPARTMENT**

**MASTER APPLICATION FOR
TRANSFER OF DEVELOPMENT RIGHTS – SENDING SITE**

I. LAND OWNER INFORMATION

Name _____

Mailing Address _____

City and State _____ Zip Code _____

Phone _____ Alternate Phone _____

Email _____

Do you own all or a portion of the property to be consider as a sending site for the Transfer of Development Rights Program? All _____ Part _____

If part, please describe: _____

If part, do you have authorization to represent other landowner(s)? _____

Please attach a Letter of Authorization.

Primary contact person and or agent if different than landowner(s):

Name _____ Email _____

Phone _____ Alternate phone _____

II. PROPERTY INFORMATION

Tax Parcel Number(s) _____

Attach a legal description(s) of each parcel number.

Property Address or Nearest Street or Road: _____

Total Acreage of Property _____

Are there any existing dwelling units located on the property? Yes _____ No _____

If yes, how many? _____

Are there any other structures on the property? Yes _____ No _____ If yes, how many? _____

Please provide a brief description of site structures: _____

Please attach labeled pictures illustrating the existing buildings and general property. Label all buildings on the site plan (including the date the photograph was taken).

List the current zoning of the property (e.g. ARL, R-10, R-20, R-40, RSR, RF): _____

Describe how the property is currently being used (e.g. agriculture, forestry, home site, etc.):

Are there any existing easements or deed restrictions affecting this property? (e.g. power line corridors, access easements, forestry moratoriums, etc.)

If so, please describe briefly _____

Does the property have any year-round submerged lands such as lakes, rivers, streams, or ponds?

Yes _____ No _____

III. STATEMENT OF INTENT:

I want to retain _____ (number) dwelling units or development rights with the property for existing or future development.

I intend to _____ maintain the property in private ownership, or

_____ explore the possibility of dedicating the property to Pierce County or to another public or private non-profit agency.

IV. SENDING SITE CRITERIA:

The property would qualify as a sending site because it contains one or more of the following public benefits as defined in PCC 18G.10.020. Please check all the applicable criteria:

- Designation in the Pierce County Comprehensive Plan as Agricultural Resource Land (ARL) or Rural Sensitive Resource (RSR).
- ARL in the Alderton-McMillin and Mid-County Community Plans area.
- Designation in the Pierce County Comprehensive Plan as Forest Lands (FL).
- Land located in the Alderton-McMillin or Mid-County Community Plan areas zoned as a rural residential zone (Rural Separator, Rural 10, Reserve 5, Rural 20, Rural 40, Rural Farm, or Rural Sensitive Resource), and in the Current Use Assessment Program as defined in RCW 84.34.020 as open space land used for agricultural operations;
- Privately owned land that extends or is located in close proximity to and enhances a public trail system.
- Identification as habitat for federal listed endangered or threatened species in a written determination by the Washington State Department of Fish and Wildlife, or United States Fish and Wildlife Services, or a federally recognized tribe that the sending site is appropriate for preservation or acquisition.
- Recreational Conservation Lands as defined by Pierce County Code Title 18.25.
- Lands designated as eligible sending sites in a TDR/PDR agreement with a city.

V. TITLE COMPANY INFORMATION

A title report must be supplied by the landowner as part of the TDR application. The title report shall be submitted in either hard copy or on a disk in PDF format.

Name of Title Company _____

Address _____

City and State _____ ZIP Code _____

Date of submitted Title Report _____

VI. MORTGAGE COMPANY INFORMATION

Are there any liens or mortgages on the property? Yes _____ No _____

Mortgage Holder's Name _____

Address _____

City and State _____ ZIP Code _____

VII. APPLICATION CHECKLIST Provide two copies of each item listed below:

- Legal Description of each parcel
- Title Report – may be submitted on disk
- Site Plan
- Affidavit of Compliance with Forest Practice Application requirements (if needed)
- Signed and notarized Right of Entry Agreement
- Pictures of the existing buildings and property
- Letter of Authorization, if needed
- Application review fee

RETURN TO:

Development Center
Planning and Land Services
2401 S. 35th Street, Room 175
Tacoma, WA 98409

FOR COUNTY USE ONLY:

Date Received _____
Completed Application Date _____

For questions, please contact:

Kimberly Freeman
Planning and Land Services
2401 S. 35th Street, Room 175
Tacoma, WA 98409

253.798.2784
kfreema@co.pierce.wa.us

Diane Marcus-Jones
Planning and Land Services
2401 S. 35th Street, Room 175
Tacoma, WA 98409

253-798-2616
dmarcus@co.pierce.wa.us

IX. PROPERTY OWNER CERTIFICATION

I hereby certify that the information furnished on this application and the attachments are true, that I am the legal owner of the property described above, that I have marketable title to the property, and that I have the legal right to restrict the use of the property. I grant permission to Pierce County to seek an update from the Title Company prior its issuance of a Transfer of Development Right Certificate.

Signature of Owner (Applicant)

Date

Signature of Co-Owner (Co-Applicant)

Date



RIGHT OF ENTRY AGREEMENT TRANSFER OF DEVELOPMENT RIGHTS – SENDING SITE

Name _____ Application No. _____

Grantor and Grantee: For purposes of this agreement and for indexing by the Pierce County Auditor as required by R.C.W. Ch. 65.04, the parties to this agreement are

_____, **Grantor(s)**, and Pierce County, **Grantee**.

Legal Description of Property: (Note: include abbreviated legal description(s) if complete legal will not fit here, and reference to where complete legal can be found.)

Assessor Parcel Nos. _____

A. Recitals.

1. Grantor is the owner of certain real property in Pierce County, Washington, described above and referred to in this agreement as “the subject property.”
2. Grantor is submitting an application for the subject property as a sending site under the Transfer of Development Rights Program.
3. In conjunction with the Grantor’s application for the subject property, the Grantor agrees to allow Pierce County personnel and its representatives access to the subject property for purposes of inspection during the pendency of the described approval(s) associated with the subject property.

B. Access.

1. Grantor hereby grants to Pierce County and its representatives access to the subject property for purposes of inspection during the pendency of the described approval(s) associated with the subject property.
2. This right of entry shall commence on the date of signing of this agreement and for a sending site shall expire when a fully executed Pierce County TDR Program Conservation Easement to the County has been recorded in the Pierce County Auditor’s Office.

C. Successors and Assigns.

1. This agreement is intended to protect the value and desirability of the subject property and to benefit all citizens of Pierce County. It shall run with the land and be binding on all parties having or acquiring any right, title, interest, or any part thereof, of the subject property, including the grantor, heirs, successors and assigns. This agreement shall inure to the benefit of each present or future successor in interest of the subject property or any part thereof, or interest therein, and to the benefit of the citizens of Pierce County.

RIGHT OF ENTRY AGREEMENT - TRANSFER OF DEVELOPMENT RIGHTS

Name _____ Application No. _____

Pierce County Representative

Dated this _____ day of _____, 20_____.

Signature

Signature

Signature

Address

Address

Address

City, State, Zip

City, State, Zip

City, State, Zip

STATE OF WASHINGTON)
)ss
County of Pierce)

I certify that I know or have satisfactory evidence that _____
is/are the person(s) who appeared before me, and that said person(s) acknowledged
that he/she/they signed this instrument and acknowledged it to be his/her/their free and
voluntary act for the uses and purposes mentioned in the instrument.

DATED this _____ day of _____, 20_____

Signature

Print Name

Title

My Appointment Expires _____

