



DONATION OF DEVELOPMENT RIGHTS APPLICATION

**Shenandoah County Office of Community Development
And Conservation Easement Authority**

600 N. Main St., Suite 107

Woodstock, VA 22664

Phone: 540-459-6185

Fax: 540-459-6193

<http://shenandoahcountyva.us/conservation/>

Version: December 2020

CONSERVATION DONATION PROCESS

starts with...

AN IDEA

Call 540-459-6185 to talk to a Shenandoah County Planning Staff for consultation on the idea of a potential donated conservation easement.

Submit a Conservation Worksheet for a Conservation Determination from the Program Administrator

1st Review By CEA

Once scoring has been completed by the Program Administrator, or a designee, you will be placed on the agenda for the next meeting with the Conservation Easement Authority (CEA) for review. If denied, applicants may reapply in any future year.

Determination Of Co-Holder(s)

Following the first review by the CEA, if the applicant has not already done so, a Co-Holder must be sought. If a Co-Holder is not found then an additional CEA meeting will need to be held to determine if this may be waived.

Submit Donation Of Development Rights Application

Once an Application has been submitted in full, the applicant will allow the County to review the proposed deed of easement with internal Staff as well as with the County Attorney. This time will also be used to solidify any co-holders to the proposed easement.

Final Review By CEA

Following the internal review of the submitted Application, then the CEA shall hold a second or final review. This does not limit the CEA from holding more than two reviews.

Board Of Supervisors Final Decision

The Board of Supervisors will review the applicant's proposal, as well as the recommendations from County Staff and the CEA. A final determination will be made on whether or not the County will hold the donated conservation easement.

File Deed With Circuit Court

Applicants must file the deeded easement with the Circuit Court so it may be recorded properly.

Congratulations! You Have An Easement!

DONATION OF DEVELOPMENT RIGHTS APPLICATION INSTRUCTIONS

Please use the checklist below to ensure all steps are taken to complete your application for a Donation of Development Rights. All Donation of Development Rights must adhere to Chapter 82 of the ordinances of Shenandoah County (available online at <https://www.ecode360.com/9739538>). A completed application packet is submitted to the Program Administrator and will be decided by the Board of Supervisors. If you are unfamiliar with this process, please contact the Conservation Easement Program Administrator at 540-459-6185 to set an appointment to meet.

DONATION OF DEVELOPMENT RIGHTS CHECKLIST

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|---|
| Completed and signed application form. |
| Conservation Determination issued by Program Administrator. |
| Completed First Review by the Conservation Easement Authority |
| Completed Final Review by the Conservation Easement Authority |
| A copy of the proposed deed of easement. |
| A copy of a Site Plan, see Site Plan Requirements on Page 7 |
| Completed review by all required County Staff. |

APPLICATION REVIEW AND ACTION

Once the applicant submits the complete application, the Donation of Development Rights request is scheduled for the next meeting of the Conservation Easement Authority. The applicant or agent is required to appear at this meeting to present the application and to answer any questions. This meeting normally begins at 5:00 p.m. and takes place in the Board Room of the Shenandoah County Government Office in Woodstock, Virginia. The applicant must take responsibility for contacting the Program Administrator to find out the exact date, time, and location in case any changes are made to the normal schedule. After the Conservation Easement Authority makes its recommendation, usually at the meeting, the Board of Supervisors will take up the matter at a scheduled meeting, normally the 4th Tuesday of the month at 7:00 p.m. at the same location. Again the applicant is responsible for calling the Program Administrator to confirm the date, time, and location of the Board meeting.

SHENANDOAH COUNTY
OFFICE OF COMMUNITY DEVELOPMENT
600 N. MAIN ST., SUITE 107
WOODSTOCK, VA 22664
540-459-6185



DONATION OF DEVELOPMENT RIGHTS APPLICATION

EASEMENT NAME: _____

Contact Information

Applicant Name: _____ **Address:** _____

Phone: _____ **Email:** _____

Co-Holder Name: _____ **Address:** _____

Contact Name: _____

Will Co-Holder Perform Inspections? Y / N _____

Phone: _____ **Email:** _____

Owner II Name: _____ **Address:** _____

Phone: _____ **Email:** _____

Lessee Name: _____ **Address:** _____

Phone: _____ **Email:** _____

Lien Agent Name: _____ **Address:** _____

Phone: _____ **Email:** _____

Property

Easement Size: _____ acre sqft Parcel Address / Location:

Parcel Number(s): _____ **Current Zoning:** _____ **Current Use:** _____

Easement Details

Proposed Build Sites: _____ Size Of Build Sites: _____ acre sqft Description Of Build Sites: _____

Proposed New Uses Deeded In Easement For Potential Special Use Permits Such As Agritourism: _____

Has A Previous Application Been Made For This Easement? Y / N _____

Restrictions (Check All That Apply):

No accumulation of: Trash Junk Inoperable Vehicles _____

No display of: Billboards Signs Inoperable Vehicles _____

Forest management: _____

Grading, blasting or earth removal: _____

The number and size of new dwellings: _____

The number and size of outbuildings and farm buildings or structures: _____

The conduct of industrial or commercial activities on the parcel: _____

The monitoring of the easement: _____

Holding of the easement and enforcement rights by the CEA of Shenandoah County, Shenandoah County Board Of Supervisors, &

Other: _____

Additional Contact Information

Owner III Name: _____ **Address:** _____

Phone: _____ **Email:** _____

Owner IV Name: _____ **Address:** _____

Phone: _____ **Email:** _____

Lessee II Name: _____ **Address:** _____

Phone: _____ **Email:** _____

Lessee III Name: _____ **Address:** _____

Phone: _____ **Email:** _____

Lien Agent II Name: _____ **Address:** _____

Phone: _____ **Email:** _____

Lien Agent III Name: _____ **Address:** _____

Phone: _____ **Email:** _____

Through my signature and initials below:

I hereby certify that all lien holders on the parcel, including, without limitation, holders of deed of trust liens and judgment liens _____ have been disclosed in this application, or on an attached sheet.

I hereby authorize the Conservation Easement Program Administrator to enter the parcel(s) after reasonable notice to the _____ owner to evaluate the parcel(s), and for the County's assessor or an independent appraiser to appraise the property.

Applicant Signature: _____ **Date:** _____

OFFICE USE ONLY

DDR#: _____ **Score:** _____ **Date Received:** _____

CEA Dates: _____ **Final CEA Date:** _____

CEA Recommendations: _____

Board Recommendations: _____

BOS Action Date: _____ **Clerk Of The Board:** _____

SITE PLAN REQUIREMENTS

Site plans shall show the following:

- A. Proposed title of the Conservation Easement and the name(s) of the current owner(s).
- B. A north point, scale, key, and date.
- C. Total extent of the proposed Conservation Easement.
- D. Existing zoning and zoning district boundaries on the property and immediately surrounding properties.
- E. Present use of the property and all abutting properties.
- F. The boundaries of the properties involved, county or municipal boundaries, the general location of all existing easements and property lines, existing streets, buildings or waterways, major tree masses and other physical features in or adjoining the project.
- G. Topography of the project area.
- H. The general location and character of proposed streets, entrances and exits, driveways, and curb cuts.
- I. Location of all existing buildings and proposed build sites.
- J. Location of any forested areas to be conserved.
- K. Location of any prime farming soils to be conserved.
- L. Location of any wetlands, streams, rivers, or other waterbodies to be conserved.
- M. Location of any karst topography including but not limited to caves and sinkholes to be conserved.
- N. The general location(s) for any fencing of animals from waterbodies.
- O. Any and all general locations for future uses related to the property such as, but not limited to: campsites, trails, special event centers, agritourism activities, and short term rentals.
- P. Any and all other locations to be conserved in the proposed deed of easement.

The Program Administrator or Conservation Easement Authority may establish additional requirements or may waive a requirement not essential for Conservation Easement review. This Site Plan is to be used as a tool for evaluations for co-holders.