



Snohomish County
Planning and Development Services

John Lovick
County Executive

Clay White, Director
3000 Rockefeller Avenue M/S #604
Everett, WA 98201-4046
(425) 388-3311 FAX (425) 388-3832

November 9, 2015

Dear Property Owner,

You are receiving this notice because county records indicate that you are the owner of designated agricultural resource land ("designated farmland") or real property within 1,300 feet of designated farmland. These records reflect the latest designation of designated farmland in the updated Snohomish County Comprehensive Plan, effective July 2, 2015. If you have any questions about this notice, please call us at 425-388-3311, extension 2206.

Periodically, the county sends notices to all property owners on or near designated farmland to provide information regarding:

- The designation and location of designated farmland, as shown on the County's Comprehensive Plan Future Land Use Map,
- How agriculture-related activities may affect you as a property owner of designated farmland or real property in proximity to those designated lands, and
- The requirement for landowners and purchasers of designated farmland to complete a *Snohomish County "Right to Farm" Disclosure Statement* at the time of property transfer (sale and purchase).

Designated Resource Lands: State and county policies require the designation and conservation of resource lands that are not already characterized by urban growth and have long-term significance for the commercial production or extraction of agricultural products, timber products, or minerals (Revised Code of Washington 36.70A; Snohomish County General Policy Plan Land Use Section – Agricultural Lands). You can find out where the county's designated agricultural resource lands are located by using this link: [Map 1: Future Land Use](#)

How You May Be Affected: The Snohomish County Code (SCC) has an Agricultural Lands chapter, 30.32B SCC, which may affect you and your land. The provisions of this chapter include the following statements:

"Your real property is on, adjacent to, or within 1,300 feet of designated farmland; therefore, you may be subject to inconveniences or discomforts arising from agricultural activities, including but not limited to, noise, odors, fumes, dust, smoke, the operation of machinery of any kind (including aircraft), the storage and disposal of manure, the application by spraying or otherwise of chemical or organic fertilizers, soil amendments, herbicides and pesticides, hours of operation, and other agricultural activities.

Snohomish County has adopted a Agricultural Lands Regulations (chapter 30.32B SCC) which may affect you and your land. You may obtain a copy of chapter 30.32B SCC from Snohomish County.

A provision of chapter 30.32B SCC provides that "agricultural activities conducted on designated farmland in compliance with acceptable agriculture practices are presumed to be reasonable and shall not be found to constitute a nuisance unless the activities have a substantial adverse effect on the public health or safety."

This disclosure applies to the real property upon any development or building permit approval; or, in the case of real property transfers, the disclosure applies to the subject property as of the date of the transfer. This disclosure may not be applicable thereafter if areas designated as farmland are changed from the farmland designation.

Nothing in chapter 30.32B SCC shall affect or impair any right to sue for damages." (SCC 30.32B.220)

Real Estate Transfer Document – "Right to Farm" Disclosure Required:

SCC 30.32B.210(3) requires buyers and sellers of designated farmland, or lands within 1,300 feet of those lands, to complete a Real Estate Transfer Document, the Snohomish County "Right to Farm" Disclosure Statement, upon the transfer of such property. The purpose of this disclosure is to ensure that buyers are informed, and sellers disclose, the existence and proximity of designated farmland and the potential impacts to their property which may not be compatible with residential development but may serve the long-term viability of the resources.

Transfer Document: A copy of the "Right to Farm" Disclosure document is attached. Please retain this document and provide it to the buyer or transferee of your real property upon sale or transfer. Instructions for use are on the document. You may reproduce copies for your own use.

For quick access to more information or to obtain copies of chapter 30.32B SCC and the Real Estate Transfer Document for Agricultural Lands go to the following site (see "Notification 1" for "Agricultural Resource Lands"):
snohomishcountywa.gov/1516/Notification-of-Proximity-to-Resource-Lands

You can also obtain copies directly from Planning and Development Services, 2nd floor, Robert J. Drewel Building, 3000 Rockefeller, Everett, WA, or by calling us at 425-388-3311, extension 2206.

Sincerely,

Clay White, Director
Planning and Development Services

Enclosure: Snohomish County "Right to Farm" Disclosure Statement

WHEN RECORDED RETURN TO

Name
Address
City, State, Zip

FILED FOR AND RECORDED AT THE REQUEST OF

**IMPORTANT REAL PROPERTY DOCUMENT - DO NOT DISCARD
SNOHOMISH COUNTY "RIGHT TO FARM" DISCLOSURE STATEMENT**

Name of Transferor: _____

Name of Transferee: _____

Legal Description of Property (Must include abbreviated legal description here; may attach addendum if needed.):

Assessor's Property Tax Parcel/Account Number _____

A. INSTRUCTIONS:

1. This Disclosure Statement must be provided to the Transferee whenever there is a transfer of (1) real property designated as farmland or (2) real property adjacent to or within 1300 feet of designated farmland. This Disclosure Statement applies to transfers by sale, exchange, gift, real estate contract, lease with option to purchase, any other option to purchase, or any other means of transfer (except transfers made by testamentary provisions or the laws of descent).
2. The Transferor must provide the Transferee a copy of this Disclosure Statement prior to closing.
3. The Transferor must record a copy of this Disclosure Statement, showing an acknowledgment of receipt executed by the Transferee, with the Snohomish County Auditor prior to closing.
4. Fill in the names of the Transferor (Seller) and the Transferee (Buyer) prior to recording this form.

B. DISCLOSURE:

Your real property is on, adjacent to, or within 1,300 feet of designated farmland; therefore, you may be subject to inconveniences or discomforts arising from agricultural activities, including but not limited to, noise, odors, fumes, dust, smoke, the operation of machinery of any kind (including aircraft), the storage and disposal of manure, the application by spraying or otherwise of chemical or organic fertilizers, soil amendments, herbicides and pesticides, hours of operation, and other agricultural activities.

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This disclosure applies to the real property upon any development or building permit approval; or, in the case of real property transfers, the disclosure applies to the subject property as of the date of the transfer. This disclosure may not be applicable thereafter if areas designated as farmland are changed from the farmland designation.

Nothing in chapter 30.32B SCC shall affect or impair any right to sue for damages.

C. NOTE TO CLOSING AGENT:

Transferee and Transferor authorize and direct Closing Agent to record this Disclosure Statement with the Snohomish County Auditor before closing. The copy to be recorded must bear (1) an acknowledgment of receipt executed by the Transferee and (2) the signature of a witness.

(Transferor) (Transferee)

RECEIPT ACKNOWLEDGMENT AND WITNESS SIGNATURE

_____("Transferee") acknowledges receipt of this Snohomish County Right to Farm Disclosure Statement from _____("Transferor").

Dated this _____ day of _____, 20____.

Witnessed by:

Signature of Transferee

 Print Name of Transferee

 By

 Its
 Signature of Witness

 Name

 Address

 Date

NOTE: The above "Witness" section must be completed for this Disclosure to be legally valid. A real estate agent or licensee who is involved in the transaction may act as a witness and is permitted to complete the above "Witness" section.