



PROGRAM



ELIGIBILITY

Property must meet the following minimum criteria in order to be considered for either a purchased or donated conservation easement:

1. The property shall be located in Jefferson County, and the existing use and development of the land shall be in conformance with the Jefferson County Comprehensive Plan and all applicable land use and development ordinances. This provision shall not be construed to prevent continued use of structures that are non-conforming to setback requirements, provided that the continued use complies with applicable requirements of the zoning ordinance.
2. A property in the non-rural zone is eligible. This factor is reflected in the ranking criteria.
3. The property shall be land which meets one or more of the following criteria, *West Virginia Code §8-24-75, 2000*;
 - used or usable for agriculture, horticulture or grazing (qualifying property)
 - wetlands that are part of the qualifying property
 - woodlands that are
 1. part of or appurtenant to a qualifying property tract; or
 2. held by common ownership of a person or entity owning qualifying property
4. No commercial or industrial structure shall be located on the parcel. *West Virginia Code §8-24-80(b), 2000.*
5. Clear title to the property must be established and the property owner(s) must sign the application.
6. The property shall not have any current or past uses that would render the establishment of a conservation easement inconsistent with the intent of the Act or this Program. The Jefferson County Farmland Protection Board shall make the determination after consideration of all facts and circumstances.
7. An easement may be acquired on a designated portion of a parcel, allowing the remainder to be unencumbered for residential development or other use. In such cases, the easement shall be so worded that residential density that may have been permitted as a permitted or conditional use on the portion of the property that is encumbered by the easement is extinguished and cannot be applied toward development of the portion of the parcel that is unencumbered.
8. Properties, that have current deeds of conservation easements, are not eligible for Farmland Protection Board conservation easements.
9. Any application for inclusion into the easement program must include
 - an application

See Appendix – forms 1 thru 9



• Sketch Plat:

1. Property layout showing the entire parcel as it exists on the current tax map. Plat can be hand drawn but at an approximate reasonable scale (1 inch = 50 feet, 1 inch = 100 feet or 1 inch = 200 feet). The plat shall have United States Geological Service (USGS) contour lines superimposed on it and it should show in simple form existing improvements, such as structures and driveways, and natural features, such as watercourses, ponds, woods and rock outcrops. The sketch plat should also show

the area and acreage intended for easement dedication. It should also show all adjoining properties identified by owner and acreage. Sketch plat should be accompanied by a tract location map and a soils report indicating the soil types on the parcel and a map delineating the boundaries of each soil type.

Additional program criteria must be met for acceptance of a donated easement. Purchased easements and expenses on donated easements shall be ranked in accordance with the Program Criteria. ♦



RANKING CRITERIA

Farmland Protection Ranking Criteria

Definitions for Land Evaluation Criteria

This criterion was developed following the criteria set forth in *West Virginia Code §8-24-79* Criteria for Acquisition of Conservation and protection easements by county farmland protection boards and the authority. Each of the following major and minor criteria have been “weighted” as to their importance to viable farming². This criterion will be applied to each deeded parcel separately.

See Endnotes²

A. Development Pressure (13.5%)

- a) *Compatibility with the Comprehensive Plan*

Points are awarded based on the location of the land and its potential uses based on the Jefferson County Comprehensive Plan.

Greater weight will be given to land in the agricultural zone.

Points are awarded using the following:

- The Land is in the Rural Zone 20 points
- The Land is in a non rural zone, but is currently being farmed 10 points
- The Land is in a non rural zone and not currently farmed 0 points

B. Total Acreage (12.5%)

A traditional farming enterprise that has the potential to be viable is connected to directly to the acreage used in that operation. The rationale applied to this criteria is