

**RCW 43.362.040 Designation of sending and receiving areas—  
Inclusion of certain lands in programs for agricultural or forestland  
conservation.** (1) Counties shall use the following criteria to guide  
the designation of sending areas for participation in the regional  
transfer of development rights program:

(a) Land designated as agricultural or forestland of long-term  
commercial significance;

(b) Land designated rural that is being farmed or managed for  
forestry;

(c) Land whose conservation meets other state and regionally  
adopted priorities; and

(d) Land that is in current use as a manufactured/mobile home  
park as defined in chapter 59.20 RCW.

Nothing in these criteria limits a county's authority to  
designate additional lands as a sending area for conservation under a  
local county transfer of development rights program.

(2) Upon purchase of a transferable development right from land  
designated rural that is being farmed or managed for forestry, a  
county must include the land from which the right was purchased in any  
programs it administers for conservation of agricultural land or  
forestland.

(3) The designation of receiving areas is limited to incorporated  
cities or towns. Prior to designating a receiving area, a city or town  
should have adequate infrastructure planned and funding identified for  
development in the receiving area at densities or intensities  
consistent with what can be achieved under the local transfer of  
development rights program. Nothing in this subsection limits a  
city's, town's, or county's authority to designate additional lands  
for a receiving area under a local intrajurisdictional transfer of  
development rights program that is not part of the regional program.

(4) Cities and towns participating in the regional transfer of  
development rights program shall have discretion to determine which  
sending areas they receive development rights from to be used in their  
designated receiving areas.

(5) Designation of sending and receiving areas should include a  
process for public outreach consistent with the public participation  
requirements in chapter 36.70A RCW. [2009 c 474 § 4.]