

Application for Agricultural Protection Area Designation

Emigration Canyon, Utah

August 11, 2025

SUBJECT: PROPOSAL TO DESIGNATE PARCEL 10-20-400-002 AS AN AGRICULTURAL PROTECTION AREA

Dear Councilmembers,

I respectfully submit this application pursuant to UTAH CODE § 17-41-301 requesting that the following parcel be designated as the Freeze Creek Forest Agricultural Protection Area (APA):

Parcel Number: 10-20-400-002

Acreage: 40 acres

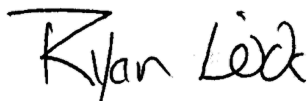
Legal Description: SE 1/4 of SE 1/4 of Section 20, T 1N R 2E SLBM

Agricultural Use: Agroforestry and conservation

This application is made in good faith to protect ongoing agricultural activities and to preserve the viability of agricultural use on the property. I request that the Emigration Canyon City Council process this application according to the procedures outlined in UTAH CODE § 17-41-302 and 303, including referral to the Planning Commission and a statutorily required Agriculture Advisory Board, followed by a public hearing and formal determination.

A copy of this application has been submitted to the Greater Salt Lake Municipal Service District CityWorks application portal as a code amendment for case management purposes. The appropriate fee for other applications requiring Planning Commission meeting (\$650) and City Council meeting (\$115) will be paid once added to the application.

Respectfully submitted,



Ryan Leick
Owner of Parcel 10-20-400-002

Required Proposal Elements (UTAH CODE § 17-41-301(2))

1) Boundaries of Proposed APA (UTAH CODE § 17-41-301(2)(a)):

- Legal Description: SE 1/4 of SE 1/4 of Section 20, Township 1 North, Range 2 East, Salt Lake Base & Meridian (SLBM). See Exhibit 1.
- Total Acreage: 40 acres, more or less
- Zoning: FR-20 (Forestry & Recreation)

2) Owners of Record & Acreage by Parcel (UTAH CODE § 17-41-301(2)(c)):

1. Parcel 1: 10-20-400-002, 40 acres, Ryan Leick (sole owner). See Exhibit 2.

3) Limits on Types of Agricultural Production (Applicant-Elected under UTAH CODE § 17-41-301(2)(b)):

To promote compatibility and address health and safety considerations, the applicant voluntarily limits agricultural activities within the Agricultural Protection Area (APA). This APA does not authorize non-agricultural commercial uses, confined animal feeding operations, or activities requiring separate approvals under municipal code; any such uses would require independent review and permitting outside of this APA.

Description of Existing and Planned Agricultural Use

The applicant, Ryan Leick, is requesting an Agriculture Protection Area (APA) for property located in the Forestry & Recreation (FR-20) Zone at 1475 N Pinecrest Canyon Road. The property is a conforming Lot of Record containing 40 acres. An open FCOZ Site Plan (Exhibit 9) and narrative (Exhibit 10) propose several accessory structures to support the proposed Conceptual Site Design (Exhibit 8).

The property is operated for agroforestry and conservation. Current and planned practices include:

- Sugar production from maple syrup and native berries including elderberry, chokecherry, oregon grape, serviceberry, and thimbleberry.
- Apiary placements in seasonally appropriate clearings with water availability and windbreaks;
- Establishment and maintenance of pasture/native understory for soil stabilization and forage;
- Forestry stewardship activities guided by a Forest Stewardship Plan; and
- NRCS-supported practices implemented per technical standards.

Historic Use Context: Based on long-standing accounts and sworn testimony, the property and adjacent side canyons in the Emigration drainage had historically been used for agricultural purposes since the early 1900s for seasonal sheep grazing and watering. (See Exhibit 6). The property has had no other use since this time.

Compatibility of uses of neighboring properties for agricultural production: The Salt Lake County Assessor Parcel Map (Exhibit 1) shows the neighboring parcels are vacant, open lands. The parcel is bordered to the north and west by U.S. Forest Service lands and to the south and east by Salt Lake City Public Utilities watershed lands.

Narrative Addressing Statutory Criteria (UTAH CODE § 17-41-305)

1) Current Agricultural Production (UTAH CODE § 17-41-305(1)):

UTAH CODE § 17-41-101(2)(a): "Agriculture production" means production for commercial purposes of crops, livestock, and livestock products.

UTAH CODE § 17-41-101(10): "Crops, livestock, and livestock products" includes land devoted to:

- (a) the raising of useful plants and animals with a reasonable expectation of profit, including (i) forages and sod crops; (ii) grains and feed crops; (iii) livestock as defined in Section 59-2-102; (iv) trees and fruits; or (v) vegetables, nursery, floral, and ornamental stock; or
- (b) meeting the requirements and qualifications for payments or other compensation under a crop-land retirement program with an agency of the state or federal government.

The parcel is in active agricultural use for sugar production (UTAH CODE § 17-41-101(a)(i)), apiaries (UTAH CODE § 17-41-101(a)(iii)), pasture establishment (UTAH CODE § 17-41-305(a)(ii)), agroforestry (UTAH CODE § 17-41-101(a)(iv)), conservation projects (UTAH CODE § 17-41-101(b)), and agritourism activity as defined in Section 78B-4-512 explicitly permitted under UTAH CODE § 17-41-305(4). Existing improvements are consistent with the Forest Stewardship Plan and US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) standard practices. See Exhibits 4 and 7.

2) Zoning (UTAH CODE § 17-41-305(2)):

The parcel is zoned FR-20 (Forestry & Recreation) which recognizes agricultural as a permitted use under E.C.C. 19.12.020(B). The APA furthers the purpose of the FR zone in E.C.C. 19.12.010 by promoting forestry and recreation (agritourism) "to the extent such development is compatible with the protection of the natural and scenic resources of these areas for the continued benefit of future generations" as well as the purpose of provisions in E.C.C. 19.02.020, to "foster the [City's] agricultural and other industries." See Exhibit 11 and 12.

3) Viability for Agricultural Production (UTAH CODE § 17-41-305(3)):

Site characteristics (soils, slope-adjusted aspects, canopy cover) support long-term agriculture / agroforestry, apiary operations, and pasture/native understory. Implementation of NRCS practices and fuels-reduction enhances the site's productive capacity and resilience. See Exhibit 3, 4, and 8.

4) Existing/Proposed Improvements (UTAH CODE § 17-41-305(4)):

Improvements focus on resource stewardship, conservation, and low-intensity native crop production. Proposed improvements are depicted on the Conceptual Site Design, FCOZ Site Plan and corresponding narrative as part of Permitted Use Application PER2021-000287. See Exhibits 8, 9, and 10.

5) Anticipated Trends (UTAH CODE § 17-41-305(5)(a)):

Utah's agricultural and forestry sectors are trending toward water efficiency, soil health, and wildfire risk reduction. The proposed APA advances these trends by investing in natural resource resiliency, watershed protection, and fuels management that benefit adjacent lands. See Exhibits 3 and 8.

Health & Safety Mitigation Plan and Best Management Practices (BMPs)

To address potential health or safety concerns, the applicant commits to the following BMPs and compliance measures. These measures demonstrate that the APA designation will not materially be detrimental to public health, safety, or welfare.

Wildfire & Fuels Management: Maintain defensible space appropriate to the wildland–urban interface; conduct fuels reduction, ladder fuel removal, and slash treatment consistent with state and county guidance; obtain any required permits for pile burning or other operations.

Erosion & Stormwater: Install and maintain erosion controls and stabilize/revegetate disturbed areas promptly.

Water Quality & Storage: Manage water withdrawals and storage consistent with applicable water rights and manufacturer/system specifications; protect riparian areas and maintain stream setbacks.

Apiary Safety: Site hives away from property lines and public ways; provide perennial water sources; manage for temperament and swarming per best practices.

Noise, Light, and Hours: Conduct activities during daylight hours where feasible; no amplified sound or nighttime lighting is proposed.

Drinking Water Source Protection BMP Plan (Exhibit 5)

The property is within a Drinking Water Source Protection Zone. Under E.C.C. 9.25 (Restricted Uses) and 9.25.110 (Review of Applications), the applicant has submitted DWSP BMPs and any engineered/construction controls to EID (Exhibit 5) and commits to implement all approved measures.

Proposed Restricted Uses: sugarbush (agriculture experimental station), apiary, farm maintenance garage, fruit/vegetable storage & packing, greenhouse/nursery, logging/lumber processing.

Nonstructural BMPs:

No-till and contour practices; drip irrigation and rainwater harvesting; vegetative buffer/filter strips; organic-compliant inputs (no synthetic herbicides/pesticides/fertilizers stored or applied); water-quality monitoring and annual audits.

Structural BMPs:

Channel/grade controls (BDAs/PALS; CPS 584/643/410); streambank and slope bioengineering; fuel breaks; erosion controls on access; SPCC secondary containment; approved wastewater handling.

Use-Specific Highlights:

- Sugarbush (CPS E612F): contour organic practices; drip rainwater systems; manage water rights for irrigation via change application as applicable.
- Apiary: UDAF-licensed; organic apiculture standards; oxalic acid as organic miticide; native forage; erosion control around hives.
- Garage: SPCC containment; off-site disposal; indoor non-permeable pads; spill reporting protocol.
- Storage/packing: sanitation; controlled chemical storage; packed bed filtration or permitted alternative; compost organic waste.
- Greenhouse/nursery: closed-loop irrigation; organic inputs; soil testing.
- Logging/lumber: forest practices plan compliance; riparian buffers; selective harvest to basal targets; wood waste to compost/biochar.

Code and General Plan Consistency

E.C.C. 19.02.020 states that the zoning ordinance is enacted to promote the public welfare, support small-scale economic opportunities, safeguard people, wildlife, water, and the natural landscape, ensure safe development, and **foster the [City's] agricultural** and other industries. Emigration Canyon's General Plan establishes character areas, including Open Space, and sets goals to preserve ecological features, viewsheds, wildlife corridors, and open space; protect watershed quality; manage wildfire risk; and maintain the canyon's rural character. This APA advances the Emigration Canyon Code and General Plan goals by keeping the land in long-standing, low-intensity agricultural use and by implementing resource-protection practices.

Alignment with General Plan Goals

Land Use (Chapter 2)

- **Goal 2.1 – Preserve the culture, identity, and character of the built environment.**
The APA keeps the site in low-intensity agricultural use instead of urban intensification, maintaining the canyon's rural character.
- **Goal 2.2 – Enhance community connectedness and sense of place.**
Documented historic use (sheep grazing and livestock watering dating to ~1900) and ongoing stewardship reinforce Emigration's heritage and identity.
- **Goal 2.3 – Preserve and enhance ecological features, viewsheds, wildlife corridors, and open space.**
Designation protects an Open Space-mapped property and commits to NRCS forestry/fuels, habitat, and erosion mitigation practices that conserve viewsheds and ecological functions.
- **Goal 2.4 – Preserve and enhance existing commercial activities.**
The APA supports small-scale, place-appropriate agriculture rather than introducing incompatible intensity.

Environment (Chapter 5)

- **Goals 5.1–5.4 – Clean air; healthy watershed; natural areas; balanced human–nature relationships.**
The Drinking Water Source Protection (DWSP) BMP plan (non-structural and structural measures), stewardship forestry, and riparian buffers directly advance watershed protection and natural area conservation while minimizing off-site impacts.

Resilience & Infrastructure (Chapter 6)

- **Goals 6.3–6.4 – Mitigate and adapt to hazards (wildfire, erosion, climate).**
Fuel breaks, forest stand improvement, erosion controls, and access stabilization are integral to the APA and align with the Plan's hazard-mitigation emphasis.

Open Space Character Area Harmony

The Open Space character area identifies lands with high ecological and scenic value and sets expectations for conservation-oriented, low-intensity use. The parcel's proposed agriculture conservation uses, forestry stewardship, habitat work, watershed protection, and apiaries preserve those values while avoiding development patterns that would fragment open space or burden infrastructure.

Work Program & Key Recommendations (Plan Cross-References)

- **Preserve ecological features, viewsheds, wildlife corridors, and open space:** APA designation with conservation practices.
- **Protect watershed quality and ensure sustainable water use:** DWSP BMPs, spring protection, channel/grade stabilization, and compliant water management.
- **Prepare for and mitigate hazards (wildfire, erosion):** Fuels reduction, fuel breaks, erosion and stormwater controls, and monitoring.

Alignment with Emigration Canyon Code 19.02.020

- **Fosters agriculture.** The APA permanently prioritizes low-intensity, place-appropriate agricultural production, agroforestry, apiaries, native pasture/understory and implements NRCS conservation practices. This squarely serves the Code's directive to foster the City's agricultural industry.
- **Protects people, wildlife, water, and landscape.** The proposal adopts a Drinking Water Source Protection (DWSP) BMP plan (non-structural and structural measures), bio-engineered channel/grade controls, erosion control, and noxious-weed controls directly aligning with protection of water resources and the natural environment.
- **Secures safety from fire and other dangers.** Forest stewardship (selective thinning, fuel breaks, slash treatment) and WUI-appropriate measures reduce ignition potential and improve emergency resilience, advancing the Code's fire-safety purpose.
- **Supports small-scale economic opportunity without urbanization.** The APA enables working land income at a scale compatible with canyon character and consistent with the Code's support for small-scale economic opportunities.

Owner Certification

**DECLARATION GRANTING PERMISSION
TO RECORD NOTICE OF AGRICULTURE OR INDUSTRIAL PROTECTION AREA**

I/ We, Ryan Leick, are the record owners of the Parcels listed in Exhibit A (for more than two owners provide separate notarized declarations). We have applied for property to be included in an Agriculture or Industrial Protection Area, and we declare that the information contained in the application is true and correct to the best of our knowledge. We authorize Emigration Canyon to record a notice of agriculture or industrial protection area if all or part of the property from the Agriculture/Industrial Protection Area Application is approved for inclusion in an agriculture or industrial protection area. After the initial approval, property may be removed from the agriculture or industrial protection area in accordance with the processes and requirements of the Utah Code 17-41-101 *et seq.*, as amended, and the Owner authorizes the County to record subsequent recorded notices reflecting such modifications or removals.

Owner(s)

Ryan Leick

STATE OF UTAH)
COUNTY OF Salt Lake)
:SS

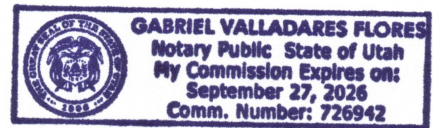
The foregoing instrument was acknowledged before me this 8 day of August, 2025, by Ryan Leick, who executed the foregoing instrument in his/her capacity as owner.

NOTARY PUBLIC:

[Signature]

Residing at: Sandy, UT

My Commission Expires: 9/27/2026



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STATE OF UTAH)
COUNTY OF _____)
:SS

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____, who executed the foregoing instrument in his/her capacity as _____.

NOTARY PUBLIC: _____

Residing at: _____

My Commission Expires: _____

Evaluation Matrix (Agriculture Advisory Board / Planning Commission Use)

Criterion (UTAH CODE § 17-41-305)	Record Evidence (Exhibit)	Suggested Finding
(1) Current agricultural production	Ex. 3, 4, and 7	Met: Property is in active agriculture use (sugar/syrups; NRCS conservation practices; forestry stewardship; agritourism).
(2) Zoning	Ex. 11 and 12	Met: FR-20 compatible with “raising of crops” under E.C.C. 19.04.200 agriculture definition and E.C.C. 19.02.020 purpose.
(3) Viability of land for agricultural production	Ex. 3 – Soils and Water (page 9). Ex. 4 and 8.	Met: Site characteristics and conservation/stewardship, designs support viable long-term production.
(4) Extent and nature of existing/proposed improvements	Ex. 8, 9, and 10	Met: Improvements are stewardship-oriented and mitigate health/safety risks.
(5)(a) Anticipated trends in agricultural and technological conditions	Ex. 3 and 8	Met: Trends favor water-efficient, perennial agroforestry with fuels reduction benefits.
Other relevant factors (health & safety)	DWSPZ BMP: Ex. 5 Water/Soil: Ex. 4 Fuel Reduction: Ex. 3 WUI-compliance: Ex. 10 Historic preservation Ex. 6	Met: Record includes specific BMPs to prevent material injury to public health/safety.

Incorporated Exhibits (Full Text Attached Separately)

Exhibit 1 — Salt Lake County Assessor Parcel Map

Map sheet showing parcel 10-20-400-002 location, outline, approximate acreage, and surrounding parcels/roads within Emigration Canyon.

Use in record: Establishes location and general size; supports the boundaries disclosure in UTAH CODE § 17-41-301(2)(a) and facilitates creation of the 1,000-ft Class B notice buffer for § 17-41-302 noticing.

Exhibit 2 — Salt Lake County Recorder's Office Parcel Ownership Record

Recorder printout for parcel 10-20-400-002 (legal description: SE ¼ of SE ¼ of Sec 20, T1N R2E SLBM), owner of record (Ryan Leick), tax ID, and any pertinent vesting details.

Use in record: Satisfies the owners of record & parcel/acreage requirement in UTAH CODE § 17-41-301(2)(a)–(c); supports the Findings of Fact regarding application completeness and ownership.

Exhibit 3 — Freeze Creek Forest Stewardship Plan

Prepared by Utah DNR (FFSL, Wasatch Front Area). Covers soils, water/springs, wildlife habitat, stand conditions, wildfire history, invasive species management, and a recommended implementation/monitoring schedule. Provides the technical basis for selective thinning, fuels reduction, access management, and riparian protection.

Use in record: Supports UTAH CODE § 17-41-305(1), (3), and (4) (current/proposed agricultural production, viability, and improvements).

Exhibit 4 — USDA NRCS Schedule of Operations

USDA-NRCS EQIP/CSP schedule (Farm 1179, Tract 10780) including CPS 666 (Forest Stand Improvement), 315 (Herbaceous Weed Treatment), 645 (Upland Wildlife Habitat Mgmt), 584 (Channel Bed Stabilization), 410 (Grade Stabilization Structures), and 643 (Restoration of Rare/Declining Communities – BDAs/PALS), with timing and performance metrics through 2028.

Use in record: Demonstrates ongoing, funded conservation agriculture and a time-bound work plan consistent with BMPs; supports § 17-41-305(1) and (4).

Exhibit 5 — EID March 2025 Board Report (03/20/2025)

EID guidance and board direction for Drinking Water Source Protection (DWSP) in Emigration Canyon, identifying Restricted Uses (e.g., sugarbush/sap, apiary, farm maintenance garage, fruit/vegetable storage & packing, greenhouse/nursery, logging/lumber) and the ECC 9.25.110 process for submitting/approving BMPs and engineered controls.

Use in record: Documents DWSP compliance pathway and specific water-quality BMPs, directly addressing health/safety considerations; supports Findings regarding no material injury to public health and safety.

Exhibit 6 — Documentation of Historical Agricultural Use

Historic evidence of agricultural activity in the Emigration drainage (including the notarized Emma Bertagnole Affidavit, July 16, 1976), attesting to seasonal sheep grazing and livestock watering at springs dating to circa 1900, with use in side canyons proximate to the subject property.

Use in record: Shows long-standing agricultural use and continuity of production on and around the site; bolsters § 17-41-305(1) and (3) regarding current production context and long-term viability.

Exhibit 7 — Documentation of Current Agricultural Production (2025)

Consolidated 2025 production records: maple sap (25 bigtooth maples tapped with daily log and chart), apiary operations (UDAF-licensed), and native fruit harvest production (elderberry, chokecherry, Oregon grape, serviceberry, thimbleberry) supplied to a local cider house.

Use in record: Direct, quantitative proof of current agricultural production meeting § 17-41-305(1); also shows value-added processing and market linkage.

Exhibit 8 — Freeze Creek Forest — Conceptual Site Design

Agroforestry design handbook for the property: alley-crop orchard, edible forest edge, shady edible forest, edible riparian buffer, and edible windbreak, with goals, design steps, plant palettes, establishment/management approaches, and water/contour strategies; emphasizes silvopasture integration and apiaries.

Use in record: Corroborates viability and the low-intensity nature of proposed uses; supports § 17-41-305(3) and environmental BMPs.

Exhibit 9 — Freeze Creek Forest — Conceptual Site Plan (08/08/2025)

Plan-view drawing locating agricultural areas and access (e.g., agroforestry blocks, apiary zones, trails), stewardship features (e.g., shaded fuel breaks, erosion controls), stream/riparian buffers, and any proposed agricultural accessory areas consistent with FCOZ and DWSP BMPs. Includes notes on slopes and setback observance.

Use in record: Provides locational clarity for staff and advisory bodies (setbacks, slopes, riparian buffers, access), supporting § 17-41-305(4) (extent/nature of improvements) and aligning with FCOZ and DWSP review.

Exhibit 10 — FCOZ Site Plan Application Narrative (02/07/2025)

Municipal site-plan narrative for permitted agricultural uses and accessory structures; lays out phased NRCS practices (e.g., 584/643/410/612/575/294), WUI ignition-resistant construction, and the compliance path under FCOZ. Notes the parcel's location within an EID Ground Water Source Protection area and intent to obtain stream alteration permits as needed.

Use in record: Aligns municipal land-use approvals with conservation agriculture and safety measures; supports § 17-41-305(4) and health/safety mitigation findings.

Exhibit 11 — E.C.C. 19.12.020 Permitted Uses

Official excerpt from the Emigration Canyon City Code identifying permitted uses within applicable zoning districts (including the FR-20 district) and expressly listed agricultural and accessory uses relevant to the subject parcel.

Use in record: Demonstrates zoning compatibility under UTAH CODE § 17-41-305(2) by showing agricultural and accessory uses are allowed in the applicable district(s). Provides statutory context for interpreting any ambiguous provisions in favor of the application, and cross-supports Exhibits 4 and 10 as consistent with permitted agricultural activities.

Exhibit 12 — E.C.C. 19.02.020 Purpose of Provisions

Purpose section of the City's zoning ordinance stating that the code is enacted to promote the public welfare, foster the City's agricultural and other industries, protect people, wildlife, water, and the natural landscape, and secure safety from fire and other dangers, among other objectives.

Use in record: Confirms the APA implements the ordinance's stated purposes, especially fostering agriculture and advancing public health/safety via DWSP BMPs and wildfire/erosion mitigation. Supports Findings that designation promotes the public welfare and is consistent with the City's policy framework (see also Exhibits 5, 7, and 10).

Exhibit Index

- Ex. 1 - Salt Lake County Assessor Parcel Map
- Ex. 2 - Salt Lake County Recorder's Office Parcel Ownership Record
- Ex. 3 - Freeze Creek Forest Stewardship Plan
- Ex. 4 - USDA NRCS Schedule of Operations
- Ex. 5- EID March 2025 Board Report - 20250320
- Ex. 6 – Documentation of Historical Agricultural Use
- Ex. 7 - Documentation of Current Agricultural Production
- Ex. 8- Freeze Creek Forest - Conceptual Site Design
- Ex. 9 - Freeze Creek Forest - Conceptual Site Plan - 20250808
- Ex. 10 - FCOZ Site Plan Application Narrative – 20250207
- Ex. 11 - E.C.C. 19.12.020 Permitted Uses
- Ex. 12 - E.C.C. 19.02.020 Purpose of Provisions