

# **Agriculture Protection Areas**

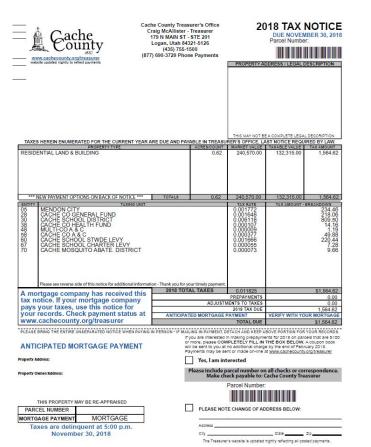






# SPANISHFORK Benefits: Greenbelt

No impact to greenbelt status

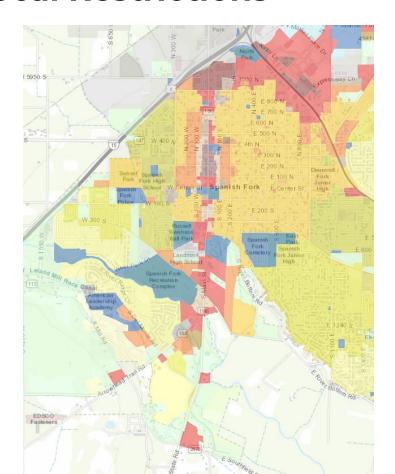






# SPANISHFORK Benefits: Local Restrictions

- 1. Local laws may not "unreasonably restrict"
  - farm structure
  - farm practice
- Rezoning requires landowner's written approval

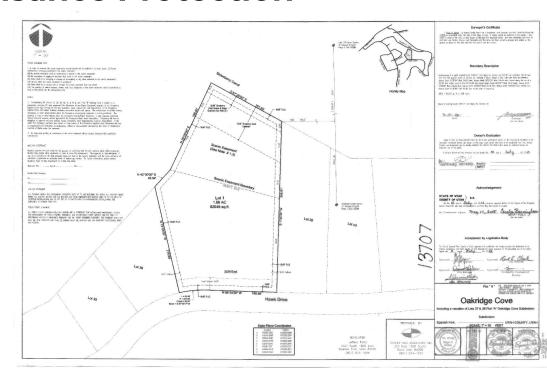






# **SPANISHFORK** Benefits: Nuisance Protection

- Nuisance definition excludes sound agricultural practices
- Defense in both civil and criminal proceedings
- Notice on plat required for new subdivision within 300 feet







- State agencies
  - a. No unreasonable restrictions on ag
  - b. Facility siting
- 2. Eminent Domain
  - a. City Council Advisory Board public hearing
  - b. "no reasonable and prudent alternative"



State of Utah DFCM, Layton Construction



### SPANISHFORK Process

- 1. Proposal to create APA
- 2. Notice to public *(15 days)* 
  - a. Comment or object
- Planning Commission and Advisory Board (45 days)
  - a. Review comments/objections
  - b. Evaluate and recommend
- 4. City Council (120 days)
  - a. Public hearing
  - b. Decision







### SHFORK Process: Evaluation Criteria

- Current use
- 2. Zoning
- 3. Viability for agricultural production
- 4. Existing or proposed farm improvements
- Anticipated trends in agricultural and technological conditions
- 6. Planned roadways, parks, utility corridors, or commercial developments. Such areas may be excluded from the agriculture protection area.





### **ISHFORK** Process: Other Procedures

- 1. Adding land to APA follow original procedure
- 2. Removing land
  - a. Upon request of owner
  - b. After 20-year review by City Council

