



Kane County Land Use Authority

76 North Main Street,

Kanab, Utah 84741

(435) 644-4966

Email planning@kane.utah.gov

REQUIREMENTS AND PROCEDURES FOR AN AGRICULTURE PROTECTION AREA

The following is the procedure to obtain approval for an Agriculture Protection Area (APA) under Kane County Land Use Ordinance 9-5B.

1. A map showing the boundaries of the land proposed to become part of the relevant protection area.
2. For each parcel of land to be included in the protection area, please include the following:
 - a. The names of the owners of record
 - b. The parcel number
 - c. The legal description of each parcel
 - d. The number of acres of each parcel
3. Submit an application and pay a fee of \$200.00.
4. Submit application no later than one month prior to the monthly planning commission meeting.
5. After submittal of the proposal, the county will post a notice on the Utah Public Notice Website, as well as 5 public places. A written notice will be mailed to each land owner within 1,000 feet of the proposed land to be included in the APA. The written notice will include the following:
 - a. A statement that a proposal for the creation of an APA has been filed.
 - b. A statement that the proposal will be open to public inspection.
 - c. A statement that any person affected by the establishment of the area may, within 15 days of the date of the notice, file with the applicable legislative body, written objections, or a written request to modify.
 - d. A statement that the proposal will be submitted to the planning commission as well as the agriculture advisory board for review and recommendations.
 - e. A statement that a public hearing will be held to discuss and hear comment on the proposed APA.
 - f. A statement indicating the date, time, and place of the public hearing.
6. After 15 days from the date of the notice, the proposal will be given to the planning commission and agriculture advisory board for their review, comments, and recommendations. Within 45 days both boards shall submit a written report to the county

commission that recommends either to accept, accept and modify, or reject the proposal. The following criteria will be used by both the planning commission, agriculture advisory board, and the county commission in determining whether or not to create, or recommend the creation of the APA:

- a. Whether or not the land is currently being used for agriculture production.
 - b. Whether or not the land is zoned for agriculture use.
 - c. Whether or not the land is viable for agriculture production.
 - d. The extent and nature of existing or proposed farm improvements.
 - e. Anticipated trends in agriculture and technological conditions
7. Once approved by the planning commission, agriculture advisory board, and the county commission the Certificate of Written Approval can be signed and recorded.



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AGRICULTURE PROTECTION AREA
APPLICATION
Application Fee \$200

Owners/Applicants _____ **Date:** _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

Phone: _____ **E-Mail:** _____

Parcel numbers to be included: _____

Number of contiguous acres: _____

Any limits on the types of agriculture production to be allowed within the agriculture protection area:

List types of agricultural production that is currently occurring on the parcel(s) being included:

I HEREBY CERTIFY THE ABOVE INFORMATION TO BE TRUE AND ACCURATE:

Signature: _____ **Date:** _____

Printed Name: _____

Planning Commission Action:

Approve **Deny**

Planning Commission Chairman
Commission Approval Date: _____

Date

Certificate of Written Approval

On _____ 20__, the Kane County Board of Commissioners approved the Agriculture Protection Area (APA) set forth herein. Under Utah Code 17-41-101 the following described land meets the requirements to become an Agriculture Protection Area. Furthermore, at the time of the application for the APA it was in compliance with County Ordinances. As of the date signed below, the land contained herein is in compliance with State and County laws and ordinances regarding APAs. Any document previously recorded or recorded here with that effectuates the APA as described herein is legal as of the date that this document is recorded.

Owner(s) of the Properties: _____

Parcel ID's: _____

Legal Description of Properties:

STATE OF UTAH)
 :ss
COUNTY OF KANE)

I, _____, Kane County Commission Chair, hereby certify that the property contained herein is in compliance with Utah State Code for an APA and has been approved by the Kane County Commission for compliance.

Kane County Commission Chair

SUBSCRIBED AND SWORN TO before me on this _____ day of _____,
20

NOTARY PUBLIC