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| **WC Logo.emf** | **Staff Report to the Western Weber Planning Commission***Weber County Planning Division* |
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****Synopsis****

****Application Information****

**Application Request:** Request for creation of an Agriculture Protection Area (APA) in the Western Weber County at approximately 700 North 7000 West

 **Type of Decision: Administrative**

**Agenda Date: Tuesday, January 12, 2016**

**Applicant:** A G Resources and Western Basin Land and Live stock, Randy Marriott Representative

**File Number:** APA 01-2015

****Property Information****

**Approximate Address:** 700 North 7000 West

**Project Area:** 2,046.34 acres

**Zoning:** Agricultural (A-2)

**Existing Land Use:** Agricultural

**Proposed Land Use:** Agricultural Protection Area

**Parcel ID:** 10-033-0009, 10-034-0015, 10-029-0004, 10-030-0002

**Township, Range, Section:** 6 North, Range 3 West, Section 3

****Adjacent Land Use****

**North:** Agricultural **South:** Agricultural

**East:** Agricultural **West:** Agricultural

****Staff Information****

**Report Presenter:** Jim Gentry

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 801-399-8767

**Report Reviewer:** JG

Applicable Land Use Codes

* Weber County Code of Ordinances Title 4 (Agriculture Protection Areas)
* Weber County Land Use Code Title 104 (Zones) Chapter 7 (A-2 Zone)

Background

The petitioners submitted an application to create agriculture protection area on 2,046.34 acres. The applicant’s property is zone Agricultural A-2. “The purpose and intent of the A-2 Zone is to designate farming areas where agricultural pursuits and the rural environment should be promoted and preserved.” It also states that “Agriculture is the preferred use in Agriculture Zone A-2. All agricultural operations shall be permitted at any time, including the operation of farm machinery and no agricultural use shall be subject to restriction because it interferes with other uses permitted in the zone.”

An agriculture protection area allows an agricultural use to be maintained as the preferred use and encourages the County to promote the continuity, development, and viability of the agricultural use by not enacting local laws, ordinances, or regulations that would unreasonably restrict farm structures or farm practices unless the public health or safety is affected. In addition, the County may not change the zoning designation or zoning regulations affecting land in an agriculture protection area unless written approval is given by the property owners.

Summary of Planning Commission Considerations

The Planning Commission is a recommending body to the County Commission regarding agriculture protection areas. Utah Code Title 17, Chapter 41, Section 305 provides the criteria that the Planning Commission should apply in evaluating a proposal for the creation of an agriculture protection area:

1. Whether or not the land is currently being used for agriculture production
2. Whether or not the land is zoned for agriculture use
3. Whether or not the land is viable for agriculture production
4. The extent and nature of existing or proposed farm improvements
5. Anticipated trends in agricultural and technological conditions

Staff has reviewed the agriculture protection area proposal and the criteria listed above: Staff analysis has the following comments:

1. The parcels that will be put into the proposed APA are currently used for livestock, hay, and other agricultural uses which meet the definition of agriculture in the Weber County Zoning Ordinance: “Agriculture: Use of land for primarily farming and related purposes such as pastures, farms, dairies, horticulture, animal husbandry, and crop production, but not the keeping or raising of domestic pets, nor any agricultural industry or business such as fruit packing plants, fur farms, animal hospitals or similar uses.”
2. These parcels are located in the Western Weber County area in an Agricultural A-2 Zone. The Agricultural A-2 Zone allows agriculture as a permitted use, and is the preferred use.
3. The land is currently used for livestock, hay, and other agricultural uses which have been conducted on the property for many years. The land is clearly viable for these agricultural uses.
4. The land has agricultural buildings, areas for storage of hay and equipment, and areas for livestock. The petitioner has not given an indication as to whether or not any additional improvements are planned.
5. Insufficient information was provided to determine how the proposal meets anticipated trends in agricultural and technological conditions.

Conformance to the General Plan

Two items from the West Central Weber County General Plan Vision Statement say West Central Weber County is a place that:

* Values and protects its rural character, lifestyle, and atmosphere.
* Manages growth to strike a balance between preservation and development.

The General Plan also states that two of the characteristics which exemplify the rural lifestyle and atmosphere of the area are:

* Lots of open spaces and broad views.
* The dominant presence of agricultural uses and features such as the fields and pastures, barns, and outbuildings.

Conditions of Approval

There are no conditions attached to this proposal.

**Staff Recommendation**

Staff recommends the Planning Commission recommend to the County Commission approval of the proposed agriculture protection area based on its compliance with the criteria listed above including the current viable agricultural operation and existing improvements.

Exhibits

1. Petitioner’s application
2. Location map