

**RESOLUTION NO. 2019-27**  
**CACHE COUNTY, UTAH**

Ent 1227375 Bk 2094 Pg 1839  
Date: 16-Sep-2019 01:42 PM Fee \$0.00  
Cache County, UT  
Michael Gleed, Rec. - Filed By MLG  
For CACHE COUNTY CORPORATION

**ALLEN AGRICULTURE PROTECTION AREA**

**THE RENEWAL AND EXPANSION OF AN EXISTING AGRICULTURE PROTECTION AREA**

WHEREAS, County Code §2.70 and Utah Code Annotated (UCA) §17-41-305 establish the requirements for petitions and the consideration of petitions for agriculture protection areas by the County Legislative Body (the “Council”), and;

WHEREAS, the Council caused that notice of the petition for the proposed Allen Agriculture Protection Area was provided, and;

WHEREAS, pursuant to the said code sections, the County’s Planning Commission (the “Commission”) and Agriculture Protection Advisory Board (the “Board”) shall provide to the Council, a recommendation to approve, modify and approve, or reject the proposed agriculture protection area, and;

WHEREAS, on August 1, 2019, the Commission reviewed the request as per the state and county requirements and provided a recommendation to modify and approve the proposed Allen Agriculture Protection Areas, and;

WHEREAS, the Board has reviewed the request as per the state and county requirements and has provided a recommendation to approve the proposed Allen Agriculture Protection Area, and;

WHEREAS, on September 10, 2019, at 5:30 P.M. the Council held a public hearing for the proposed Allen Agriculture Protection Area which meeting was preceded by all required legal notice, and at which time all interested parties were given the opportunity to provide written or oral comment, and;

WHEREAS, after careful consideration of the recommendations of the Board, the Commission, and comments at the public hearing and other public meetings where the proposed Allen Agriculture Protection Area was discussed;

NOW, THEREFORE, BE IT RESOLVED that the Council hereby modifies and approves the proposed Allen Agriculture Protection Area based on the included findings of fact, conditions, and conclusion (Exhibit A) with this resolution.

APPROVED AND ADOPTED this 10<sup>th</sup> day of September, 2019.

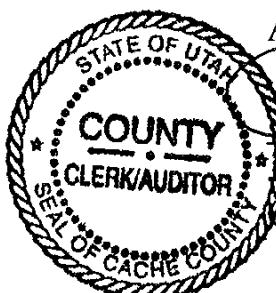
	In Favor	Against	Abstained	Absent
Borup	X			
Erickson	X			
Tidwell	X			
Ward	X			
White	X			
Worthen	X			
Zilles	X			
Total	7	0	0	0

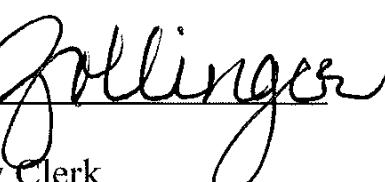
CACHE COUNTY COUNCIL



Karl Ward, Chair  
Cache County Council

ATTEST:



  
Jill Zollinger  
Cache County Clerk

**STAFF REPORT: ALLEN AGRICULTURE PROTECTION AREA**

1 August 2019

This staff report is an analysis of the application based on adopted county documents, standard county development practices, and available information. The report is to be used to review and consider the merits of the application. Additional information may be provided that supplements or amends this staff report.

**Agent:** Chris Allen**Parcel ID#:** Multiple - See Attachment A**Staff Determination:** Approval

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**Type of Action:** Legislative**Land Use Authority:** Cache County Council**PROJECT LOCATION***Reviewed by: Angie Zetterquist, Planner*

Multiple - See Attachments A &amp; B

**PROJECT PURPOSE**

The Cache County Development Services Office has forwarded an application to the Planning Commission for a review and recommendation to the County Council regarding the request to renew and expand an existing Agriculture Protection Area. The existing Agriculture Protection Area was approved in 1999 and consisted of 48 parcels and 1,377.19 acres. Over the years, there have been some changes to the parcels in the existing area and the current number is 46 parcels with 1,328.48 acres as determined by the County GIS maps. Under State Law, Agriculture Protection areas must be reviewed every 20 years. In addition to reviewing and renewing the existing protection area, the applicant is also requesting to expand it by adding 18 parcels with 718.3 acres. All the parcels are zoned Agricultural (A10), and are generally located in the Cove area (Attachment B).

**FINDINGS OF FACT**

1. Portions of multiple county roads border the Allen Agriculture Protection Area as proposed including, but not limited to: 11800 North, 12600 North, 12700 North, 13000 North, 13300 North, 13400 North, 14200 North, 1200 East, 1600 East, & 2000 East (Attachment B).
2. As per State Code §17-41-305 and County Code §2.70, the following criteria have been reviewed and addressed:
  - a. *Is the area proposed greater than 5 acres in size?* Yes.
  - b. *Is the land currently being used for agriculture production?* Yes.
  - c. *Is the land zoned for agricultural use?* Yes.
  - d. *Is the land viable for agriculture production?* Yes.
  - e. *What is the extent and nature of the existing or proposed farm improvements?* The growth of agricultural crops.
  - f. *What are the anticipated trends in the agricultural and technological conditions?* This is agricultural property, has functioned as such in the past, and will likely continue to function in that manner into the future.
3. Notice to surrounding property owners has been provided as per State and County Code. At this time, no public comment regarding this proposal has been received by the Development Services Office.

4. Notice to the Agriculture Advisory Board has been provided as per State and County Code. The advisory board has 45 days to submit a written report and their recommendation will be presented to the County Council at the duly noticed public hearing to review the proposal.

#### **CONDITIONS (1)**

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1. The Allen Agriculture Protection Area must not include any portion of the 66-foot-wide Cache County rights-of-way, reflecting 33 feet of each side from the existing center line, for any county roads adjacent to the properties identified in Attachments A & B.

#### **CONCLUSIONS (1)**

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1. The proposed Allen Agriculture Protection Area has been reviewed in conformance with, and meets the requirements and criteria of, §17-41-305 of State Code and §2.70 of the County Code and is hereby recommended for approval. This conclusion is based on the findings of fact and conditions.

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**Attachment A**

<b>EXISTING APA PARCEL #'S</b>		<b>46 PARCELS – 1,328.48 ACRES</b>	
09-001-0001	09-025-0018	09-026-0025	09-027-0032
09-001-0004	09-025-0019	09-026-0026	09-027-0044
09-005-0005	09-025-0022	09-026-0033	09-027-0049
09-005-0007	09-025-0085	09-026-0035	09-028-0008
09-005-0015	09-026-0005	09-026-0043	09-028-0009
09-005-0016	09-026-0006	09-026-0044	09-028-0016
09-005-0017	09-026-0007	09-026-0045	09-092-0009
09-006-0002	09-026-0008	09-026-0046	09-093-0001
09-006-0004	09-026-0009	09-026-0054	*combined with 09-026-0045 11/03
09-006-0007	09-026-0021	09-026-0058*	**combined with 09-026-0006 8/03
09-006-0008	09-026-0022	09-026-0059	
09-006-0009	09-026-0023	09-026-0060**	
09-025-0015	09-026-0024	09-027-0023	
<b>NEW APA PARCEL #'S</b>		<b>18 PARCELS – 718.3 ACRES</b>	
09-005-0002	09-091-0008	09-092-0008	09-026-0036
09-005-0003	09-091-0009	09-092-0010	09-026-0013
09-005-0004	09-092-0004	09-005-0008	09-001-0011
09-005-0009	09-092-0006	09-005-0001	
09-091-0007	09-092-0007	09-006-0003	

**Exhibit A  
Attachment B**

