



**Utah County Agricultural Protection
Planning Commission
Staff Report
February 17, 2026
South Fork Land 2026**

I. APPLICATION:

A. APPLICANT	Steven Dewey
B. REQUEST	Proposed new South Fork Land 2026 Agriculture Protection Area
C. LOCATION	Section 10, T9S, R2E, East of Payson City
D. PRESENT ZONING	Residential Agriculture (RA-5)
E. AREA	Approximately 21.38 acres

II. STAFF SUMMARY

Background

The subject area consists of the following parcels with the acreage indicated, State Code 17.41.302 stipulates a 15-day period that a person may request to be added to or removed from the proposed area.

<u>Application</u>		<u>Addition/removal requests</u>
Parcel	Acres	56' ROW County Road 2100 W Remove
300300087	11.23	
300300048	10.15	

Total 21.38

The subject area consists of approximately 21.38 total acres as noted by the applicant's submitted application and lies in the Residential Agriculture (RA-5) Zone. The applicant is requesting that the subject area of 21.38 acres be approved as the South Fork Land 2026 Agriculture Protection Area.

The 21.38 acres appear to currently be used for crop production.

County mapping indicates that the area lies within the Payson City Annexation Policy Plan. Adjacent properties include a hospital, residential and farming land.

The subject area lies in the Farmland Assessment Act designation, and the soil is classified as the following by the USDA Web Soil Survey:

Prime farmland if irrigated	21.38 acres	100 % of the area
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The applicant is requesting agriculture protection with no limits on the type of agriculture protection allowed within the proposed area. The Utah County Land Use Ordinance Subsection 12.08.B.3 permits the production of crops and grazing

Modification Requests

During the notice period there were one request for modifications.

Requests to be Removed:

1. The Utah County Public Works has requested to remove the county road 2100 West, classified as a Local Development Road, with a 56' right of way, from the proposal.

Applicable Ordinances and Statutes

1. Utah County Code Chapter 9.06.040 establishes the provisions for creating a new Agriculture Protection Area.
2. Utah Code Chapter 17-81 establishes the provisions for creating a new Agriculture Protection Area.

Overview of Codes Regulating Agriculture Protection

Utah Code Chapter 17-81, Agriculture, Industrial, and Critical infrastructure Materials, and Utah County Code Chapter 9.06.040, Agriculture Protection Area, list the procedures and requirements for Agriculture Protection. The Utah County Code closely mirrors the Utah State Code. The Utah State Code permits counties to establish the minimum number of continuous acres when creating a protected area which was adopted as 20 acres.

Utah Code Subsection 17-81-304(2). Nuisances. In a civil action for nuisance or a criminal action for public nuisance under Section 76-9-1301, it is a complete defense if the action involves agricultural activities and; (a) those agriculture activities were: (i) conducted within an agriculture protection area; and (ii) not in violation of any federal, state, or local law or regulation relating to the alleged nuisance or were conducted according to sound agricultural practices.

Utah Code Subsection 17-81-302(2). Limitation on local regulations. A political subdivision may not change the zoning designation or a zoning regulation affecting land within an agriculture protection area unless the political subdivision receives written approval for the change from all the landowners within the agriculture protection area affected by the change.

III. STAFF FINDINGS:

Utah Code Section 17-81-203, the review of an agriculture protection area shall consider the following:

1. **Analyze and evaluate the effect of the creation of the proposed area on the planning policies and objectives of the County.**

Utah County General Plan Chapter 2, includes the following planning policies and objectives:

2.12 Objective 5 - Maintain prime and other agricultural land in active production and retain the traditional rural nature of the unincorporated county.

Policy A - Agriculture is a significant economic utilization of land in unincorporated Utah County and should merit a strong emphasis in land use policies and regulations.

Policy B – Prime agricultural land should be kept in agricultural production or available for agricultural production.

Policy C – Areas served by irrigation systems should be safeguarded from non-farm development and the irrigation infrastructure protected.

2.14 Objective 6 - Support a variety of methods to preserve agricultural land.

Policy A - Zones should be created which have the sole purpose of protecting and fostering production agriculture.

Policy B - Continue to provide the option for the landowner to apply for an Agriculture Protection Area.

Policy C - The Farmland Assessment Act should be maintained as one method of preserving farmland in Utah County.

Policy D - Private foundations and trusts for agricultural land conservation and open space preservation should be encouraged, including protection of farming in agricultural areas and protection of open space in non-agricultural areas.

Policy E - Consideration should be given to support economically feasible land use alternatives to local and enterprising farm owners to generate supplementary farm income while promoting the preservation of agricultural open space.

2. Analyze and evaluate the proposal by applying the following criteria:

- a. Whether or not the land is currently being used for agriculture production.
Most of the subject area appears to be currently used in crop production.
- b. Whether or not the land is zoned for agriculture use.
The subject area is located within the Residential Agriculture (RA-5). The RA-5 Zone permits the production of fruit and crops in the field and grazing, UCLUO Subsection 12.08.B.3
- c. Whether or not the land is viable for agriculture production.
The subject property appears to be viable as the majority of the proposed area is currently viable for crops as designated “prime farmland” by the USDA.
- d. The extent and nature of existing or proposed farm improvements.
The extent and nature of the existing farm improvements will remain the same as they currently exist.
- e. Anticipated trends in agricultural and technological conditions.
Anticipated trends in agricultural and technological conditions support the creation of the Agriculture Protection Area..

3. Recommend any modifications to the land to be included in the proposed agriculture protection area.

- a. The Utah County Public Works has requested to remove the county road 2100 West currently classified as a Local Development Road with a 56’ right of way from the proposal.

4. Analyze and evaluate any objections to the proposal.

No written objections to the proposal

IV. STAFF RECOMMENDATION:

That Utah County Planning Commission recommends approval to the Utah County Commission of the proposed creation of the South Fork Land 2026 Agriculture Protection Area for agriculture protection which includes approximately 21.38 acres:

- a. less the county road 2100 West with a 56' right of way per the Utah County Public Works and
based on the staff report and minimum findings listed above: