

PURPOSE

An Agricultural Protection Area (APA) is a voluntary designation under Idaho Code Title 67, Chapter 97 and Twin Falls County Code Title 8, Chapter 6, Article K. It allows qualifying landowners to commit land actively devoted to agricultural or forest production to long-term agricultural use and provides specific statutory protections.

1. Protect productive farmland, rangeland, and forest land.
2. Encourage continued agricultural production and responsible farming practices.
3. Support the local agricultural economy and the long-term viability of working lands.
4. Provide greater stability for long-range agricultural and public planning.
5. Inform planners, public agencies, and citizens where agricultural production is intended to continue.
6. Preserve the voluntary nature of the designation and avoid restricting property not included in an APA.

APPLICATION AND REVIEW PROCESS

Submit the complete application packet and required supporting evidence to the Twin Falls County Planning & Zoning Department. Staff will review the materials for completeness and compliance with the County ordinance. The Agricultural Protection Area Commission (APAC) reviews the proposal and makes a recommendation. Final action is taken in accordance with Twin Falls County Code and Idaho Code § 67-9706.

TERM, EFFECTS, AND LIMITATIONS

- ☐ An approved APA has a minimum twenty-year term and renews as provided by law and County ordinance unless modified or terminated through the applicable process.
- ☐ Land within an APA remains subject to applicable federal, state, and local laws, permit requirements, and any lawful conditions of approval.
- ☐ Nonagricultural land uses are limited as provided by Idaho Code and Twin Falls County Code. Twin Falls County Code also prohibits specified uses within an APA, including CAFOs, subdivisions, certain energy projects, manufacturing uses, and other nonagricultural uses unless otherwise approved by the Board.
- ☐ An APA designation does not regulate or restrict nearby property that is not included in the APA.
- ☐ The designation is strictly voluntary. Property may not be included without the owner's permission.
- ☐ Potential protections include restrictions on certain zoning changes, certain regulatory actions, nuisance claims, and eminent domain, subject to the exceptions and procedures in Idaho law.

This packet is an application guide and does not replace Idaho law or Twin Falls County Code. Applicants should review Idaho Code Title 67, Chapter 97 and Twin Falls County Code 8-6K before signing.

TWIN FALLS COUNTY IDAHO

PRE-APPLICATION CHECKLIST

AGRICULTURAL PROTECTION AREA

PLAN AHEAD - A complete application and all applicable supporting materials must be submitted before the proposal can be processed.

An incomplete application may be returned or held until the required information is provided.

MINIMUM ELIGIBILITY REQUIREMENTS

- ☐ At least five (5) contiguous acres.
- ☐ Actively devoted to an agricultural or forest purpose under Idaho Code §§ 63-604 or 63-1701.
- ☐ Assessed and appraised by the Twin Falls County Assessor as agricultural or forest land.
- ☐ Located within a zoning district that allows agricultural or forest use.
- ☐ No concentrated animal feeding operation (CAFO) is sited on the parcel or parcels proposed for designation.
- ☐ Not part of a commercial or residential subdivision.
- ☐ The applicant owns the land, and it has been in active agricultural or forest production for the preceding three consecutive years.

REVIEW CONSIDERATIONS

The County and APAC may evaluate the proposal for consistency with the ordinance and applicable law, including:

- ☐ Existing or planned city areas of impact, annexation plans, development plans, or development agreements.
- ☐ Existing and planned public rights-of-way, transportation corridors, public trails, and access or utility easements.
- ☐ Airport facilities, airport expansion plans, and aviation-related compatibility concerns.
- ☐ Nearby subdivisions or other development with existing entitlements.
- ☐ The agricultural production history, current operation, and anticipated future production of the land.
- ☐ Potential local impacts relevant to the proposed APA.
- ☐ Whether structures, facilities, and current uses are consistent with agricultural or forest production and County requirements.

BEFORE SUBMITTAL

- ☐ Confirm all owners of record will sign the application.
- ☐ Obtain an assessor parcel map and current tax assessment documentation.
- ☐ Prepare a site context map showing the exact proposed APA boundary and all included parcels.
- ☐ Gather deeds, easements, water-right or irrigation information, and evidence of three years of production.
- ☐ Contact affected cities, highway districts, irrigation entities, or other agencies when their plans or facilities may be affected.
- ☐ Confirm the application fee and public-notice or recording costs with Planning & Zoning before filing.

TWIN FALLS COUNTY IDAHO

AGRICULTURAL PROTECTION AREA

APPLICATION FORM

Twin Falls County Planning & Zoning
630 Addison Avenue West, Suite 1100
Twin Falls, Idaho 83301
Phone: (208) 734-9490

Office Use
Application No.: _____
Date Received: _____
Fee: \$ _____

SECTION 1: OWNER AND APPLICANT INFORMATION

OWNER(S) OF RECORD

Name(s): _____

Mailing Address: _____

City/State/ZIP: _____

Phone: _____

Email: _____

APPLICANT / AUTHORIZED REPRESENTATIVE (if different from owner)

Name: _____

Mailing Address: _____

City/State/ZIP: _____

Phone: _____

Email: _____

OWNER AUTHORIZATION AND CERTIFICATION

By signing below, each owner certifies that the information submitted is true and complete to the best of the owner's knowledge; voluntarily requests APA designation; authorizes the identified representative, if any, to act regarding this application; acknowledges that approval may include lawful conditions; and understands that APA designation does not restrict land outside the approved APA.

County staff may request a site visit to verify application information. Any entry onto private property will be scheduled with owner or authorized representative consent, unless otherwise authorized by law.

Signature: _____

Date: _____

Signature: _____

Date: _____

SECTION 2: PROPERTY DETAILS

Parcel number(s)

Site address / general location

Section / Township / Range

Total acres proposed

Current zoning district(s)

Comprehensive plan designation(s)

Assessor classification

Irrigation district / water source

SECTION 3: AGRICULTURAL OR FOREST OPERATION

A. Current operation. Describe the crops, livestock, grazing, forestry, or other qualifying production occurring on the property. Identify the approximate acreage devoted to each activity.

B. Production history. Describe how the property has been actively devoted to agricultural or forest production during each of the preceding three consecutive years.

Year 1 / most recent:

Year 2:

Year 3:

C. Structures and facilities. List all dwellings, barns, shops, corrals, grain bins, irrigation facilities, storage areas, processing facilities, renewable-energy facilities, and other structures or uses on the proposed APA property.

D. Future agricultural or forest plans. Explain the anticipated operation and productivity of the property during the APA term.

SECTION 4: SCREENING QUESTIONS

Question	Yes	No
Is any part of the proposed APA within an area of city impact or an area identified for future annexation?	☐	☐
Does any adopted or known city annexation plan, development plan, or development agreement affect the property?	☐	☐
Does any existing or planned public right-of-way, transportation corridor, public trail, or access easement cross or adjoin the property?	☐	☐
Is the property near an airport or known airport expansion area?	☐	☐
Are there nearby subdivisions or developments with existing entitlements?	☐	☐
Is any CAFO located on a parcel proposed for designation?	☐	☐
Is any parcel part of a commercial or residential subdivision?	☐	☐
Are any nonagricultural uses currently occurring on the property?	☐	☐

For every "Yes" response, attach a written explanation and supporting map or document.

TWIN FALLS COUNTY IDAHO

REQUIRED SUPPORTING MATERIALS

APPLICATION SUBMITTAL CHECKLIST

SECTION 5: ADDITIONAL REQUIREMENTS

- ☐ **PARCEL MAP** - Current map from the Twin Falls County Assessor showing each parcel proposed for designation.
- ☐ **SITE CONTEXT MAP** - Map showing the exact boundary of the proposed APA, parcel lines, roads, structures, irrigation features, easements, and adjacent land uses. A record of survey or other reliable boundary document may be required when boundaries are unclear.
- ☐ **OWNERSHIP DOCUMENTATION** - Warranty deed or other reliable evidence identifying every current owner of record.
- ☐ **TAX ASSESSMENT DOCUMENTATION** - Evidence that each parcel is assessed and appraised as agricultural or forest land.
- ☐ **DETAILED APPLICANT NARRATIVE** - Explain the reasons for seeking APA designation, contiguous acreage, three-year production history, products or commodities, existing operation, future production plans, and other relevant land characteristics.
- ☐ **THREE-YEAR PRODUCTION EVIDENCE** - Examples may include farm program records, crop or grazing records, leases, receipts, tax records, photographs, forest-management records, or other reliable documentation.
- ☐ **EASEMENTS AND ENCUMBRANCES** - Copies of recorded access, utility, conservation, irrigation, roadway, or other easements affecting the property.
- ☐ **CITY INFORMATION, IF APPLICABLE** - Relevant city statement, map, or adopted document addressing areas of impact, annexation, infrastructure, or development plans that may affect the proposal.
- ☐ **TRANSPORTATION INFORMATION, IF APPLICABLE** - Relevant highway district, Idaho Transportation Department, private-road owner, federal agency, or other transportation documentation concerning existing or planned rights-of-way and corridors.
- ☐ **WATER, SOILS, AND ENVIRONMENTAL INFORMATION** - Water-right or irrigation documentation, soils information, and environmental assessments relevant to the agricultural operation or proposed designation.
- ☐ **ADDITIONAL INFORMATION** - Other information reasonably requested by the Administrator, APAC, or Board to determine compliance with applicable standards.

SECTION 6: FINAL CERTIFICATION

I/We request that the identified property be designated as an Agricultural Protection Area. I/We understand that the designation is voluntary, carries a minimum twenty-year term, may restrict future nonagricultural uses, and will be recorded or mapped as required by law. I/We acknowledge that approval does not exempt the property or its uses from applicable permits, laws, or lawful conditions of approval.

Owner Signature:

Date: _____

Owner Signature:

Date: _____

Owner Signature:

Date: _____

Planning & Zoning staff use only:

Completeness review: ☐ Complete ☐ Incomplete

Date: _____

APAC meeting date: _____

Recommendation: ☐ Approve ☐ Deny ☐ Other

Final decision date: _____

Action: ☐ Approved ☐ Denied (BOCC)

Recording information: _____

APA map updated: ☐ Yes ☐ No