

AGRICULTURAL DISTRICTS SHALL PROVIDE THAT:

(1) ONE OR MORE OWNERS OF LAND ACTIVELY DEVOTED TO AGRICULTURAL USE MAY FILE A PETITION WITH THE COUNTY GOVERNING BODY REQUESTING THE ESTABLISHMENT OF AN AGRICULTURAL DISTRICT COMPOSED OF THE LAND OWNED BY THE PETITIONERS. THE PETITION SHALL INCLUDE MAPS AND DESCRIPTIONS OF THE CURRENT USE OF LAND IN THE PROPOSED DISTRICT.

(2) UPON RECEIPT OF A PETITION TO ESTABLISH AN AGRICULTURAL DISTRICT THE LOCAL GOVERNING BODY SHALL REFER THE PETITION AND ACCOMPANYING MATERIALS TO BOTH THE AGRICULTURAL PRESERVATION ADVISORY BOARD AND TO THE COUNTY PLANNING AND ZONING BODY.

(I) WITHIN 60 DAYS OF THE REFERRAL OF A PETITION, THE AGRICULTURAL PRESERVATION ADVISORY BOARD SHALL ADVISE THE COUNTY GOVERNING BODY AS TO WHETHER OR NOT THE LAND IN THE PROPOSED DISTRICT MEETS THE QUALIFICATIONS ESTABLISHED BY THE FOUNDATION UNDER (C) OF THIS SECTION, AND WHETHER OR NOT THE ADVISORY BOARD RECOMMENDS ESTABLISHMENT OF THE DISTRICT.

(II) WITHIN 60 DAYS OF THE REFERRAL OF A PETITION, THE COUNTY PLANNING AND ZONING BODY SHALL ADVISE THE LOCAL GOVERNING BODY AS TO WHETHER OR NOT ESTABLISHMENT OF THE DISTRICT IS COMPATIBLE WITH EXISTING AND APPROVED COUNTY PLANS AND OVERALL COUNTY POLICY, AND WHETHER OR NOT THE PLANNING AND ZONING BODY RECOMMENDS ESTABLISHMENT OF THE DISTRICT.

(3) IF EITHER THE AGRICULTURAL PRESERVATION ADVISORY BOARD OR THE PLANNING AND ZONING BODY RECOMMENDS APPROVAL, THE COUNTY GOVERNING BODY SHALL HOLD A PUBLIC HEARING ON THE PETITION. ADEQUATE NOTICE OF THE HEARING SHALL BE GIVEN TO ALL LANDOWNERS IN THE PROPOSED DISTRICT, AND TO THE FOUNDATION.

(4) WITHIN 120 DAYS AFTER THE RECEIPT OF THE PETITION, THE COUNTY GOVERNING BODY SHALL RENDER A DECISION AS TO WHETHER OR NOT THE PETITION SHALL BE RECOMMENDED TO THE FOUNDATION FOR APPROVAL.

(I) IF THE COUNTY GOVERNING BODY DECIDES TO RECOMMEND APPROVAL OF THE PETITION, IT SHALL SO NOTIFY THE FOUNDATION AND FORWARD TO THE FOUNDATION THE PETITION AND ALL ACCOMPANYING MATERIALS, INCLUDING THE RECOMMENDATIONS OF THE ADVISORY BOARD AND COUNTY PLANNING AND ZONING BODY.

(II) IF THE COUNTY GOVERNING BODY RECOMMENDS DENIAL OF THE PETITION, IT SHALL SO INFORM THE FOUNDATION AND THE PETITIONERS.

(5) THE FOUNDATION MAY APPROVE A PETITION FOR THE ESTABLISHMENT OF AN AGRICULTURAL DISTRICT ONLY IF: