

ORDINANCE NO 2009-40

**AN ORDINANCE AMENDING THE UTAH COUNTY LAND USE ORDINANCE, SECTIONS 2-2-B-62 5, ADD A DEFINITION OF MIGRANT AGRICULTURAL WORKER HOUSING, 5-13-B, ZONE PERMITTED USES, TO ADD MIGRANT AGRICULTURAL WORKER HOUSING TO THE A-40 ZONE, AND SECTIONS 5-13-D-2 AND 3, AREA REQUIREMENTS AND 5-13-E-1, WIDTH REQUIREMENTS FOR MIGRANT AGRICULTURAL WORKER HOUSING IN THE A-40 ZONE**

**WHEREAS**, the Utah County Planning Commission initiated a review of amending the UCLUO to more appropriately address the goals and policies of Utah County, including those contained in the Utah County General Plan, and

**WHEREAS**, the Planning Commission addressed the proposed amendments to the UCLUO, during their regularly scheduled agenda meeting of the Planning Commission, and scheduled and held a public hearing regarding the proposed amendments, and

**WHEREAS**, the Planning Commission recommended that the UCLUO be amended, in accordance with the amendments as set forth herein, and

**WHEREAS**, the Board of County Commissioners has received and carefully reviewed the recommendation from the Utah County Planning Commission regarding the proposed amendment to the UCLUO, including information found in the file and any public comments contained therein, and

**WHEREAS**, the Board of County Commissioners finds that the proposed amendment to the UCLUO will further the goals and policies of Utah County, including those contained in the General Plan, and

**WHEREAS**, the Board of County Commissioners finds that the proposed amendment to the UCLUO is in the best interest of the health, safety, and general welfare of the citizens of Utah County

**THE COUNTY LEGISLATIVE BODY OF UTAH COUNTY ORDAINS AS FOLLOWS**

**Part I**

Section 2-2-B, Definitions, is hereby amended to add a new subsection 62 5 to read as follows

**62 5 Migrant Agricultural Worker Housing**

*A structure or manufactured home approved by the United States Department of Labor under the provisions of the Migrant & Seasonal Agricultural Worker Protection Act, for the housing of migrant agricultural workers who are employed as migrant agricultural workers by the owner of the parcel of land upon which the housing is located and who work, during the period of occupancy, solely for said owner, in the agricultural production operation owned*

*and operated by said owner The owner, the facility, and the agricultural workers must comply with all requirements of the Department of Labor, and other applicable Federal, State, and County requirements*

## Part II

Section 5-13, A-40 Agricultural Zone, Subsection B, Permitted Uses, is hereby amended to add a new subsection 26 to read as follows

### **26 Migrant Agricultural Worker Housing**

## Part III

Sections 5-13-D-2 and 3, Area Requirements, are hereby amended to read as follows

- 2 Each Migrant Agricultural Worker Housing structure and each Migrant Agricultural Worker Housing manufactured home shall be located on a parcel of land with an area of not less than 40 acres, or located on adjacent parcels of land in the same ownership as described in a recorded Declaration of Farm Unit consisting of not less than 40 acres, which Declaration of Farm Unit must be approved by the Land Use Authority. If more than one Migrant Agricultural Worker Housing structure or manufactured home is located within an approved Declaration of Farm Unit, each such structure or manufactured home shall have an area of not less than 40 acres**

The existing paragraph No 2 to be amended to No 3

## Part IV

Section 5-13-E-1, Width Requirements, is hereby amended to read as follows

- 1 For a farm caretaker dwelling on a single parcel of land or for all farm caretaker dwellings clustered on one parcel of land, and for a migrant agricultural worker housing structure or migrant agricultural worker housing manufactured home, the minimum width of the lot at any point between the frontage and the structure/s shall be three hundred thirty (330) feet**

## Part V

The Utah County Land Use Ordinance, as amended herein, is hereby adopted in book form and a copy of said Utah County Land Use Ordinance is hereby ordered to be filed in the office of the Utah County Clerk/Auditor

## Part VI

If any of the sections, sentences, clause or provisions of this ordinance shall for any reason be

adjudged inapplicable or invalid by a court of competent jurisdiction, such shall not affect or invalidate the remaining portion contained herein

**Part VII**

This ordinance shall become effective fifteen (15) days after it is passed, and upon at least one (1) publication in a newspaper published in and having general circulation in Utah County

PASSED and ordered published this 22nd day of December, 2009

UTAH COUNTY COMMISSION

VOTE

*Larry A. Ellertson*  
LARRY A. ELLERTSON, CHAIR

aye

*Steve White*  
STEVE WHITE, COMMISSIONER

aye

*Gary J. Anderson*  
GARY J. ANDERSON, COMMISSIONER

aye

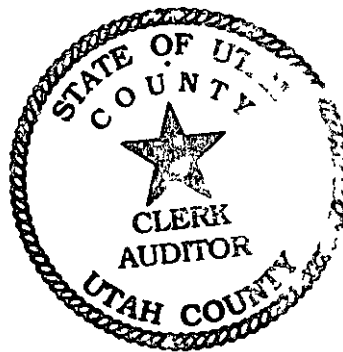
ATTEST  
BRYAN E THOMPSON  
County Clerk/Auditor

APPROVED AS TO FORM  
JEFFREY R BUHMAN  
County Attorney

By *Rebecca Huggins Carson*, Deputy

By *Paul [Signature]* Deputy

Date of Publication Once only, as soon as possible



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 P.O. BOX 704005  
 WEST VALLEY CITY, UTAH 84170  
 FLD TAX ID # 87 0217665

The Salt Lake Tribune

**MEDIA One**

Morning News

*Ordinance 2009-40*

CUSTOMER'S COPY

PROOF OF PUBLICATION

CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER	DATE
UTAH COUNTY AUDITOR ATTN: Karen Fairbanks 100 E CENTER ST #2400 PROVO UT 84606	9001334912 10 JAN 22	P5 1/15/2010 39

ACCOUNT NAME	
UTAH COUNTY AUDITOR	
TELEPHONE	AD ORDER # / INVOICE NUMBER
8018518002	0000537079 /
SCHEDULE	
Start 01/14/2010	End 01/14/2010
CUST. REF. NO.	
2010-281	
CAPTION	
ORDINANCE NO 2009-40 WAS ADOPTED BY THE	
SIZE	
29 Lines	1 00 COLUMN
TIMES	RATE
2	
MISC CHARGES	AD CHARGES
TOTAL COST	
35 45	

ORDINANCE NO 2009-40 WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, ON DECEMBER 22, 2009 AMENDING THE UTAH COUNTY LAND USE ORDINANCE, SECTIONS 2-2-B-62.5 ADD A DEFINITION OF MIGRANT AGRICULTURAL WORKER HOUSING, 5-13-B, ZONE PERMITTED USES TO ADD MIGRANT D-2 AND 3 AREA REQUIREMENTS AND 5-13-E, WIDTH REQUIREMENTS FOR MIGRANT AGRICULTURAL WORKER HOUSING IN THE A-40 ZONE.

A COMPLETE COPY OF THE ORDINANCE IS AVAILABLE AT THE COUNTY CLERK/AUDITOR'S OFFICE, COMMISSIONER LARRY A. ELBERTSON, COMMISSIONER STEVE WHITE, AND COMMISSIONER GARY J. ANDERSON VOTED IN FAVOR OF THE ORDINANCE.  
 537079 UPAXLP

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY CORPORATION I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF ORDINANCE NO 2009-40 WAS ADOPTED BY THE FOR UTAH COUNTY AUDITOR, WAS PUBLISHED BY THE NEWSPAPER AGENCY CORPORATION AGENT FOR THE SALT LAKE TRIBUNE AND DISSEMINATED DAILY IN NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAH LEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAH LEGALS.COM INDEFINITELY.

PUBLISHED ON Start 01/14/2010 End 01/14/2010  
 SIGNATURE *[Signature]*  
 DATE 1/15/2010



*[Signature]*

THIS IS NOT A STATEMENT BUT A PROOF OF PUBLICATION  
 PLEASE PAY FROM BILLING STATEMENT