

**AN ORDINANCE AMENDING SECTION 3-28-B-7, TEMPORARY USES AND STRUCTURES: CORN MAZE, HAUNTED HOUSE OR OUTSIDE HAUNTED EVENT, OF THE UTAH COUNTY LAND USE ORDINANCE**

**WHEREAS**, the Utah County Commission initiated a review of the Utah County Land Use Ordinance (UCLUO), dealing with amending Section 3-28-B-7 related to the requirements for corn mazes, haunted houses, and outside haunted events as temporary uses in certain zones; and

**WHEREAS**, the Planning Commission addressed the proposed amendment to the Utah County Land Use Ordinance during the regularly scheduled meeting of the Planning Commission, scheduled and held a public hearing regarding the proposed amendment, and made a recommendation to the Board of County Commissioners regarding the proposed amendment; and

**WHEREAS**, the Board of County Commissioners has received and carefully reviewed the recommendation from the Planning Commission regarding the proposed amendment, and the minutes from the Utah County Planning Commission meetings and public hearings regarding the proposed amendment to the Utah County Land Use Ordinance; and

**WHEREAS**, the Board of County Commissioners has received and carefully reviewed the input, documents, and testimony from the public regarding the proposed amendment to the Utah County Land Use Ordinance; and

**WHEREAS**, the Board of County Commissioners finds the proposed amendment to the Utah County Land Use Ordinance conforms to the Utah County General Plan, 2014, and is consistent with the other provisions of the Utah County Land Use Ordinance; and

**WHEREAS**, the Board of County Commissioners finds that the proposed amendment to the Utah County Land Use Ordinance is in the best interest of the health, safety, and welfare of the citizens of Utah County, considering all factors.

NOW, THEREFORE, THE COUNTY LEGISLATIVE BODY OF UTAH COUNTY ORDAINS AS FOLLOWS:

**Part I:**

Section 3-28-B-7, "TEMPORARY USES AND STRUCTURES: CORN MAZE, HAUNTED HOUSE, OR OUTSIDE HAUNTED EVENT" of the Utah County Land Use Ordinance, is hereby amended, to read as follows:

3-28: TEMPORARY USES AND STRUCTURES

ENT 74077:2015 PG 1 of 5  
JEFFERY SMITH  
UTAH COUNTY RECORDER  
2015 Aug 14 3:24 pm FEE 0.00 BY ED  
RECORDED FOR UTAH COUNTY COMMISSIONERS

The following regulations govern the operation of certain transitory or seasonal uses.

A. PERMITS

Applications for a temporary use permit shall be made to the Zoning Administrator, and shall contain the following information:

1. A description of the property to be used, rented, or leased for the temporary use, including all information necessary to accurately portray the property.
2. A description of the proposed use.
3. Sufficient information to determine the yard requirements, sanitary facilities, and availability of parking space to service the proposed use.

B. USES

The following are temporary uses and are subject to the following specific regulations and time limits, in addition to the regulations of any zone in which the use is located.

7. Corn Maze, Haunted House or Outside Haunted Event

Upon receipt of a complete application, the Zoning Administrator shall authorize a temporary use permit for a corn maze, haunted house, or outside haunted event, in any zone except the RR-5, TR-5 and CE-2 zones for a maximum of sixty-five (65) days annually, if the Zoning Administrator finds that all of the following conditions and requirements are met:

- a. A state road or county road access permit has been issued.
- b. Approval from the Utah County Fire Marshal; approval from the Utah County Health Department; approval from the Utah County Building Official; and approval from the Utah County Sheriff; have been obtained.
- c. No portion of the corn maze, haunted house, outside haunted event, or its related activities may be located closer than five hundred (500) feet from any dwelling except dwellings on the site of the application or dwellings adjacent to the site of the application and in the same ownership as the property owner.
- d. A manned observation tower is provided or sufficient attendants within the maze for help and assistance, and sufficient attendants within a haunted house or for an outside haunted event are provided.
- e. Adequate lighting for assembly and parking areas, and within the maze, haunted house or outside haunted event, during evening hours, is provided.
- f. The applicant has submitted a completed Utah County Temporary Use Permit application with a site plan that details and identifies specific areas of the corn maze, haunted house, or outside haunted event including, but not limited to, designated off-road parking designed to eliminate the need for an individual to cross a state, city or county road to access the site; restroom location; boundary of the entire site area to be utilized; concession locations (an independent concessionaire must obtain a Utah County Temporary Vendor Permit); and any required fire apparatus.
- g. Parking is provided as per the current Utah County Land Use Ordinance.
- h. Hours of operation are limited to 10:00 a.m. to 12:00 midnight.
- i. A dust mitigation plan has been submitted and approved by the zoning administrator.

- j. An adequate number of trash receptacles shall be provided on-site and shall be emptied or removed when necessary at the applicant's expense; and the site shall be cleaned and restored to its original condition or better at the conclusion of the event.
- k. No sale of alcoholic beverages or sexually oriented products or materials.
- l. Must conform to adopted Utah County Noise Ordinance.
- m. The application may include a travel trailer, recreational vehicle, or camper, for a security attendant during the approved length of the corn maze, haunted house, or outside haunted event; otherwise, the site must be secured from the public during the hours it is not in operation.
- n. All structures (including set props or facades) and other facilities associated with the event must be removed entirely from the property upon completion of the event unless such structures receive a building or land use permit for a qualifying use of the underlying zoning designation of the subject property.

Exception: A structure or other facility associated with the event may remain on the property outside of the temporary event time period if the following are met:

- (1) A building or land use permit is obtained for each structure or facility that meets all applicable zoning, building, health, and fire-safety requirements.
- (2) A site plan is provided and approved that has been drawn by an engineer, architect, or land surveyor licensed by the State of Utah, drawn to a readable scale which shows all existing and proposed buildings, structures, facilities, and other activity areas, and the proposed parking areas, including patron and emergency personnel access routes to/from the nearest public road(s), for the event. Such access routes must be designed to provide emergency personnel vehicles unobstructed access at all times.
- (3) An approved haunted event must occur on the subject property within 365 days of any previously completed approved haunted event on the subject property. If an approved haunted event fails to occur within this time period annually, the structures and facilities need to be completely removed from the property.
- (4) For the purpose of encouraging the future annexation into a municipality, the parcel(s) the structures and facilities are located upon must lie adjacent to an existing municipality.
- (5) The property the structures and facilities are located upon shall not contain land designated as prime agricultural land as depicted on the most recent version of a farmland map from the U.S. Department of Agricultural Soil Conservation Service.
- (6) The structures and facilities must be setback a minimum of 300 feet from any adjacent public street, road, or highway. Exception: An accessory storage structure used exclusively for storage may be located closer to any adjacent public street, road, or highway with the intent to meet location requirements from an approved central water system.
- (7) Occupied structures shall be limited to one(1)-story of habitable area with a

maximum floor area of 245 square feet as determined by the currently adopted building construction codes of Utah County, unless the structures are supplied by an approved central water system which can supply water which meets the supply and flow requirements for fire protection.

- (8) Accessory storage structures shall be limited to one(1)-story of habitable area with a maximum floor area of 120 square feet as determined by the currently adopted building construction codes of Utah County, unless the structures are supplied by an approved central water system which can supply water which meets the supply and flow requirements for fire protection.
- (9) Any props or facades that are part of a restricted or enclosed passage-way or trail associated with a haunted event scene shall be located within a designated scene area on the approved site plan, which scene area is limited to 100 linear feet. Each scene area must meet all adopted building and fire-safety codes for exiting.
- (10) Unoccupied structures used as a prop, including for an approved scene area, shall be limited to a maximum floor area of 300 square feet as determined by the currently adopted building construction codes of Utah County.
- (11) Any obsolete vehicle used as a prop or part of a scene area must be removed from the property upon completion of the event. Exception: No more than four(4) obsolete vehicles may be stored on the property within a totally enclosed accessory storage structure.

## **Part II:**

A copy of the Utah County Land Use Ordinance, as amended herein, is hereby ordered to be filed in the office of the Utah County Clerk/Auditor.

## **Part III:**

If any of the sections, sentences, clauses 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 IV:**

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 9th day of June, 2015.

UTAH COUNTY COMMISSION

VOTE

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

aye

*William C. Lee*  
WILLIAM C. LEE, VICE-CHAIR

aye

*Greg Graves*  
GREG GRAVES, COMMISSIONER

aye

ATTEST:  
BRYAN E. THOMPSON  
County Clerk/Auditor  
By: *Bryan E. Thompson*  
Deputy



APPROVED AS TO FORM:  
JEFFREY R. BUHMAN  
County Attorney  
 Approved

Disapproved  
By: *Jeffrey R. Buhman*  
Deputy

Date of Publication: Once only, as soon as possible

4770 S. 5600 W.  
 WEST VALLEY CITY, UTAH 84118  
 FED.TAX I.D.# 87-0217663  
 801-204-6910

Deseret News



The Salt Lake Tribune

PROOF OF PUBLICATION

CUSTOMER'S COPY

CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER	DATE
UTAH COUNTY AUDITOR, KENT MONSON KENT MONSON 100 E CENTER ST STE 3600 PROVO UT 84606	9001334912	8/20/2015

ACCOUNT NAME	
UTAH COUNTY AUDITOR,	
TELEPHONE	ADORDER# / INVOICE NUMBER
8018518238	0001045872 /
SCHEDULE	
Start 08/20/2015	End 08/20/2015
CUST. REF. NO.	
2015-222	
CAPTION	
SUMMARY OF ORDINANCE ORDINANCE NO. 2015-18 WAS ADOPTED BY THE BOARD O	
SIZE	
27 Lines	1.00 COLUMN
TIMES	RATE
2	
MISC. CHARGES	AD CHARGES
TOTAL COST	
33.35	

SUMMARY OF ORDINANCE

ORDINANCE NO. 2015-18 WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, ON JUNE 9, 2015, AMENDING SECTION 3-28-B-7, TEMPORARY USES AND STRUCTURES: CORN MAZE, HAUNTED HOUSE OR OUTSIDE HAUNTED EVENT, OF THE UTAH COUNTY LAND USE ORDINANCE.

A COMPLETE COPY OF THE ORDINANCE IS AVAILABLE AT THE COUNTY CLERK/AUDITOR'S OFFICE, COMMISSIONER LARRY A. ELLERTSON, COMMISSIONER WILLIAM C. LEE, AND COMMISSIONER GREG GRAVES VOTED IN FAVOR OF THE ORDINANCE. 1045872 UPAXLP

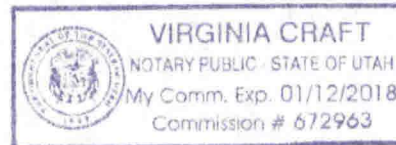
AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF **SUMMARY OF ORDINANCE ORDINANCE NO. 2015-18 WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, ON JUNE 9, 2015, AMENDING SECTION 3-28-B-7, T** FOR **UTAH COUNTY AUDITOR**, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH, AGENT FOR THE SALT LAKE TRIBUNE AND DESERET NEWS, DAILY 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 UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINATELY. COMPLIES WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

PUBLISHED ON Start 08/20/2015 End 08/20/2015

SIGNATURE *Adarsh*

DATE 8/20/2015



*Virginia Craft*  
 NOTARY SIGNATURE

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