



PROOF OF PUBLICATION CUSTOMER'S COPY

CUSTOMER NAME AND ADDRESS

UTAH COUNTY AUDITOR,
MICKLENA FRAMPTON
100 E CENTER ST STE 3600

ACCOUNT NUMBER

9001334912

DATE

7/6/2018

PROVO UT 84606

ACCOUNT NAME

UTAH COUNTY AUDITOR,

TELEPHONE

8018518238

ORDER # / INVOICE NUMBER

0001215587 /

PUBLICATION SCHEDULE

START 07/06/2018 END 07/06/2018

CUSTOMER REFERENCE NUMBER

2018-649

CAPTION

ORDINANCE SUMMARY ORDINANCE NO. 2018-12 WAS ADOPTED BY THE BOARD

SIZE

29 LINES 1 COLUMN(S)

TIMES

2

TOTAL COST

35.45

ORDINANCE SUMMARY
ORDINANCE NO. 2018-12 WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, ON MAY 29, 2018, AMENDING SECTIONS 2-2 AND 3-29 OF THE UTAH COUNTY LAND USE ORDINANCE TO INCLUDE AGRITOURISM AND ASSOCIATED EVENTS AS A TEMPORARY USE IN THE RESIDENTIAL AGRICULTURAL (RA-5) ZONE.
A COMPLETE COPY OF THE ORDINANCE IS AVAILABLE AT THE UTAH COUNTY CLERK/AUDITOR'S OFFICE.
COMMISSIONER NATHAN IVIE AND COMMISSIONER WILLIAM C. LEE VOTED IN FAVOR OF THE ORDINANCE. COMMISSIONER GREG GRAVES WAS ABSENT.
1215587 UPAXIP

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF **ORDINANCE SUMMARY ORDINANCE NO. 2018-12 WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, ON MAY 29, 2018, AMENDING SECTIONS 2-2 AND 3-29 FOR UTAH COUNTY AUDITOR**, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP, AGENT FOR DESERET NEWS AND THE SALT LAKE TRIBUNE, 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 INDEFINITELY. COMPLIES WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

PUBLISHED ON Start 07/06/2018 End 07/06/2018

DATE 7/6/2018

SIGNATURE _____

STATE OF UTAH)

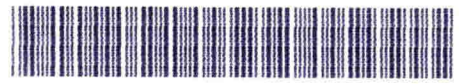
COUNTY OF SALT LAKE)

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 6TH DAY OF JULY IN THE YEAR 2018

BY LORAIN GUDMUNDSON

JAE LEVI
NOTARY PUBLIC -STATE OF UTAH
My Comm. Exp 05/29/2022
Commission # 700608

NOTARY PUBLIC SIGNATURE



ENT 42783:2018 PG 1 of 5
JEFFERY SMITH
UTAH COUNTY RECORDER
2018 Jul 03 2:56 pm FEE 0.00 BY MA
RECORDED FOR UTAH COUNTY COMMISSIONERS

ORDINANCE NO. 2018- 12

**AN ORDINANCE AMENDING SECTIONS 2-2 AND 3-29 OF THE UTAH COUNTY
LAND USE ORDINANCE TO INCLUDE AGRITOURISM AND ASSOCIATED
EVENTS AS A TEMPORARY USE IN THE RESIDENTIAL AGRICULTURAL (RA-5)
ZONE**

WHEREAS, the Planning Commission initiated a review of Section 2-2 and 3-29 of the Utah County Land Use Ordinance (UCLUO) to include Agritourism and associated events as a temporary use in the Residential Agricultural (RA-5) Zone; 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 on May 15, 2018, held a public hearing regarding the proposed amendments, and made a recommendation to the Board of County Commissioners regarding the proposed amendments; 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 of the Planning Commission meeting and the public hearing regarding the proposed amendments 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 2-2-A of the Utah County Land Use Ordinance is hereby amended, including the re-numbering of applicable subsections, to read as follows:

2-2: DEFINITIONS

- A. For purposes of this land use ordinance, definitions are provided for the following terms. Not all of the terms are used in this land use ordinance. The inclusion of any term defining a land use does not imply that the term is a permitted or conditionally permitted use in any zone, unless specifically stated as such in the applicable zone. Any term which is defined, but not used in this land use ordinance, is included to differentiate the term from other terms which are used in this land use ordinance:

8. **Agritourism:** The travel or visit by the general public to a working farm, ranch, or other agricultural operation for the enjoyment of, education about, or participation in the activities of the farm, ranch, or other agricultural operation.
9. **Agritourism Activity:** An educational or recreational activity that:
- a. takes place on a farm or ranch; and
 - b. to guarantee legitimacy and viability, the parcels designated as the location of the agritourism activity shall have qualified under the Farmland Assessment Act; and
 - c. allows an individual to tour, explore, observe, learn about, participate in, or be entertained by an aspect of agricultural operations.

Part II:

Section 3-29-B of the Utah County Land Use Ordinance is hereby amended to read as follows:

3-29: TEMPORARY USES AND STRUCTURES

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.

13. Agritourism

Upon receipt of a complete application, the Zoning Administrator shall authorize a temporary use permit for an agritourism operation in the RA-5 zone for a maximum of sixty-five (65) days annually which complies with the following conditions and requirements:

- a. The agritourism operation is located on a parcel or adjacent parcels with a combined minimum total of 20 acres. The 20-acre area must be included in the Farmland Assessment Act as documented with a

- recorded Application for Assessment and Taxation of Agricultural Land, as updated in form by the Utah State Tax Commission.
- b. Agritourism activities include:
 - i. Guided tours of the farm;
 - ii. Petting zoo with farm animals, including pony rides;
 - iii. Pumpkin patch or pumpkin walk;
 - iv. Corn maze;
 - v. Farm related educational games and activities;
 - vi. Farm day camps;
 - vii. Concessions.
 - c. The applicant has submitted a detailed site plan, drawn to a readable scale, that identifies all areas of the event including, but not limited to, the following:
 - i. All existing and proposed structures, along with all proposed activity areas;
 - ii. Designated off-road parking area(s) designed to eliminate the need for an individual to cross a public road to access the site;
 - iii. Restroom locations;
 - iv. Boundary of the entire area to be utilized;
 - v. Concession locations;
 - vi. Lighting locations with illumination direction;
 - vii. Location of all required fire apparatus;
 - viii. Location of all signs which comply with chapter 3 of this ordinance.
 - d. No portion of the agritourism, or its related activities, may be located closer than five hundred (500) feet from an existing dwelling unless:
 - i. the dwelling is located on the subject parcel(s);
 - ii. the dwelling is in the same ownership as the property on which the agritourism is located; or
 - iii. the applicant can submit written approval from the property owner of the dwelling.
 - e. Approval for access from a state or county road, if required.
 - f. Approval from the following, if required: Utah County Fire Marshal; Utah County Health Department; Utah County Building Official; Utah County Sheriff.
 - g. Hours of operation are limited to the following:
 - i. 10:00 a.m. to 10:00 p.m. Sunday through Thursday
 - ii. 10:00 a.m. to 11:00 p.m. Friday and Saturday
 - h. No sale of alcoholic beverages.
 - i. Must comply with adopted Utah County Noise Ordinance.
 - j. All structures 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.

- k. Any approved agritourism operation that has received five(5) or more written complaints submitted to the Zoning Administrator from aggrieved property owners during the time of operation shall be required to have a subsequent application for temporary use for an agritourism operation reviewed and approved by the County Commission.

C. ISSUANCE OF PERMIT

The Zoning Administrator shall issue a temporary use permit upon receipt of a properly completed application provided all of the requirements of this section and the zoning district have been met.

Part III:

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 IV:

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.

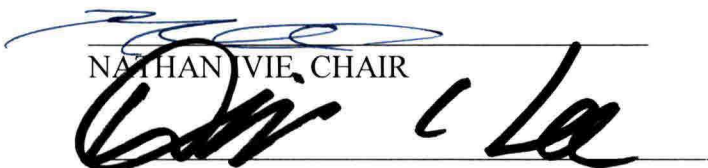
Part V:

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 29th day of May 2018.

UTAH COUNTY COMMISSION

VOTE



 NATHAN VIE, CHAIR

aye

aye

WILLIAM C. LEE, VICE-CHAIR

absent
GREG GRAVES, COMMISSIONER

0

ATTEST:
BRYAN E. THOMPSON
County Clerk/Auditor

By: [Signature]
Deputy



APPROVED AS TO FORM:
JEFFREY R. BUHMAN
County Attorney

Approved

Disapproved
By: [Signature]
Deputy

Date of Publication: Once only, as soon as possible