

ORDINANCE NO. 0-2023-0023

AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING A PORTION OF SECTION 22-2-1 DEFINITIONS AND APPENDIX A OF THE OREM CITY CODE BY ENACTING STANDARD LAND USE CODE 7313 – AGRITAINMENT AS A PERMITTED USE IN THE OS5/ROS ZONE.

WHEREAS on August 30, 2023, Wilkerson Farm, LLC filed an application with the City of Orem to request the City Council to amend a portion of Section 22-2-1 and Appendix A of the Orem City Code by enacting Standard Land Use Code 7313 – Agritainment as a permitted use in the OS5/ROS zone; and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on October 4, 2023, and the Planning Commission recommended that the City Council approve the request; and

WHEREAS a public meeting considering the subject application was held by the City Council on October 24, 2023; and

WHEREAS notices were mailed to 73 property owners within a 500 square foot radius of the property; and

WHEREAS the matter having been submitted and the City Council having fully considered the request as it relates to the health, safety and general welfare of the City; the orderly development of land in the City; the effect upon surrounding neighborhoods; and the special conditions applicable to the request.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OREM, UTAH, as follows:

1. The City Council finds this request will be in the best interest and general welfare of the City.
2. The City Council hereby amends a portion of Section 22-2-1 and Appendix A of the Orem City Code by enacting Standard Land Use Code 7313 – *Agritainment* as a permitted use in the OS5/ROS zone as shown in Exhibit “A” which is attached hereto and incorporated herein by reference.
3. If any part of this ordinance shall be declared invalid, such decision shall not affect the validity of the remainder of this ordinance.
4. This ordinance shall take effect immediately upon passage and publication in a newspaper of general circulation in the City of Orem.

5. All other ordinances and policies in conflict herewith, either in whole or part, are hereby repealed.

PASSED, APPROVED and ORDERED PUBLISHED this 24<sup>th</sup> day of **October 2023**.

  
David A. Young, Mayor

ATTEST:

  
Teresa McKittrick, City Recorder

COUNCILMEMBER

Mayor David A. Young  
Jeff Lambson  
Debby Lauret  
Tom Macdonald  
LaNae Millett  
Terry Peterson  
David Spencer

AYE      NAY      ABSTAIN

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## EXHIBIT A

| Appendix A |              |    |    |      |      |    |     |     |             |    |    |    |    |    |    |    |    |    |    |
|------------|--------------|----|----|------|------|----|-----|-----|-------------|----|----|----|----|----|----|----|----|----|----|
| SLU        |              | R5 | R6 | R6.5 | R7.5 | R8 | R12 | R20 | OS5/<br>ROS | PO | C1 | C2 | C3 | HS | M1 | M2 | CM | BP | PF |
| 7313       | Agritainment | N  | N  | N    | N    | N  | N   | N   | P           | N  | N  | N  | N  | N  | N  | N  | N  | N  | N  |

### CODE OF ORDINANCES

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#### CHAPTER 22. ZONING

#### Article 22-2. Definitions

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##### 22-2-1. Definitions.

For the purpose of this Chapter, certain words and terms are defined as follows:

**Agriculture** shall mean the tilling of soil, the raising of crops, horticulture and gardening, but does not include the keeping or raising of domestic animals, fowl, or household pets, nor any agricultural industry or business, such as fruit packing plants, fur farms, animal hospitals or similar uses. Agriculture does not include any use in Agritainment.

**Agritainment** shall mean farm-related tourism or farm-related entertainment activities that are permitted or authorized in return for a fee on agricultural land for recreational or educational purposes. Examples of agritainment enterprises include, but are not limited to, pick-your-own fruits and vegetables, farm markets, festivals/fairs, interactive animal displays, hay and amusement rides and corn-maze enterprises.

**Note:** Only a portion of *Article 22-2 Definitions* is shown here.

