

ENT 45419:2023 PG 1 of 3
ANDREA ALLEN
UTAH COUNTY RECORDER
2023 Jul 13 11:44 am FEE 0.00 BY CS
RECORDED FOR UTAH COUNTY COMMUNITY DEVEL

ORDINANCE NO. 2023 - 750

AN ORDINANCE AMENDING SECTIONS 2.08, AND 12.28 OF THE UTAH COUNTY LAND USE ORDINANCE RELATIVE TO THE REQUIREMENTS ASSOCIATED WITH BIOGAS PROCESSING FACILITIES

WHEREAS, the Utah County Planning Commission has initiated a review of Section 8.120 of the Utah County Land Use Ordinance (UCLUO), to change the requirements associated with biogas processing facilities; and

WHEREAS, the Planning Commission addressed the proposed amendment to the Utah County Land Use Ordinance, during a regularly scheduled meeting of the Planning Commission on June 20, 2023, 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 meeting and public hearing 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 is in the best interest of the health, safety, and welfare of the citizens of Utah County, considering all factors; and

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

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

Sections 2.08, and 12.28(D)(1) are hereby amended, including the appropriate re-numbering and re-formatting of applicable subsections. Section 12.28(B)(38) are hereby added in their entirety to read as the following:

2.08 Definitions - Land Use

“Renewable Natural Gas (RNG)” A gas consisting largely of methane and other hydrocarbons derived from the decomposition of organic material in landfills, wastewater treatment facilities, and anaerobic digesters.

“Biogas Processing Facility” A facility for the conversion of locally-produced landfill, agricultural, or digester biogas into biomethane for use as renewable natural gas (RNG) and beneficial products.

12.28 M And G-1 Mining And Grazing Zone

B. **Permitted Uses:** The following shall be permitted in the M&G-1 zone upon compliance with the standards and requirements as set forth in this ordinance:

38. Biogas processing facility and RNG conveyance systems, including access roadways, buildings, production equipment, piping systems, and pollution control devices.

D. **Area Requirements:** The minimum area of a zoning lot or parcel within the M&G-1 zone shall be as follows:

1. Each one-family dwelling, manufactured home, planned subdivision, roping and riding arenas, and major campground, biogas processing facility (unless appurtenant to and located on the same parcel as an approved landfill), shall be located on a lot containing at least fifty (50) acres of land.

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.

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 12th day of July 2023.


UTAH COUNTY COMMISSION



AMELIA POWERS GARDNER, CHAIR


VOTE

Yea



BRANDON GORDON, VICE-CHAIR

Yea

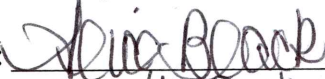


THOMAS V. SAKIEVICH, COMMISSIONER

Yea

ATTEST:
AARON R. DAVIDSON
Utah County Clerk



By: 

Deputy/Alice Black

APPROVED AS TO FORM:
JEFFREY S. GRAY
Utah County Attorney

Approved

Disapproved

By: 

Deputy/Debra Eyre

Date of Publication: Once only, as soon as possible