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ANDREA ALLEN
UTAH COUNTY RECORDER
2024 Nov 1 01:49 PM FEE 0.00 BY TM
RECORDED FOR UTAH COUNTY COMMUNITY DEVE

ORDINANCE NO. 2024-919

**AN ORDINANCE AMENDING SECTION 12.48 OF THE UTAH COUNTY LAND USE
ORDINANCE TO INCLUDE A BIOGAS PROCESSING FACILITY AND RNG
CONVEYANCE SYSTEMS AS A PERMITTED USE IN THE AGRICULTURAL (A-40)
ZONE**

WHEREAS, an applicant has initiated a review of Section 12.48 of the Utah County Land Use Ordinance (UCLUO), to include a Biogas Processing Facility and RNG conveyance systems as a permitted use in the Agricultural (A-40) Zone; 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 October 8th, 2024, 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 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 Utah County Land Use Ordinance; and

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

WHEREAS, the Board of County Commissioners finds the proposed 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 12.48 of the Utah County Land Use Ordinance is hereby amended, including any appropriate re-numbering and re-formatting of applicable subsections, to read as depicted below for the applicable subsections:

12.48 A-40 Agricultural Zone 1

B. Permitted Uses: The following shall be permitted in the A-40 Zone upon compliance with the standards and requirements as set forth in this ordinance:

31. 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 A-40 zone shall be as follows:

1. Each planned subdivision, one-family dwelling, roping and riding arena, biogas processing facility, shall be located on a lot or parcel containing at least forty (40) acres of land.

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.

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.

APPROVED and ADOPTED this 30th day of October 2024.

BOARD OF COUNTY COMMISSIONERS,
UTAH COUNTY, UTAH


BRANDON B. GORDON, Chair



ATTEST:
AARON R. DAVIDSON
Utah County Clerk

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

By: 
Deputy Clerk/Jolynn Clegg

By: 
Deputy County Attorney/Dale Eyre

	VOTE	
	YEA	NAY
BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH	<u> X </u>	<u> </u>
BRANDON B. GORDON, CHAIR	<u> X </u>	<u> </u>
AMELIA POWERS GARDNER, COMMISSIONER	<u> X </u>	<u> </u>
SKYLER BELTRAN, COMMISSIONER	<u> </u>	<u> </u>