

ENT 40452:2022 PG 1 of 4
ANDREA ALLEN
UTAH COUNTY RECORDER
2022 Mar 31 3:29 PM FEE 0.00 BY KR
RECORDED FOR COMMUNITY DEVELOPMENT

ORDINANCE NO. 2022- 241

AN ORDINANCE AMENDING CHAPTERS 2, 4, AND 12 OF THE UTAH COUNTY LAND USE ORDINANCE TO INCLUDE A LARGE CONCENTRATED ANIMAL FEEDING OPERATION AS A PERMITTED USE IN THE M&G-1, A-40, AND G-1 ZONES

WHEREAS, the Utah County Planning Commission initiated a review of Chapters 2, 4, and 12 of the Utah County Land Use Ordinance (UCLUO) to include a large concentrated animal feeding operation as a permitted use in the Mining and Grazing (M&G-1), Agricultural (A-40), and Grazing (G-1) Zones; and

WHEREAS, the Utah County Planning Commission addressed the proposed amendment to the Utah County Land Use Ordinance during the regularly scheduled meeting of the Planning Commission on March 15, 2022, 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 of the Planning Commission meeting and the 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 conforms to the Utah County General Plan, 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 2.08 of the Utah County Land Use Ordinance is hereby amended, including the appropriate re-numbering and re-formatting of applicable subsections, to add the following definitions:

2.08 Definitions – Land Use

“Feed Yard” Any facility or structure in which domestic livestock or fowl are stabled or confined and fed and maintained which does not meet the definition of a “large concentrated animal feeding operation”.

“Large Concentrated Animal Feeding Operation” Any animal feeding operation or feed yard as defined under Utah Code §17-27a-1101, as amended.

Part II:

Section 4.72 of the Utah County Land Use Ordinance is hereby amended, including the appropriate re-numbering and re-formatting of applicable subsections, to add the following:

4.72 Location and Setback Requirements of Agricultural Buildings and Structures

- E. No structure, including pens, corrals, coops, or other animal enclosure associated with a large concentrated animal feeding operation shall be located closer than one thousand (1,000) feet to an existing dwelling, or to any of the following existing uses as defined under Utah Code §17-27a-1101, as amended: commercial enterprise, education institution, health care facility, or religious institution.

Part III:

Sections 12.28-B, 12.28-C, 12.48-B, 12.48-C, 12.68-B, and 12.68-C are hereby amended, including the appropriate re-numbering and re-formatting of applicable subsections, to add the following:

12.28: M&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:
 - 37. A large concentrated animal feeding operation, subject to the provisions of UCLUO 4.72.
- D. **Area Requirements:** The minimum area of a zoning lot or parcel within the M&G-1 Zone shall be as follows:
 - 4. A large concentrated animal feeding operation shall be located on a lot or parcel containing at least 40 (forty) acres of land.

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:
 - 37. A large concentrated animal feeding operation, subject to the provisions of UCLUO 4.72.
- D. **Area Requirements:** The minimum area of a zoning lot or parcel within the A-40 Zone

shall be as follows:

- 4. A large concentrated animal feeding operation shall be located on a lot or parcel containing at least 40 (forty) acres of land.

12.68: G-1 Grazing Zone

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

- 34. A large concentrated animal feeding operation, subject to the provisions of UCLUO 4.72.

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

- 4. A large concentrated animal feeding operation shall be located on a lot or parcel containing at least 40 (forty) acres of land.

Part IV:

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 V:

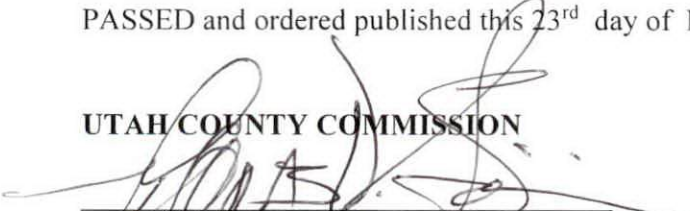
If any of the sections, sentences, clauses or provisions of this ordinance shall for any reason be adjudged inapplicable or invalid by a court of competent jurisdiction, such shall not affect or invalidate the remaining portion contained herein.

Part VI:

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 23rd day of March 2022.

UTAH COUNTY COMMISSION



THOMAS V. SAKIEVICH, CHAIR



AMELIA POWERS GARDNER, VICE-CHAIR

VOTE

Yes

Yes

Absent

WILLIAM C. LEE, COMMISSIONER

Absent



ATTEST:

JOSH DANIELS

Utah County Clerk/Auditor

By:

Heica Black
Deputy

APPROVED AS TO FORM:

DAVID O. LEAVITT

Utah County Attorney

Approved

Disapproved

By:

David O. Leavitt
Deputy

Date of Publication: Once only, as soon as possible