

Local Agritourism Ordinance Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Doug Owens

Senate Sponsor:

LONG TITLE**General Description:**

This bill enacts provisions related to municipal and county regulation of agritourism activities.

Highlighted Provisions:

This bill:

- defines terms; and
- requires each municipality and county to enact an ordinance that:
 - specifies which agritourism activities are permitted or restricted on an agricultural enterprise; and
 - describes regulations that apply to various agritourism activities.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

10-9a-541, Utah Code Annotated 1953

17-27a-536, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **10-9a-541** is enacted to read:

10-9a-541 . Agritourism activities.

(1) As used in this section:

- (a) "Agricultural arts center" means an agritourism activity involving the use of an agricultural enterprise as a venue for artistic expression through various art forms, including visual art, literature, music, theater, film, or dance.
- (b) "Agricultural enterprise" means the same as that term is defined in Section 78B-4-512.

- (c) "Agritourism" means the same as that term is defined in Section 78B-4-512.
- (d) "Agritourism activity" means the same as that term is defined in Section 78B-4-512.
- (e) "Dude ranch" means an agritourism activity involving the use of an agricultural enterprise as a commercial vacation ranch operation that provides activities related to a ranch lifestyle, including camping, horseback riding, or wrangling, and which may offer short-term overnight rental accommodations for guests.
- (f) "Event venue rental" means an agritourism activity involving the use of an agricultural enterprise as a venue where an individual can rent space to host an event.
- (g) "Farmers' market" means an agritourism activity involving the use of an agricultural enterprise as a venue where multiple individuals may sell agricultural products.
- (h) "Glamorous camping" means an agritourism activity involving the use of an agricultural enterprise as a venue where individuals can rent fully furnished tents or cabins on a nightly basis.
- (i) "Health farm" means an agritourism activity involving the use of an agricultural enterprise as a venue for health and wellness education, exercise programs, or nutritional guidance.
- (j) "Hunting preserve" means an agritourism activity involving the use of an agricultural enterprise as a venue where an individual or group can pay a fee to hunt, with approval from the appropriate local, state, or federal agencies.
- (k) "Lodging house" means an agritourism activity involving the use of an agricultural enterprise as a venue that provides short-term overnight rental accommodations in a building where no cooking facilities are provided in individual rooms.
- (l) "Market" means an agritourism activity involving the use of an agricultural enterprise as a venue where:
- (i) at least one product from the agricultural enterprise is continuously offered for sale, either in the product's original form or incorporated into another product; and
 - (ii) products sold are limited to those typically sold by a grocer.
- (m) "On-site produce store" means an agritourism activity involving the use of an agricultural enterprise as a shop operated by the owner or manager of the agricultural enterprise, at which sales are limited to agricultural products and at least one of the products is produced on the agricultural enterprise.
- (n) "Petting zoo" means an agritourism activity involving the use of an agricultural enterprise as a venue where an individual can interact with farm animals in a supervised enclosure, and which may offer animal rides.

(o) "Rental garden" means an agritourism activity involving the use of an agricultural enterprise as a venue where an individual can lease designated plots of land to grow plants.

(2) Each municipality shall enact a new agritourism ordinance, or amend an existing agritourism ordinance:

(a) to include:

(i) a clear definition of agritourism;

(ii) a statement of the ordinance's purpose and intent;

(iii) a comprehensive list identifying agritourism activities that are permitted, prohibited, or conditional on an agricultural enterprise; and

(iv) regulations that apply to each permitted agritourism activity; and

(b) by:

(i) revising any existing ordinance governing agritourism activities to comply with this section;

(ii) ensuring that the new or revised agritourism ordinance does not impose stricter limitations on existing agricultural enterprises than those imposed by existing municipal regulations;

(iii) allowing an agritourism activity that is already a permitted use to continue under the regulations in effect before the agritourism ordinance is amended in compliance with this section; and

(iv) applying new regulations only to agritourism activities that become permitted uses after the effective date of the new or amended agritourism ordinance.

(3) Each list described in Subsection (2)(c) shall:

(a) designate each of the following agritourism activities as a permitted use on an agricultural enterprise of at least one acre:

(i) an agricultural enterprise tour;

(ii) an agricultural-themed day camp;

(iii) an educational class;

(iv) an event venue rental;

(v) a greenhouse;

(vi) a market;

(vii) a nursery;

(viii) an on-site produce store;

(ix) a petting zoo;

- 99 (x) a rental garden;
100 (xi) a seasonal amusement, including a haunted house or corn maze; and
101 (xii) a you-pick operation, including an orchard or pumpkin patch; and
102 (b) classify each of the following agritourism activities as a permitted, prohibited, or
103 conditional use:
104 (i) an agricultural arts center;
105 (ii) agricultural product processing and packaging;
106 (iii) a conference or education center;
107 (iv) a dude ranch;
108 (v) an eating establishment, including a bakery or restaurant;
109 (vi) a farmers' market;
110 (vii) fee fishing;
111 (viii) glamorous camping;
112 (ix) a health farm;
113 (x) a hunting preserve;
114 (xi) a lodging house;
115 (xii) a museum;
116 (xiii) recreational vehicle camping;
117 (xiv) a supervised ride, including a sleigh, wagon, or hayride; and
118 (xv) a venue for social activities.
119 (4) Nothing in this section prevents a municipality from:
120 (a) permitting an agritourism activity described in Subsection (3)(a) on an agricultural
121 enterprise of less than one acre;
122 (b) establishing requirements for:
123 (i) setback, proximity, or operating parameters for an agritourism activity; or
124 (ii) minimum or maximum acreage, except that minimum acreage may not be more
125 than one acre for an activity described in Subsection (3)(a);
126 (c) requiring an owner of an agricultural enterprise engaged in an agritourism activity to
127 comply with local zoning and land use regulations, including noise ordinances,
128 parking regulations, operating hours, and lighting regulations;
129 (d) requiring a special event or temporary use permit for an agritourism activity; or
130 (e) requiring an agricultural enterprise engaged in an agritourism activity to comply with
131 business licensing, health department permitting, fire safety inspections, or other
132 applicable permit or inspection requirements.

Section 2. Section 17-27a-536 is enacted to read:

17-27a-536 . Agritourism activities.

(1) As used in this section:

- (a) "Agricultural arts center" means an agritourism activity involving the use of an agricultural enterprise as a venue for artistic expression through various art forms, including visual art, literature, music, theater, film, or dance.
- (b) "Agricultural enterprise" means the same as that term is defined in Section 78B-4-512.
- (c) "Agritourism" means the same as that term is defined in Section 78B-4-512.
- (d) "Agritourism activity" means the same as that term is defined in Section 78B-4-512.
- (e) "Dude ranch" means an agritourism activity involving the use of an agricultural enterprise as a commercial vacation ranch operation that provides activities related to a ranch lifestyle, including camping, horseback riding, or wrangling, and which may offer short-term overnight rental accommodations for guests.
- (f) "Event venue rental" means an agritourism activity involving the use of an agricultural enterprise as a venue where an individual can rent space to host an event.
- (g) "Farmers' market" means an agritourism activity involving the use of an agricultural enterprise as a venue where multiple individuals may sell agricultural products.
- (h) "Glamorous camping" means an agritourism activity involving the use of an agricultural enterprise as a venue where individuals can rent fully furnished tents or cabins on a nightly basis.
- (i) "Health farm" means an agritourism activity involving the use of an agricultural enterprise as a venue for health and wellness education, exercise programs, or nutritional guidance.
- (j) "Hunting preserve" means an agritourism activity involving the use of an agricultural enterprise as a venue where an individual or group can pay a fee to hunt, with approval from the appropriate local, state, or federal agencies.
- (k) "Lodging house" means an agritourism activity involving the use of an agricultural enterprise as a venue that provides short-term overnight rental accommodations in a building where no cooking facilities are provided in individual rooms.
- (l) "Market" means an agritourism activity involving the use of an agricultural enterprise as a venue where:
 - (i) at least one product from the agricultural enterprise is continuously offered for sale, either in the product's original form or incorporated into another product; and
 - (ii) products sold are limited to those typically sold by a grocer.

(m) "On-site produce store" means an agritourism activity involving the use of an agricultural enterprise as a shop operated by the owner or manager of the agricultural enterprise, at which sales are limited to agricultural products and at least one of the products is produced on the agricultural enterprise.

(n) "Petting zoo" means an agritourism activity involving the use of an agricultural enterprise as a venue where an individual can interact with farm animals in a supervised enclosure, and which may offer animal rides.

(o) "Rental garden" means an agritourism activity involving the use of an agricultural enterprise as a venue where an individual can lease designated plots of land to grow plants.

(2) Each county shall enact a new agritourism ordinance, or amend an existing agritourism ordinance:

(a) to include:

(i) a clear definition of agritourism;

(ii) a statement of the ordinance's purpose and intent;

(iii) a comprehensive list identifying agritourism activities that are permitted, prohibited, or conditional on an agricultural enterprise; and

(iv) regulations that apply to each permitted agritourism activity; and

(b) by:

(i) revising any existing ordinance governing agritourism activities to comply with this section;

(ii) ensuring that the new or revised agritourism ordinance does not impose stricter limitations on existing agricultural enterprises than those imposed by existing county regulations;

(iii) allowing an agritourism activity that is already a permitted use to continue under the regulations in effect before the agritourism ordinance is amended in compliance with this section; and

(iv) applying new regulations only to agritourism activities that become permitted uses after the effective date of the new or amended agritourism ordinance.

(3) Each list described in Subsection (2)(c) shall:

(a) designate each of the following agritourism activities as a permitted use on an agricultural enterprise of at least one acre:

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- (iv) an event venue rental;
- (v) a greenhouse;
- (vi) a market;
- (vii) a nursery;
- (viii) an on-site produce store;
- (ix) a petting zoo;
- (x) a rental garden;
- (xi) a seasonal amusement, including a haunted house or corn maze; and
- (xii) a you-pick operation, including an orchard or pumpkin patch; and
- (b) classify each of the following agritourism activities as a permitted, prohibited, or conditional use:
 - (i) an agricultural arts center;
 - (ii) agricultural product processing and packaging;
 - (iii) a conference or education center;
 - (iv) a dude ranch;
 - (v) an eating establishment, including a bakery or restaurant;
 - (vi) a farmers' market;
 - (vii) fee fishing;
 - (viii) glamorous camping;
 - (ix) a health farm;
 - (x) a hunting preserve;
 - (xi) a lodging house;
 - (xii) a museum;
 - (xiii) recreational vehicle camping;
 - (xiv) a supervised ride, including a sleigh, wagon, or hayride; and
 - (xv) a venue for social activities.
- (4) Nothing in this section prevents a county from:
 - (a) permitting an agritourism activity described in Subsection (3)(a) on an agricultural enterprise of less than one acre;
 - (b) establishing requirements for:
 - (i) setback, proximity, or operating parameters for an agritourism activity; or
 - (ii) minimum or maximum acreage, except that minimum acreage may not be more than one acre for an activity described in Subsection (3)(a);

- 235 (c) requiring an owner of an agricultural enterprise engaged in an agritourism activity to
236 comply with local zoning and land use regulations, including noise ordinances,
237 parking regulations, operating hours, and lighting regulations;
238 (d) requiring a special event or temporary use permit for an agritourism activity; or
239 (e) requiring an agricultural enterprise engaged in an agritourism activity to comply with
240 business licensing, health department permitting, fire safety inspections, or other
241 applicable permit or inspection requirements.

242 Section 3. **Effective Date.**

243 This bill takes effect on May 7, 2025.