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(1) As used in this section:

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Local Agritourism Ordinance Amendments

2025 GENERAL SESSION STATE OF UTAH

Chief Sponsor: Doug Owens

Senate Sponsor:

2 3 **LONG TITLE** 4 **General Description:** 5 This bill enacts provisions related to municipal and county regulation of agritourism 6 activities. **Highlighted Provisions:** 7 8 This bill: 9 defines terms; and 10 • requires each municipality and county to enact an ordinance that: 11 • specifies which agritourism activities are permitted or restricted on an agricultural 12 enterprise; and 13 • describes regulations that apply to various agritourism activities. 14 **Money Appropriated in this Bill:** 15 None 16 **Other Special Clauses:** 17 None 18 **Utah Code Sections Affected: ENACTS:** 19 20 **10-9a-541**, Utah Code Annotated 1953 21 17-27a-536, Utah Code Annotated 1953 22 23 Be it enacted by the Legislature of the state of Utah: 24 Section 1. Section 10-9a-541 is enacted to read: 25 10-9a-541 . Agritourism activities.

(a) "Agricultural arts center" means an agritourism activity involving the use of an

including visual art, literature, music, theater, film, or dance.

agricultural enterprise as a venue for artistic expression through various art forms,

(b) "Agricultural enterprise" means the same as that term is defined in Section 78B-4-512.

31	(c) "Agritourism" means the same as that term is defined in Section 78B-4-512.	-
32	(d) "Agritourism activity" means the same as that term is defined in Section 781	B-4-512.
33	(e) "Dude ranch" means an agritourism activity involving the use of an agricult	<u>ural</u>
34	enterprise as a commercial vacation ranch operation that provides activities	related to
35	a ranch lifestyle, including camping, horseback riding, or wrangling, and when	nich may
36	offer short-term overnight rental accommodations for guests.	
37	(f) "Event venue rental" means an agritourism activity involving the use of an	
38	agricultural enterprise as a venue where an individual can rent space to host	an event.
39	(g) "Farmers' market" means an agritourism activity involving the use of an agr	<u>icultural</u>
40	enterprise as a venue where multiple individuals may sell agricultural produ	cts.
41	(h) "Glamorous camping" means an agritourism activity involving the use of an	<u>l</u>
42	agricultural enterprise as a venue where individuals can rent fully furnished	tents or
43	cabins on a nightly basis.	
44	(i) "Health farm" means an agritourism activity involving the use of an agricult	<u>ural</u>
45	enterprise as a venue for health and wellness education, exercise programs,	<u>or</u>
46	nutritional guidance.	
47	(j) "Hunting preserve" means an agritourism activity involving the use of an agr	<u>ricultural</u>
48	enterprise as a venue where an individual or group can pay a fee to hunt, wi	<u>th</u>
49	approval from the appropriate local, state, or federal agencies.	
50	(k) "Lodging house" means an agritourism activity involving the use of an agric	<u>cultural</u>
51	enterprise as a venue that provides short-term overnight rental accommodation	ons in a
52	building where no cooking facilities are provided in individual rooms.	
53	(l) "Market" means an agritourism activity involving the use of an agricultural e	enterprise
54	as a venue where:	
55	(i) at least one product from the agricultural enterprise is continuously offer	ed for
56	sale, either in the product's original form or incorporated into another product or i	oduct; and
57	(ii) products sold are limited to those typically sold by a grocer.	
58	(m) "On-site produce store" means an agritourism activity involving the use of	<u>an</u>
59	agricultural enterprise as a shop operated by the owner or manager of the ag	<u>ricultural</u>
60	enterprise, at which sales are limited to agricultural products and at least one	e of the
61	products is produced on the agricultural enterprise.	
62	(n) "Petting zoo" means an agritourism activity involving the use of an agricultum	<u>ıral</u>
63	enterprise as a venue where an individual can interact with farm animals in	<u>a</u>

supervised enclosure, and which may offer animal rides.

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65	(o) "Rental garden" means an agritourism activity involving the use of an agricultural
66	enterprise as a venue where an individual can lease designated plots of land to grow
67	<u>plants.</u>
68	(2) Each municipality shall enact a new agritourism ordinance, or amend an existing
69	agritourism ordinance:
70	(a) to include:
71	(i) a clear definition of agritourism;
72	(ii) a statement of the ordinance's purpose and intent;
73	(iii) a comprehensive list identifying agritourism activities that are permitted,
74	prohibited, or conditional on an agricultural enterprise; and
75	(iv) regulations that apply to each permitted agritourism activity; and
76	(b) by:
77	(i) revising any existing ordinance governing agritourism activities to comply with
78	this section;
79	(ii) ensuring that the new or revised agritourism ordinance does not impose stricter
80	limitations on existing agricultural enterprises than those imposed by existing
81	municipal regulations;
82	(iii) allowing an agritourism activity that is already a permitted use to continue under
83	the regulations in effect before the agritourism ordinance is amended in
84	compliance with this section; and
85	(iv) applying new regulations only to agritourism activities that become permitted
86	uses after the effective date of the new or amended agritourism ordinance.
87	(3) Each list described in Subsection (2)(c) shall:
88	(a) designate each of the following agritourism activities as a permitted use on an
89	agricultural enterprise of at least one acre:
90	(i) an agricultural enterprise tour;
91	(ii) an agricultural-themed day camp;
92	(iii) an educational class;
93	(iv) an event venue rental;
94	(v) a greenhouse;
95	(vi) a market;
96	(vii) a nursery;
97	(viii) an on-site produce store;
98	(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	<u>(b)</u>	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) No	thing in this section prevents a municipality from:
120	<u>(a)</u>	permitting an agritourism activity described in Subsection (3)(a) on an agricultural
121		enterprise of less than one acre;
122	<u>(b)</u>	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	<u>(c)</u>	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	<u>(d)</u>	requiring a special event or temporary use permit for an agritourism activity; or
130	<u>(e)</u>	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.

133	2	section 2. Section 17-27a-536 is enacted to read:
134	<u>1</u>	<u>7-27a-536</u> . Agritourism activities.
135	(1) As	used in this section:
136	<u>(a)</u>	"Agricultural arts center" means an agritourism activity involving the use of an
137		agricultural enterprise as a venue for artistic expression through various art forms,
138		including visual art, literature, music, theater, film, or dance.
139	<u>(b)</u>	"Agricultural enterprise" means the same as that term is defined in Section 78B-4-512.
140	<u>(c)</u>	"Agritourism" means the same as that term is defined in Section 78B-4-512.
141	<u>(d)</u>	"Agritourism activity" means the same as that term is defined in Section 78B-4-512.
142	<u>(e)</u>	"Dude ranch" means an agritourism activity involving the use of an agricultural
143		enterprise as a commercial vacation ranch operation that provides activities related to
144		a ranch lifestyle, including camping, horseback riding, or wrangling, and which may
145		offer short-term overnight rental accommodations for guests.
146	<u>(f)</u>	"Event venue rental" means an agritourism activity involving the use of an
147		agricultural enterprise as a venue where an individual can rent space to host an event.
148	<u>(g)</u>	"Farmers' market" means an agritourism activity involving the use of an agricultural
149		enterprise as a venue where multiple individuals may sell agricultural products.
150	<u>(h)</u>	"Glamorous camping" means an agritourism activity involving the use of an
151		agricultural enterprise as a venue where individuals can rent fully furnished tents or
152		cabins on a nightly basis.
153	<u>(i)</u>	"Health farm" means an agritourism activity involving the use of an agricultural
154		enterprise as a venue for health and wellness education, exercise programs, or
155		nutritional guidance.
156	<u>(j)</u>	"Hunting preserve" means an agritourism activity involving the use of an agricultural
157		enterprise as a venue where an individual or group can pay a fee to hunt, with
158		approval from the appropriate local, state, or federal agencies.
159	<u>(k)</u>	"Lodging house" means an agritourism activity involving the use of an agricultural
160		enterprise as a venue that provides short-term overnight rental accommodations in a
161		building where no cooking facilities are provided in individual rooms.
162	<u>(1)</u>	"Market" means an agritourism activity involving the use of an agricultural enterprise
163		as a venue where:
164		(i) at least one product from the agricultural enterprise is continuously offered for
165		sale, either in the product's original form or incorporated into another product; and
166		(ii) products sold are limited to those typically sold by a grocer.

167	(m) "On-site produce store" means an agritourism activity involving the use of an
168	agricultural enterprise as a shop operated by the owner or manager of the agricultural
169	enterprise, at which sales are limited to agricultural products and at least one of the
170	products is produced on the agricultural enterprise.
171	(n) "Petting zoo" means an agritourism activity involving the use of an agricultural
172	enterprise as a venue where an individual can interact with farm animals in a
173	supervised enclosure, and which may offer animal rides.
174	(o) "Rental garden" means an agritourism activity involving the use of an agricultural
175	enterprise as a venue where an individual can lease designated plots of land to grow
176	plants.
177	(2) Each county shall enact a new agritourism ordinance, or amend an existing agritourism
178	ordinance:
179	(a) to include:
180	(i) a clear definition of agritourism;
181	(ii) a statement of the ordinance's purpose and intent;
182	(iii) a comprehensive list identifying agritourism activities that are permitted,
183	prohibited, or conditional on an agricultural enterprise; and
184	(iv) regulations that apply to each permitted agritourism activity; and
185	(b) <u>by:</u>
186	(i) revising any existing ordinance governing agritourism activities to comply with
187	this section;
188	(ii) ensuring that the new or revised agritourism ordinance does not impose stricter
189	limitations on existing agricultural enterprises than those imposed by existing
190	county regulations;
191	(iii) allowing an agritourism activity that is already a permitted use to continue under
192	the regulations in effect before the agritourism ordinance is amended in
193	compliance with this section; and
194	(iv) applying new regulations only to agritourism activities that become permitted
195	uses after the effective date of the new or amended agritourism ordinance.
196	(3) Each list described in Subsection (2)(c) shall:
197	(a) designate each of the following agritourism activities as a permitted use on an
198	agricultural enterprise of at least one acre:
199	(i) an agricultural enterprise tour;
200	(ii) an agricultural-themed day camp;

201	(iii) an educational class;
202	(iv) an event venue rental;
203	(v) a greenhouse;
204	(vi) a market;
205	(vii) a nursery;
206	(viii) an on-site produce store;
207	(ix) a petting zoo;
208	(x) a rental garden;
209	(xi) a seasonal amusement, including a haunted house or corn maze; and
210	(xii) a you-pick operation, including an orchard or pumpkin patch; and
211	(b) classify each of the following agritourism activities as a permitted, prohibited, or
212	conditional use:
213	(i) an agricultural arts center;
214	(ii) agricultural product processing and packaging;
215	(iii) a conference or education center;
216	(iv) a dude ranch;
217	(v) an eating establishment, including a bakery or restaurant;
218	(vi) a farmers' market;
219	(vii) fee fishing;
220	(viii) glamorous camping;
221	(ix) a health farm;
222	(x) a hunting preserve;
223	(xi) a lodging house;
224	(xii) a museum;
225	(xiii) recreational vehicle camping;
226	(xiv) a supervised ride, including a sleigh, wagon, or hayride; and
227	(xv) a venue for social activities.
228	(4) Nothing in this section prevents a county from:
229	(a) permitting an agritourism activity described in Subsection (3)(a) on an agricultural
230	enterprise of less than one acre;
231	(b) establishing requirements for:
232	(i) setback, proximity, or operating parameters for an agritourism activity; or
233	(ii) minimum or maximum acreage, except that minimum acreage may not be more
234	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.