

OGDEN VALLEY AGRITOURISM ORDINANCE

Chapter 108-21 Agritourism

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Sec 108-21-1. Purpose and Intent.

The purpose of this section is to:

- (a) support the long-term viability of legitimate agricultural operations within Ogden Valley;
- (b) allow agritourism activities as an accessory means of diversifying agricultural income, preserving family ownership, and maintaining productive agricultural land;
- (c) distinguish bona fide agricultural operations from incidental, cosmetic, or speculative uses seeking to obtain agritourism privileges without a meaningful agricultural or value-add basis;
- (d) regulate measurable off-site and on-site impacts associated with agritourism activities without unnecessarily dictating the internal business structure of qualifying agricultural operations; and

- (e) provide the Land Use Authority with a practical framework for evaluating agritourism proposals in a manner that protects both agricultural flexibility and neighboring property interests.

Sec. 108-21-2. Applicability.

This section shall govern all applications for agritourism uses, agritourism lodging, farm-based events, and related accessory visitor activities proposed on property located within agricultural or agricultural-residential zoning districts where such uses are authorized by conditional use permit or other land use approval.

Qualification of a property for agricultural tax treatment, Greenbelt enrollment, or agricultural zoning designation shall not alone establish eligibility for agritourism use approval under this section.

Sec. 108-21-3. Definitions.

For purposes of this section, the following terms shall apply:

Active Agricultural Operation means a managed agricultural use of land involving ongoing human stewardship, cultivation, livestock care, irrigation, harvesting, soil management, agricultural structures, or other observable agricultural practices demonstrating that the property functions as more than passive or incidental open land.

Agritourism is a designation that requires active agricultural production as a foundational use and shall include additional agricultural-supportive public, educational, recreational, direct-sales, or value-added activities that are clearly subordinate to and supportive of the primary agricultural operation. Agritourism requires visitor-serving activities that are conducted in conjunction with and in support of an Active Agricultural Operation, including but not limited to farm stays, educational experiences, direct sales, farm events, farm stands, CSAs, U-picks, tours, demonstrations, animal boarding and training or other similar uses that maintain a meaningful nexus to the agricultural use of the property.

Agritourism-Eligible Agricultural Operation means a property determined by the Land Use Authority to qualify for agritourism privileges under this section based upon the presence of eligibility factors listed in 108-21-6.

Farm Stay Lodging: transient accommodations of less than 30 days provided on a working farm or ranch as part of an agritourism operation, including, guest houses, cabins, yurts, or specialized "glamping" (glamorous camping) tents on a pre-set, semi-permanent accommodation.

Meaningful Agricultural Nexus means a clear functional relationship in which the proposed agritourism activity supports, complements, or derives identity from the underlying agricultural operation, rather than using agriculture as merely incidental branding or justification.

On-Site Operator Presence means the regular physical presence of an owner, family member, farm partner, designated manager, or other accountable operator sufficient to maintain oversight of both the agricultural operation and the agritourism activity.

Sec. 108-21-4. General Interpretive Standard.

In interpreting and applying this section, the Land Use Authority shall distinguish between:

- (a) properties with Active Agricultural Operations supported by agritourism activity; and
- (b) properties where agricultural activity is incidental, symbolic, or subordinate to the real business purpose of lodging, events, or other non-agricultural commercial use.

This section shall be interpreted to support the former and prevent the latter.

Sec. 108-21-5. Threshold Agritourism Eligibility Determination.

Prior to approving any agritourism use, the Land Use Authority shall determine that the subject property qualifies as an Agritourism-Eligible Active Agricultural Operation.

Such determination shall be based upon the totality of the circumstances and shall not rely upon any single metric, including revenue threshold or isolated feature.

In making this determination, the Land Use Authority shall evaluate whether the property demonstrates sufficient evidence of active agricultural stewardship and meaningful operator involvement to establish that agriculture remains a defining use of the land. The Land Use Authority may consult with the City's Agriculture Committee in its determination of these factors.

Sec. 108-21-6. Agritourism Eligibility Factors.

In determining whether a property qualifies as an Agritourism-Eligible Agricultural Operation, the Land Use Authority may consider, among other relevant evidence, the following:

- (a) the presence of ongoing cultivation, irrigation, livestock husbandry, hay production, orchards, greenhouses, barns, fencing, packing areas, livestock grazing, soil work, or other observable agricultural improvements;
- (b) regular human management, labor, or stewardship occurring on the property;
- (c) the presence of agricultural sales, farm education, direct marketing, value-added processing, or other productive agricultural enterprise activities, where applicable;
- (d) historical value of agricultural use on the property;

- (e) the proportional relationship between the scale of the agricultural operation and the size, location, and characteristics of the parcel;
- (f) the presence of an accountable on-site operator, owner, manager, family member, or farm partner actively engaged in the agricultural operation;
- (g) supporting materials voluntarily provided by the applicant, including but not limited to photographs, farm plans, invoices, business records, Greenbelt enrollment, narrative descriptions, or similar evidence; and
- (h) any other facts reasonably demonstrating that the agricultural operation is active, managed, and more than incidental to the overall use of the property, and constitutes a meaningful physical use of the property rather than a nominal or symbolic feature.

Applicants shall demonstrate at least 6 of the above eligibility factors to be deemed eligible for agritourism. Applicants may be required to provide documentation sufficient to demonstrate ongoing agricultural activity and operational viability. Proprietary financial records, tax documents, trade secrets, contracts, or competitively sensitive information submitted for this purpose shall, where permissible under state law, be reviewed administratively and maintained separately from the public record to protect applicant privacy while ensuring regulatory compliance

Intensive agricultural production, specialty crop cultivation, greenhouse production, rotational livestock systems, or other high-management agricultural operations may satisfy agritourism eligibility standards even when they occur on smaller acreage. However, they must be supported by additional activities such as instructional workshops, onsite sales (farmstand), a Community Supported Agriculture (CSA) operation, U-pick operation, or some way in which the public / paying customer interacts with the agricultural function in a valuable way.

Sec. 108-21-7. Lodging Tax And Licensing Requirements

Agritourism lodging accommodations, including farm stays, cabins, tents, guest rooms, campsites, RV sites, or similar overnight accommodations offered for compensation for periods of less than 30 consecutive days, shall be considered transient accommodations/tourist home uses and are subject to all applicable transient room taxes, sales taxes, licensing, and operational requirements under state and local law.

Sec. 108-21-8. Operator Accountability.

Agritourism eligibility shall require sufficient On-Site Operator Presence and accountability to ensure:

- (a) oversight of the agricultural operation;

- (b) direct management of guest activity, events, or lodging where applicable; and
- (c) a genuine functional relationship between the visitor experience and the agricultural use of the property.

Such operator presence may be satisfied by the titled owner, resident family member, designated farm manager, operating partner, or other accountable person regularly engaged with the property.

Sec. 108-21-9. Conditional Use Review of Agritourism Applications.

Upon determining that a property qualifies as an Agritourism-Eligible Agricultural Operation, the Land Use Authority shall review the specific agritourism proposal to determine whether the requested activities, structures, lodging, or events are appropriate to the site and may be accommodated without creating unreasonable impacts.

Agritourism applications may be approved with conditions or denied based upon the findings set forth in this section.

Sec. 108-21-10. Findings for Approval.

Approval of an agritourism application may be granted where the Land Use Authority finds that:

- (a) the subject property qualifies as an Agritourism-Eligible Agricultural Operation under this section;
- (b) the proposed agritourism activity maintains a Meaningful Agricultural Nexus to the underlying agricultural operation;
- (c) the scale, frequency, and intensity of the proposed use are compatible with the agricultural character of the property and surrounding area;
- (c)(1) In evaluating the appropriateness of agritourism intensity, the Land Use Authority may consider parcel size, surrounding land use pattern, buffering, infrastructure capacity, agricultural productivity, and the overall ability of the site to accommodate visitor activity without materially altering the agricultural character of the area or negatively affecting neighboring properties with activities beyond the scope of normal agricultural practices
- (d) anticipated impacts relating to traffic, parking, noise, lighting / dark sky compliance, sanitation, water use, septic demand, emergency access, and neighboring properties can be adequately accommodated or mitigated through conditions of approval; and
- (e) the proposed agritourism activity does not materially convert the property into a lodging, event, or commercial use where the agricultural operation no longer remains a defining component of the property's overall use and identity.

Sec. 108-21-11. Basis for Denial or Conditioning.

The Land Use Authority may deny, limit, phase, or condition an agritourism proposal upon finding one or more of the following:

- (a) insufficient evidence that the property functions as an actively managed agricultural operation;
- (b) insufficient evidence of a Meaningful Agricultural Nexus between the agricultural use and the proposed visitor-serving activity;
- (c) cumulative impacts that cannot be reasonably mitigated through conditions related to traffic, parking, hours, sanitation, emergency access, infrastructure, or neighborhood compatibility;
- (d) keeping of animals that have no defined agricultural purpose or proper management.
- (e) failure to manage animal health or associated land resources in accordance with generally accepted agricultural practices;
- (f) evidence that the scale or arrangement of the proposal functions primarily as a hospitality, event, or speculative commercial development rather than as an accessory agricultural use; or
- (g) evidence that the agritourism proposal would materially diminish the property's ongoing agricultural function such that agriculture would no longer remain the primary land use as determined by section 10 findings for approval.

Sec. 108-21-12. Presumption in Favor of Qualified Agricultural Diversification.

Where a property has been determined to qualify as an Agritourism-Eligible Agricultural Operation and where **identified** impacts can be **reasonably** mitigated, agritourism proposals should **generally** be **supported** in a manner that supports long-term agricultural viability.

Sec. 108-21-13. Agritourism Lodging Accommodations.

Agritourism lodging may be approved as an accessory component of a qualifying Agritourism-Eligible Agricultural Operation where the Land Use Authority finds that:

- (a) the lodging maintains a Meaningful Agricultural Nexus;
- (b) sufficient On-Site Operator Presence exists;
- (c) guest occupancy can be accommodated with appropriate traffic, parking, septic, water, sanitation, and emergency access mitigation; and

(d) the lodging does not collectively create a resort-style or hospitality-dominant pattern inconsistent with the agricultural purpose of the property.

Agritourism lodging may include, where otherwise code-compliant, detached guest units, adapted agricultural structures, modest cabins, farm-stay cottages, yurts, phased dispersed accommodations, or similar arrangements approved through the conditional use process.

Tent/Cabin and Lodging setbacks and dimensional standards	
Front	30'
Rear	20'
Side	20'
Street Side	35'
Maximum Height	25'
Minimum Lot Size (1 dwelling)	6 acres
For the purpose of Agritourism Lodging Accommodations, tents, teepees, and yurts are considered structures and must follow the lodging setback standards.	

As part of the conditional use process, a site plan is required for all agritourism lodging requests. The site plan shall include the following components:

Location of lodging

Location of parking

Locations of ingress and egress

Easements

Elevations

Potential Agritourism activities

Location of bathroom facilities

No single building form or consolidated lodging arrangement shall be required where a distributed or phased approach results in comparable or lower impacts.

The Land Use Authority may differentiate review standards, conditions, or phased approval requirements based upon the scale and cumulative intensity of proposed lodging accommodations and the size of the property.

Sec. 108-21-14. Farm Events and Gatherings.

Farm-based educational gatherings, dinners, tours, workshops, seasonal activities, celebrations, weddings, retreats, and similar agritourism events will be approved where such activities remain meaningfully tied to the agricultural operation and where associated impacts can be reasonably mitigated (within the appropriate land-use zone).

In evaluating such activities, the Land Use Authority may impose conditions (per City regulations) relating to:

- (a) frequency;
- (b) hours of operation;
- (c) guest count;
- (d) parking and circulation;
- (e) sanitation facilities;
- (f) amplified sound or lighting; and
- (g) emergency access.

High-frequency or high-intensity commercial event use that functions independently from the agricultural setting and materially overwhelms the agricultural use of the property will not receive agritourism status but may be separately conditioned via Special Event permits and associated regulations

Sec.108-21-15. Structures and Incremental Agricultural Buildout.

Agritourism-related structures may be approved incrementally over time in a manner responsive to demonstrated agricultural viability, operator capacity, and infrastructure adequacy.

The Land Use Authority shall not require that all future structures or visitor accommodations be constructed at initial approval and may allow phased implementation where cumulative impacts remain manageable.

The arrangement of structures may include distributed buildings, agricultural campuses, family compound patterns, or clustered support areas where such arrangements preserve agricultural function and reduce unnecessary subdivision pressure.

Sec. 108-21-16. Impact Mitigation Conditions.

The Land Use Authority may impose reasonable conditions necessary to address:

- (a) traffic generation and internal circulation;
- (b) off-street parking;
- (c) lighting spillover;
- (d) noise;
- (e) water supply and wastewater handling;
- (f) fire and emergency vehicle access;
- (g) trash, sanitation, and public health concerns; and
- (h) similar measurable external impacts.

Conditions shall be based on City (and City General Plan) requirements, and related to the actual scale and nature of the approved use: not for the purpose of dictating architectural style, internal floor plan, luxury level, kitchen configuration, or similar non-impact-based business choices.

Sec. 108-21-17. Continuation of Approved Use.

An agritourism use approved pursuant to this section shall remain valid so long as:

- (a) the property continues to function as an Agritourism-Eligible Agricultural Operation; and
- (b) the approved agritourism activities remain substantially consistent with the scope and intensity of the granted approval, as modified by any lawful conditions.

Agritourism approvals shall not require annual reapplication or recurring discretionary review absent specific findings under this section. An annual business license, is required and will be reviewed annually for compliance with this chapter

Discontinuation of Agritourism Use

Where an approved agritourism use materially ceases operation or where the property no longer qualifies as an Agritourism-Eligible Agricultural Operation, agritourism-related structures lawfully constructed pursuant to prior approval may remain on the property.

However, continued lodging, event, or hospitality use of such structures outside the approved agritourism framework shall require separate authorization where otherwise required by City code.

Agritourism structures may continue to be used for agricultural support purposes, storage, seasonal use, future reactivation of agritourism activities, or other lawful accessory uses permitted within the applicable zoning district.

Sec. 108-21-18. Reevaluation or Modification of Approval.

The City may initiate review of an approved agritourism use only upon one or more of the following:

- (a) documented evidence that agricultural activity has materially diminished such that agriculture no longer remains the defining land use identity of the property;
- (b) documented evidence that the agritourism activity has materially expanded beyond the approved scope or intensity;
- (c) documented evidence of recurring unmitigated impacts involving traffic, parking, sanitation, emergency access, noise, or neighboring property disturbance; or
- (d) a request by the permit holder for material expansion or modification.

Minor seasonal variation, crop rotation, temporary production setbacks, or normal fluctuations in agricultural intensity shall not alone trigger reevaluation.

Sec. 108-21-19. Enforcement Standards.

Enforcement of this section shall prioritize documented impact resolution, objective compliance review, and reasonable opportunity to cure deficiencies.

Enforcement actions shall be based upon measurable impacts, material deviation from approved use, or clear failure to maintain agritourism eligibility, and shall not be based solely upon subjective disagreement with the style, profitability, or internal business evolution of an otherwise qualifying agricultural operation.

Sec. 108-21-20. Opportunity to Cure.

A conditional use permit may be revoked by the Land Use Authority in accordance with sections 102-4-3 and 108-4-8. Any violation of a condition of approval shall constitute a violation of this Land Use Code.

Prior to revocation, the permit holder shall be provided with written notice of the alleged violation before any revocation action is taken. The permit holder shall have the right to appeal the revocation decision to the Land Use Authority and subsequently to the Board of Appeals in accordance with Section 102-4-3.

Sec. 108-21-21. Agricultural Operation Designation.

This section establishes a categorical designation for agricultural operations based on acreage. In all cases, the minimum area of the affected Lot or Parcel shall meet the minimum area requirements of this Land Use Code. Note that most of the activities denied are due to the scale of the activity relative to the size of the property, and the challenge to achieve appropriate mitigation. The naming convention is somewhat arbitrary, but provides communication value:

Garden agricultural operation. A garden agricultural operation is when an agricultural operation's gross acreage is 1 acre or more, but fewer than 6 acres.

Small agricultural operation. A small agricultural operation is when an agricultural operation's gross acreage is 6 acres or more, but fewer than 20 acres.

Medium agricultural operation. A medium agricultural operation is when an agricultural operation's gross acreage is 20 acres or more, but fewer than 40 acres.

Large agricultural operation. A large agricultural operation is when an agricultural operation's gross acreage is 40 acres or more, but fewer than 80 acres.

Ranch. A ranch is when an agricultural operation's gross acreage is 80 acres or more.

As practices are developed within the Valley, these size designations and restrictions may change in the future.

For reference, Ogden Valley properties have been categorized by acreage in the chart below, recognizing that properties with existing Greenbelt status are most likely to pursue Agritourism designation.

(Data as of May 3, 2026)

Ogden Valley Property Size Distribution

Acreage	Total Properties			Total Greenbelt			Percentages		Notes
	Total # of Properties	Total Acreage	Average Size	Greenbelt Properties	Total Greenbelt Acreage	Average Size	% in Greenbelt	% of total Greenbelt	
1000+	1	3920	3920.0	1	3920	3920	100		excluded from totals: hillside property east of 10450 E, N of Hwy 39
200 to <1000	22	7940	361	13	4702	362	59.2	18.4	Ranch
80 to <200	78	18886	242	47	12804	272	67.8	50.2	
40 to <80	72	3836	53	32	1757	55	45.8	6.9	Large Agricultural Operation
20 to <40	127	3998	31	73	2077	28	52.0	8.1	Medium Agricultural Operation
5 to <20	751	6511	8.7	406	3645	9.0	56.0	14.3	Small Agricultural Operation
1.5 to <5	1322	3837	2.9	149	462	3.1	12.0	1.8	Garden Agricultural Operation
1 to <1.5	1027	1163	1.1	32	36	1.1	3.1	0.1	single family homes, PUDs
0.1 <1	1786	1026	0.6	70	44.1	0.6	4.3	0.2	single family homes, PUDs
0.02 to <0.1	1116	77	0.07	5	0.244	0.0488	0.3	0.0	most are condos
<0.02	52	0.57	0.01	0	0	na	0	0.0	condos and outbuildings
Totals	6,301	47,274	na	827	25,527	na	54.0	100	

Sec. 108-21-22. Use Table

If an applicant can demonstrate appropriate mitigation of detrimental effects, as specified in Section 17, the following uses and activities shall be allowed for an agritourism operation when marked with an “A” under their corresponding agricultural operation designation. The use is not allowed if marked with an “N.” Recognize that many of the uses approved within Agritourism operations in Ogden Valley are not necessarily approved in the rest of Ogden Valley City: all categories are subject to appropriate property-size-related controls, restrictions and mitigation requirements per City & City guidelines (noise, traffic, setbacks, sanitation etc)

USES OR ACTIVITIES	AGRICULTURAL OPERATION DESIGNATION					SPECIAL REGULATIONS
	GARD EN	SMA LL	MEDI UM	LAR GE	RAN CH	
<i>Agricultural arts center:</i>	P	P	P	P	P	
<i>Agricultural Product Processing and Packaging:</i>	P	P	P	P	P	Onsite retail sales of processed and packaged products is only allowed as otherwise specified herein.
<i>Agritourism Events Facility:</i>	P	P	P	P	P	
<i>Agritourism Farm Tour:</i>	P	P	P	P	P	
<i>Agritourism Fee Fishing:</i>	P	P	P	P	P	
<i>Agritourism Health Farm:</i>	P	P	P	P	P	
<i>Agritourism Hunting Preserve:</i>	N	N	N	N	P	
<i>Agritourism You-Pick Operation:</i>	P	P	P	P	P	
<i>Agro-ecology research and education center:</i>	P	P	P	P	P	Lodging, if any, is limited to accommodations for faculty, staff, and students.

<i>Barn dance:</i>		N	P	P	P	P	Limited by proximity and noise
<i>Camping:</i>	<i>Tent/small cabin camping area:</i>	N	P	P	P	P	No more than one tent site, cabin, recreational vehicle, or combination thereof, per each six acres of gross agricultural operation, and no more than six people per tent or cabin. Tents, cabin areas, and RV areas shall be completely screened from the view of adjoining properties when closer than 300 feet of adjacent dwelling. Total square footage shall not exceed 400 square feet per tent site and no larger than 1000 sq ft per cabin. Structures must be set on temporary, elevated wooden platforms or decks. Parking shall comply with Chapter 108-8-4
	<i>Recreational Vehicle area:</i>	N	N	N	P	P	
<i>Conference or Education Center:</i>		P	P	P	P	P	Conferences and educational topics shall relate to agriculture, agritourism, vegetation management, or similar.
<i>Day Camp:</i>		P	P	P	P	P	The camp shall be based on an agricultural theme and provide agriculturally related activities.
<i>Dude Ranch:</i>		N	N	N	P	P	
<i>Educational classes:</i>		P	P	P	P	P	All courses of study or subject matter shall incorporate and consist of an agricultural or ecological component related to an Agricultural Product produced onsite.
<i>Farm museum:</i>		P	P	P	P	P	

<i>Farmers Market. A farmer's market where multiple agricultural operators may sell their products:</i>		N	P	P	P	P	Goods from multiple Valley producers may be sold at one site. Traffic, noise and other effects must be mitigated
<i>Food Prep:</i>	<i>Bakery or café:</i>	P	P	P	P	P	At least one type of the onsite agricultural operation's products shall be continuously offered for sale. It may be combined into another product.
	<i>Food concessions stand:</i>	P	P	P	P	P	
	<i>Restaurant:</i>	N	P	P	P	P	At least one type of the onsite agricultural operation's products shall be continuously offered for sale.
<i>Greenhouse or Nursery:</i>		P	P	P	P	P	Sales are limited to plants produced on the premises.
<i>Farm Stay:</i>	<i>with up to 2 guest rooms:</i>	N	P	P	P	P	Each Building shall not contain more than two guest rooms. Each building shall not be any larger than 500 square feet of living space per guest room. Parking shall comply with Chapter 108-8-4
	<i>with 3 to 7 guest rooms:</i>	N	N	P	P	P	
	<i>with 8 to 15 guest rooms:</i>	N	N	N	P	P	
<i>Petting zoo:</i>		P	P	P	P	P	Petting function should be secondary to agricultural value of animals
<i>Rental garden or garden row(s):</i>		P	P	P	P	P	
<i>Seasonal amusement, such as haunted house, corn maze, hay stack slide or climbing area, and similar seasonal amusement uses:</i>		N	P	P	P	P	

<i>Sleigh or hay ride:</i>		N	P	P	P	P	
<i>Store:</i>	<i>Onsite Agricultural Produce Sales:</i>	P	P	P	P	P	Sales should be predominantly Agricultural Products when season permits, at least one of which must be produced onsite, with the remainder sourced from other producers within Ogden Valley.
	<i>Gift shop:</i>						

Sec. 108-21-23. **Special Regulations**

Farm Stay. For an agritourism operation, a Lodging House is governed as follows:

The Lodging House shall be owned and managed by the same owner or manager as the agritourism operation.

The agritourism operator or manager shall be onsite while Lodging House guests are onsite.

No more than one Lodging House shall be operated on an agritourism operation.