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## Staff Evaluation

### Second Review

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**Application:** Brad James, Ordinance Amendment – An ordinance amending Title 17 Zoning of the Hyrum City Municipal Code to create Chapter 17.64 Agritourism; amend 17.04.070 Definitions to define and include “Agricultural Enterprise”, “Agritourism”, “Agritourism Activity”, and “Agritourism Operator”; Amend Section 17.22.030.C Use Regulations to include “Agritourism” as a Conditional Use in the Open Space Zone OS; and amend Section 17.38.010.C Conditional Uses to include Agritourism as a Conditional Use in the Residential Agricultural Zone RA.

**Application Number:** 25-044  
**Preparation Date:** February 10, 2026  
**Applicant Name:** Brad James

**Planning Commission:** February 12, 2026 - Continuation  
**Commission Role:** Recommending Body to City Council  
**Application Type:** Amendment

**Application Overview:** Hyrum City was approached by a citizen who desires to conduct agritourism on their property parcel in the Residential Agricultural Zone. Agritourism is currently a use or activity permitted in Cache County on property parcels that provide on-site recreation, retail purchase, education, or participation of the general public provided the activities be located on a legal parcel that is primarily used for agricultural production.

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**Staff Comments:**

1. Staff supports the amendment as proposed.

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**Planning Commission Responsibility:**

1. A public hearing must be held by the Planning Commission.

**Staff Recommendation:**

1. The Planning Commission should have a thorough discussion of the application, staff evaluation, and specifying conditions and requirements.

**Stipulations:**

1. All proposed amendments shall first be recommended by the Planning Commission to the City Council for City Council consideration.

**Findings of Fact:**

1. The public hearing was noticed in accordance with Utah Code.

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**Attachments:**

- A. “Exhibit A” – Draft Amendment

Draft Amendment

17.04.070 Definitions

Agricultural Enterprise – “Agricultural Enterprise” means a farm, ranch, or other agricultural operation.

Agritourism – “Agritourism” means the combination of agricultural production with tourism to attract participants from the general public to an agricultural enterprise for the entertainment, recreation, or education of participants.

Agritourism Activity – “Agritourism Activity” means an activity at an agricultural enterprise that a participant engages in or observes for entertainment, recreation, or education.

Agritourism Operator – “Agritourism Operator” means a person who provides an agritourism activity at an agricultural enterprise.

Artisan Goods Production – “Artisan Goods Production” means products that are produced on the agricultural enterprise in a skilled and traditional way that is made either completely by hand or with the help of hand-tools or even mechanical means, as long the direct manual contribution of the artisan remains the most substantial component of the finished product. (i.e., food, drinks, crafts, soap, or similar consumer products produced on the premises).

Entertainment Uses – “Entertainment Uses” means activities and structures that attract people to events or shows seasonally or periodically that are of a spectator nature. Entertainment uses can be indoors or outdoors.

Recreational Uses – “Recreational Uses” means activities and structures that are participatory in nature where guests are involved or may be observers. Recreational uses can be indoors or outdoors and correspond to the agricultural enterprise farming season.

#### **17.22.030 Use Regulations**

C. Conditional Uses:

7. Agritourism

#### **17.38.010 Use Regulations**

C. Conditional Uses:

6. Agritourism

#### **17.64 Agritourism.**

A. Purpose and Intent.

1. The purpose of this chapter is to support the agricultural heritage and rural open space in Hyrum City by providing agricultural enterprises who are committed to maintaining agricultural property the ability to generate additional income from agritourism activities.
2. The intent of this chapter to create uses that are accessory and incidentally related to an onsite agricultural enterprise that allow visitors coming to the site for entertainment, recreational, educational, or similar agriculture-oriented attractions.
3. The city has authority and obligation to regulate safety whenever agritourism attracts groups of people, vehicles, or whenever events concentrate people requiring sanitary facilities, access to public roads, existing safety, emergency access, avoidance of hazards, and fire safety.

B. Conditional Use Permit and Business License Required.

1. No agritourism activity use shall be conducted without first obtaining a conditional use permit and business license.

C. Supplemental Conditional Use Permit Application Narrative.

1. In addition to the conditional use permit application requirements listed in this Title, all agritourism applications shall be accompanied by a detailed narrative describing the agricultural enterprise and the overall vision for the proposed agritourism activities and shall also include the following:

- a. Description of the anticipated changes to the agricultural enterprise, its general function and maintenance.
- b. Description of the agritourism activities and how the agritourism is incidental and accessory to the agricultural enterprise, and a plan for how the agritourism operator will ensure the agritourism activities remains incidental and accessory in perpetuity.
- c. Description of the intended customer or clientele base that is expected to participate in the agritourism activities.
- d. Description of agriculturally related and non-agriculturally related types of facilities and equipment to be used for agritourism activities.
- e. Description of anticipated traffic, vehicle circulations, and parking plan that accommodates the parking needs for both employees and customer or clientele base.
- f. Description of hours of operation and anticipated number of visitors.

D. Plot Plan and Floor Plan Required.

- 1. A plot plan, as part of the conditional use permit, that includes property lines, location of all building structures including setbacks from property lines, entrances, and designated off-street parking.
- 2. A floor plan drawn to scale with labels on rooms indicating the proposed uses and include the square feet clear floor space area of each room.
- 3. Site plan approval shall be required as regulated by this Title.
- 4. Zoning clearance shall be required as regulated by this Title.

E. Agricultural Enterprise Qualifications and Classification.

- 1. The following establishes the qualifications and classification for agricultural enterprises based on acreage:
  - a. Small Agricultural Enterprise. Includes a legal parcel that is a lot size of one (1) to five (5) acres.
  - b. Large Agricultural Enterprise. Includes a legal parcel that is a lot size greater than five (5) acres in size; or contiguous legal parcels that accumulate more than five (5) acres in size.

F. Agritourism Activity Use Table.

- 1. The following agritourism activities are determined desirable in conjunction with a primary agricultural enterprise. The uses may be subject to other requirements in this Title. "C" denotes allowed conditional use agritourism activities in agricultural enterprise classifications. "NA" denotes agritourism activities in agricultural enterprise classifications that are not allowed.

<u>AGRITOURISM ACTIVITY USE TABLE 17.64.F.1</u>			
<u>Agritourism Activity Uses</u>	<u>Small Agricultural Enterprise</u>	<u>Large Agricultural Enterprise</u>	<u>Activity Setback From Any Dwelling On An Adjacent Not Included In Agritourism</u>
<u>Artisan Goods Production</u>	<u>C</u>	<u>C</u>	<u>*100 Feet</u>
<u>Corn Maze</u>	<u>NA</u>	<u>C</u>	<u>150 Feet</u>
<u>Entertainment or Recreational Uses (barn dance, playhouse theater, haystack slide, climbing area etc.)</u>	<u>C</u>	<u>C</u>	<u>150 Feet</u>

<u>Family Events, Family Reunions</u>	<u>NA</u>	<u>C</u>	<u>150 Feet</u>
<u>Farm Tour (agricultural demonstrations, crop exploration, animal encounters)</u>	<u>C</u>	<u>C</u>	<u>*100 Feet</u>
<u>Market for Multi Farmers / Off-site Products</u>	<u>C</u>	<u>C</u>	<u>*100 Feet</u>
<u>Passenger Rides (tractor, sleigh, wagon, etc.)</u>	<u>NA</u>	<u>C</u>	<u>150 Feet</u>
<u>Weddings, Wedding Receptions</u>	<u>NA</u>	<u>C</u>	<u>150 Feet</u>
<u>Any Other Approved Agritourism Use</u>	<u>C</u>	<u>C</u>	<u>C</u>
*Setback distances in this table shall be reduced by up to one-half the setback distance when a continuous six-foot tall opaque fence is installed that screens the potential visual and audible impacts to dwellings on an adjacent lot.			


G. Agritourism Activity Uses that shall not be considered as an approved agritourism use:

1. Overnight Accommodations (lodging house, recreational vehicles, camping, etc.).
2. Assembly of one-thousand (1,000) guests or more (i.e., festivals, concerts, etc.).

H. Standards.

1. Proximity of agritourism activities to adjacent properties, existing buildings, and uses shall be considered in approving the conditional use permit.
2. Agritourism activities, structures and parking shall not be located within the minimum front yard setback.
3. New construction shall comply with the requirements of the City Code for accessory buildings.
4. The use is subject to Hyrum City zoning ordinance, business license ordinance, and conditional use permits ordinance.
5. The use is subject to Hyrum City nuisance ordinances regarding garbage collection and disposal, weed control, noise disturbance, and offenses against public peace, morals, and welfare. More than three (3) violations within a calendar year may result in the revocation of the conditional use permit and business license.

6. The agritourism site exterior lighting shall prevent glare onto adjacent properties and shall be dark-sky sensitive.
- I. Parking Requirements.
    1. All agritourism activities shall provide adequate off-street parking. No on-street parking within the public right of way is permitted.
    2. Parking stalls are to be nine (9) feet by twenty (20) feet and be contained on agritourism site.
    3. Any lights used to illuminate parking shall be arranged to reflect the light away from any dwelling on an adjacent lot.
    4. All required parking must provide adequate provision of ingress and egress by standard-sized automobiles.
    5. If a building structure, existing or new is included in the agritourism activity, a twenty (20) feet wide all-weather driveway surface from the public right of way to the building structure shall be required for fire and life safety emergency access on and off the site.
  - J. Fire Safety Inspection Required.
    1. The business license application shall be referred for approval to the Hyrum City Fire Department for investigation and inspection as to whether or not all ordinances and codes pertaining to fire and safety compel compliance prior to the issuance of a business license.