

URBAN FARMING AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael L. Kohler

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Urban Farming Assessment Act.

Highlighted Provisions:

This bill:

- ▶ modifies the definition of urban farming under the Urban Farming Assessment Act to include livestock production; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

59-2-1702, as last amended by Laws of Utah 2019, Chapter 492

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

Section 1. Section **59-2-1702** is amended to read:

59-2-1702. Definitions.

As used in this part:

(1) "Actively devoted to urban farming" means that:



- 28 (a) land is devoted to active urban farming activities; and
- 29 (b) the land produces greater than 50% of the average agricultural production per acre:
- 30 (i) as determined under Section 59-2-1703; and
- 31 (ii) for the given type of land and the given county or area.

32 (2) "Rollback tax" means the tax imposed under Section 59-2-1705.

33 (3) ~~[(a) Subject to Subsection (3)(b), "urban]~~ "Urban farming" means:

- 34 (a) (i) cultivating food or other marketable crop[+]; or
- 35 (ii) engaging in livestock production, including grazing; and
- 36 (b) performing the activity described in Subsection (3)(a):
- 37 (i) with a reasonable expectation of profit from the sale of the food or other marketable

38 crop; and

- 39 (ii) from irrigated land located in a county that has adopted an ordinance governing
- 40 urban farming in the county, pursuant to Section 59-2-1714.

41 ~~[(b) "Urban farming" does not include:]~~

42 ~~[(i) cultivating food derived from an animal; or]~~

43 ~~[(ii) grazing.]~~

44 (4) "Withdrawn from this part" means that land that has been assessed under this part is
 45 no longer assessed under this part or eligible for assessment under this part for any reason
 46 including that:

- 47 (a) an owner voluntarily requests that the land be withdrawn from this part;
- 48 (b) the land is no longer actively devoted to urban farming;
- 49 (c) (i) the land has a change in ownership; and
- 50 (ii) (A) the new owner fails to apply for assessment under this part as required by
- 51 Section 59-2-1707; or

52 (B) an owner applies for assessment under this part, as required by Section 59-2-1707,
 53 but the land does not meet the requirements of this part to be assessed under this part;

- 54 (d) (i) the legal description of the land changes; and
- 55 (ii) (A) an owner fails to apply for assessment under this part, as required by Section
- 56 59-2-1707; or

57 (B) an owner applies for assessment under this part, as required by Section 59-2-1707,
 58 but the land does not meet the requirements of this part to be assessed under this part;

59 (e) the owner of the land fails to file an application as provided in Section 59-2-1707;
60 or
61 (f) except as provided in Section 59-2-1703, the land fails to meet a requirement of
62 Section 59-2-1703.