

ITEM #:	<u>34</u>
DATE:	<u>01-14-25</u>
DEPT:	<u>P&H</u>

COUNCIL ACTION FORM

**SUBJECT: TEXT AMENDMENT PERMIT PROCESS AND CRITERIA FOR SPECIAL
TEMPORARY EVENTS IN CHAPTER 29 ARTICLES 13 AND 15**

BACKGROUND:

At the November 26 City Council meeting, the Council responded to a request from a property owner to allow for temporary events by directing staff to prepare a text amendment that allows for obtaining an administrative permit for Temporary Special Events on private property in Ames that would not otherwise meeting zoning use standards. This direction came after a local property owner who owns property at 1400 South 4th Street was interested in allowing for a Renaissance Fair in an agricultural zoning district, which does not permit events. The impetus of the request is the need for decision to allow for the use in time for a spring 2025 Renaissance Fair event.

City Council's direction was to establish an administrative review permit that would allow special events similar to some of the outdoor type events listed as a Major Event Entertainment, but on a much more limited basis with a temporary nature and only being allowed on any given private property no more than twice in a year. The permit is to include some criteria on which the Planning Director can rely to determine if an unimproved site is appropriate for such as request. In addition, these types of events cannot contain any permanent structures or buildings as result of the event being held. These events will involve all items, temporary structures and any equipment being moved onto the site temporarily and then promptly removed when the event is over. (See Addendum-Proposed Text Amendment)

Although the City reviews special event applications for events occurring on City property, approval of such events by the City is completed through a combination of permits (e.g., Temporary Obstruction Permits, Vending Licenses, Noise Permits, etc.). **There is no existing permit for activities on City property called a "Special Event Permit."** The permit contemplated by this text amendment would be a zoning permit that applies only to events being held on private property not owned by the City, School District or Iowa State University.

The proposed text amendment allows Special Temporary Events in non-residential zones such as Agricultural, Commercial and Industrial zones, but prohibits them within Residential zones to avoid intense congestion, noise, light or other activity that might be intrusive to residential character. The maximum duration is four days, inclusive of set up and removal.

The new permit will require information from all applicants that include what type of event is being held and what activities are involved. Also, a site layout of where events will take place and where temporary parking will be provided for will also be required. All affected City departments will review for these events. Sign off from Police, Fire, Inspections and other affected departments will be required. Also, any other permitting such as Floodplain permits will be required where applicable.

The text amendment will add a new Section in Article 13 that lists the criteria for Special Temporary Events. Additional language will be added into Section 29.1501(1)(d) adding the

permit for Special temporary Events to the list of Permits Required. Staff will be the approval authority of the permit for one event at a time and not for ongoing activities.

Staff contacted Ankeny, Cedar Falls, Iowa City and Story County regarding how they govern the types of events covered in this text amendment. The responses ranged from requiring a temporary permit in the case of Ankeny and Iowa City through the City Manager's Office in Ankeny and the Building Inspections Department in Iowa City, to no specific standards but rather a case-by-case review as these types of events are proposed in Cedar Falls. Story County also has standards that govern gatherings for events such as these with a time limit, minimum thresholds for size and a requirement for a site layout and nature of the event.

PLANNING AND ZONING COMMISSION:

At the December 18 Planning & Zoning Commission meeting, the Commission reviewed the proposed ordinance language. Commission members asked staff about the number of consecutive days and whether set up and tear down time would count toward that time. Staff does intend for set-up and tear down time to count toward that time. Additionally, the Commission also asked whether the consecutive days could be put together over two separate weekends for one event. Staff responded that each single consecutive event must be considered consecutive days and cannot be separated over two weekends to extend the duration of the a permit.

The Planning & Zoning Commission voted 5-0 to recommend the City Council approve the proposed text amendment creating standards and application for a Special Temporary Events permit.

ALTERNATIVES:

1. Approve a zoning text amendment creating a Permit for Special Temporary Events within Section 29.1501(1)(d) and creating criteria for permit review in a newly created Section 29.1318. (***Mr. Ballard on behalf of the Renaissance Faire has requested waving of the rules and to approve the ordinance on second and third readings***)
2. Approve the zoning text amendment with different limits of applicability to specific zoning districts or modifying the proposed requirements.
3. Do not approve a zoning text amendment creating a Permit for Special Temporary Events within Section 29.1501(1)(d) and creating criteria for permit review in a newly created Section 29.1318, on the basis that the criteria and associated permit are not appropriate or necessary for temporary use of property.

CITY MANAGER'S RECOMMENDED ACTION:

Staff believes that the criteria for a Temporary Special Event Permit fit the goal of City Council to create a permit for Special Temporary Events in Ames. The permit will be reviewed and approved administratively under the listed criteria. The permit review will be part of a multi-department review among various City departments for these types of events.

Allowing these events only in certain non-residential neighborhoods is believed to be the most appropriate way to ensure that these events are able to be held while minimizing any temporary noise or lighting that could be intrusive to traditional residential settings. The temporary nature of these events contained on a given site is not seen to otherwise cause adverse effects and can

enable property owners to host outdoor community events of a temporary nature on private property. In the event that a site is not adequate for the type or size of the event, activities may be incompatible with the surroundings, or previous events were problems, the Planning Director may deny the permit. Denial of the permit would be able to be appealed to the ZBA. Approval of a permit for a site and event does not require or guarantee future approvals. Each permit is a case-by-case review of the timing, event details, and conditions of a site.

It is the recommendation of the City Manager that the City Council adopt Alternative #1, as described above.

ATTACHMENT(S):

[Draft Ordinance for Temporary Special Events.pdf](#)

[Request From Applicant To Waive Second & Third Reading.pdf](#)