

Staff Report

**REQUEST FOR A TEXT AMENDMENT TO ALLOW FOR TEMPORARY EVENTS
(RENAISSANCE FAIR) AT 1400 SOUTH FOURTH STREET
IN THE AGRICULTURAL ZONE**

November 26, 2024

BACKGROUND:

City Council referred a request on October 22 from Lynn Ballard, who owns property at 1400 South Fourth Street (see Attachment A - Request). The site is commonly known as the location of former Haunted Forest. The property is 12.63 acres and is located on the west side of Ioway Creek on the south side of South Fourth Street. Mr. Ballard's request is on behalf of the organizers of the Ames Renaissance Fair for a text amendment to the Zoning Ordinance to allow this type of event to be held, as the organizers of the event would like to hold it on his property. The owner also does not desire to make substantive improvements to the site and would essentially use it as-is.

The request was generated after the organizers of the event and City staff met in September to discuss the concept and potential for future events. At that time staff noted that the zoning does not allow for events, and it would require City Council to approve a change to zoning to allow for the activity.

The property is currently zoned Agricultural and is located within the regulatory Floodway and Environmentally Sensitive (O-E) overlay (See Location Map). The site is open green space and wooded area abutting Ioway Creek. The Haunted Forest, approved by a variance in 1999, was previously held at this site until last year. The site is also currently used as parking on Iowa State home football game days. The football gameday and other event parking was approved by a variance in 2006. **Note that the owner has been notified that the ongoing RV storage on the site is not an allowable use of the site and a violation of the zoning standards. He has agreed that he will have all the RVs and other appurtenances removed from the site by November 30.**

Under the Agricultural zone regulations an event such as the Renaissance Fair falls under the Major Special Events category in Article 5 of the zoning ordinance, which allows for events such as Carnivals and Bazaars (among others). **Major Special Events are currently permitted in the Highway Oriented Commercial (HOC) and Planned Regional Commercial (PRC) zones, but not in Agricultural zoning.** The Zoning Ordinance does not distinguish temporary activities from ongoing activities in this category. This is the reason for the request; although such an event can occur elsewhere in the City, the current site does not permit the use.

The organizers of the Renaissance Fair would like to hold a 2-day event in April. It involves temporary structures and items being placed on the property such as tents, stages and other portable structures in conjunction with the activities. Once the event is over, all items are then removed from the site.

This past April the organizers held the event at this location for the first time. At that time the Planning Department had not had the opportunity to review the proposed event and became knowledgeable of the event only a day prior. Planning informed the organizers that they needed to consult with City staff and

the Planning Department before moving forward with the event again in the future as the event is not permitted at this location in this zone. This notification occurred with the recent September meeting.

OPTIONS:

The subject site is unique with its floodway status and history of event parking and the Haunted Forest activity. The site is not suitable for development because of the floodway designation, while intermittent and limited activities that conform to the City's flood plain regulations could be acceptable.

If City Council wants to support use of the site as requested, staff believes there are two viable text amendment options available to the Council:

Option #1-Allow Event Use in Agricultural Zones Via Special Use Permit:

This option would involve approving a text amendment that would allow Major Special Events as listed in Article 5 in the Agricultural zone subject to review and issuance of a Special Use Permit by the Zoning Board of Adjustment. This would allow the organizers to apply for a Special Use Permit, which would designate specific events for a given duration in a year, subject to meeting the conditions of the Special Use Permit with any conditions set by the Zoning Board of Adjustment. The Board would consider the type of use and its compatibility with the surroundings and adequacy of site improvements to serve the use. This process requires a public hearing and notification. This would be a similar process to the Yard Waste Facility special use process.

Option #2-Establish Administrative Special Use Temporary Special Event Zoning Permit:

A second option could be to create a Special Event Zoning Permit for private property in Article 13 of the Zoning Ordinance that would apply to this case and situations such as these that would allow for special events across the City in specified zones subject to an Administrative Review by staff. **This would be its own special event zoning permit that would develop a set of criteria to be met when events such as this are proposed.** The types of events could include other special events beyond Renaissance Fairs specifically. This could apply to areas such as Agricultural, Commercial, and Industrial.

Option #3-Take No Action:

If the City Council chose to take no action, then the current zoning standards would not permit the Renaissance Fair event to be held at the Haunted Forest property as requested by the property owners. The Renaissance Fair organizers would need to seek a different site with suitable zoning to host future events.

STAFF COMMENTS:

Staff believes City Council could justify either of the first two options if they believe that a text amendment should be done to allow the event to take place at this location. Staff believes that a limited number of these types of short duration events can be addressed under a new Special Event Zoning Permit on private property in Article 13 (Option 2). This type of permit would be reviewed by City staff, including Planning staff. This option creates a permit for a special type of activity that would not require changing the allowances in any specific zoning district but rather would allow for this type of event to be proposed in non-residential zones subject to review. **Should Council desire to delegate this responsibility to the City staff, then Option 2 should be pursued.**

As is the case with either option, the property owner would need to apply for a text amendment consistent with the direction of the Council.

If Council does not proceed with a text amendment, the organizers would not be able to hold this event at this location in April and would need to seek another location, such as ISU land, City land, or commercially zoned land.

ATTACHMENT(S):

[Location Map- 1400 S 4th Ballard Property.pdf](#)