

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 10/6/22 Weekly Agenda Date: 10/11/22

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Daniel Priestley, CED Zoning Co

**WORDING FOR AGENDA ITEM:**

Approve motion to direct the Woodbury County Zoning Commission to initiate a review process and provide a recommendation of a Zoning Ordinance Text Amendment to the Woodbury County Zoning Ordinance to address the temporary sales of food, beverages, goods, and services during future RAGBRAI events along the RAGBRAI route in unincorporated Woodbury County.

**ACTION REQUIRED:**

- |  |   |  |
|--|---|--|
| Approve Ordinance <input type="checkbox"/> | Approve Resolution <input type="checkbox"/>   | Approve Motion <input checked="" type="checkbox"/> |
| Public Hearing <input type="checkbox"/>    | Other: Informational <input type="checkbox"/> | Attachments <input checked="" type="checkbox"/>    |

**EXECUTIVE SUMMARY:**

The consideration of a motion to direct the Woodbury County Zoning Commission to initiate a review process and provide a recommendation of a Zoning Ordinance Text Amendment to the Woodbury County Zoning Ordinance to address the temporary sales of food, beverages, goods, and services during future RAGBRAI events along the RAGBRAI route in unincorporated Woodbury County.

**BACKGROUND:**

The consideration of a motion to direct the Woodbury County Zoning Commission to begin the process of considering a Zoning Ordinance Text Amendment to address the temporary sales of food, beverages, goods, and services during future RAGBRAI events along the RAGBRAI route in unincorporated Woodbury County. As noted in Section 2.02.3 of the Woodbury County Zoning Ordinance, "it is anticipated that changes in the text of this title may be found to be in the public interest. The procedure for amendment of the text of this title shall be as follows: Amendments to the text of this title may be initiated by the Board of Supervisors or the planning and zoning commission. The planning zoning commission shall conduct a public hearing on the proposed amendment of the text of this title in the manner prescribed in subsection 2.02-1.B and shall review the amendment and any supporting information prior to considering a recommendation to either approve or disapprove the proposed amendment." The Zoning Commission's recommendation would be presented to the Board of Supervisors who would conduct up to three public hearings and readings of the proposed amendment.

**FINANCIAL IMPACT:**

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

Approve motion to direct the Woodbury County Zoning Commission to initiate a review process and provide a recommendation of a Zoning Ordinance Text Amendment to the Woodbury County Zoning Ordinance to address the temporary sales of food, beverages, goods, and services during future RAGBRAI events along the RAGBRAI route in unincorporated Woodbury County.

**ACTION REQUIRED / PROPOSED MOTION:**

Approve motion to direct the Woodbury County Zoning Commission to initiate a review process and provide a recommendation of a Zoning Ordinance Text Amendment to the Woodbury County Zoning Ordinance to address the temporary sales of food, beverages, goods, and services during future RAGBRAI events along the RAGBRAI route in unincorporated Woodbury County.

ORDINANCE NO. \_\_\_\_\_

WOODBURY COUNTY, IOWA

AN ORDINANCE AMENDING THE TEXT OF THE WOODBURY COUNTY ZONING ORDINANCE TO AMEND PORTIONS OF: THE *TABLE OF CONTENTS*; SECTION 3.03.4 ENTITLED: *LAND USE SUMMARY TABLE OF ALLOWED USES IN EACH ZONING DISTRICT*; PORTIONS OF SECTION 6.01 ENTITLED *DEFINITIONS*; AND TO ADD A NEW SECTION REFERENCED AS SECTION 5.07 ENTITLED *SPECIAL EVENT – RAGBRAI AND SPECIAL EVENT – RAGBRAI WITH ALCOHOL* TO THE WOODBURY COUNTY ZONING ORDINANCE; AND

NOW, THEREFORE, BE IT ENACTED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA THAT THE BELOW ZONING ORDINANCE LANGUAGE AMENDMENTS BE MADE:

Amendment #1 –

On page iii: To add the following to the *Table of Contents, Article 5 Supplemental Requirements*:

Add Section 5.07: Special Event – RAGBRAI and Special Event – RAGBRAI with Alcohol....81

Amendment #2 –

On pages 32, 33, 34, 35, 36, 37, 38, and 39: To add the following use category within the zoning ordinance Section 3.03.4 *Land Use Summary Table of Allowed Uses in each Zoning District*:

Add the term “TU Temporary use” to the top portion of the “Land Use Summary Table of Allowed Uses in each Zoning District” between the “ok Principal allowed use” and “Conditional use” categories.

Amendment #3 –

On page 35: To add the following line item use language within zoning ordinance Section 3.03.4 *Land Use Summary Table of Allowed Uses in each Zoning District*:

“Special Event – RAGBRAI”. With placement of the letters “TU” within the AP (Agricultural Preservation), AE (Agricultural Estates), GC (General Commercial), HC (Highway Commercial), LI (Limited Industrial), and GI (General Industrial) zoning districts columns of the table related to this line item use.

Amendment #4 –

On page 35: To add the following line item use language within zoning ordinance Section 3.03.4 *Land Use Summary Table of Allowed Uses in each Zoning District*:

“Special Event – RAGBRAI, with alcohol”. With placement of the letters “C” within the AP (Agricultural Preservation), AE (Agricultural Estates), GC (General Commercial), HC (Highway Commercial), LI (Limited Industrial), and GI (General Industrial) zoning districts columns of the table related to this line item use.

#### Amendment #5 –

On page 93: To replace the definition of “Use, Allowed” in Section 6.02.172 from “Use, Allowed. A principal, conditional or accessory use that may be established in conformance with the regulations of the zoning district in which it is located.” to:

“Use, Allowed. A principal, conditional, accessory or temporary use that may be established in conformance with the regulations of the zoning district in which it is located.”

#### Amendment #6 –

On page 81: To add the following section within the zoning ordinance entitled Section 5.07: Special Event – RAGBRAI and Special Event – RAGBRAI with Alcohol.

#### **Section 5.07: Special Event – RAGBRAI and Special Event – RAGBRAI with Alcohol**

1. **Purpose.** The purpose of this Ordinance is to assist county officials to control the public health and safety issues created by the infusion of a large number of people in the county by establishing regulations for vendors in the unincorporated areas of Woodbury County during the Des Moines Register’s Annual Great Bicycle Ride Across Iowa (RAGBRAI).
2. **Definitions.**
  - A. RAGBRAI. The term RAGBRAI is an acronym for the Des Moines Register’s Annual Great Bicycle Ride Across Iowa event.
  - B. Use, Temporary. A use permitted within a designated zoning district and established for a fixed period of time with the intent of terminating such use upon the expiration of the time period. In the case of RAGBRAI, when held in Woodbury County, Iowa, the temporary use shall be limited to a period of time starting no more than one day prior to the start of the official event date in Woodbury County and terminating no more than one day after the completion date of RAGBRAI in Woodbury County.
3. **Special Event – RAGBRAI.** The sale of food, beverages (excluding alcohol products), goods, and services during the designated timeframe of RAGBRAI when hosted in Woodbury County, Iowa is a temporary use and shall be limited to a period of time starting no more than one day prior to the start of the official event date in Woodbury County and terminating no more than one day after the end of said event. The temporary use shall only be conducted from private property and shall not be conducted from the right-of-way. Temporary uses for RAGBRAI may not be appropriate in every zoning district. Refer to the Section 3.03.4: Land Use Summary Table of Allowed Uses in each Zoning District for the appropriate zoning district. The sale of alcohol products is prohibited unless a Conditional Use Permit is obtained from the Woodbury County Board of Adjustment.
4. **Special Event – RAGBRAI with alcohol. Conditional Use Permit required.** If a property owner desires to offer alcohol as part of the Special Event – RAGBRAI, a conditional use permit application shall be submitted to the Community and Economic Development office as per the subsections 2.02.9 and 5.07 of the Zoning Ordinance. The application must come accompanied with a temporary site plan that shall show the location of all existing buildings, existing parking, proposed temporary tents, canopies, structures, and fences, proposed temporary parking, and other features as required by the Zoning Director.
5. **Documentation.** The property owner shall be responsible for obtaining and complying with all necessary federal, state and local permits including, but not limited to liquor licensing and submit all appropriate documentation to the Zoning Director for review and the Planning and Zoning Commission and Board of Adjustment if a conditional use permit is required.

Adopted by the Woodbury County Board of Supervisors on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**THE WOODBURY COUNTY BOARD OF SUPERVISORS**

\_\_\_\_\_  
Keith Radig, Chairman

\_\_\_\_\_  
Jeremy Taylor, Vice-Chairman

\_\_\_\_\_  
Rocky De Witt

Attest:

\_\_\_\_\_  
Matthew Ung

\_\_\_\_\_  
Patrick Gill, Woodbury County Auditor

\_\_\_\_\_  
Justin Wright

Adoption Timeline:

Date of Public Hearing and First Reading \_\_\_\_\_

Date of Public Hearing and Second Reading \_\_\_\_\_

Date of Public Hearing and Third Reading \_\_\_\_\_

Date of Adoption \_\_\_\_\_

Published/Effective Date \_\_\_\_\_