



**Planning & Development  
Scott County, Iowa**

**Chris Mathias, Director**

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Administrative Center  
600 West Fourth Street  
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April 12, 2023

**To: Mahesh Sharma, County Administrator**  
**From: Chris Mathias, Planning Director**  
**Re: Public Hearing and First Reading of Proposed Text Amendment**

Staff has received and accepted an application for an ordinance text amendment submitted by Rily and Ardita Grunwald to add a Special Permitted Use to the newly-created Conservation-Recreation (C-R) district. If you remember, this zoning district was created as a zoning district to allow conservation and recreation uses in the County. The only permitted use in the district currently is a public park. Staff also explained that we could have someone apply to add special uses to this district. If a special use was added, the applicant would still have to rezone their land to the C-R district and then submit a special use permit application to actually develop a conservation/recreation use.

We have received the first request to add a special use to the C-R district. There will be two amendments proposed: the first to add a definition for "Snow Tubing Facility" in the Definitions section of the Ordinance; the second to add "Snow Tubing Facility" to the (currently empty) list of Special Permitted Uses in the C-R District regulations. The definition for "Snow Tubing Facility" proposed by the applicants reads, "A private park facility generally used for the recreational activity of sliding downhill over snow on a large inflated inner tube. Private snow tubing operations shall take advantage of natural topography, with minimal grading to provide appropriate slopes. Snow tubing operations may include: mechanical uphill surface-type person transportation system; a building to house pumps, snow-making and maintenance equipment and inner tube storage; a warming area with restrooms and concessions; a scale-appropriate parking lot; and water detention lake. Most snow tubing operations shall require approval from the Iowa Department of Natural Resources prior to construction and operation."

After review, Staff proposed a revised definition as there were concerns regarding the size of accessory buildings, the amount of grading to be allowed and the type of mechanicals used in the operation. Staff also proposed a definition of a "Snow Tubing Facility Concession/Warming Area to make sure the accessory structure was limited in size and in its usage. Staff do not want to see a restaurant, event center, or any large gathering space along with this snow tubing use. The Planning & Zoning Commission revised the definitions further and that final proposed definitions for your consideration are shown in the final two paragraphs of this text. You can also find the attached Staff reports for more information.

Staff would like to bring the Commission's recommendations to the Board of Supervisors Committee of the Whole on April 25<sup>th</sup>, 2023 and present these ordinance changes in full detail. We are also asking to hold a public hearing on adopting the ordinance text at the Board Meeting on April 27<sup>th</sup>, 2023. Here is a summary of the three items of which the Planning & Zoning Commission recommended approval at the March 21<sup>st</sup>, 2023 meeting.



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1. Public Hearing – Ordinance Text Amendments

The Commission ultimately voted on three (3) items and voted to recommend approval of the ordinance text amendments in accordance with staff's recommendation, with a slight modification to allowable square footage for "Snow Tubing Facility Concession/Warming Area." The applicants were present to present their vision and to answer questions. Larry Matzen (24689 Scott Park Road) spoke in favor of the request.

- **Vote (recommend approval of a text amendment to add "Snow Tubing Facility" to the list of definitions): 5-0, All Ayes**

*Snow Tubing Facility:* A private park facility generally used for the recreational activity of sliding downhill over snow on a large inflated inner tube. Private snow tubing operations shall take advantage of natural topography to provide appropriate slopes and shall not require significant grading. Snow tubing operations may include: mechanical uphill surface transportation utilizing an uphill-tow-style or conveyor-style system; a building to house pumps, snow-making and maintenance equipment and inner tube storage; a Snow Tubing Facility Concession/Warming Area; a scale-appropriate parking lot; and water detention lake. Most snow tubing operations shall require approval from the Iowa Department of Natural Resources prior to construction and operation.

- **Vote (recommend approval of a text amendment to add "Snow Tubing Facility Concession/Warming Area" to the list of definitions): 5-0, All Ayes**

*Snow Tubing Facility Concession/Warming Area:* An enclosed building, limited to 1,200 square feet, containing restroom facilities, a warming area limited to space for changing clothes or preparation for snow tubing, and a concession area limited to the sale of pre-prepared foods with no food preparation that requires an oven, hood or grease trap.

**Vote (recommend approval of a text amendment to add "Snow Tubing Facility" to the list of Special Permitted Uses in the Conservation-Recreation (C-R) Zoning District): 5-0, All Ayes**

Members Present: Piatak, Rochau, Scheibe, Schnekloth, Steward  
Members Absent: Armstrong, Maxwell

Prepared by: Scott County Planning & Development, 600 West Fourth Street, Davenport Iowa

SCOTT COUNTY ORDINANCE NO. 23 - \_\_\_\_\_

AN ORDINANCE TO AMEND PORTIONS OF THE ZONING ORDINANCE FOR UNINCORPORATED SCOTT COUNTY TO ADD SNOW TUBING FACILITY AS A SPECIAL USE IN THE, CONSERVATION-RECREATION “C-R”. DISTRICT.

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF SCOTT COUNTY IOWA:

**Section 1.** Amend Section 6-5 DEFINITIONS of the Zoning Ordinance for Unincorporated Scott County by adding:

**Section 6-5(106) SNOW TUBING FACILITY** A private park facility generally used for the recreational activity of sliding downhill over snow on a large inflated inner tube. Private snow tubing operations shall take advantage of natural topography to provide appropriate slopes and shall not require significant grading. Snow tubing operations may include: mechanical uphill surface transportation utilizing an uphill-tow-style or conveyor-style system; a building to house pumps, snow-making and maintenance equipment and inner tube storage; a Snow Tubing Facility Concession/Warming Area; a scale-appropriate parking lot; and water detention lake. Most snow tubing operations shall require approval from the Iowa Department of Natural Resources prior to construction and operation.

**Section 6-5(107) SNOW TUBING FACILITY CONCESSION/WARMING AREA:** An enclosed building, limited to 1,200 square feet, containing restroom facilities, a warming area limited to space for changing clothes or preparation for snow tubing, and a concession area limited to the sale of pre-prepared foods with no food preparation that requires an oven, hood or grease trap.

**Section 2.** Amend the Zoning Ordinance for Unincorporated Scott County by amending Sec. 6-11 D as follows:

**D. Special Permitted Uses:** Snow tubing facility

**Section 3.** The County Auditor is directed to record this ordinance in the County Recorder's Office.

**Section 4.** Severability Clause. If any of the provisions of this Ordinance are for any reason illegal or void, then the lawful provisions of the Ordinance, which are separate from said unlawful provisions shall be and remain in full force and effect, the same as if the Ordinance contained no illegal or void provisions.

**Section 5.** Repealer. All ordinances or part of ordinances in conflict with the provisions of the Ordinance are hereby repealed.

**Section 6.** Effective Date. This Ordinance shall be in full force and effect after its final passage and publication as by law provided.

Public Hearing / First Consideration \_\_\_\_\_,

Second Consideration \_\_\_\_\_,

Third Consideration \_\_\_\_\_,

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Ken Beck, Chair  
Scott County Board of Supervisors

Attested by: \_\_\_\_\_

Kerri Tompkins, County Auditor

Published on \_\_\_\_\_