
Prepared by and to be returned to: MIKE TERTINGER, Linn County Planning & Development
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RESOLUTION APPROVING A TEMPORARY USE

RESOLUTION # 2019-9-136

WHEREAS, Karl Haible, owner; West Linn Community Group c/o Ainsley Snyder, petitioner, Case JTU19-0010, has requested the Linn County Board of Supervisors' permission to operate the Palo Mud Run, located at 812 Iowa Ave, Palo, Iowa located within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of 21-84-8.

WHEREAS, said temporary use request and attachments thereto have been examined by the Linn County Board of Supervisors and approval of the request is subject to the following conditions:

WHEREAS, the Board of Supervisors makes the following Findings of Facts:

1. Planning & Development received the Temporary Use Permit application on Wednesday, September 18, 2019.
2. The outdoor event will be held on Saturday September 21, 2019 at 812 Iowa Avenue, Palo, Iowa between the hours of 11am and 8pm.
3. Setup for the event will occur on Friday September 20, 2019 between the hours of 12pm and 10pm.
4. The event will include mud racing, a beer tent, a food truck, and tents used for a security office and first aid station.
5. The event will host approximately 250-500 people.
6. The applicant will provide parking signs, 10 regular and 2 handicapped portable toilets, and a hand washing station in addition to the restrooms at the ball field.
7. Food and beer will be available. Appropriate licensing, permits and insurance are required by various departments.
8. The property is currently zoned AG (Agricultural) and CNR (Critical Natural Resources), containing 38.82 acres, with approximately 21.4 acres of the two parcels to be used for the temporary use activity.
9. The subject parcel has a Rural Land Use Map designation of NMUSA (Non-Metro Service Area) and CNRA (Critical Natural Resources Area).
10. Estimated number of vehicles for the event is approximately 500.

11. The number of parking spaces provided is 2000.
12. Parking for all vehicles is provided on site. The applicant will provide one uniformed Linn County Sheriff deputy for security throughout event location on Saturday, September 21 from 11am to 8pm.

AND WHEREAS, the Linn County Technical Review Committee has examined the application and all conditions of approval are listed as part of this Resolution;

AND WHEREAS, the temporary use application has been examined by the Linn County Board of Supervisors at a public meeting on September 25, 2019, all interested persons having been heard;

WHEREAS, said temporary use request and attachments thereto have been examined by the Linn County Board of Supervisors and approval of the request is subject to the following conditions:

LINN COUNTY PLANNING & DEVELOPMENT – Zoning Division

13. The Temporary Use may be reviewed at any time during the duration of the permit to ensure that all conditions have been or are being met.
14. \$2,000,000 insurance coverage is provided for the event dates, through West Side Agency Inc.
15. Signage shall conform to Article V, Section 107-94, subsection (j). Temporary off site signs may be allowed, provided that:
 - a. No sign is placed on public property, or within a road right-of-way.
 - b. Sign size shall not exceed 16 sq. ft., or 6' in width, nor 5' in height.
 - c. All temporary signs are required to be removed on the day following the final event date.
16. The owner and petitioner shall sign an "Acceptance of Conditions" form which provides assurance that all conditions will be met prior to the Board of Supervisors Resolution of Approval, and specifically agrees to hold Linn County harmless from any and all damages or claims for damages that might arise or accrue by reason of approval of the Temporary Use permit by the Linn County Board of Supervisors. Further, by signing the "Acceptance of Conditions" form, the petitioner shall agree to allow employees of the County reasonable access to the property for inspection and for submission of documents to verify any additional information.

LINN COUNTY PLANNING & DEVELOPMENT – Building Division

1. All electrical wiring shall be in compliance with the National Electrical Code.
2. Platforms or structures planned for this event are required to meet building code requirements.
3. Accessible parking and access to the event site shall be provided.

LINN COUNTY ENGINEERING DEPARTMENT

1. Access shall be from existing entrances within the city limits of Palo.
2. No parking is allowed on Blairs Ferry Road.
3. Signs shall be placed in the city limits or on private property.

IOWA DEPARTMENT OF TRANSPORTATION

1. No conditions to be met.

LINN COUNTY HEALTH DEPARTMENT

1. Contact Linn County Public Health (892-6000) if selling food at the event.
2. Continuously maintain all requirements of the Health Department throughout the event.
3. Portable toilets are required, and hand washing stations are strongly recommended.
4. Recommend hand washing facilities for toilet area and the food prep areas.

LINN COUNTY SHERIFF'S OFFICE

1. An after-hour's call list shall be supplied to the Linn County Sheriff's Office for emergency situations.
2. If a traffic problem would occur, contact shall be made to the Linn County Sheriff's Office to help alleviate the problem.
3. Traffic control is to be provided by the applicant during operation. Traffic shall be maintained on Blairs Ferry Road at all times.

LINN COUNTY EMERGENCY MANAGEMENT

1. A tone alert weather radio is required to be available on site and in use at any time the public is using the facility.
2. The applicant shall submit a Severe Weather Plan for approval by the Linn Co. Emergency Management Agency.

WHEREAS, failure to submit and/or comply with any of the conditions in a timely manner will revoke this Temporary Use Permit.

NOW, THEREFORE, BE IT RESOLVED, by the Linn County Board of Supervisors that said temporary use is hereby approved.

Passed and approved this 25th day of September, 2019.

Linn County Board of Supervisors


Chair


Vice Chair

Supervisor

Aye: 2
Nay: 0
Abstain: 0
Absent: 1

Attest:

Joel Miller by Rebecca Shoop
Joel Miller, Linn County Auditor Deputy

State of Iowa)
) SS
County of Linn)

I, Joel Miller, County Auditor of Linn County, Iowa hereby certify that at a regular meeting of the said Board of Supervisors the foregoing resolution was duly adopted by a vote of:

2 Aye 0 Nay 0 Abstain and 1 Absent from voting.

Joel Miller by Rebecca Shoop
Joel Miller Deputy

by Rebecca Shoop, Deputy

Subscribed and sworn to before me by the aforesaid Joel Miller, on this 25th of September, 2019.

Jaime Guffey
Notary Public State of Iowa

