

Prepared by and to be returned to: MIKE TERTINGER, Linn County Planning & Development
935 2nd Street S.W., Cedar Rapids, Iowa 52404-2100 (319) 892-5130

RESOLUTION APPROVING A TEMPORARY USE

RESOLUTION # 2021-6-85

WHEREAS, Troy & Lucinda Thompson, owners; Clark Davidson, petitioner, Case JTU21-0007, have requested the Linn County Board of Supervisors' permission to operate the Lost 40 Music Festival, located at 838 Bolton Manor Rd, Springville Iowa.

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 Thursday, June 10, 2021 at 4:51pm.
2. Planning & Development was first made aware of this event via communication from Linn County Public Health on Wednesday, June 9.
3. The outdoor event will be begin at 6:30pm, Thursday June 10, 2021 through 7:30pm, Sunday June 13, 2021.
4. The parcel is currently zoned AG (Agricultural) containing 1.83 acres.
5. The subject parcel has a Rural Land Use Map designation of AA (Agricultural Area)
6. The event will include acoustic and electrified music performances, communal eating, live poetry and painting exhibitions.
7. The applicant website has indicated there are live music performances from 12 midnight to 6am on Saturday night and Sunday night.
8. All appropriate licensing, permits and insurance are required.
9. Applicant is providing parking across the street via a lease agreement with the property owner at 835 Bolton Manor Rd. Written evidence of this agreement has been provided to Planning & Development by the adjacent property owner.

10. The event is estimated to host between 50-500 people.
11. The applicant has provided 4 portable washrooms and a hand washing station.
12. Estimated number of vehicles trips per day for the event is approximately 100.
13. The number of parking spaces provided is approximately 75-85.

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 June 11, 2021, 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

14. 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.
15. \$2,000,000 of liability insurance coverage is provided for the event dates, through Northland Casualty Company
16. 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.
17. 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 entrance only.
2. No parking is allowed on Bolton Manor Rd.
3. No signage within county road right-of-way.
4. Applicant is responsible for maintain traffic control on Bolton Manor and Springville Rd.

IOWA DEPARTMENT OF TRANSPORTATION

1. No conditions to be met.

LINN COUNTY HEALTH DEPARTMENT

1. Linn County Public Health has not had adequate time to review the food & water services or sanitation plans for this event and, as such, will not recommend approval at this time.
2. Contact Linn County Public Health (892-6000) if selling food at 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.
5. Bottle water only as the applicant has not recently tested the well on the property.

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 Springville Rd and Bolton Manor Rd at all times.
4. No parking on Bolton Manor Rd. No parking on Springville Rd

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 14th day of June 2021.

Linn County Board of Supervisors

Stacey Walsh
Chair

[Signature]
Vice Chair

[Signature]
Supervisor

Aye: 3

Nay: 0

Abstain: 0

Absent: 0

Attest:

Joel Miller by Rebecca Skoop,
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:

3 Aye 0 Nay 0 Abstain and 0 Absent from voting.

Joel Miller by Rebecca Skoop,
Joel Miller Deputy

Subscribed and sworn to before me by the aforesaid Joel Miller, on this 14th of June, 2021.

Amanda Hoy

Notary Public State of Iowa

