
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 # 2021-10-162

WHEREAS, Linn County Conservation, owner; and The Arc of East Central Iowa, c/o Jenny Bosking, petitioner; Case JTU21-0016, have requested the Linn County Board of Supervisors' permission to operate the Bike, Pedal & Roll Inaugural Bike Ride, located on the Cedar Valley Nature Trail.

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 Monday, September 20, 2021.
2. The event will be held on Sunday, October 10, 2021 between the hours of 12:00 pm and 4:00 pm.
3. The event organizer anticipates approximately 60 bike riders.
4. The event will start and finish at Kickstand Restaurant located at 203 16th Ave SE Cedar Rapids Iowa
5. Approximately 5 miles of the bike ride will take place in Linn County jurisdiction along a section of the Cedar Valley Nature Trail between Cedar Rapids and Ely.
6. There will be no restrooms, or food and beverage concessions provided within Linn County jurisdiction.
7. A refreshment station will be available to riders at Hoover Park located at 1931 Roosevelt Rd, Cedar Rapids Iowa.
8. A half way stop is available to riders at House Divided located at 1620 Dows St, Ely Iowa.

9. Roadway crossings will affect the course at 76th Ave Dr SW, Wright Brothers Blvd E, and Ely Rd. Riders must yield to vehicular traffic.
10. The applicant has not requested any Linn County road closures during the race, nor requested any police presence from the Linn County Sherriff's Office.
11. No vehicle parking will be provided within Linn County jurisdiction.
12. No event signage has been proposed. The course will be marked with directional chalk on the day of the event.

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 October 4, 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

1. 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.
2. A Certificate of Liability Insurance has been provided for the event date, through Philadelphia Indemnity Insurance Company and Technology Insurance Company.
3. 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.
4. 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. No conditions to be met.

LINN COUNTY CONSERVATION DEPARTMENT

1. No conditions to be met.

LINN COUNTY ENGINEERING DEPARTMENT

1. No conditions to be met.

IOWA DEPARTMENT OF TRANSPORTATION

1. No conditions to be met.

LINN COUNTY HEALTH DEPARTMENT

1. No conditions to be met.

LINN COUNTY SHERIFF'S OFFICE

1. No conditions to be met.

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 6th day of October, 2021.

Linn County Board of Supervisors


Chair


Vice Chair


Supervisor

Aye: 3

Nay: 0

Abstain: 0

Absent: 0

Attest:

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

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 Sloop, Deputy
Joel Miller

Subscribed and sworn to before me by the aforesaid Joel Miller, on this 6th of October, 2021.

Karen L. Nesheim
Notary Public State of Iowa

9/18/23