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

RESOLUTION # 2019-2-28

WHEREAS, Bill & Donna Warhover, owners; Case JTU19-0001, has requested the Linn County Board of Supervisors' permission to hold seasonal outdoor food truck events related to their on-site farm/CSA operation located at 681 Hwy 1, Mount Vernon, IA.

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

1. The outdoor events will be held on Saturdays and Sundays, from May 1 through October 31, 2019, at 681 Hwy 1, Mount Vernon, IA.
2. The events will be held from 7:00 a.m. until 10:00 p.m, which includes time for set-up and tear-down.
3. The event will host approximately 100 to 120 people each day.
4. The applicant will provide two portable toilets and one hand washing station.
5. Appropriate licensing, permits and insurance are required by various departments.
6. The property is currently zoned AG (Agricultural), containing 2.96 acres.
7. The subject parcel has a Rural Land Use Map designation of NMUSA (Non-Metro Urban Service Area).
8. Estimated number of vehicles for each event is 35 to 45.
9. Parking for all vehicles will be provided on site, and on the adjacent parcel to the north, in an area that is leased by the Warhovers. They have written permission from the owner of that property (Mount Vernon Development Group, LLC) to allow parking for events in this area; this document is on file in the Planning & Development department.

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 February 11, 2019, all interested persons having been heard;

NOW THEREFORE, BE IT RESOLVED, that the Linn County Board of Supervisors approves the application, Case JTU19-0001, 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. The owner shall obtain and submit proof of a liability insurance policy prior to Board of Supervisors approval and maintain current insurance throughout the Temporary Use.
3. Signage shall conform to Article V, Section 107-94 § (j).
4. The 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
5. Restroom facilities will be provided as portable units brought to the site. Restrooms are required to be available during the hours of operation.
6. Parking of all vehicles will be provided on site in accordance with the approved site plan.

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 these events are required to meet building code requirements.

LINN COUNTY ENGINEERING

1. Access to be in compliance with Linn County Secondary Road Department current standards prior to operation.
2. No parking is allowed in the public right-of-way along Hwy 1.
3. Owner is responsible for debris pick up within the road right-of-way following the events, if needed.

IOWA DEPARTMENT OF TRANSPORTATION

1. No conditions to be met.

LINN COUNTY HEALTH DEPARTMENT

1. All vendors offering food or beverages must contact Linn County Public Health for requirements on temporary food licensing.
2. Contact Linn County Public Health at least one week prior to event to obtain required licenses.
3. Continuously maintain all requirements of the Health Department throughout the events.
4. Portable toilets and handwashing stations are required.

LINN COUNTY SHERIFF'S OFFICE

1. If a traffic problem would occur, contact shall be made to the Linn County Sheriff's Office to help alleviate the problem.
2. Traffic control is to be provided by the applicant during operation. Traffic shall be maintained on Hwy 1 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 13th day of February, 2019.

Linn County Board of Supervisors

Stacy Walk
Chair

[Signature]
Vice Chair

[Signature]
Supervisor

Aye: 3
Nay: 0
Abstain: 0
Absent: 0

Attest:

Joel Miller by Rebecca Shoop, 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 Shoop, Deputy
Joel Miller

Subscribed and sworn to before me by the aforesaid Joel Miller, on this 13th day of February, 2019.

Amanda Hoy
Notary Public State of Iowa

