

BOARD OF SUPERVISORSDistrict 1 | **Stacey Walker**District 2 | **Ben Rogers**District 3 | **Louis J. Zumbach****JEAN OXLEY LINN COUNTY PUBLIC SERVICE CENTER**

935 2ND ST. SW

CEDAR RAPIDS, IA 52404

PH: 319-892-5000 | FAX: 319-892-5009

LinnCountyIowa.gov

**LINN COUNTY BOARD OF SUPERVISORS
MEETING AGENDA**

Tuesday, September 6, 2022

11 a.m.

Formal Board Room—Jean Oxley Public Service Center
935 2nd St. SW, Cedar Rapids, IA**Call to Order****Public Comment: Five Minute Limit per Speaker**

This comment period is for the public to address topics on today's agenda.

Minutes

Discuss and decide on meeting minutes.

Public hearing and first consideration to create Chapter 105 Article VII Housing Code Ordinance

First consideration to amend Chapter 105 Article VI. Property Maintenance Ordinance

Discuss a Major Site Plan application for the Linn County Secondary Roads Department Morgan Creek Shop project in the 2300 Block of Covington Rd

Discuss and authorize Chair to sign an amendment to the subaward agreement between Linn County and Eastern Iowa Health Center for Increasing Access to COVID-19 Education & Vaccinations for Underserved Linn County Populations.

Discuss and decide adoption of a resolution setting a public hearing on the conveyance of real estate interests in the form of temporary and permanent easements and a portion in fee title of a parcel of land owned by Linn County at 650 Walford Road SW to the City of Cedar Rapids.

Public Comment: Five Minute Limit per Speaker

This is an opportunity for the public to address the board on any subject pertaining to board business.

Payroll Authorizations

Discuss and decide on Employment Change Roster (payroll authorizations).

Claims

Discuss and decide on claims.

Correspondence**Appointments**For questions about meeting accessibility or to request accommodations to attend or to participate in a meeting due to a disability, please contact the Board of Supervisors office at 319-892-5000 or at bd-supervisors@linncountyiowa.gov.

6:00 p.m.
Palo Community Center
2800 Hollenbeck Road, Palo, IA

Call to Order

Public Comment: Five Minute Limit per Speaker

This comment period is for the public to address topics on today's agenda.

Third and final consideration on an Ordinance Amending the official Zoning Map of Linn County, Iowa by rezoning and changing the district classification of certain property located North of Palo, Iowa along Palo Marsh Road, McClintock Road, DAEC Road, and Mather Lane from "AG" Agricultural District to the "RE-AG" Agricultural with a Renewable Energy Overlay District and from the "CNR" Critical Natural Resource District to the "RE-CNR" Critical Natural Resource with a Renewable Energy Overlay District, approximately 316 acres, rezoning case JR22-0004

Third and final consideration on an Ordinance Amending the official Zoning Map of Linn County, Iowa by rezoning and changing the district classification of certain property located North of Palo, Iowa along Palo Marsh Road, Lewis Access Road, Power Plant Road, and Lewis Bottoms Road, from the "AG" Agricultural District to the "RE-AG" Agricultural with a Renewable Energy Overlay District and from the "CNR" Critical Natural Resource District to the "RE-CNR" Critical Natural Resource with a Renewable Energy Overlay District, approximately 815 acres, rezoning case JR22-0005

Adjournment

Members of the public can attend in person or virtually for the 6:00 p.m. meeting only

Join meeting from your computer, tablet, or smartphone:

<https://vimeo.com/event/2152325>

Prepared by Luke Maloney
Linn County Planning & Development
935 2nd Street S.W., Cedar Rapids, Iowa 52404-2100
(319) 892-5144
Return to Becky Shoop, Auditor's Office

ORDINANCE NO. 8 – – 2022

AN ORDINANCE AMENDING CHAPTER 105 OF THE CODE OF ORDINANCES, LINN COUNTY, IOWA BY ADDING THERETO A NEW ARTICLE VII CREATING A COUNTY HOUSING CODE

BE IT ORDAINED by the Board of Supervisors of Linn County, Iowa as follows:

SECTION 1. SECTION ADDED. Chapter 105 – BUILDINGS AND BUILDING REGULATIONS, of the Code of Ordinances, Linn County, Iowa, is hereby amended by adding thereto a new Article VII, HOUSING, hereby created to read as follows:

ARTICLE VII. – HOUSING

Sec. 105-101. – International Property Maintenance Code adopted.

Except as hereinafter modified, that certain code known as the International Property Maintenance Code, 2021 edition, First Printing, as published by the International Code Council, Inc., which code is hereby specifically incorporated by reference, shall be known as the "county housing code." The provisions of said housing code shall be controlling in regulating the conditions and maintenance of all non-owner occupied residential structures and premises, and in ensuring that structures are safe, sanitary, and fit for occupation and use within the unincorporated limits of the county.

Sec. 105-102. – Modification of the International Property Maintenance Code, 2021 edition.

Certain sections and/or portions of sections of the International Property Maintenance Code, 2021 edition, hereinafter IPMC, are hereby modified, repealed, replaced, added, or deleted as set forth below.

- (1) Modify Section 101.1, Title by inserting "County of Linn, Iowa" as the Name of Jurisdiction.
- (2) Repeal Section 104.1, Fees in its entirety, and replace it with the following:

Section 104.1. Fees. The fees for activities and services performed by the county in carrying out its responsibilities under this code shall be in accordance with the property maintenance/housing fee schedule as set by resolution of the board of supervisors.

- (3) Add a new Subsection 105.6.1, hereby created to read as follows:

105.6.1 Certificate of Inspected Housing. Whenever the housing official has inspected, or caused to be inspected any dwelling unit, and has determined that the dwelling unit is in compliance with the county housing code, the housing official or the housing official's designee shall issue a certificate of inspected housing to the owner or authorized agent of the dwelling unit.

- (4) Repeal Section 107, Means of Appeal in its entirety and replace it with the following:

SECTION 107. MEANS OF APPEAL

107.1 General. In order to hear and decide appeals of orders, decisions, or determinations made by the code official regarding the application and interpretation of this code, there shall be a property maintenance/housing board of appeals consisting of five members, none of whom are employees of the county. The county building board of appeals, as established in Section 105.17 of the Code of Ordinances, Linn County, Iowa, shall serve as the property maintenance/housing board of appeals, and shall hear and decide appeals of orders, decisions, or determinations made by the code official regarding the application and interpretation of this code. The board of appeals shall also make recommendations, upon request, to the board of supervisors relating to enforcement activities on specific cases.

107.2 Applications for Appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice, or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been interpreted incorrectly, the provisions of this code do not fully apply, or the requirements of this code are satisfied adequately by other means. The board shall have no authority to waive the requirements of this code.

107.3 Appeal Fee. A nominal fee for an appeal to the property maintenance/housing board of appeals shall be in accordance with the property maintenance/housing fee schedule as established by resolution by the board of supervisors.

- (5) Repeal Section 109.4, Violation Penalties in its entirety, and replace it with the following:

Section 109.4. Violation Penalties. Any person who violates a provision of this code, or who fails to comply therewith, or with any of the requirements thereof, shall be subject to penalties in accordance with the Code of Ordinances, Linn County, Iowa, Chapter 1, Article II.

- (6) Modify Section 202, General Definitions, by adding thereto new definitions, hereby created to read as follows:

CODE OFFICIAL. The Linn County Building Official, as appointed by the Board of Supervisors, who is charged with the administration and enforcement of this code, or any duly authorized representative.

LANDLORD OR AUTHORIZED AGENT. The property owner or authorized representative, registered with the county, engaging in the rental or leasing of a residential structure.

PERMITTED RENTAL UNIT. A non-owner occupied residential structure registered with the county, in compliance with the housing code.

- (7) Delete Section 302.4, Weeds.
- (8) Modify Section 304.14, Insect screens by inserting April 15 as the first date and October 15 as the second date.
- (9) Modify Section 602.3, Heat supply by inserting January 1 as the first date and December 31 as the second date.
- (10) Modify Section 602.4, Occupiable WorkSpaces by inserting September 1 as the first date and May 31 the second date.
- (11) Modify Section 704.6.1, Single and multiple-station smoke alarms, Where Required by deleting Exceptions 1, 2, and 3.

Sec. 105-103. – Limitations of regulations.

The county housing code shall not apply within the corporate limits of any incorporated city, unless a city specifically adopts the county housing code into its code of ordinances in accordance with a 28E agreement, for the administration and enforcement of said code, that is approved by a city and the county, and is recorded in the Linn County, Iowa Recorder's Office.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 4. SAVING. The Code of Ordinances, Linn County, Iowa, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. EFFECTIVE DATE. The ordinance shall become effective upon its passage and publication pursuant to Iowa Code § 331.302(8).

LINN COUNTY BOARD OF SUPERVISORS

Ben Rogers, Chair

Louis J. Zumbach, Vice Chair

Stacey Walker, Supervisor

ATTEST:

Joel Miller, County Auditor

I, Linn County Auditor, hereby certify that the above and foregoing is a true copy of an ordinance passed by the Linn County Board of Supervisors.

Joel Miller, County Auditor

State of Iowa
County of Linn

This instrument was acknowledged before me on the _____ day of _____, 2022,
by Joel Miller as Linn County Auditor.

Notary Public, State of Iowa

First reading on the _____ day of _____ 2022.

Second reading on the _____ day of _____ 2022.

Third reading and final passage on the _____ day of _____ 2022.

Published in *The Gazette* on the _____ day of _____ 2022.

Prepared by Luke Maloney
Linn County Planning & Development
935 2nd Street S.W., Cedar Rapids, Iowa 52404-2100
(319) 892-5144
Return to Becky Shoop, Auditor's Office

ORDINANCE NO. 8 – – 2022

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES, LINN COUNTY, IOWA
BY AMENDING AND ADDING PROVISIONS IN CHAPTER 105
RELATING TO THE PROPERTY MAINTENANCE CODE**

BE IT ORDAINED by the Board of Supervisors of Linn County, Iowa as follows:

SECTION 1. SECTION MODIFIED. Chapter 105, Article VI, Section 105-86 of the Code of Ordinances, Linn County, Iowa, is hereby amended to read as follows:

Sec. 105-86. – International Property Maintenance Code adopted.

Except as hereinafter modified, that certain code known as the International Property Maintenance Code, 2021 edition, First Printing, as published by the International Code Council, Inc., which code is hereby specifically incorporated by reference, shall be known as the "county property maintenance code." The provisions of said property maintenance code shall be controlling in regulating the conditions and maintenance of all structures and premises, and in ensuring that structures are safe, sanitary, and fit for occupation and use within the unincorporated limits of the county.

SECTION 2. SECTION MODIFIED. Chapter 105, Article VI, Section 105-87 of the Code of Ordinances, Linn County, Iowa, is hereby amended to read as follows:

Sec. 105-87. – Modification of the International Property Maintenance Code, 2021 edition.

Certain sections and/or portions of sections of the International Property Maintenance Code, 2021 edition, hereinafter IPMC, are hereby modified, repealed, replaced, or deleted as set forth below.

- (1) Modify Section 101.1, Title by inserting "County of Linn, Iowa" as the Name of Jurisdiction.

- (2) Repeal Section 104.1, Fees in its entirety, and replace it with the following:

Section 104.1. Fees. The fees for activities and services performed by the county in carrying out its responsibilities under this code shall be in accordance with the property maintenance/housing fee schedule as set by resolution of the board of supervisors.

- (3) Repeal Section 107, Means of Appeal in its entirety and replace it with the following:

SECTION 107. MEANS OF APPEAL

107.1 General. In order to hear and decide appeals of orders, decisions, or determinations made by the code official regarding the application and interpretation of this code, there shall be a board of appeals consisting of five members, none of whom are employees of the county. The county building board of appeals, as established in this code, and in Section 105.17 of the Code of Ordinances, Linn County, Iowa, shall hear and decide appeals of orders, decisions, or determinations made by the code official regarding the application and interpretation of this code. The board of appeals shall also make recommendations, upon request, to the board of supervisors relating to enforcement activities on specific cases.

107.2 Applications for Appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice, or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been interpreted incorrectly, the provisions of this code do not fully apply, or the requirements of this code are satisfied adequately by other means. The board shall have no authority to waive the requirements of this code.

107.3 Appeal Fee. A nominal fee for an appeal to the building board of appeals shall be in accordance with the property maintenance/housing fee schedule as established by resolution by the board of supervisors.

- (4) Repeal Section 109.4, Violation Penalties in its entirety, and replace it with the following:

Section 109.4. Violation Penalties. Any person who violates a provision of this code, or who fails to comply therewith, or with any of the requirements thereof, shall be subject to penalties in accordance with the Code of Ordinances, Linn County, Iowa, Chapter 1, Article II.

- (5) Modify Section 202, General Definitions, by repealing the definition for code official, and replacing it with the following definition:

CODE OFFICIAL. The Linn County Building Official, as appointed by the board of supervisors, who is charged with the administration and enforcement of this code, or any duly authorized representative.

- (6) Delete Section 302.4, Weeds.
- (7) Modify Section 304.14, Insect screens by inserting April 15 as the first date and October 15 as the second date.
- (8) Modify Section 602.3, Heat supply by inserting January 1 as the first date and December 31 as the second date.
- (9) Modify Section 602.4, Occupiable WorkSpaces by inserting September 1 as the first date and May 31 the second date.
- (10) Modify Section 704.6.1, Single and multiple-station smoke alarms, Where Required by deleting Exceptions 1, 2, and 3.

SECTION 3. SUBSECTION MODIFIED. Chapter 105, Article VI, Section 105-88 of the Code of Ordinances, Linn County, Iowa, is hereby modified to read as follows:

The county property maintenance code shall not apply within the corporate limits of any incorporated city, unless a city specifically adopts the county property maintenance code into its code of ordinances in accordance with a 28E agreement for the administration and enforcement said code that is approved by a city and the county and is recorded in the Linn County, Iowa Recorder's Office.

SECTION 4. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. SEVERABILITY. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 6. SAVING. The Code of Ordinances, Linn County, Iowa, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 7. EFFECTIVE DATE. The ordinance shall become effective upon its passage and publication pursuant to Iowa Code § 331.302(8).

LINN COUNTY BOARD OF SUPERVISORS

Ben Rogers, Chair

Louis J. Zumbach, Vice Chair

Stacey Walker, Supervisor

ATTEST:

Joel Miller, County Auditor

I, Linn County Auditor, hereby certify that the above and foregoing is a true copy of an ordinance passed by the Linn County Board of Supervisors.

Joel Miller, County Auditor

State of Iowa
County of Linn

This instrument was acknowledged before me on the _____ day of _____, 2022,
by Joel Miller as Linn County Auditor.

Notary Public, State of Iowa

First reading on the _____ day of _____ 2022.

Second reading on the _____ day of _____ 2022.

Third reading and final passage on the _____ day of _____ 2022.

Published in *The Gazette* on the _____ day of _____ 2022.



Zoning Division

Major Site Plan Application

Page 1 of 3

Owner Information:		Applicant Information:	
Owner	Linn County, IA	Applicant	Martin Gardner Architecture
Address	935 2nd Street SW	Address	700 11th St, Unit 200
	Cedar Rapids, IA 52404		Marion, IA 52302
Phone	319.892.5000	Phone	319.377.7604
Email	ben.rogers@linncountyiowa.gov	Email	sarahc@martingardnerarch.com
Surveying Co: Anderson Bogert		E-Mail: slueth@anderson-bogert.com	
Engineer: Anderson Bogert		Phone: 319.213.5112	
Property Information: 2300 Block of Covington Road			
Property Address Palo, IA 52324			
or Address Range (block)			
Brief legal(s) Part of the NW1/4 of Section 4, Township 83 N, Range 8 W of the 5th PM, Linn County, IA			
(Sec./Twp./Range)			
GPN(s) 130422600200000			
Rural Land Use Map Designation Part of CCSG with Palo, Non-Metro Service Area, AG Use			
Current Zoning AG		Total Acres 9.0	
Submittal Requirements:			
See attached pages for additional submittal requirements.			
The undersigned is/are the owner(s) of the described property on this application, located in the unincorporated area of Linn County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the office of Linn County Planning and Development to conduct a site visit and photograph the subject property.			
This development is subject to and shall be required, as a condition of final development approval, to comply with all Unified Development Code policies, requirements, and standards that are in effect at the time of final development approval.			
Owner _____		Applicant <u>Sarah M Coleman</u>	
Date _____		Date <u>9.2.2022</u>	
Case # _____		Date Received	
Receipt# _____			

Section 107-71 Site Plans

Development applications for some uses require minor site plans to be submitted, other development applications require major site plans to be submitted. The specific uses and which site plan is required are listed in subsections 1 (a) and (b) of this Section.

3. **Major site plan requirements.** Whenever this Ordinance requires submission of a major site plan the applicant shall submit six (6) copies of a site plan prepared by an engineer, landscape architect, architect or similar licensed professional. A major site plan shall meet the following specifications and show the data listed:

a. Application information:

1. Names of all property owners
2. Address of property including street, city and zip code
3. Existing and requested zoning classification, use of property, number of employees if applicable

b. Specifications.

1. Paper sized 11" by 17"; additional larger format copies may be submitted in addition to the 11" by 17" format
2. Drawn to scale of not less than one inch equals fifty feet (1" = 50'), unless otherwise approved by the Zoning Administrator

c. All existing and proposed site conditions shall be shown including:

1. Existing and proposed contour lines at intervals no greater than five feet (5'), referred to USGS datum
2. Location and dimensions of lot boundaries
3. Flood hazard areas as designated on FEMA flood hazard boundary maps
4. Watercourses and wetlands
5. Any unique natural features including wooded areas
6. Location and dimensions of all existing and proposed structures. The structure must be labeled (e.g. existing warehouse, dwelling) and use must be labeled as well (e.g. storage of contractor's equipment, single-family residence.) Each structure must delineate its square footage and dimensions to existing and/or proposed lot lines. Structures include:
 - i. Buildings
 - ii. Wells
 - iii. Fences
 - iv. Septic tank and septic field locations
 - v. Retaining walls
 - vi. Utility poles
 - vii. Walkways
 - viii. Signs
7. Location, dimensions and uses of each existing platted street, highway, railroad, or utility easement
8. Identification of parks and other public open space within or adjacent to the proposed development
9. All existing storm and sanitary sewer lines, water lines, gas lines, culverts, or other underground installations within the proposed development or immediately adjacent, with pipe size (if available) and locations shown

10. The boundary of the area proposed for platting or division, shown as a dark line, with length of boundary lines and approximate location of the property in reference to known section lines
11. Layout, lot numbers, and scaled dimensions of each lot in each block of any proposed subdivision
12. Names, locations and dimensions of all proposed streets, roadways, alleys and pedestrian ways
13. Other property lines, proposed right-of-way lines, building setback lines
14. Location, dimensions and uses of each proposed street, highway, railroad, drainage, or utility easement
15. Location and dimensions of existing and proposed parks, playgrounds, churches, school sites, or special uses of land to be considered for dedication to public use or to be reserved by deed or covenant for the use of all property owners in the subdivision and any conditions of such dedication or reservations
16. Existing and proposed parking spaces with dimensions and class (including handicapped) with a notation of the number of spaces required and the number provided. Proposed parking drive areas with proposed direction of traffic flow.
17. Access to all public or private streets and radius of curvature of ingress and egress drives
18. Circulation patterns of traffic
19. Location, intensity, height, spacing, efficiency, and shielding of all exterior lighting
20. Locations of outside refuse collection areas, and the type of screen to be provided to enclose the container from the public view.

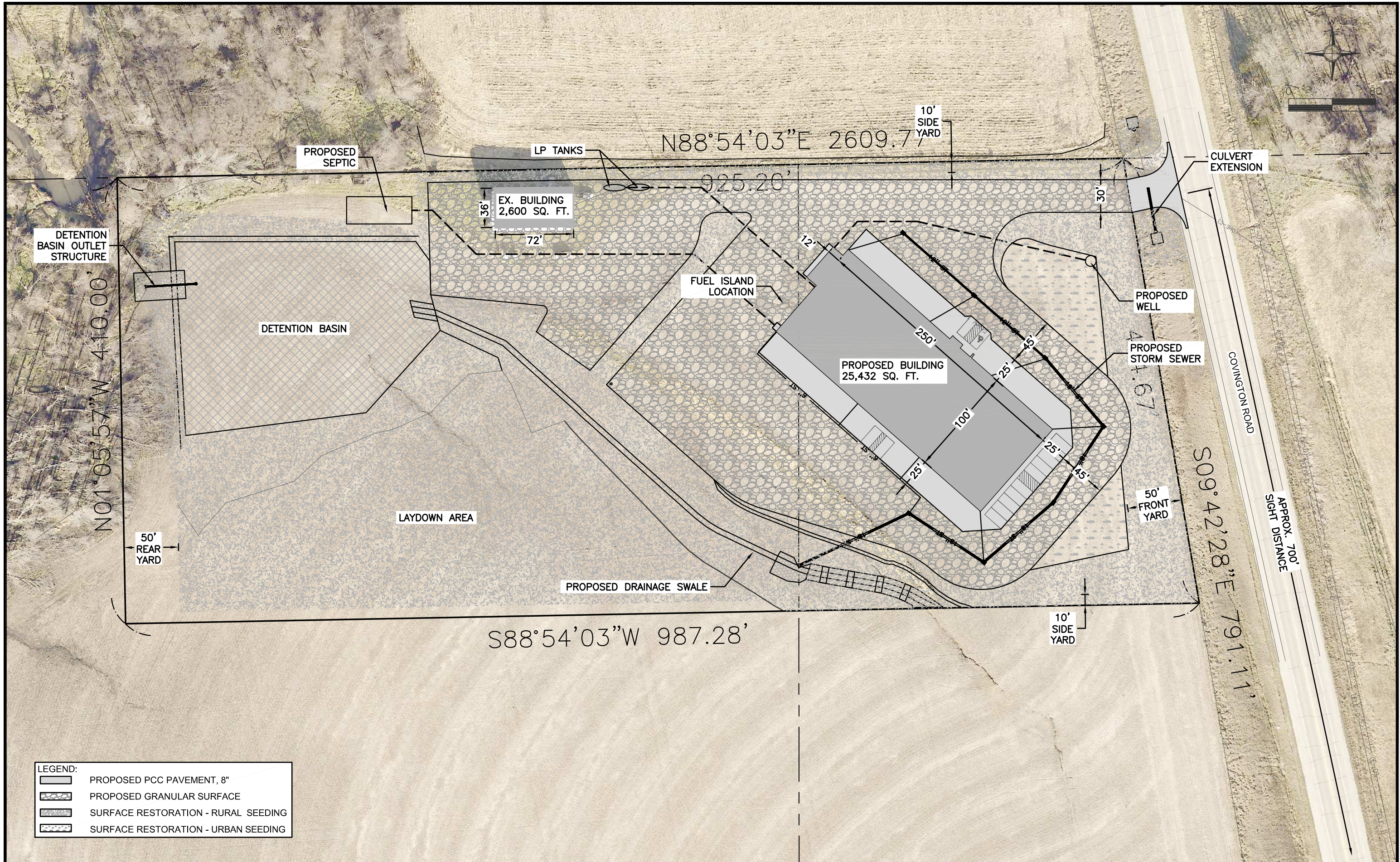
d. The following information shall also be noted on the plan:

1. A vicinity map clearly identifying the subject property and showing the location of the subject property in relationship to surrounding properties, roads, streams and public facilities. The vicinity map shall extend for a distance of two (2) miles and shall identify any incorporated city boundaries.
2. Date site plan was prepared or date when surveyed
3. North arrow and scale of drawings
4. Title block including the name, address, phone number and profession of the person preparing the site plan or plat, and the architect's, engineer's or surveyor's professional seal, the date, and the date of all revisions. Title blocks shall meet requirements of state law.
5. Name, address, phone number and signed consent of all property owners
6. Ownership, land-use, and zoning of all adjoining properties within five-hundred feet (500') of the proposed development, and when adjoining properties are part of a recorded subdivision, the name of that subdivision
7. Type of water supply and sewage disposal and if storm sewer is available

e. Other information deemed necessary by the Planning and Zoning Commission or Board of Supervisors

- f. Review of major site plans.** Unless specified otherwise in this Ordinance for land division applications, a major site plan may be approved by the Zoning Administrator upon concurrence of all the appropriate County departments or other appropriate agencies as indicated on a site plan review form.

DCN371T: \\ACAD\\222008\\DWG\\Major Site Plan - Linn County submittal.dwg 8-31-22 07:56:52 AM



LEGEND:			
	PROPOSED PCC PAVEMENT, 8"		
	PROPOSED GRANULAR SURFACE		
	SURFACE RESTORATION - RURAL SEEDING		
	SURFACE RESTORATION - URBAN SEEDING		

NO.	REVISION DESCRIPTION	APPROVED	DATE

CLIENT: LINN COUNTY SECONDARY ROADS
1888 COUNTY HOME ROAD
MARION, IA 52302
PHONE: (319) 892-6400



DRAWN BY: DCN
DATE: 08/31/2022
PROJECT NO. 222008
APPROVED BY: JSL
SCALE: SEE SHEET

LINN COUNTY SECONDARY ROADS
MORGAN CREEK SHOP

SITE PLAN

SHEET NO.



AMENDMENT #1

AMERICAN RESCUE PLAN ACT SUBAWARD AGREEMENT

Federal Awarding Agency: U.S. Department of the Treasury

Federal Award Number: SLFRP0336

Assistance Listing (CFDA): 21.027 Coronavirus State and Local Fiscal Recovery Fund

Federal Award Date: May 19, 2021

Subaward Number: ARPA2022-016

Pass-Through Entity (PTE):	Subrecipient:
Linn County, Iowa	Eastern Iowa Health Center
935 2 nd Street SW	1030 5 th Avenue SE, Suite 2400
Cedar Rapids, IA	Cedar Rapids, IA
	UEI #: YM7JL5WADUK1
Subaward Budget Period Start date: 7/1/2022 End date: 12/31/2026	
Period of Performance Start date: 7/1/2022 End date: 12/31/2026	
Amount of additional federal funds obligated by this action: \$0.00	
Total amount of additional federal funds obligated to the Subrecipient: \$0.00	
Total amount of the federal funds committed to the Subrecipient: \$500,000.00	
Project Title: Increasing Access to COVID-19 Education & Vaccinations for Underserved Linn County Population	
Is Project for Research & Development? ☐ Yes ☒ No	

Amend as follows: Change to EXHIBIT A1

Budget for Eastern Iowa Health Center Request for:
Increasing Access to COVID-19 Education & Vaccinations for Underserved Linn County
Populations

BOARD OF SUPERVISORS
LINN COUNTY, IOWA

SUBRECIPIENT:
EASTERN IOWA HEALTH CENTER

Board Chair

Authorized Representative

Date

Date

EXHIBIT A1- ORIGINAL

Eastern Iowa Health Center
 Linn County/City of Cedar Rapids - ARPA Grant
 Increasing Access to COVID-19 Education & Vaccinations for Underserved Linn Co. Populations
 Budget Period 7/1/2022 - 12/31/2026 (Van services start 1/1/23 and funding continues through 9/15/25)

	OPERATING BUDGET					Notes
	6 mos. FY23	FY24	FY25	2.5 Mos. FY26	Total	
Revenue						
Linn Co./City of CR ARPA Funding	\$ 168,585	\$ 142,078	\$ 146,231	\$ 43,106	\$ 500,000	
United Way of East Central Iowa (Non-Cash)*	43,800	-	-	-	\$ 43,800	In kind - year 1, multilingual COVID marketing & vehicle wrap
Horizon's/NTS/Via (Non-Cash)**	1,700	1,500	1,500	1,500	\$ 6,200	In kind - ride scheduling software training
Total Revenue	\$ 214,085	\$ 143,578	\$ 147,731	\$ 44,606	\$ 550,000	
Expenses						
Outsourced Transportation Services	\$ 60,960	\$ 125,578	\$ 129,345	\$ 25,822	\$ 341,704	Starting 1/1/23; Horizon's/NTS - Includes 3% escalator
Staff Training - Ride Scheduling Software	\$ 1,700	\$ 1,500	\$ 1,500	\$ 1,500	\$ 6,200	In kind - ride scheduling software training
Insurance - Liability & Vehicle	9,000	\$ 12,875	\$ 13,261	\$ 13,659	\$ 48,795	Starting 1/1/23; Includes 3% escalator
Marketing*	43,800	\$ -	\$ -	\$ -	\$ 43,800	Multilingual COVID marketing - all platforms
Misc. Expense/Contingency	3,625	3,625	3,625	3,625	\$ 14,500	2.5% of total expense and capital
Total Expenses	\$ 119,085	\$ 143,578	\$ 147,731	\$ 44,606	\$ 455,000	
CAPTIAL BUDGET						
Equipment	FY23	FY24	FY25	FY26	Total	
Passenger Van	\$ 95,000	\$ -	\$ -	\$ -	\$ 95,000	10 passengers and 2 wheelchairs/scooters/walkers
Total Equipment Cost	\$ 95,000	\$ -	\$ -	\$ -	\$ 95,000	
TOTAL CAPITAL & OPERATING EXPENSE	\$ 214,085	\$ 143,578	\$ 147,731	\$ 44,606	\$ 550,000	

EXHIBIT A1 - AMENDED

Eastern Iowa Health Center
Linn County/City of Cedar Rapids - ARPA Grant
Increasing Access to COVID-19 Education & Vaccinations for Underserved Linn Co. Populations
Budget Period 7/1/2022 - 12/31/2026 (Van services start 1/1/23 and funding continues through 9/15/25)

OPERATING BUDGET - REVISED 8/29/22						Notes
	FY23	FY24	FY25	FY26	Total	
Revenue						
Linn Co./City of CR ARPA Funding	\$207,585	\$ 142,078	\$ 146,231	\$ 4,106	\$ 500,000	
United Way of East Central Iowa (Non-Cash)*	43,800	-	-	-	\$ 43,800	In kind - year 1, multilingual COVID marketing & vehicle wrap
Horizon's/NTS/Via (Non-Cash)**	1,700	1,500	1,500	1,500	\$ 6,200	In kind - ride scheduling software training
Total Revenue	\$253,085	\$ 143,578	\$ 147,731	\$ 5,606	\$ 550,000	
Expenses						
Outsourced Transportation Services	\$ 60,960	\$ 125,578	\$ 129,345	\$ -	\$ 315,883	Starting 1/1/23; Horizon's/NTS - Includes 3% escalator
Staff Training - Ride Scheduling Software	\$ 1,700	\$ 1,500	\$ 1,500	\$ 1,500	\$ 6,200	In kind - ride scheduling software training
Insurance - Liability & Vehicle	9,000	\$ 12,875	\$ 13,261	\$ -	\$ 35,136	Starting 1/1/23; Includes 3% escalator
Marketing*	43,800	\$ -	\$ -	\$ -	\$ 43,800	Multilingual COVID marketing - all platforms
Misc. Expense/Contingency	3,625	3,625	3,625	4,106	\$ 14,981	2.5% of total expense and capital
Total Expenses	\$119,085	\$ 143,578	\$ 147,731	\$ 5,606	\$ 416,000	
CAPITAL BUDGET						
Equipment	FY23	FY24	FY25	FY26	Total	
Passenger Van	\$134,000	\$ -	\$ -	\$ -	\$ 134,000	12 passengers with 2 wheelchairs/scooters/walkers
Total Equipment Cost	\$134,000	\$ -	\$ -	\$ -	\$ 134,000	
TOTAL CAPITAL & OPERATING EXPENSE	\$ 253,085	\$ 143,578	\$ 147,731	\$ 5,606	\$ 550,000	



August 29, 2022

Linn County Board of Supervisors
c/o Linn County Finance & Budget
Sonia Evans, Senior Accountant
935 2nd Street SE
Cedar Rapids, IA 52404

Dear Linn County Supervisors,

Included please find a re-budget of the \$500,000 award given to Eastern Iowa Health Center as a subrecipient of American Rescue Plan Act funding distributed through Linn County.

The expense of the patient transport vehicle changed as more appropriate options to best address patient needs became available.

All quotes and purchase activities are CFR compliant.

If you would like more information or if I may answer any questions, please contact me personally at (319) 730-7326 or via email at JLock@EIHC.co.

Sincerely,

Joe Lock
President & Chief Executive Officer

**Women's Health
Behavioral Health**
4251 River Center Court NE
Cedar Rapids, IA 52402

**Family Medicine
Pediatrics
Behavioral Health**
1201 3rd Avenue SE
Cedar Rapids, IA 52403

Dental Health
1225 3rd Avenue SE
Cedar Rapids, IA 52403

Prepared By & Return To: Brent C. Oleson, Linn County Deputy Director of Public Policy & Community Relations,
935 2nd Street SW, Cedar Rapids, IA52404 319-350-5620

RESOLUTION

WHEREAS, the Board of Supervisors, Linn County, Iowa, is empowered under authority of §331.361, Code of Iowa, to dispose of the interest of Linn County, Iowa, in real property, and

WHEREAS, the Board of Supervisors, Linn County, Iowa, has agreed to convey temporary and permanent easements in real property described as:

LEGAL DESCRIPTION

Part of Lot 1, Dar-T's Second Addition, Linn County, Iowa, and

WHEREAS, Linn County, Iowa, the owner of real property described above parcel has agreed to sell to sell a portion of the land by fee title and to grant both temporary and permanent easements in said real property.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors, Linn County, Iowa, this date met in lawful session that a public hearing shall be held for the purpose of determining whether Linn County, Iowa, will convey to the City of Cedar Rapids, the interest of the land described in the purchase agreement by fee title and grant temporary and permanent easements as described therein, from the real property legally described above owned by Linn County, Iowa.

BE IT FURTHER RESOLVED that said hearing shall be held on the 12th day of September, 2022, at 11 o'clock, in the Formal Board Room on the lower level of the Jean Oxley Linn County Public Service Center, 935 2nd St SW, Cedar Rapids, Iowa, for the above stated purpose and that notice of the time and place of said public hearing shall be published in accordance with §331.305, Code of Iowa.

Dated at Cedar Rapids, Linn County, Iowa, this ____ day of _____, 20____.

BOARD OF SUPERVISORS
LINN COUNTY, IOWA

Chairperson

Vice Chairperson

Supervisor

ATTEST:

Linn County Auditor

STATE OF IOWA)
COUNTY OF LINN)SS

I, _____, County Auditor of Linn County, Iowa, Linn County, Iowa, hereby certify
that at a regular meeting of the said Board, the foregoing resolution was duly adopted by a vote of ____ aye, ____ nay and
____ abstained from voting.

Linn County Auditor

Subscribed and sworn to before me by the aforesaid on this _____ day of _____, 20____.

Notary Public, State of Iowa

Prepared by Stephanie Lientz
Linn County Planning & Development
935 2nd Street S.W., Cedar Rapids, Iowa 52404-2100
(319) 892-5130
Return to Becky Shoop, Auditor's Office

LINN COUNTY ORDINANCE No. – – 2022

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF LINN COUNTY, IOWA BY REZONING AND CHANGING THE DISTRICT CLASSIFICATION OF CERTAIN PROPERTY LOCATED NORTH OF PALO, IOWA ALONG PALO MARSH ROAD, MCCLINTOCK ROAD, DAEC ROAD, AND MATHER LANE, FROM THE "AG" AGRICULTURAL DISTRICT TO THE "RE-AG" AGRICULTURAL WITH A RENEWABLE ENERGY OVERLAY DISTRICT AND FROM THE "CNR" CRITICAL NATURAL RESOURCE DISTRICT TO THE "RE-CNR" CRITICAL NATURAL RESOURCE WITH A RENEWABLE ENERGY OVERLAY DISTRICT

BE IT ORDAINED by the Board of Supervisors of Linn County, Iowa, in accordance to the Findings of Fact and Conclusions of Law as established in the staff report for rezoning Case JR22-0004 or as otherwise established by the Board, as follows:

SECTION 1. ZONING DISTRICT CHANGED. The zoning of property located north of Palo, Iowa along Palo Marsh Road, McClintock Road, DAEC Road, and Mather Lane, containing approximately 705 acres and legally described as:

Government Lot 3 and SW ¼ NE ¼, Section 04-84-8, Linn County, Iowa (also identified as Tax Parcels 12042-76001-00000 and 12041-51001-00000);

Part of the NE ¼ SW ¼ and part of the SE ¼ SW ¼, Section 04-84-8, Linn County, Iowa, described as follows: Commencing at the center of Section 4, Township 84 North, Range 8, West of the 5th Principal Meridian; thence N 87°26'20" W along the North line of the Northeast Quarter of the Southwest Quarter of said Section 4, 1304.50 feet to the Northwest corner of said Northeast Quarter of the Southwest Quarter; thence S 0°57'35" E along the West line of said Northeast Quarter of the Southwest Quarter, 979.47 feet to the point of beginning; thence S 86°25'00" E along the centerline of McClintock Road, 634.10 feet; thence S 84°19'00" E along said centerline, 683.30 feet to the East line of said Northeast Quarter of the Southwest Quarter, thence S 1°27'00" E along said East line and the East line of the Southeast Quarter of said Southwest Quarter, 900.63 feet; thence N 87°26'20" W, 1321.0 feet to the West line of said Southeast Quarter of the Southwest Quarter; thence N 0°57'35" W along said West line and the West line of said Northeast Quarter of the Southwest Quarter, 948.74 feet to the point of beginning (also identified as Tax Parcels 12043-01001-00000, and 12043-76001-00000);

SW ¼, Section 09-84-8, Linn County, Iowa, less 57/100 for easement 8-29-44, excepting south 698 feet of SW ¼ of Section 9 subject to public highways, and further excepting, NW ¼ SE ¼ NE ¼ SW ¼ of said Section 9 (also identified as Tax Parcels 12093-26001-00000, 12093-51001-00000, 12093-01001-00000, and 12093-76001-00000);

S 23RDS 5' NW ¼ SE ¼, Section 04-84-8, Linn County, Iowa, except NE DIAG 1/2 N 9RDS 8' & except N17.5' E

16RDS 11.5' THEREOF (also identified as Tax Parcel 12044-27001-00000);

SW ¼ SE ¼, Section 04-84-8, Linn County, Iowa, except the road right-of-way (also identified as Tax Parcel and 12044-51001-00000);

South 22 acres of SE ¼ SW ¼, Section 04-84-8, Linn County, Iowa (also identified as Tax Parcel 12043-76002-00000);

NE ¼ NW ¼ and NW ¼ NE ¼, Section 09-84-8, Linn County, Iowa (also identified as Tax Parcels 12092-01001-00000 and 12091-26001-00000);

SE ¼ NW ¼ and SW ¼ NE ¼, Section 09-84-8, Linn County, Iowa (also identified as Tax Parcels 12092-76001-00000 and 12091-51001-00000);

South 1540' of the E ½ NE ¼ and the NE ¼ SE ¼, Section 09-84-8 Linn County, Iowa, except the road right-of-way (also identified as Tax Parcels 12091-76001-00000 and 12094-01001-00000)

SE ¼ SE ¼ and NW ¼ SE ¼, Section 09-84-8, Linn County, Iowa (also identified as Tax Parcels 12094-76001-00000 and 12094-26001-00000);

S698' of the SW ¼ SW ¼ and S698' of the SE ¼ SW ¼, Section 09-84-8 Linn County, Iowa, except the road right-of-way (also identified as Tax Parcels 12093-51002-00000 and 12093-76002-00000);

SW ¼ SE ¼, Section 09-84-8 Linn County, Iowa, (also identified as Tax Parcel 12094-51001-00000);

is hereby changed from the "AG" Agricultural District to the "RE-AG" Agricultural with a Renewable Energy Overlay District.

SECTION 2. ZONING DISTRICT CHANGED. The zoning of property located north of Palo, Iowa along Palo Marsh Road, McClintock Road, DAEC Road, and Mather Lane, containing approximately 243 acres and legally described as:

Government Lot 4 and 5, Section 04-84-8, Linn County, Iowa, except that part of Government Lot 5 described as follows : Commencing as a point of reference at the SE corner of the NE ¼ said Section 4; thence North 0° 03' 46" East, 1,791 .39 feet along the E-ly line of the NE ¼ said Section 4 (for purposes of this description said line is assumed to bear North 9° 02' 46" East) ; thence West 0° 00' 00" North, 651.13 feet to a point of beginning of parcel herein described; thence continuing West on said line, 185 feet; thence North 0° 00' 00" West, approximately 240 feet, more or less, to the S-ly bank of the Red Cedar River; thence E-ly along the S-ly bank of the Red Cedar River to a point of intersection with a line which bears North 0° 00' 00" West from the afore described point of beginning; thence South 0° 00' 00" East to the point of beginning (also identified as Tax Parcels 12041-26001-00000 and 12041-01001-00000);

SE ¼ SE ¼ and NE ¼ SE ¼, Section 04-84-8, Linn County, Iowa, except W10' N 67RDS 4' (also identified as Tax Parcels 12044-76001-00000 and 12044-01001-00000);

Government Lot 3 and 4, Section 03-84-8, Linn County, Iowa (also identified as Tax Parcels 12033-26001-00000 and 12033-26001-00000);

is hereby changed from the "CNR" Critical Natural Resource District to the "RE-CNR" Critical Natural Resource with a Renewable Energy Overlay District.

SECTION 3. ZONING MAP AMENDED. The Planning and Development Director, or his/her designee, is instructed to modify the Official Zoning Map of Linn County, Iowa to reflect the district classification change described in Sections 1 & 2.

SECTION 4. REPEALER. All ordinances or parts of ordinances in conflict with this ordinance are repealed.

SECTION 5. SEVERABILITY. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 6. SAVING. The Code of Ordinances, Linn County, Iowa, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 7. EFFECTIVE DATE. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

SECTION 8. CONDITIONS. This ordinance shall be subject to the conditions contained in Attachment A, and subject to any conditions added by the Board of Supervisors.

Public hearing and first consideration on the 29th day of August, 2022

Second consideration on the 30th day of August, 2022

Third and final passage on the 6th day of September, 2022

Published in the Gazette on the _____ day of _____, 2022

LINN COUNTY BOARD OF SUPERVISORS

Chairperson

Supervisor

Supervisor

ATTEST:

Joel D. Miller, Linn County Auditor

STATE OF IOWA)
) SS
COUNTY OF LINN)

I, _____, County Auditor of Linn County, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance passed by the Linn County Board of Supervisors at a regular meeting of said Board held on _____, 2022 and published as provided by law on _____, 2022.

Linn County Auditor

Subscribed and sworn to me this _____ day of _____, 2022.

Notary Public, State of Iowa

ATTACHMENT A

LINN COUNTY SECONDARY ROAD DEPARTMENT, 892-6400

BRAD KETELS, COUNTY ENGINEER, Brad.Ketels@linncountyiowa.gov

CURT LOGAN, ASSISTANT COUNTY ENGINEER, Curtis.Logan@linncountyiowa.gov

1. Entrance permit required for new entrances and existing unpermitted entrances, Sec.11 and the Unified Development Code, Article IV, Sec. 107-72 § 2 (h)(5). All approved entrances shall be brought into conformance with County standards.
2. Road Agreement with conditions related to access and road condition responsibilities required before the start of construction. County Standard Specifications, Section 1.
3. Entrance permits and E-911 address signs to be applied for at Linn County Secondary Road Department, 319- 892-6400.

Comments:

1. No construction within the County right-of-way without a permit from the Linn County Engineer.
2. Entrance permit required for new entrances and existing entrances that do not conform to County Standard Specifications. Only a breakaway mailbox is allowed. Decorative walls, or other items that may identify the owner or address of the property, are not allowed within the road right-of-way.
3. Proposed private and public roads shall be constructed to comply with County Standard Specifications.
4. All drainage easements follow the natural flow of surface water as per Article IV, Section 107-72, § 2 (h)(6)(ii) of the Unified Development Code.
5. No vertical headwalls within the right-of-way. A breakaway mailbox is allowed. No other type of mailbox is allowed within the road right-of-way. Decorative walls, or other items that may identify the owner or address of the property, are not allowed within the road right-of-way.

IOWA DEPARTMENT OF TRANSPORTATION

TERRY KLUESNER, ENGINEERING OPERATIONS TECHNICIAN, 800-262-5142

Terry.Kluesner@iowadot.us

1. If any work is to be done in the State of Iowa right-of-way, contact the IDOT for additional permits.
2. Not within the jurisdiction of the Iowa Department of Transportation.

LINN COUNTY PUBLIC HEALTH DEPARTMENT

JIM KELSO, ENVIRONMENTAL SPECIALIST, 892-6022

Jim.Kelso@linncountyiowa.gov

1. No conditions to be met.

NATURAL RESOURCES CONSERVATION SERVICE

JON GALLAGHER, LINN COUNTY SOIL CONSERVATIONIST, 377-5960 x3

Jon.Gallagher@ia.nacdnet.net

1. Show approximate location of natural drainage ways and a note on the site plan showing any restrictions required by all applicable code against building within the natural drainage way. Consult the Soil Conservation staff prior to site plan approval pursuant to all applicable code.
2. No solar panels shall be placed within 120 feet of any USACE defined channel identified during the wetland delineations regardless of classification as perennial, intermittent, or ephemeral.

3. Land disturbance greater than 1 acre in size, not associated with agricultural crop production, will require an NPDES permit granted by the Iowa Department of Natural Resources.
4. Submit erosion and sediment control plan for review and as required by all applicable code prior to construction.
5. Submit site grading plan showing existing and proposed surface grades prior to construction. Clarify quantities and amounts of topsoil to be disturbed, incorporate both Low Impact Development principles where feasible due to clay and other site conditions, and a post construction compaction mitigation plan.
6. Wet soils may adversely impact possible home and septic site(s). Prior to construction, file a copy of the drain tile mitigation plan with USDA Natural Resources Conservation Service (NRCS).
7. Submit storm water pollution prevention plan for review and approval prior to approval of plat and / or any site grading activities with emphasis placed on treating stormwater runoff for proposed hard surface areas in accordance with Statewide Urban Design and Specifications (SUDAS)
8. Prior to construction, submit either as a standalone document or component of an agricultural mitigation plan, a subsurface drain tile mitigation and management plan which provides uniform minimum thresholds for maintaining established subsurface drainage systems as currently being utilized on lands subject to development. The plan shall include records of known existing subsurface drainage systems on Project Sites I and II to Linn County prior to construction. Following construction, submit maintenance and repair records when performed to Linn County.
9. Impacts to jurisdictional wetlands shall be avoided to the extent possible. Any unavoidable project-related impacts to jurisdictional wetlands will be permitted through the USACE and Iowa DNR as required.
10. Final Agricultural Impact Mitigation Plan and Vegetation Management Plan shall be approved prior to the start of construction.
11. At least 70% of the site shall be planted with an approved pollinator friendly seeding plan which includes the use of native grasses, forbs, and sedges.
12. Screening plan to include a minimum of a 33% native species as a component of the plan. Refer to Iowa DNR Woodland Suitability Recommendations and Rethinking Acreage and Rural Tree Plantings documents for further guidance.
13. Prior to construction activities, a field inventory shall be completed with input and advice from Soil Conservation staff to identify shared surface conveyance flow paths and stormwater BMPs to maintain integrity of flows and stabilization of soils through the site.
14. Provide setbacks for areas that have the potential to impact shared subsurface drainage systems (tile mains) that jointly serve participating and non-participating properties or move, maintain, or repair any such shared subsurface tile mains to maintain 100% of effectiveness.
15. Prior to construction, submit inventory of natural areas contained within project sites I and II that are not planned to be altered based on land cover (i.e. woodland, open grassland, seasonally flooded, open water).
16. Battery storage facility, hard surface parking areas, and other proposed permanent areas of stand-alone connected imperviousness shall be treated and accounted for independently within the hydrologic model and subject to their own individual stormwater treatment plan.
17. Prior to construction, develop and implement an infield assessment protocol along with a contingency plan component for areas of the project site where construction activities will result in soil mixing that will exceed the plow layer depth. Areas to be included are mass grading and filling zones, battery facilities, stormwater management areas, or other isolated infrastructure locations.

Comments:

1. The use of non-hard-surface options for internal access or minimizing additional hard surface through non-traditional construction methods is encouraged.
2. In support of long-term site maintenance, maintaining the viability of an approved vegetative management plan, providing future unforeseen multi-use opportunities, and conform with regionally adopted constructed methods for solar facilities, Soil Conservation Department strongly encourages the utilization of a final construction plan that provides for a minimum low panel height of 28 inches as opposed to the current proposed 18 inch threshold.
3. A priority will be placed on adhering to ecological regions/zones for sourcing native seed material with a 200-mile radius unless otherwise approved by Linn County.
4. Soil Conservation Department strongly encourages the applicant to perform local cultural resource assessment of project area which includes documentation of records search and interviews with local historians for the purposes of eliminating potential to impact significant cultural resources not known or documented by the jurisdictional authority.

LINN COUNTY CONSERVATION DEPARTMENT**DANIEL GIBBINS, 892-6450**Daniel.Gibbins@linncountyiowa.gov

1. No conditions to be met.

Comments:

1. Long-term maintenance of the tallgrass prairie buffer areas (after year 3) should include mowing restrictions so that no flail mowing occurs between April 15-July 15 of each year to protect pheasant nesting habitat. Mowing of the prairie areas should be only conducted in early spring prior to April 15th to allow fall seed heads to set seed viability and remain through the winter for habitat enhancement and winter seed availability for bird and wildlife food source. The allowance of occasional prescribed fire every 3-5 years would be extremely beneficial to these prairies and could be safely conducted in the right conditions with a proper buffer to the panels. Consideration for this in the maintenance plan would be appreciated.
2. Tree Screening species plan:
 - a. Substitute Balsam fir with either Norway Spruce, White fir (*Abies concolor*), or Douglas-fir (*Pseudotsuga menziesii*). Balsam fir will not typically do well in central Iowa and is very slow growing.
 - b. Substitute Red Maple with American Hophornbeam (*Ostrya virginiana*). Red maple is a short-lived weak wooded species that is prone to storm damage and sun scalding when planted in an open row as proposed in this plan.
3. Deer protection for trees planted. The area in this plan enjoys a high deer population. Trees not planted within the fenced off solar panel zones for visual screening of homes must be protected from buck antler damage primarily until deciduous trees reach about 8" diameter at 4.5' (DBH) and coniferous species reach a full branching diameter of about 8' that will deter a deer from reaching the trunk of the tree with its antlers. T-post and 5' galvanized welded wire fence or its equivalent should be installed around each tree to protect the trees for a number of years until they can reach a size were deer will not be a problem. Please include deer protection specifications with the above considerations as a guide.

LINN COUNTY EMERGENCY MANAGEMENT**B.J. DVORAK, 892-6500**BJ.Dvorak@linncountyiowa.gov

1. No conditions to be met.

LINN COUNTY PLANNING AND DEVELOPMENT - ZONING DIVISION

CHARLIE NICHOLS, DIRECTOR, 892-5130

Charlie.Nichols@linncountyiowa.gov

1. Prior to close of the Board of Supervisors' public hearing, the owner must sign an "Acceptance of Conditions" form. The "Acceptance of Conditions" form states that the owner understands and agrees to comply with the agreed upon conditions as negotiated or required by the Board of Supervisors. It is strongly recommended that the owner meet with the Planning and Development staff to review the conditions of the rezoning.
2. The Renewable Energy overlay zoning district shall expire after a period of 35 years. In order to extend the zoning district past this timeframe, the project area must go through another rezoning process.
3. Applicant shall work with local fire district and sheriff's department to develop an emergency management plan prior to the start of construction.
4. A map depicting routes used during project construction shall be submitted before construction can start. Additionally, a preconstruction survey of all routes used during construction shall be performed prior to starting construction. All damage cause during the course of construction shall be the responsibility of the applicant to repair in a timely manner.
5. The Vegetation Management Plan and Agricultural Impact Mitigation Plan must be approved by Linn County NRCS prior to the start of construction.
6. Construction shall be limited to the hours of 7AM – 5PM. Exceptions to this shall be made on a case by case basis by Planning and Development.
7. If listed species or rare communities are found during the planning construction phases, the contractor shall let Linn County Planning and Development know immediately. Additional studies and/or mitigation may be required.
8. A Cultural Resource Accidental Discovery Plan will be developed prior to construction should any previously unknown cultural resources sites be encountered during ground disturbance.
9. Large-scale removal of trees is prohibited.
10. All lighting shall be down shielded. Lighting shall be motion activated whenever possible.
11. Fencing shall be raised approximately 6 inches above the ground in areas to allow for the passage of small animals.
12. Panels shall be set back a minimum of 300 feet from all non-participating dwellings, unless the property owner waives the setback.
13. Any tile damaged during either the location process or construction will be repaired by Duane Arnold Solar.
14. If conditions are not adhered to by the applicant or project owner of record at any point throughout the life of the project the Board of Supervisors may, after giving the owner reasonable time to remedy the violations, remove the overlay zoning district.
15. Duane Arnold Solar I & II, LLC, or the current owner of the project, will be responsible for the cleanup of debris related to storm damage. The project owner shall have a representative onsite to assesses and acknowledge the presence of debris and the responsibility for cleanup within 72 hours of the storm event.
16. During activities that require excavation, Linn County requires a third party soil monitor be on site to ensure top soil is being appropriately segregated.
17. A performance bond will be required to cover decommissioning costs.

18. All submitted plans must be adhered too throughout the life of the project. Plans include but are not limited to:

- a. Site Plan.
- b. Decommissioning Plan.
- c. Operation and Maintenance Plan.
- d. Agricultural Mitigation Plan.
- e. Vegetation Management Plan.

19. No development will take place in a FEMA mapped floodway and any development in the mapped floodway fringe will require an approved floodplain permit prior to the start of the activity and will not have any adverse impact on surrounding properties.

Comments:

1. Linn County may require a performance bond to be held for a number of years after completion of the project. The purpose of the bond would be to address and repair and tile damage that becomes apparent during future wet weather events.

LINN COUNTY PLANNING AND DEVELOPMENT - BUILDING DIVISION

LUKE MALONEY, BUILDING OFFICIAL, 892-5130

Luke.Maloney@linncountyiowa.gov

1. A building permit is required before work to construct, enlarge, alter, repair, move, or demolish a building or structure. Racking systems, fencing 7' in height or greater, foundations, buildings, etc. require permitting and inspection by the Linn County Building Division prior to the concealment of structural components.
2. A separate permit shall be obtained for any electrical work prior to the installation of any electrical components. Permits shall be obtained and work performed by contractors licensed in accordance with Iowa Administrative code chapter 103 . Electrical components shall be inspected by the Linn County Building Division prior to concealment.
3. A certificate of completion, issued by the Building Official, is required before the building or structure, or portion thereof, is used. Documentation regarding Fire safety design, maintenance, emergency planning, and decommissioning are required to be submitted to and approved by the Building Official prior to the issuance of the Certificate of Completion and use of the installation.
4. The applicant should contact the building official for specific code provisions and/or submittal documents required for the proposed use, prior to construction. Construction documents are subject to review and approval by the Building Official prior to permit issuance. Racking system and electrical construction documents shall be designed and stamped by a registered design professional as required by Linn County ordinance.
5. Access driveways for emergency personnel shall be maintained and fully functional at all times, during all phases of construction.

Prepared by Stephanie Lientz
Linn County Planning & Development
935 2nd Street S.W., Cedar Rapids, Iowa 52404-2100
(319) 892-5130
Return to Becky Shoop, Auditor's Office

LINN COUNTY ORDINANCE No. – – 2022

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF LINN COUNTY, IOWA BY REZONING AND CHANGING THE DISTRICT CLASSIFICATION OF CERTAIN PROPERTY LOCATED NORTH OF PALO, IOWA ALONG PALO MARSH ROAD, LEWIS ACCESS ROAD, POWER PLANT ROAD, AND LEWIS BOTTOMS ROAD, FROM THE "AG" AGRICULTURAL DISTRICT TO THE "RE-AG" AGRICULTURAL WITH A RENEWABLE ENERGY OVERLAY DISTRICT AND FROM THE "CNR" CRITICAL NATURAL RESOURCE DISTRICT TO THE "RE-CNR" CRITICAL NATURAL RESOURCE WITH A RENEWABLE ENERGY OVERLAY DISTRICT

BE IT ORDAINED by the Board of Supervisors of Linn County, Iowa, in accordance to the Findings of Fact and Conclusions of Law as established in the staff report for rezoning Case JR22-0005 or as otherwise established by the Board, as follows:

SECTION 1. ZONING DISTRICT CHANGED. The zoning of property located north of Palo, Iowa along Palo Marsh Road, Lewis Access Road, Power Plant Road, and Lewis Bottoms Road, containing approximately 1,219 acres and legally described as:

SE $\frac{1}{4}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 19-85-8, Linn County, Iowa, except the public highways (also identified as Tax Parcels 05194-26004-00000 and 05194-52001-00000);

NE $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ of the W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 30-85-8, Linn County, Iowa, except the public highways (also identified as Tax Parcels 05302-01001-00000, 05302-76001-00000, and 05301-27001-00000);

SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 29-85-8, Linn County, Iowa, except the public highways (also identified as Tax Parcels 05293-51001-00000 and 05293-76001-00000);

W $\frac{1}{2}$ NW $\frac{1}{4}$, Section 32-85-8, Linn County, Iowa, except the public highways (also identified as Tax Parcels 05322-26001-00000 and 05322-51001-00000);

All that land described as: Beginning at the NW corner of the East Half of the Northwest Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 32, Township 85 North, Range 8 west of the 5th P.M., thence south to the south line of the said Northwest Quarter (NW $\frac{1}{4}$), thence east along the south side of said quarter section 40 rods, thence northeasterly to the north line of said section 32 to a point 40 rods east of the Northeast corner of the East Half of said Northwest Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$), thence west to the point of beginning, in Linn County, Iowa, except the public highways (also identified as Tax Parcels 05322-01001-00000, 05321-26002-00000, and 05322-76002-00000);

That part of the East Half Southeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$) Section 05-84-8, Linn County, Iowa, described as follows: Commencing at the Northwest corner of said East Half Southeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$); thence South 110 rods; thence East 37 rods; thence North 110 rods; thence West 37 rods to the place of beginning; and East Half Northwest Quarter Southeast Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$) Section 5-84-8, Linn County, Iowa; and that

part of the Southeast Quarter Southwest Quarter Northeast Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) lying Southwesterly of McClintock Road, Linn County, Iowa, except the public highway, all subject to covenants, easements and restrictions of record (also identified as Tax Parcels 12054-02002-00000, 12054-26001-00000, and 12051-53001-00000);

E $\frac{1}{2}$ of the SE $\frac{1}{4}$, Section 05-84-5, Linn County, Iowa, except the W 37 rods of the N 110 rods, subject to public highway and all covenants, easements, and restrictions of record (also identified as Tax Parcels 12054-01001-0000 and 12054-76001-00000);

SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 04-84-8, Linn County, Iowa, except the road right-of-way (also identified as Tax Parcel 12043-51001-00000);

NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 09-84-8, Linn County, Iowa, except the road right-of-way (also identified as Tax Parcel 12092-51001-00000);

E $\frac{1}{2}$ of the NE $\frac{1}{4}$, Section 08-84-8, Linn County, Iowa, excepting Rehders First Addition to Linn County, Iowa and excepting therefrom the public highway (also identified as Tax Parcels 12081-01001-00000 and 12081-76001-00000);

Lot 1, Rehders First Addition to Linn County, Iowa, Section 08-84-8 (also identified as Tax Parcel 12081-76002-00000);

All that part of the East $\frac{1}{2}$ SE $\frac{1}{4}$, Section 08-84-8, Linn County, Iowa, excepting therefrom that part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ described as follows: Beginning at a point on the East line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$, 198 feet North of the SE corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$, thence NW-ly to a point on the West line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$, 500 feet South of the NW corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$, thence North 500 feet to said NW corner; thence SE-ly to a point on said East line 698 feet North of said SE corner; thence South 500 feet of the point of beginning, and except the Public Highway (also identified as Tax Parcels 12084-01001-00000, 12084-01002-00000, 12084-76001-00000, and 12084-76003-00000);

SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 08-84-8, Linn County, Iowa except Lot 1, Potts First Addition to Linn County, and except the public highway (also identified as Tax Parcels 12081-51001-00000 and 12084-26001-00000);

That part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 08-84-8, Linn County, Iowa described as follows: Beginning at a point on the East line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$, 198 feet North of the SE corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$, thence NW-ly to a point on the West line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$, 500 feet South of the NW corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$, thence North 500 feet to said NW corner; thence SE-ly to a point on said East line 698 feet North of said SE corner; thence South 500 feet of the point of beginning, and except the Public Highway (also identified as Tax Parcel 12084-76002-00000);

SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 08-84-8, Linn County, Iowa, except the North 500 feet and except the public highway (also identified as Tax Parcel 12084-51002-00000);

Northeast Quarter (NE $\frac{1}{4}$) and the East Half of the Northwest Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 17-84-8, Linn County, Iowa; less and except a strip of land 140.0 feet in width, being 70.0 feet on each side of the following described centerline: Beginning at a point on the East line of said NE $\frac{1}{4}$, said point being 200.0 feet Southerly of the Northeast corner of the NE $\frac{1}{4}$ of said Section 17; thence South 44°17'30" West, 2779.2 feet; thence Southwesterly on the arc of a circle with a 2864.93 foot radius, concave Southeasterly a distance of 663.38 feet to a point on the South line of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of said Section 17. Said point being 345.0 feet East of the Southwest corner of the NE $\frac{1}{4}$ of said Section 17, containing 10.835 acres, more or less, and except the public highways (also identified as Tax Parcels 12171-26001-00000, 12171-01001-00000, 12171-51001-00000, 12171-76001-00000, 12172-01001-00000, and 12172-76001-00000);

E $\frac{1}{2}$ of the SE $\frac{1}{4}$, Section 17-84-8, Linn County, Iowa except the public highway (also identified as Tax Parcels 12174-01001-00000 and 12174-76001-00000);

NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17-84-8, Linn County, Iowa, except RR right-of-way and except the public highway (also identified as Tax Parcels 12173-01001-00000, 12174-26001-00000, 12173-76003-00000, and 12174-76001-00000);

Portion of the NW ¼ SE ¼ and SW ¼ NE ¼, Section 17-84-8, Linn County, Iowa, for Irregular tract 140 feet for RR, except the public highway (also identified as Tax Parcels 12174-26002-00000 and 12171-51002-00000);

is hereby changed from the "AG" Agricultural District to the "RE-AG" Agricultural with a Renewable Energy Overlay District.

SECTION 2. ZONING DISTRICT CHANGED. The zoning of property located north of Palo, Iowa along Palo Marsh Road, Lewis Access Road, Power Plant Road, and Lewis Bottoms Road, containing approximately 60 acres and legally described as:

W ½ of the NW ¼ SE ¼, Section 19-85-8, Linn County, Iowa, except E 8.25' thereof (also identified as Tax Parcel 05194-26004-00000);

SW ¼ SE ¼, Section 29-85-8 Linn County, Iowa, (also identified as Tax Parcel 05294-51001-00000);

is hereby changed from the "CNR" Critical Natural Resource District to the "RE-CNR" Critical Natural Resource with a Renewable Energy Overlay District.

SECTION 3. ZONING MAP AMENDED. The Planning and Development Director, or his/her designee, is instructed to modify the Official Zoning Map of Linn County, Iowa to reflect the district classification change described in Sections 1 & 2.

SECTION 4. REPEALER. All ordinances or parts of ordinances in conflict with this ordinance are repealed.

SECTION 5. SEVERABILITY. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 6. SAVING. The Code of Ordinances, Linn County, Iowa, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 7. EFFECTIVE DATE. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

SECTION 8. CONDITIONS. This ordinance shall be subject to the conditions contained in Attachment A, and subject to any conditions added by the Board of Supervisors.

Public hearing and first consideration on the 29th day of August, 2022

Second consideration on the 30th day of August, 2022

Third and final passage on the 6th day of September, 2022

Published in the Gazette on the _____ day of _____, 2022

LINN COUNTY BOARD OF SUPERVISORS

Chairperson

Supervisor

Supervisor

ATTEST:

Joel D. Miller, Linn County Auditor

STATE OF IOWA)
) SS
COUNTY OF LINN)

I, _____, County Auditor of Linn County, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance passed by the Linn County Board of Supervisors at a regular meeting of said Board held on _____, 2022 and published as provided by law on _____, 2022.

Linn County Auditor

Subscribed and sworn to me this _____ day of _____, 2022.

Notary Public, State of Iowa

ATTACHMENT A

LINN COUNTY SECONDARY ROAD DEPARTMENT, 892-6400

BRAD KETELS, COUNTY ENGINEER, Brad.Ketels@linncountyiowa.gov

CURT LOGAN, ASSISTANT COUNTY ENGINEER, Curtis.Logan@linncountyiowa.gov

1. Entrance permit required for new entrances and existing unpermitted entrances, Sec.11 and the Unified Development Code, Article IV, Sec. 107-72 § 2 (h)(5). All approved entrances shall be brought into conformance with County standards.
2. Road Agreement with conditions related to access and road condition responsibilities required before the start of construction. County Standard Specifications, Section 1.
3. Entrance permits and E-911 address signs to be applied for at Linn County Secondary Road Department, 319- 892-6400.

Comments:

1. No construction within the County right-of-way without a permit from the Linn County Engineer.
2. Entrance permit required for new entrances and existing entrances that do not conform to County Standard Specifications. Only a breakaway mailbox is allowed. Decorative walls, or other items that may identify the owner or address of the property, are not allowed within the road right-of-way.
3. Proposed private and public roads shall be constructed to comply with County Standard Specifications.
4. All drainage easements follow the natural flow of surface water as per Article IV, Section 107-72, § 2 (h)(6)(ii) of the Unified Development Code.
5. No vertical headwalls within the right-of-way. A breakaway mailbox is allowed. No other type of mailbox is allowed within the road right-of-way. Decorative walls, or other items that may identify the owner or address of the property, are not allowed within the road right-of-way.

IOWA DEPARTMENT OF TRANSPORTATION

TERRY KLUESNER, ENGINEERING OPERATIONS TECHNICIAN, 800-262-5142

Terry.Kluesner@iowadot.us

1. If any work is to be done in the State of Iowa right-of-way, contact the IDOT for additional permits.
2. Not within the jurisdiction of the Iowa Department of Transportation.

LINN COUNTY PUBLIC HEALTH DEPARTMENT

JIM KELSO, ENVIRONMENTAL SPECIALIST, 892-6022

Jim.Kelso@linncountyiowa.gov

1. No conditions to be met.

NATURAL RESOURCES CONSERVATION SERVICE

JON GALLAGHER, LINN COUNTY SOIL CONSERVATIONIST, 377-5960 x3

Jon.Gallagher@ia.nacdnet.net

1. Show approximate location of natural drainage ways and a note on the site plan showing any restrictions required by all applicable code against building within the natural drainage way. Consult the Soil Conservation staff prior to site plan approval pursuant to all applicable code.
2. No solar panels shall be placed within 120 feet of any USACE defined channel identified during the wetland delineations regardless of classification as perennial, intermittent, or ephemeral.

3. Land disturbance greater than 1 acre in size, not associated with agricultural crop production, will require an NPDES permit granted by the Iowa Department of Natural Resources.
4. Submit erosion and sediment control plan for review and as required by all applicable code prior to construction.
5. Submit site grading plan showing existing and proposed surface grades prior to construction. Clarify quantities and amounts of topsoil to be disturbed, incorporate both Low Impact Development principles where feasible due to clay and other site conditions, and a post construction compaction mitigation plan.
6. Wet soils may adversely impact possible home and septic site(s). Prior to construction, file a copy of the drain tile mitigation plan with USDA Natural Resources Conservation Service (NRCS).
7. Submit storm water pollution prevention plan for review and approval prior to approval of plat and / or any site grading activities with emphasis placed on treating stormwater runoff for proposed hard surface areas in accordance with Statewide Urban Design and Specifications (SUDAS)
8. Prior to construction, submit either as a standalone document or component of an agricultural mitigation plan, a subsurface drain tile mitigation and management plan which provides uniform minimum thresholds for maintaining established subsurface drainage systems as currently being utilized on lands subject to development. The plan shall include records of known existing subsurface drainage systems on Project Sites I and II to Linn County prior to construction. Following construction, submit maintenance and repair records when performed to Linn County.
9. Impacts to jurisdictional wetlands shall be avoided to the extent possible. Any unavoidable project-related impacts to jurisdictional wetlands will be permitted through the USACE and Iowa DNR as required.
10. Final Agricultural Impact Mitigation Plan and Vegetation Management Plan shall be approved prior to the start of construction.
11. At least 70% of the site shall be planted with an approved pollinator friendly seeding plan which includes the use of native grasses, forbs, and sedges.
12. Screening plan to include a minimum of a 33% native species as a component of the plan. Refer to Iowa DNR Woodland Suitability Recommendations and Rethinking Acreage and Rural Tree Plantings documents for further guidance.
13. Prior to construction activities, a field inventory shall be completed with input and advice from Soil Conservation staff to identify shared surface conveyance flow paths and stormwater BMPs to maintain integrity of flows and stabilization of soils through the site.
14. Provide setbacks for areas that have the potential to impact shared subsurface drainage systems (tile mains) that jointly serve participating and non-participating properties or move, maintain, or repair any such shared subsurface tile mains to maintain 100% of effectiveness.
15. Prior to construction, submit inventory of natural areas contained within project sites I and II that are not planned to be altered based on land cover (i.e. woodland, open grassland, seasonally flooded, open water).
16. Battery storage facility, hard surface parking areas, and other proposed permanent areas of stand-alone connected imperviousness shall be treated and accounted for independently within the hydrologic model and subject to their own individual stormwater treatment plan.
17. Prior to construction, develop and implement an infield assessment protocol along with a contingency plan component for areas of the project site where construction activities will result in soil mixing that will exceed the plow layer depth. Areas to be included are mass grading and filling zones, battery facilities, stormwater management areas, or other isolated infrastructure locations.

Comments:

1. The use of non-hard-surface options for internal access or minimizing additional hard surface through non-traditional construction methods is encouraged.
2. In support of long-term site maintenance, maintaining the viability of an approved vegetative management plan, providing future unforeseen multi-use opportunities, and conform with regionally adopted constructed methods for solar facilities, Soil Conservation Department strongly encourages the utilization of a final construction plan that provides for a minimum low panel height of 28 inches as opposed to the current proposed 18 inch threshold.
3. A priority will be placed on adhering to ecological regions/zones for sourcing native seed material with a 200-mile radius unless otherwise approved by Linn County.
4. Soil Conservation Department strongly encourages the applicant to perform local cultural resource assessment of project area which includes documentation of records search and interviews with local historians for the purposes of eliminating potential to impact significant cultural resources not known or documented by the jurisdictional authority.

LINN COUNTY CONSERVATION DEPARTMENT

DANIEL GIBBINS, 892-6450

Daniel.Gibbins@linncountyiowa.gov

1. No conditions to be met.

Comments:

1. Long-term maintenance of the tallgrass prairie buffer areas (after year 3) should include mowing restrictions so that no flail mowing occurs between April 15-July 15 of each year to protect pheasant nesting habitat. Mowing of the prairie areas should be only conducted in early spring prior to April 15th to allow fall seed heads to set seed viability and remain through the winter for habitat enhancement and winter seed availability for bird and wildlife food source. The allowance of occasional prescribed fire every 3-5 years would be extremely beneficial to these prairies and could be safely conducted in the right conditions with a proper buffer to the panels. Consideration for this in the maintenance plan would be appreciated.
2. Tree Screening species plan:
 - a. Substitute Balsam fir with either Norway Spruce, White fir (*Abies concolor*), or Douglas-fir (*Pseudotsuga menziesii*). Balsam fir will not typically do well in central Iowa and is very slow growing.
 - b. Substitute Red Maple with American Hophornbeam (*Ostrya virginiana*). Red maple is a short-lived weak wooded species that is prone to storm damage and sun scalding when planted in an open row as proposed in this plan.
3. Deer protection for trees planted. The area in this plan enjoys a high deer population. Trees not planted within the fenced off solar panel zones for visual screening of homes must be protected from buck antler damage primarily until deciduous trees reach about 8" diameter at 4.5' (DBH) and coniferous species reach a full branching diameter of about 8' that will deter a deer from reaching the trunk of the tree with its antlers. T-post and 5' galvanized welded wire fence or its equivalent should be installed around each tree to protect the trees for a number of years until they can reach a size were deer will not be a problem. Please include deer protection specifications with the above considerations as a guide.

LINN COUNTY EMERGENCY MANAGEMENT

B.J. DVORAK, 892-6500

BJ.Dvorak@linncountyiowa.gov

1. No conditions to be met.

LINN COUNTY PLANNING AND DEVELOPMENT - ZONING DIVISION

CHARLIE NICHOLS, DIRECTOR, 892-5130

Charlie.Nichols@linncountyiowa.gov

1. Prior to close of the Board of Supervisors' public hearing, the owner must sign an "Acceptance of Conditions" form. The "Acceptance of Conditions" form states that the owner understands and agrees to comply with the agreed upon conditions as negotiated or required by the Board of Supervisors. It is strongly recommended that the owner meet with the Planning and Development staff to review the conditions of the rezoning.
2. The Renewable Energy overlay zoning district shall expire after a period of 35 years. In order to extend the zoning district past this timeframe, the project area must go through another rezoning process.
3. Applicant shall work with local fire district and sheriff's department to develop an emergency management plan prior to the start of construction.
4. A map depicting routes used during project construction shall be submitted before construction can start. Additionally, a preconstruction survey of all routes used during construction shall be performed prior to starting construction. All damage cause during the course of construction shall be the responsibility of the applicant to repair in a timely manner.
5. The Vegetation Management Plan and Agricultural Impact Mitigation Plan must be approved by Linn County NRCS prior to the start of construction.
6. Construction shall be limited to the hours of 7AM – 5PM. Exceptions to this shall be made on a case by case basis by Planning and Development.
7. If listed species or rare communities are found during the planning construction phases, the contractor shall let Linn County Planning and Development know immediately. Additional studies and/or mitigation may be required.
8. A Cultural Resource Accidental Discovery Plan will be developed prior to construction should any previously unknown cultural resources sites be encountered during ground disturbance.
9. Large-scale removal of trees is prohibited.
10. All lighting shall be down shielded. Lighting shall be motion activated whenever possible.
11. Fencing shall be raised approximately 6 inches above the ground in areas to allow for the passage of small animals.
12. Panels shall be set back a minimum of 300 feet from all non-participating dwellings, unless the property owner waives the setback.
13. Any tile damaged during either the location process or construction will be repaired by Duane Arnold Solar.
14. If conditions are not adhered to by the applicant or project owner of record at any point throughout the life of the project the Board of Supervisors may, after giving the owner reasonable time to remedy the violations, remove the overlay zoning district.
15. Duane Arnold Solar I & II, LLC, or the current owner of the project, will be responsible for the cleanup of debris related to storm damage. The project owner shall have a representative onsite to assesses and acknowledge the presence of debris and the responsibility for cleanup within 72 hours of the storm event.
16. During activities that require excavation, Linn County requires a third party soil monitor be on site to ensure top soil is being appropriately segregated.
17. A performance bond will be required to cover decommissioning costs.

18. All submitted plans must be adhered too throughout the life of the project. Plans include but are not limited to:
 - a. Site Plan.
 - b. Decommissioning Plan.
 - c. Operation and Maintenance Plan.
 - d. Agricultural Mitigation Plan.
 - e. Vegetation Management Plan.
19. No development will take place in a FEMA mapped floodway and any development in the mapped floodway fringe will require an approved floodplain permit prior to the start of the activity and will not have any adverse impact on surrounding properties.

Comments:

1. Linn County may require a performance bond to be held for a number of years after completion of the project. The purpose of the bond would be to address and repair and tile damage that becomes apparent during future wet weather events.

LINN COUNTY PLANNING AND DEVELOPMENT - BUILDING DIVISION

LUKE MALONEY, BUILDING OFFICIAL, 892-5130

Luke.Maloney@linncountyiowa.gov

1. A building permit is required before work to construct, enlarge, alter, repair, move, or demolish a building or structure. Racking systems, fencing 7' in height or greater, foundations, buildings, etc. require permitting and inspection by the Linn County Building Division prior to the concealment of structural components.
2. A separate permit shall be obtained for any electrical work prior to the installation of any electrical components. Permits shall be obtained and work performed by contractors licensed in accordance with Iowa Administrative code chapter 103 . Electrical components shall be inspected by the Linn County Building Division prior to concealment.
3. A certificate of completion, issued by the Building Official, is required before the building or structure, or portion thereof, is used. Documentation regarding Fire safety design, maintenance, emergency planning, and decommissioning are required to be submitted to and approved by the Building Official prior to the issuance of the Certificate of Completion and use of the installation.
4. The applicant should contact the building official for specific code provisions and/or submittal documents required for the proposed use, prior to construction. Construction documents are subject to review and approval by the Building Official prior to permit issuance. Racking system and electrical construction documents shall be designed and stamped by a registered design professional as required by Linn County ordinance.
5. Access driveways for emergency personnel shall be maintained and fully functional at all times, during all phases of construction.