



**NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS  
(SEPTEMBER 26) (WEEK 39 OF 2023)**

Live streaming at:  
<https://www.youtube.com/user/woodburycountyiowa>

Agenda and Minutes available at:  
[www.woodburycountyiowa.gov](http://www.woodburycountyiowa.gov)

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You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held September 26, 2023, at **4:30 p.m.** in the Basement of the Courthouse, 620 Douglas Street, Sioux City, Iowa for the purpose of taking official action on the agenda items shown hereinafter and for such other business that may properly come before the Board.

This is a formal meeting during which the Board may take official action on various items of business. Members of the public wishing to speak on an item must follow the participation rules adopted by the Board of Supervisors.

1. Please silence cell phones and other devices while in the Boardroom.
2. The Chair may recognize speakers on agenda items after initial discussion by the Board.
3. Speakers will approach the microphone one at a time and give their name and address before their statement.
4. Speakers will limit their remarks to three minutes on any one item and address their remarks to the Board.
5. At the beginning of discussion on any item, the Chair may request statements in favor of an action be heard first followed by statements in opposition to the action. The Chair may also request delegates provide statements on behalf of multiple speakers.
6. Any concerns or questions which do not relate to a scheduled item on the agenda will be heard under the item "Citizen Concerns." Please note the Board is legally prohibited from taking action on or engaging in deliberation on concerns not listed on the agenda, and in such cases the Chair will request further discussion take place after properly noticed.
7. Public comment by electronic or telephonic means is prohibited except for a particular agenda item when approved by the Chair 24 hours before a meeting or by a majority of the board during a meeting for a subsequent meeting.

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## **AGENDA**

**4:30 p.m.** Call Meeting to Order – Pledge of Allegiance to the Flag – Moment of Silence

1. Approval of the agenda Action

### **Consent Agenda**

**Items 2 through 7 constitute a Consent Agenda of routine action items to be considered by one motion. Items pass unanimously unless a separate vote is requested by a Board Member.**

2. Approval of the minutes of the September 19, 2023 meeting
3. Approval of claims
4. Deputy Commissioner of Elections – Steve Hofmeyer
  - a. Receive the appointment of Kirk Moriarty as Sergeant Bluff Councilman to replace Bill Gaukel
  - b. Receive the appointment of Donald Sulsberger as Mayor of Smithland to replace Elizabeth Peterson
5. Human Resources – Melissa Thomas
  - Approval of Memorandum of Personnel Transactions

6. County Treasurer – Tina Bertrand  
Approval of resolution naming depositories to correct name from First National Bank in Sioux City to Northwest Bank
7. Secondary Roads – Mark Nahra  
Approval of permit to work in the right of way for Jeremy Hackett and to direct the chair to sign the permit

**End Consent Agenda**

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|--|--|
| <p><b>4:45 p.m.</b><br/>(Set time)</p> | <ol style="list-style-type: none"> <li>8. Secondary Roads – Mark Nahra           <ol style="list-style-type: none"> <li>a. Receive bids for PCC Patching and return them to the county engineer for review and recommendation      Action</li> <li>b. Award bid if low quote is clearly determined by bid results      Action</li> <li>c. Approval of plans for project number FM-C097(149)—55-97      Action</li> </ol> </li> <li>9. Planning/ Zoning – Daniel Priestley           <ol style="list-style-type: none"> <li>a. Public hearing on a zoning ordinance map amendment to rezone Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District on Parcel #884506200006 (Lot 2 Boyle’s Addition) for Richard &amp; Kimberly Luze      Action</li> <li>b. Approval of the second reading of the ordinance as the final reading      Action</li> <li>c. Approval to waive the third reading of the ordinance      Action</li> <li>d. Approval to adopt the Zoning Ordinance Map Amendment (Rezone)      Action</li> </ol> </li> <li>10. Board of Supervisors – Jeremy Taylor &amp; Mark Nelson<br/>Approval to give direction for a new proposed ordinance in regards to utility-scale solar      Action</li> <li>11. Reports on Committee Meetings      Information</li> <li>12. Citizen Concerns      Information</li> <li>13. Board Concerns      Information</li> </ol> |
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**ADJOURNMENT**

*Subject to Additions/Deletions*

## CALENDAR OF EVENTS

<b>MON., SEP. 25</b>	<b>6:00 p.m.</b>	Zoning Commission Meeting, First Floor Boardroom
<b>WED., SEP. 27</b>	<b>2:30 p.m.</b>	Rolling Hills Community Services Region Governance Board Meeting
<b>THU., SEP. 28</b>	<b>10:00 a.m.</b>	Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 1122 Pierce
	<b>11:15 a.m.</b>	Western Iowa Community Improvement Regional Housing Trust Fund Meeting, Hybrid
	<b>1:30 p.m.</b>	SIMPCO Community & Economic Development Meeting Hybrid
<b>MON., OCT. 2</b>	<b>6:00 p.m.</b>	Board of Adjustment meeting, First Floor Boardroom
<b>WED., OCT. 4</b>	<b>4:45 p.m.</b>	Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
<b>THU., OCT. 5</b>	<b>12:00 p.m.</b>	SIMPCO Regional Policy & Legislative Affairs Committee, Hybrid
<b>WED., OCT. 11</b>	<b>8:05 a.m.</b>	Woodbury County Information Communication Commission, First Floor Boardroom
	<b>10:00 a.m.</b>	STARComm Board Meeting, The Security Institute, WIT Campus
	<b>12:00 p.m.</b>	District Board of Health Meeting, 1014 Nebraska St. Western Iowa Tourism Region Meeting/Conference, Manning Hausbarn Conference Center
<b>THU., OCT. 12</b>	<b>12:00 p.m.</b>	SIMPCO Board of Directors, 1122 Pierce St.
	<b>4:00 p.m.</b>	Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park
<b>WED., OCT. 18</b>	<b>12:00 p.m.</b>	Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
<b>THU., OCT. 19</b>	<b>10:00 a.m.</b>	StarComm, Security Institute, WIT
	<b>4:30 p.m.</b>	Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
<b>MON., OCT. 23</b>	<b>6:00 p.m.</b>	Zoning Commission Meeting, First Floor Boardroom
<b>WED., OCT. 25</b>	<b>2:30 p.m.</b>	Rolling Hills Community Services Region Governance Board Meeting
<b>THU., OCT. 26</b>	<b>11:00 a.m.</b>	Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 1122 Pierce

**Woodbury County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will consider reasonable accommodations for qualified individuals with disabilities and encourages prospective employees and incumbents to discuss potential accommodations with the Employer.**

*Federal and state laws prohibit employment and/or public accommodation discrimination on the basis of age, color, creed, disability, gender identity, national origin, pregnancy, race, religion, sex, sexual orientation or veteran's status. If you believe you have been discriminated against, please contact the Iowa Civil Rights Commission at 800-457-4416 or Iowa Department of Transportation's civil rights coordinator. If you need accommodations because of a disability to access the Iowa Department of Transportation's services, contact the agency's affirmative action officer at 800-262-0003.*

**SEPTEMBER 19, 2023, THIRTY-EIGHTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS**

The Board of Supervisors met on Tuesday, September 19, 2023, at 3:30 p.m. Board members present were Nelson, Taylor (by phone), Ung, Radig (by phone), and Bittinger II. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Finance and Budget Director, and Michelle Skaff, Deputy Auditor/Clerk to the Board.

Motion by Ung second by Nelson to go into closed session per Iowa Code Section 21.5(1)(i). Carried 3-0 on roll-call vote.

Motion by Ung second by Nelson to go out of closed session per Iowa Code Section 21.5(1)(i). Carried 3-0 on roll-call vote.

The regular meeting was called to order with the Pledge of Allegiance to the Flag and a Moment of Silence.

Radig and Taylor joined the meeting by phone.

1. Motion by Ung second by Nelson to approve the agenda for September 19, 2023. Carried 5-0. Copy filed.

Motion by Ung second by Nelson to approve the following items by consent:

2. To approve minutes of the September 12, 2023 meeting. Copy filed.  
To approve minutes of the September 14, 2023 Special meeting. Copy filed.
3. To approve the claims totaling \$317,700.35. Copy filed.
- 4a. To approve the separation of Maxwell Stewart, Sheriff Deputy, County Sheriff Dept., effective 09-15-23. Resignation.; the transfer of Michael Murray, P/T Courthouse Safety & Security Officer, County Sheriff Dept., effective 09-18-23, \$21.65/hour, 0%. Transfer from Regular part-time to part-time on-call status; and the transfer of Sandra Williams, P/T Courthouse Safety & Security Officer, County Sheriff Dept., effective 9-18-23, \$18.68/hour, 0%. Transfer from Regular part-time to part-time on-call status. Copy filed.
- 4b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for Deputy Sheriff, County Sheriff Dept. CWA Deputy Sheriff: \$28.14/hour. Copy filed.
5. To approve the appointment of Steve Holst, to Hornick City Council, previously held by Julia Byers, until the next city election. Copy filed.
- 6a. To approve property tax refund for Gregory Walz, for parcel #894711304024, 4001 Monroe St., in the amount of \$814.30. Copy filed.
- 6b. To approve property tax refund for Richard Scott for parcel #894711156007, 4127 Monroe St., in the amount of \$1,100.00. Copy filed.
7. To approve and authorize the Chairperson to sign a Resolution approving petition for suspension of taxes for Caressa LaMere, 320 Prescott St., Sioux City, parcel #894730334006. Copy filed.

**WOODBURY COUNTY, IOWA  
RESOLUTION #13,660  
RESOLUTION APPROVING PETITION FOR SUSPENSION OF TAXES**

**WHEREAS**, Caressa LaMere, as titleholder of a property located 320 Prescott St., Sioux City, Woodbury County, Iowa, and legally described as follows:

**Parcel #894730334006**

**HIGHLAND 1 & 2 S 63 FT LOT 68**



**WHEREAS**, Caressa LaMere of the aforementioned property has petitioned the Board of Supervisors for a suspension of taxes pursuant to the 2017 Iowa Code section 427.9, and

**WHEREAS**, the Board of Supervisors recognizes from documents provided that the petitioner is unable to provide to the public revenue; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Woodbury County Board of Supervisors hereby grants the request for a suspension of taxes, and hereby directs the Woodbury County Treasurer to so record the approval of this tax suspension for this property.

**SO RESOLVED** this 19th day of September 2023.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Carried 5-0.

- 8a. Motion by Ung second by Nelson to receive the final staff report and the Zoning Commission’s recommendation from their 9/11/23 meeting to approve the final plat of the Janet Heck Subdivision, a Minor Subdivision to Woodbury County, Iowa. Carried 5-0. Copy filed.
- 8b. Motion by Ung second by Bittinger II to approve and authorize the Chairperson to sign a Resolution accepting and approving the final plat of Janet Heck Subdivision, a Minor subdivision to Woodbury County. Carried 5-0.

**BOARD OF SUPERVISORS  
RESOLUTION #13,661  
ACCEPTING AND APPROVING HECK SUBDIVISION  
A MINOR SUBDIVISION  
WOODBURY COUNTY, IOWA**

WHEREAS, THE OWNERS AND PROPRIETORS DID ON THE 11th DAY OF SEPTEMBER, 2023, FILE WITH THE WOODBURY COUNTY ZONING COMMISSION A CERTAIN PLAT DESIGNATED AS JANET HECK SUBDIVISION, WOODBURY COUNTY, IOWA; AND

WHEREAS, THE ZONING COMMISSION OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT; AND

WHEREAS, THE COUNTY ENGINEER OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

NOW THEREFOR, BE, AND IT IS HEREBY RESOLVED BY THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, THAT THE PLAT OF JANET HECK SUBDIVISION, WOODBURY COUNTY, IOWA BE, AND THE SAME IS HEREBY ACCEPTED AND APPROVED, AND THE CHAIRMAN AND SECRETARY OF THE WOODBURY COUNTY BOARD SUPERVISORS OF WOODBURY COUNTY, STATE OF IOWA ARE HEREBY DIRECTED TO FURNISH TO THE OWNERS AND PROPRIETORS A CERTIFIED COPY OF THE RESOLUTION AS REQUIRED BY LAW.

PASSED AND APPROVED THIS 19<sup>th</sup> DAY OF SEPTEMBER, 2023.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 9a. Motion by Nelson second by Ung to receive final report from Zoning Commission recommendation to approve rezone from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District on Parcel #884506200006 (Lot 2 Boyle’s Addition) for Richard and Kimberly Luze. Carried 5-0. Copy filed.
- 10. Reports on committee meetings were heard.

- 9b. A public hearing was held at 4:45 p.m. for Zoning Ordinance Map Amendment to rezone parcel #884506200006 from AP to AE. The Chairperson called on anyone wishing to be heard.

Rich Luze spoke in favor of the amendment.

Motion by Ung second by Nelson to close the public hearing. Carried 5-0.

- 9c. Motion by Ung second by Bittinger II to approve the first reading of the Zoning Ordinance Map Amendment (Rezone). Carried 5-0. Copy filed.

11. There were no citizen concerns.

12. Board concerns were heard.

The Board adjourned the regular meeting until September 26, 2023.

Meeting sign in sheet. Copy filed.

**NOTICE OF APPOINTMENT TO FILL A VACANCY**

TO: Patrick F. Gill, Woodbury County Auditor/Recorder & Commissioner of Elections

From: City of Sergeant Bluff  
Danny Christoffers, City Clerk  
501 4<sup>th</sup> Street  
PO Box 703  
Sergeant Bluff, IA 51054

September 19, 2023

This is to notify you and the Board of Supervisors of Woodbury County that the following person has been appointed until the next regular/general election:

For the office of: City Council Member

Name: Kirk Moriarty

Address: 111 E Street

City/Zip: Sergeant Bluff, IA 51054

Date of appointment: September 18, 2023

This appointment is to fill the office previously held by:

Bill Gaukel

RETURN TO: Patrick F. Gill  
Woodbury County Commissioner of Elections  
620 Douglas St, Rm 103  
Sioux City, IA 51101

PATRICK F. GILL  
WOODBURY COUNTY  
AUDITOR RECORDER  
COMM OF ELECTIONS

NOTICE OF APPOINTMENT TO FILL A VACANCY

2023 SEP 18 PM 3:14

TO: Patrick F. Gill, Woodbury County Auditor/Recorder & Commissioner of Elections

From: Elizabeth Peterson School/City/Township/  
Extension/Soil & Water  
Secretary/Clerk  
9-13-2023 Date

This is to notify you and the Board of Supervisors of Woodbury County that the following person has been appointed until the next regular/general election:

For the office of Mayor  
Name Donald Sulzbwger  
Address 117 Pine St.  
City/Zip Smithland 51056  
Date of appointment 9-13-2023

This appointment is to fill the office previously held by:

Elizabeth Peterson  
(Name of previous official)

RETURN TO: Patrick F. Gill  
Woodbury County Commissioner of Elections  
620 Douglas St, Rm 103  
Sioux City, IA 51101

# HUMAN RESOURCES DEPARTMENT

## MEMORANDUM OF PERSONNEL TRANSACTIONS

**DATE:** September 26, 2023

**\* PERSONNEL ACTION CODE:**

A - Appointment	R - Reclassification
T - Transfer	E - End of Probation
P - Promotion	S - Separation
D - Demotion	O - Other

**TO: WOODBURY COUNTY BOARD OF SUPERVISORS**

NAME	DEPARTMENT	EFFECTIVE DATE	JOB TITLE	SALARY REQUESTED	% INCREASE	*	REMARKS
Pasko, Tamarra	County Attorney	9-27-23	Clerk II	\$18.68/hour		A	Job Vacancy Posted 8-16-23. Entry Level Salary: \$18.68/hour.
Uhl, Rick	Building Services	10-02-23	Custodian	\$16.79/hour		A	Job Vacancy Posted 8-16-23. Entry Level Salary: \$16.79/hour.
Cottrell, Seth	County Sheriff	10-05-23	Deputy Sheriff	\$38.30/hour		A	Appointment by County Sheriff.

**APPROVED BY BOARD DATE:** \_\_\_\_\_

**MELISSA THOMAS, HR DIRECTOR:**

*Melissa Thomas*

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 9/15/23 Weekly Agenda Date: 9/26/23

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Tina Bertrand, County Treasurer

**WORDING FOR AGENDA ITEM:**

Approval of resolution naming depositories

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

Approval of resolution naming depositories to correct depository name.

**BACKGROUND:**

First National Bank of Sioux City was changed to Northwest Bank nearly ten years ago. The resolution naming depositories was not updated to reflect this change.

**FINANCIAL IMPACT:**

None

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

Approve resolution naming depositories to correct name from First National Bank in Sioux City to Northwest Bank.

**ACTION REQUIRED / PROPOSED MOTION:**

Approve resolution naming depositories to correct name from First National Bank in Sioux City to Northwest Bank.

## RESOLUTION NAMING DEPOSITORIES # \_\_\_\_\_

**BE IT RESOLVED** by the Woodbury County Board of Supervisors in Woodbury County, Iowa: That we do hereby designate the following named banks to be depositories of the Woodbury County funds in amounts not to exceed the amount named opposite each of said designated depositories and **Tina Bertrand, Woodbury County Treasurer** is hereby authorized to deposit the Woodbury County funds in amounts not to exceed in the aggregate the amounts named for said banks as follows, to wit:

NAME OF DEPOSITORY	LOCATION	MAXIMUM DEPOSIT	MAXIMUM DEPOSIT
		In the effect Prior resolution	under the resolution
U.S. Bank	Sioux City, Iowa	\$50,000,000	\$50,000,000
Security National Bank	Sioux City, Iowa	100,000,000	100,000,000
Wells Fargo Bank	Sioux City, Iowa	50,000,000	50,000,000
PeoplesBank	Sioux City, Iowa	5,000,000	5,000,000
Northwest Bank	Sioux City, Iowa	50,000,000	50,000,000
Primebank	Sioux City, Iowa	50,000,000	50,000,000
Great Southern Bank	Sioux City, Iowa	5,000,000	5,000,000
Pioneer Bank	Sergeant Bluff, Iowa	10,000,000	10,000,000
Sloan State Bank	Sloan, Iowa	5,000,000	5,000,000
Valley Bank & Trust	Danbury, Iowa	1,500,000	1,500,000
BankFirst	Hornick, Iowa	5,000,000	5,000,000
First National Bank	Correctionville, Iowa	5,000,000	5,000,000
United Bank of Iowa	Moville, Iowa	5,000,000	5,000,000
United Bank of Iowa	Anthon, Iowa	5,000,000	5,000,000
Liberty National Bank	Sioux City, Iowa	25,000,000	25,000,000
Availa Bank	Sioux City, Iowa	10,000,000	10,000,000
Central Bank	Sioux City, Iowa	10,000,000	10,000,000
MidStates Bank	Sergeant Bluff, Iowa	5,000,000	5,000,000
Shelby County State Bank	Danbury, Iowa	5,000,000	\$5,000,000

**SO RESOLVED** this \_\_\_\_ day of \_\_\_\_\_ 2023

**WOODBURY COUNTY BOARD OF SUPERVISORS**

\_\_\_\_\_  
Matthew A. Ung, Chairman

\_\_\_\_\_  
Keith Radig, Member

\_\_\_\_\_  
Jeremy Taylor, Member

\_\_\_\_\_  
Daniel Bittinger II, Member

\_\_\_\_\_  
Mark Nelson, Member

\_\_\_\_\_  
Patrick F. Gill  
County Auditor/Recorder

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 9/21/2023 Weekly Agenda Date: 9/26/2023

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Mark J. Nahra, County Engineer

**WORDING FOR AGENDA ITEM:**

Consideration of permit to work in the county right of way for Jeremy Hackett

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

Jeremy Hackett has requested a permit to work in the right of way to close the road while removing ash trees on private property and in the ROW.

**BACKGROUND:**

Work in county ROW requires permit by Board of Supervisors per section 318.8 of the Code of Iowa. David Dietrich is lowering the back slope in front of the property and removing trees in the ROW. They have requested a permit to do the work at 1637 Charles Avenue. Work will take less than one day and overnight closure is not needed.

**FINANCIAL IMPACT:**

No impact.

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

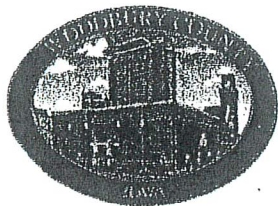
**RECOMMENDATION:**

Recommend approval of the permit for Jeremy Hackett.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to approve the permit to work in the right of way for Jeremy Hackett and to direct the chair to sign the permit.





# Woodbury County Secondary Roads Department

759 E. Frontage Road • Merville, Iowa 51039  
Telephone (712) 279-6484 • (712) 873-3215 • Fax (712) 873-3235

COUNTY ENGINEER  
Mark J. Nabra, P.E.  
mnabra@woodburycountyIowa.gov

ASSISTANT TO THE COUNTY ENGINEER  
Benjamin T. Kusler, E.I.T.  
bkusler@woodburycountyIowa.gov

SECRETARY  
Tish Brice  
tbrice@woodburycountyIowa.gov

## WOODBURY COUNTY SECONDARY ROAD DEPARTMENT PERMIT & AGREEMENT TO PERFORM WORK WITHIN WOODBURY COUNTY RIGHT OF WAY

Name of Permittee: Jeremy Hackett Phone No.: 712-541-4036

Mailing Address: 224 Rutland St, Kingsley, IA 51028

Township: Woodbury Section: 1

Woodbury County, State of Iowa, and Jeremy Hackett (hereinafter referred to as property owner, organization or authorized representative) do hereby enter into the following permit and agreement:

1. Woodbury County hereby consents to and grants permission to the property owner, organization or authorized representative, to conduct the following described construction or activities within the right-of-way:

Permittee may close road during daylight hours to allow removal of trees at 1637 Charles Avenue. Permittee may drop trees on the road. Cleanup must be completed + road opened by sunset.

2. In consideration of Woodbury County granting said permission and consent, the property owner, organization or authorized representative hereby promises and agrees to the following:

A. The applicant shall carry on the construction, repair and maintenance with serious regard to the safety of the traveling public and adjacent property owners.

B. The property owner, organization or authorized representative, at his/her own expense, shall provide all safety measures and warning devices necessary to protect the traveling public such as but not limited to, signs, lights, and barricades during the day and at night if the roadway will be obstructed. Traffic protection shall be in accordance with Part VI of the current Manual on Uniform Traffic Control Devices for Streets and Highways. The Department will loan the required signs to the applicant who shall be responsible for placing the signs and covering or removing when not in use, removal after the work has been completed, and return of the Department owned signs to the Department maintenance facility from which obtained. The applicant shall be responsible for correctly using signs as needed while work is in progress. Flagging operations are the responsibility of the applicant.

C. In placing any drainage structure, no natural drainage course will be altered or blocked.

D. The finished project shall be left in a satisfactory condition subject to the approval of the County Engineer. The traveled portion of the roadway shall not be damaged or disturbed. The property owner, organization or authorized representative assumes all liability and agrees to reimburse Woodbury County for any damage to the roadway or ditch caused by placement of this structure. Permittee is to call County Engineer for upon completion for final inspection.

E. The property owner, organization or authorized representative shall notify all appropriate telephone and utility companies in advance of any excavation and shall check for underground electric or telephone lines.

F. Woodbury County will not assume any of the cost of the construction of the said improvement or structure nor will Woodbury County assume any future costs for maintenance or replacement of said improvement or structure. If in the best interest of Woodbury County, the said improvement or structure may be removed by the County, or may be caused to be removed, without any obligation by Woodbury County to pay damages or cost of replacement.

G. Property owner, organization or authorized representative will reseed and mulch the disturbed areas. Property owner, organization or authorized representative will be responsible for seed, mulch, and labor unless otherwise provided in section L.

H. The property owner, organization, or authorized representative hereby agrees to hold Woodbury County and the Woodbury County Secondary Road Department, its employees and agents harmless against any and all claims for damages and personal injury arising out of work performed or actions taken by the applicant related to the construction or maintenance of the facility. The applicant further agrees to reimburse the County or the Department for any expenditures that the County or Department may have to make on said highway rights of way on account of said applicant's construction or maintenance activity or other activities or lack thereof. The applicant shall also save Woodbury County and the Woodbury County Secondary Road Department harmless of any damage or losses that may be sustained by the traveling public on account of such construction, repair or maintenance operations, or other activities.

I. **FAILURE TO CONFORM TO OR TO ACQUIRE A PERMIT IS A VIOLATION OF SECTION 318.8, 2009 CODE OF IOWA.** This permit is subject to any laws now in effect or any laws that may be hereafter enacted and all applicable rules and regulations of local, state and federal agencies. This permit is subject to all the rules and regulations of Woodbury County and the Woodbury County Secondary Road Department.

J. This permit is subject to revocation by the Department at any time and at no cost to the Department, when in the judgment of the Department it is necessary in the improvement or maintenance of the highway or for other reasonable cause.

K. All proposed work covered by this permit shall be at the applicant's expense. The applicant shall reimburse the Woodbury County Secondary Road Department for any materials removed from the highway right of way described as follows:

\_\_\_\_\_  
\_\_\_\_\_

L. Woodbury County agrees to provide the following contribution toward completion of this project:  
Will blade road when work is complete.

\_\_\_\_\_

M. All work done by property owner, organization or authorized representative pursuant to this agreement shall be completed prior to the 30 day of December, 2023.

Entered into this 26th day of September, 2023.

Joselyn Voss  
Signature of Property Owner or Authorized Representative

Mark J. Galbraith  
Woodbury County Engineer

\_\_\_\_\_  
Chair, Woodbury County Board of Supervisors



**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 9/21/2023 Weekly Agenda Date: 9/26/2023

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Mark J. Nahra, County Engineer

**WORDING FOR AGENDA ITEM:**

Receive bids for PCC Pavement Patching 2023

**ACTION REQUIRED:**

- Approve Ordinance       Approve Resolution       Approve Motion   
Public Hearing       Other: Informational       Attachments

**EXECUTIVE SUMMARY:**

The county engineer has prepared plans for PCC Pavement patching on various roads that suffered blowups or overload damage this year.

**BACKGROUND:**

This project is programmed for 2023 construction. Annually we let a contract to repair pavements damaged by blowups or overloads.

**FINANCIAL IMPACT:**

The project is paid for with local Woodbury County secondary road funds.

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes       No

**RECOMMENDATION:**

- 1) I recommend that the Board receive bids for PCC Patching and return them to the county engineer for review and recommendation.
- 2) If quotes show a clear low quote, the engineer may recommend award at the Board meeting after opening the quotes.

**ACTION REQUIRED / PROPOSED MOTION:**

- 1) Motion to receive bids for PCC Patching and return them to the county engineer for review and recommendation.
- 2) Motion to award bid if low quote is clearly determined by bid results.

**TABULATION OF BIDS**  
PCC Patching

PROJECT NO. PCC Patching 2023  
LETTING: Tuesday, September 26, 2023

NOTE: IN CASE OF MATHEMATICAL ERROR, UNIT PRICE SHALL GOVERN

Various Locations in Woodbury County

ITEM NO	ITEM	QUANTITIES		UNIT PRICE		AMOUNT		BID BOND		BID BOND		BID BOND		BID BOND		BID BOND	
		QUANTITIES	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	
1	Full Depth PCC Saw, Remove & Patch with 9" PCC C-4	150	S.Y.	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2	Patch by Count	12	Each	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3	Mobilization	1	LS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
4	Traffic Control	1	LS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

**SUMMARY OF BIDS**  
 1 Bainbridge Construction  
 2 Cedar Falls Construction  
 3 IANDA Construction  
 4 Knife River Midwest LLC  
 5 Ten Point Construction  
  
 Engineer's Estimate  
  
 Bid awarded to

TOTAL \$ - \$ - \$ - \$ - \$ - \$ - \$ - \$ -

\* Bainbridge Construction \* Cedar Falls Construction Co \* IANDA Construction \* Knife River Midwest LLC Ten Point Construction  
 \* 106 Main Street \* 3533 W Airline Hwy \* 1416 Pierce St \* 2220 Hawkeye Drive P.O. Box 563  
 \* Kingsley, IA 51028 \* Waterloo, Iowa 50703 \* Sioux City, IA 51105 \* Sioux City, IA 51105 Denison, Iowa 51442

.....

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 9/21/2023 Weekly Agenda Date: 9/26/2023

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Mark J. Nahra, County Engineer

**WORDING FOR AGENDA ITEM:**

Consider approval of plans for project number FM-C097(149)--55-97

**ACTION REQUIRED:**

- |  |   |  |
|--|---|--|
| Approve Ordinance <input type="checkbox"/> | Approve Resolution <input type="checkbox"/>   | Approve Motion <input checked="" type="checkbox"/> |
| Public Hearing <input type="checkbox"/>    | Other: Informational <input type="checkbox"/> | Attachments <input checked="" type="checkbox"/>    |

**EXECUTIVE SUMMARY:**

Plans have been completed for PCC Paving on 250th Street, between Hwy 31 and Mason Ave/ Co. route L27. The project is proposed for a January 2024 letting.

**BACKGROUND:**

The project will pave 250th Street which was graded for paving as part of the Special Project Levy. Work on grading was completed in 2020. The road will be paved with PCC paving and have granular shoulders added. This project was one of the 14 projects completed in all, or in part, with the \$1.3 million special tax levy for bridge and other projects collected from FY 2013 to FY 2018.

**FINANCIAL IMPACT:**

The projects are paid for with Woodbury County farm to market funds and the remaining \$374,000 of Special Project Levy funding.

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

I recommend that the Board approve the plans for project number FM-C097(149)--55-97.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to approve the plans for project number FM-C097(149)--55-97.





**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 9/20/23

Weekly Agenda Date: 9/26/23 4:45

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Daniel Priestley

**WORDING FOR AGENDA ITEM:**

a. Conduct Public Hearing on a Zoning Ordinance Map Amendment to Rezone from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District on Parcel #884506200006 (Lot 2 Boyle's Addition) for Richard & Kimberly Luze. b. Approve the 2nd Reading of the Ordinance as the Final Reading c. Waive the 3rd Reading of the Ordinance. d. Adopt the Zoning Ordinance Map Amendment (Rezone).

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

The Board of Supervisors will hold a public hearing at 4:45 PM to discuss a proposed Zoning Ordinance Map Amendment to rezone Richard & Kimberly Luze's 18.53-acre property located on Parcel #884506200006, Lot 2 of Boyle's Addition, Section 6 (Moville Township) from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District.

Following the public hearing, the Board may defer consideration of the proposal; or reject the proposal; or proceed to adopt an ordinance approving the amendment to the zoning district map.

A 60% majority of the Board of Supervisors shall be required to adopt the proposed amendment of the zoning district map if the owners of more than 20% of either, (a) the area of the subject property or (b) the area of real property lying within 500 feet of the subject property file a written objection prior to the conclusion of the public hearing.

The Board of Supervisors may impose restrictive conditions upon the approval of an amendment to the zoning district map if, before the conclusion of the public hearing, the owner agrees to the conditions in writing.

**BACKGROUND:**

Richard and Kimberly Luze (Applicants/Owners) have filed a Zoning Ordinance Map Amendment application with Woodbury County to request for their property (Parcel #884506200006) to be rezoned from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District. The applicants are making this request to pursue an eventual split of their parcel to facilitate the ability to add a neighboring single-family dwelling in the future as there are presently two houses located within the existing quarter-quarter section. The split will likely consist of approximately three acres from the existing 18+ acres. This will be initiated at a future date. The neighbors within 1000 FT have been notified via a August 23, 2023 letter about the September 11, 2023 Zoning Commission public hearing and were informed about the three scheduled public hearings before the Board of Supervisors. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. This property is located in the Agricultural Preservation (AP) Zoning District and is not located in the floodplain. This requested zoning change is compliant with the future land use map of Woodbury County's development plan as this area is designed within the rural residential area. Following a public hearing, the Woodbury County Zoning Commission voted 4-0 to recommend approval of the Zoning Ordinance Map Amendment (rezone) change from Agricultural Preservation (AP) to Agricultural Estates (AE) at their special meeting held at the Moville Area Community Center on September 11, 2023.

Parcel #:884506200006  
Township/Range: T88N R45W (Moville)  
Section: 6  
Subdivision: Boyle's Addition  
Lot: 2  
Acres: 18.53  
Zoning District: Agricultural Preservation  
Floodplain District: X (Not in Floodplain)  
Legal Description: Lot Two (2), Boyle's Addition, Woodbury County, Iowa  
Address: 2480 Hwy 20, Lawton, IA 51030

**FINANCIAL IMPACT:**

0

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

Open and close the public hearing. (Set Time: 4:45 PM)

Conduct and approve the Second Reading of the Zoning Ordinance Map Amendment (Rezone) as the Final Reading.

Waive the Third Reading of the Ordinance.

Adopt the Zoning Ordinance Map Amendment (Rezone).

If needed, a Third public hearing and reading of the ordinance has been scheduled for Tuesday, 10/3/22 at 4:45 PM.

**ACTION REQUIRED / PROPOSED MOTION:**

- a. Conduct Public Hearing on a Zoning Ordinance Map Amendment to Rezone from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District on Parcel #884506200006 (Lot 2 Boyle's Addition) for Richard & Kimberly Luze. (Set Time: 4:45 PM)
- b. Motion to Approve the 2nd Reading of the Ordinance as the Final Reading.
- c. Motion to Waive the 3rd Reading of the Ordinance.
- d. Motion to Adopt the Zoning Ordinance Map Amendment (Rezone).





# WOODBURY COUNTY COMMUNITY & ECONOMIC DEVELOPMENT

620 Douglas St. · Sixth Floor · Sioux City, IA 51101 · Phone: 712.279.6609 · Fax: 712.279.6530 · Web: woodburycountyiowa.gov

Daniel J. Priestley, MPA – Zoning Coordinator · dpriestley@woodburycountyiowa.gov

Dawn Norton – Senior Clerk · dnorton@woodburycountyiowa.gov

FINAL REPORT – REVISED SEPTEMBER 20, 2023

ZONING ORDINANCE MAP AMENDMENT PROPOSAL (REZONE PARCEL #884506200006 to AE)

### Application Details

### Property Details

### Contents

Applicant(s)/Owner(s):	Richard & Kimberly Luze
Application Type:	Zoning Ordinance Map Amendment
Current Zoning District:	Agricultural Preservation
Requested Zoning District:	Agricultural Estates
Current Use:	Residential
Proposed Use:	Residential
Average CSR Rating:	NRCS Document Included
Engineer/Surveyor:	Alan Fagan (712-539-1471)
Pre-application Meeting:	July 25, 2023
Application Date:	August 1, 2023
Stakeholder Notification:	August 4, 2023
Neighbors' Notification:	August 23, 2023
Legal Publication:	August 29, 2023
Zoning Commission Public Hearing:	September 11, 2023
Board of Supervisors Public Hearings:	September 19, 26, and October 3 at 4:45 PM

Parcel #:	884506200006
Township/Range:	T88N R45W (Moville)
Section:	6
Subdivision:	Boyle's Addition
Lot:	2
Acres:	18.53
Zoning District:	Agricultural Preservation
Floodplain District:	X (Not in Floodplain)
Legal Description:	Lot Two (2), Boyle's Addition, Woodbury County, Iowa
Address:	2480 Hwy 20, Lawton, IA 51030

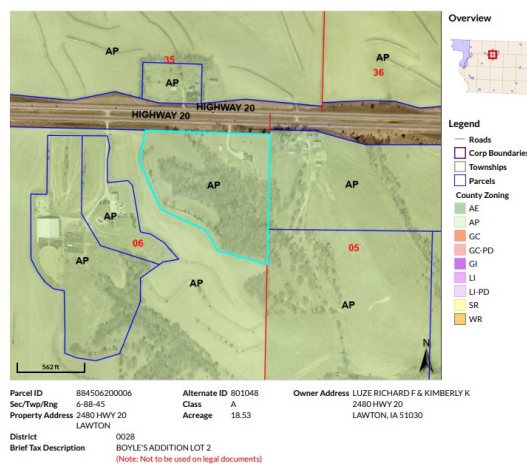
	Application Details, Summary, Aerial, Future Land Use, and Zoning Commission Recommendation & Minutes
	Application
	Ordinance
	Review Criteria
	Legal Notification
	Stakeholder(s) Comments and Neighbor(s) Notification
	Supporting Documentation

### SUMMARY

Richard and Kimberly Luze (Applicants/Owners) have filed a Zoning Ordinance Map Amendment application with Woodbury County to request for their property (Parcel #884506200006) to be rezoned from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District. The applicants are making this request to pursue an eventual split of their parcel to facilitate the ability to add a neighboring single-family dwelling in the future as there are presently two houses located within the existing quarter-quarter section. The split will likely consist of approximately three acres from the existing 18+ acres. This will be initiated at a future date. The neighbors within 1000 FT have been notified via a August 23, 2023 letter about the September 11, 2023 Zoning Commission public hearing and the three scheduled Board of Supervisors public hearings. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. This property is located in the Agricultural Preservation (AP) Zoning District and is not located in the floodplain. This requested zoning change is compliant with the future land use map of Woodbury County's development plan as this area is designed within the rural residential area. Following a public hearing, the Woodbury County Zoning Commission voted 4-0 to recommend approval of the Zoning Ordinance Map Amendment (rezone) change from Agricultural Preservation (AP) to Agricultural Estates (AE) at their special meeting held at the Moville Area Community Center on September 11, 2023.

### AERIAL VIEW

### FUTURE LAND USE MAP EXCERPT (Rural Residential – Yellow)



### ZONING COMMISSION RECOMMENDATION AND STAFF RECOMMENDATION

Following a public hearing, the Woodbury County Zoning Commission voted 4-0 to recommend approval of the Zoning Ordinance Map Amendment (rezone) change from Agricultural Preservation (AP) to Agricultural Estates (AE) at their special meeting held at the Moville Area Community Center on September 11, 2023. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. Staff also recommends approval.

**Minutes - Woodbury County Zoning Commission Special Meeting – September 11, 2023**

The Zoning Commission (ZC) special meeting convened on the 11<sup>th</sup> of September at 5:00 PM at the Merville Community Center in Merville, Iowa. The meeting was also made available via teleconference.

ZC Members Present:	Chris Zant, Corey Meister, Jeff O'Tool, Tom Bride
County Staff Present:	Dan Priestley, Dawn Norton
Public Present:	Angie Heck, Tony Heck, Kim Luze, Rich Luze, Vicki Atwell, Steve Mrla, Leo Jochum, Bev Jochum, Janet Yanak, Tony Yanak, Dennis Ragan, JoAnn Sadler, Zach Hummel, Wally Wagner, John Johnston, Jeremy Taylor, Kevin Heck, Kyle Gates, Eric Nelson, Elizabeth Widman, Rebekah Moerer, Genise Hallowell, Kalyon Heetland, Josh Heetland, Elisabeth Cendejas, Jesus Cendejas, Robert Knaack, Greg Jochum, Brad Jochum, Tom Jochum, Bob Fritzmeier

**Call to Order**

Chair Chris Zant formally called the meeting to order at 5:00 PM. Four Commissioners were present. Commissioner Parker was absent.

**Public Comment on Matters Not on the Agenda**

None

**Approval of Previous Meeting Minutes – July 24, 2023**

O'Tool motioned to approve the minutes from July 24, 2023. Second: Bride. Motion carried: 4-0.

**Formal approval of Zoning Commission Rules of Procedure**

At the July 24, 2023 meeting of the Zoning Commission, the rules of procedure were approved and sent to the Board of Supervisors who voted to approve the rules on August 8, 2023. Motion to formally adopt the rules and authorize the chair to sign the Rules of Procedure by Meister. Second: O'Tool. Motion carried: 4-0.

**Public Hearing: Proposed Janet Heck Subdivision (Parcel #874724300005)**

Priestley read the preliminary report and staff recommendation into the record. Kevin Heck, executor for Janet K. Heck has filed for a one (1) lot minor subdivision on the property identified as Parcel #8747243000005. This subdivision is being completed to separate the house location from the farm ground. This agricultural subdivision proposal has been properly noticed in the Sioux City Journal legals section on August 29, 2023. The neighbors within 1000 FT have been duly notified via an August 23, 2023 letter about the September 11, 2023 Zoning Commission public hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lot(s) have adequate access. This property is located in the Agricultural Preservation (AP) Zoning District and is located in the Special Flood Hazard Area (SFHA) – Zone A. The City of Salix waived their extraterritorial review authority with the approval of Resolution No. 2023-20. The area of the subdivision is less than 5 acres and the Base Flood Elevation (BFE) data is not required. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. Motion to close public hearing: O'Tool. Second: Bride. Carried: 4-0. Motion to recommend the approval to the Board of Supervisors as proposed: O'Tool. Second: Meister. Motion carried: 4-0.

**Public Haring: Proposed Zoning Ordinance Map Amendment (Rezoning) (Parcel #884506200006)**

Priestley read into record the preliminary report and staff recommendation. Richard and Kimberly Luze (Applicants/ Owners) have filed a Zoning ordinance Map Amendment application with Woodbury County to request their property (Parcel #884506200006) be rezoned from Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District. The applicants are making this request to pursue an eventual split of their parcel to facilitate the ability to add a neighboring single-family dwelling in the future as there are presently two houses located within the existing quarter-quarter section. The split will likely consist of approximately three acres from the existing 18+ acres. This will be initiated at a future date. The neighbors within 1000 FT have been notified via an August 23, 2023 letter about the September 11, 2023 Zoning Commission public hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. This property is located in the Agricultural Preservation (AP) Zoning District and is not located in the floodplain. This requested zoning change is compliant with the future land use map of Woodbury County's development plan as this area is designated within the rural residential area. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. Staff recommends approval. Priestley has received some phone inquiries regarding future land uses. A Neighboring landowner spoke with concerns of possible subdivisions and increasing density. Priestley stated with Hwy 20 abutting the land, the state

would likely not allow more driveways off Hwy 20. If additional land splits were requested through a subdivision application, there would be public conversations and meetings. Ms. Atwell expressed concerns if a subdivision would go in and how it could affect her cattle farming. Bride stated it would have no impact on what she is currently doing and stated communication between landowners is important. Steve Mrla stated DOT could build a frontage road which would allow more access. Bride discussed how eliminant domain should not be used for private use. Bride motioned to close public hearing. Second: Meister. Carried: 4-0. Motion to recommend the approval to the Board of Supervisors as proposed: Meister. Second: Bride. Motion carried: 4-0.

**Public Hearing: Utility-Scale Solar Systems – Consideration of Solar Ordinances for Recommendation(s) to the Board of Supervisors**

Priestley read into the record the direction by the Woodbury County Board of Supervisors that occurred on August 8, 2023 for Planning and Zoning and the Zoning Commission to establish/examine a new ordinance as it relates to utility-scale solar systems. The purpose of this public hearing is to receive comments from the public about solar energy systems not limited to utility-scale solar systems, agrisolar or agrivoltaics, and community solar systems as the Commission works toward preparing a recommendation for a proposed ordinance or amendments to the Woodbury County Zoning ordinance to address the permitting process for such systems in industrial and/or agricultural areas. The Board of Supervisors have indicated that “if the county was to engage in utility-scale solar, at minimum, the county should consider this only if the following is met”:

- A conditional use permit for AP “C” with Planning and Zoning and Board of Adjustment to be able to site-specifically take into consideration the concerns of neighbors, land/sol, and other factors when approving permit.
- A slope of no more than 5% in order to preserve the land and to account for soil erosion, compaction, and future land stewardship.
- A maximum height of no more than 20’ for panel structures.
- Of all AP, no more than 49% can be in such a project. In short, 51% must be for agricultural production or no longer considered “AP.”
- Utility solar can be no more than 2% of all AP “agricultural preservation,” preserving 98% of AP. This equates to approximately 8,540 acres of the 427,000 acres of ag land, ag land constituting 75% of the 570,000 total acres in Woodbury County.
- Current notification for utility-scale solar shall be 1 mile for public comment instead of 500 feet.
- A requirement (or at least strong consideration) that the utility-scale solar project either be on a landowner’s property or that the owner of the land be a resident of Woodbury County.

Priestley identified additional comments/resources that were received after the printing of the Zoning Commission agenda packet with backup materials. In particular, resources were received from the Center of Rural Affairs, the Northwest Iowa Power Cooperative (NIPCO), the Woodbury County Rural Electric Cooperative, and the Iowa Land & Liberty Coalition. Additionally, Priestley provided a copy of a map illustrating soil content with less than 5% slopes in comparison with soils with CSR2 ratings greater than 65 and 75. Priestley then offered a summary of potential approaches that could be taken to craft an ordinance including which entity would be in charge of the permitting. Looking at other counties, there is a mix of permitting utility-scale solar based on a conditional use permit via the Zoning Commission and Board of Adjustment in comparison with a standalone home rule ordinance where the Board of Supervisors are the permitting body. Priestley indicated that the following concepts would be up for discussion as an ordinance is considered: Certified Abstractor’s Listing – Public Notification Area; Site Plan; Setbacks; Height; Protected Areas; Slope; Landscaping/Buffer/Screening; Fencing/Security; Signage; Lighting; Noise; Outdoor Storage; Utility Plan / Utility Connections / Agreements; Floodplain; Habitat and Natural Resource Considerations; Solar Glare Minimization; Weed Control; Grading Plan; Compliance with applicable laws (local, state, federal); Access; Road Use; Aviation Protection; Maintenance, Repair, or Replacement / Repowering; Waste; Soil Erosion / Sediment Control; Stormwater Management; Administration / Enforcement / Violations; Emergency Management; Timeline; Safety; Abandonment / Cessation of Operations; Decommissioning and Reclamation; Fees; Agrivoltaics / Agrisolar; Community Solar Systems; Concentrating Solar Power; Solar definitions; Etc.

The following paraphrased public comments were offered:

Greg Jochum (Salix) addressed the Commission regarding the differences between CSR1 and CSR2 as well as height.

Brad Jochum (Plymouth County) addressed the Commission regarding out of county ownership.

Tom Jochum (Sgt. Bluff) addressed the Commission regarding the advantages of solar.

Eric Nelson (Moville) addressed the Commission regarding solar as a commercial/industrial entity.

Ron Wood (Salix) addressed the Commission regarding the need for solar power generation for growth.

Elizabeth Widman (Sgt. Bluff) addressed the Commission regarding the stewardship and protection of agricultural land from solar development

Bob Fritzmeier (Sioux City) addressed the Commission regarding how solar installations help soil to rejuvenate and help the wildlife population.

Leo Jochum (Salix) addressed the Commission regarding renewable energy rates, vegetation for screening, capping AP land at 2%, and soil rejuvenation.

Kim Alexander (Smithland) addressed the Commission regarding money as a principal purpose for solar.

Will Dougherty (Urbandale) addressed the Commission on how MidAmerican works with various stakeholders as they pursue solar projects and offered an opportunity to tour the Port Neal solar site.

Ann Johnston (Salix) addressed the Commission with concerns on the impact of the farm ground and keeping the land the way it is.

Wally Kuntz (Merville) addressed the Commission inquiring about the tax income.

Supervisor Jeremy Taylor (Sioux City) addressed the Commission and responded to Mr. Kuntz's inquiry about generation usage tax.

Bride asked Will Dougherty from MidAmerican where the largest project was in Iowa, Dougherty stated Holiday Creek, north of Fort Dodge has an 800-acre, 100 M/Watt project. 8 acres generally produces 1 M/Watt.

Bride asked if there has been any requests to the Iowa Utilities Board for eminent domain for a commercial solar project.

Eric Nelson asked Dougherty about storage of excess power. Dougherty stated it is not an on-demand system. The grid goes where needed first, then to next load center. Port Neal is a on-demand system. Dougherty stated coal system is used as a back up to solar.

Motion to close public hearing: Meister. Second: O'Tool. Carried: 4-0.

Priestley thanked the attendees for their comments and questions. The information gathered will be taken into consideration as a proposal is prepared and possibly recommended by the Zoning Commission that would eventually go to the Board of Supervisors for up to three hearings. The next meeting of the Zoning Commission will be held on Monday, September 25 at 5:00 PM in the basement meeting room of the Woodbury County Courthouse where the Board of Supervisors meet.

**Public Comment on Matters Not on the Agenda**

None.

**Commissioner Comment or Inquiry**

None.

**Staff Update**

Priestley stated that the minor subdivision and rezone that were recommended this evening will be sent to the Board of Supervisors for consideration at future meeting(s).

**Adjourn**

Motion by Bride to adjourn; Second by O'Tool. Carried: 4-0. Adjourned: 6:34 p.m.





OFFICE OF PLANNING AND ZONING WOODBURY COUNTY

Zoning Ordinance Section 2.02(4) Page 1 of 8

Rezoning Application & Zoning Ordinance Map Amendment

<b>Owner Information:</b> Owner <u>Richard + Kimberly K. Luze</u> Address <u>2480 Hwy 20</u> <u>Lawton IA 51030</u> Phone <u>712-899-0024 712-560-5107</u>	<b>Applicant Information:</b> Applicant <u>Richard + Kimberly Luze</u> Address <u>2480 Hwy 20</u> <u>Lawton IA 51030</u> Phone <u>712 899-0024 712-560-5107</u>
--	---

Engineer/Surveyor Al Fagan Phone 712 938-2228 <sup>cell</sup> 712 539-1411

**Property Information:**  
 Property Address or Address Range 2480 Highway 20, Lawton, IA 51030  
 Quarter/Quarter Lot 2 Boyle Addition Sec 6 Twship/Range 88 45 ~~48~~ 44  
 Parcel ID # 884506200006 or GIS # NEVE AP 2750-Map-X Total Acres 18.53  
 Current Use Residential Proposed Use Residential mobile  
 Current Zoning Agricultural Preservation Proposed Zoning Agricultural Estates  
 Average Crop Suitability Rating (submit NRCS Statement) See attached

The filing of this application is required to be accompanied with all items and information required pursuant to section 2.02(4)(C)(2) through (C)(4) of Woodbury County's zoning ordinances (see attached pages of this application for a list of those items and information).

A formal pre-application meeting is recommended prior to submitting this application.  
 Pre-app mtg. date 7/25/2023 Staff present Dan Priestly

The undersigned is/are the owner(s) of the described property on this application, located in the unincorporated area of Woodbury County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the Woodbury County Planning and Zoning Office and zoning commission members to conduct a site visit and photograph the subject property.

This Rezoning Application / Zoning Ordinance Map Amendment is subject to and shall be required, as a condition of final approval, to comply with all applicable Woodbury County ordinances, policies, requirements and standards that are in effect at the time of final approval.  
 Owner Kimberly K. Luze Applicant Kimberly K. Luze  
 Date 8/1/2023 Date 8/1/2023

Fee: \$400 Case #: 6914  
 Check #: 5636  
 Receipt #: \_\_\_\_\_

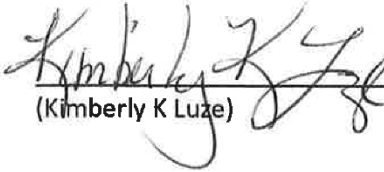
*Woodbury Co Treasurers*



We, the owners of 2480 Highway 20, Lawton, IA, would like to amend the zoning of said property from Agricultural Preservation to Agricultural Estates. This would permit us to pursue a split of the current parcel/property. We would like to separate our current residence and approximately 3 acres from the remainder 15+ acres of the property for an additional residence to be built on in the future.

  
\_\_\_\_\_  
(Richard F Luze)

8/1/2023  
(Date)

  
\_\_\_\_\_  
(Kimberly K Luze)

8/1/2023  
(Date)

**ORDINANCE NO. \_\_\_\_**

**A ZONING DISTRICT DESIGNATION MAPPING AMENDMENT  
TO THE WOODBURY COUNTY, IOWA ZONING ORDINANCE**

**WHEREAS** the Board of Supervisors of Woodbury County, Iowa, adopted a Zoning Ordinance on July 22, 2008, by Resolution No. 10,455 being recorded in the Office of the Woodbury County Recorder, and

**WHEREAS** the Woodbury County Board of Supervisors has received a report in respect to amending the said Ordinance from the Woodbury County Zoning Commission which held a public hearing on the amendment; all as by law provided. Which the amendment is attached hereto marked item One (1), and hereby made a part hereof; and

**WHEREAS** the Woodbury County Board of Supervisors has received said report, studied and considered the same, and has held hearings on said amendment, all as by law provided; and

**WHEREAS** the Woodbury County Board of Supervisors has concluded that the said ordinance shall amend the aforesaid Zoning Ordinance;

**NOW THEREFORE, BE IT RESOLVED** by the Woodbury County Board of Supervisors, duly assembled, that the aforesaid Zoning District is amended as shown on said attached item One (1); and the previous zoning district designation shall be repealed upon the effective date of this amendment.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2023.

**THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS**

\_\_\_\_\_  
**Matthew Ung, Chairman**

\_\_\_\_\_  
**Jeremy Taylor, Vice Chairman**

\_\_\_\_\_  
**Daniel Bittinger II**

\_\_\_\_\_  
**Mark Nelson**

\_\_\_\_\_  
**Keith Radig**

Attest:

\_\_\_\_\_  
Patrick Gill, Woodbury County Auditor

<b>Adoption Timeline:</b> Public Hearing and 1st Reading: Public Hearing and 2nd Reading: Public Hearing and 3rd Reading: Adopted: Effective:
--

## ITEM ONE (1)

Property Owner(s): Richard F. Luze and Kimberly K. Luze, 2480 Hwy 20, Lawton, IA 51030.  
Property Address, 2480 Hwy 20, Lawton, IA 51030.

Petitioner Applicant(s): Richard F. Luze and Kimberly K. Luze, 2480 Hwy 20, Lawton, IA 51030.

Pursuant to Section 2.02:4 of the Woodbury County Zoning Ordinance, and in accordance with Section 335 of the Code of Iowa, the Woodbury County Zoning Commission held a public hearing on **September 11, 2023**, to review and make a recommendation for amendments to the Woodbury County Zoning Ordinance and Mapping for the unincorporated area of Woodbury County, Iowa as follows:

Amendment to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for 18.526-acres located on Lot Two (2), Boyle's Addition, Woodbury County, Iowa, Section 6, T88N R45W (Moville Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel #884506200006 and is described as:

Lot Two (2), Boyle's Addition, Woodbury County, Iowa



**EVALUATION CRITERIA**

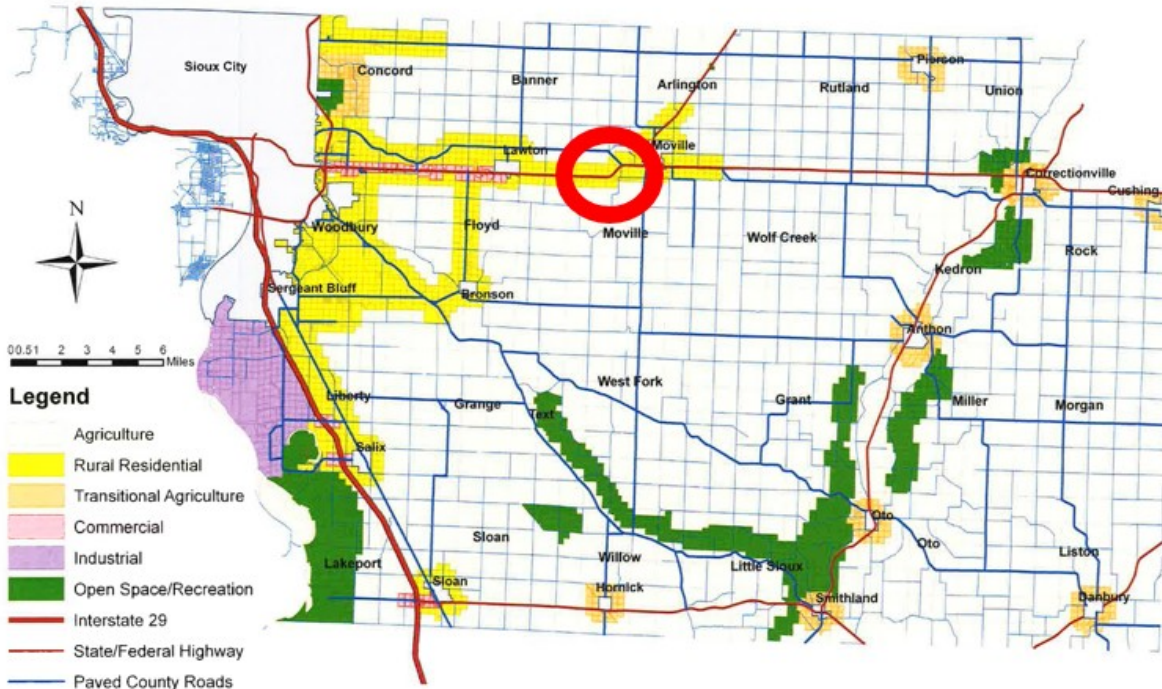
The Zoning Commission shall base their recommendations and the Board of Supervisors shall base their decision on any requested amendment of the zoning district map on the following criteria:

**Conformance with the goals and objectives set forth in the approved general development plan for Woodbury County including the future land use map.**

The 2005 Future Land Use Map shows this area as Rural Residential. The parcel is currently zoned Agricultural Preservation (AP) and the request is to change to Agricultural Estates (AE). The request conforms to the goals and objectives of the general development plan as it relates to the following land use goals:

- **Residential Goal 5.1:** Encourage non-farm residential development to locate near cities or on existing hard surfaced roadways, particularly in areas that can be served by urban services such as public water and sewer systems.
- **Residential Goal 5.2:** Encourage residential development to locate in areas with suitable accessibility, soils, and terrain.
- **Land Use Goal 1.2:** Adopt development regulations that promote efficient, stable land uses with minimum conflicts and provision of public infrastructure.

**Future Land Use Map**



**Planning for 2025**

**The Woodbury County General Development Plan**

Adopted November 22, 2005

EFFECTIVE PLAN (ABOVE)

*Future Land Use*

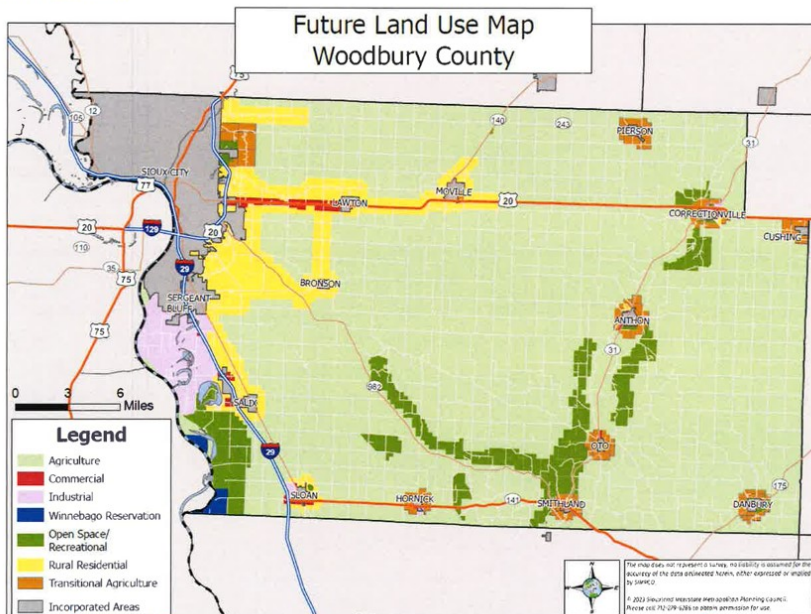


Figure 7.4 Future land use map

DRAFT PLAN FOR 2040 (ABOVE - NOT ADOPTED)



**PROPERTY OWNER(S) NOTIFICATION** **MAP**

Total Property Owners within 1000 FT via Certified Abstractor's Listing:	8
Notification Letter Date:	August 23, 2023
Public Hearing Board:	Zoning Commission
Public Hearing Date:	September 11, 2023 (Zoning Commission)
Phone Inquiries:	3
Written Inquiries:	1
Board of Supervisors Public Hearing Dates:	September 19, 26, and October 3 all at 4:45 PM
Board of Supervisors Legal Notification Publish Date:	September 14, 2023
The names of the property owners are listed below.	
When more comments are received after the printing of this packet, they will be provided at the meeting.	



Property Owner(s)	Mailing Address				Written Comments
Richard F. Luze & Kimberly K. Luze	2480 Hwy 20	Lawton	IA	51030	No comments.
Steve Mrla	1540 Dallas Ave.	Lawton	IA	51030	No comments.
Brian L. Berkenpas & Lisa Marling-George	2470 Hwy 20	Lawton	IA	51030	No comments.
BrianLisa, LLC	2470 Hwy 20	Lawton	IA	51030	No comments.
Trustee of the Vicki J. Atwell Revocable Living Trust	2514 Hwy 20	Lawton	IA	51030	<b>SEE COMMENT BELOW.</b>
Violet M. Reinholdt	2605 Glen Ellen Road	Sioux City	IA	51106-7124	No comments.
Life Estate to Trustee of the James R. Cross Revocable Trust	1371 Grundy Ave.	Moville	IA	51039	No comments.
Bradley H. Hopp & Megan L. Hopp	2475 Hwy 20	Lawton	IA	51030	No comments.

**Daniel Priestley**

**From:** Vicki Atwell <atwellvicki@gmail.com>  
**Sent:** Tuesday, August 22, 2023 11:27 AM  
**To:** Daniel Priestley  
**Subject:** subject letter on rezoning

**CAUTION:** This email originated from **OUTSIDE** of the organization. Please verify the sender and use caution if the message contains any attachments, links, or requests for information as this person may NOT be who they claim. **If you are asked for your username and password, please call WCICC and DO NOT ENTER any data.**

Dear Sir, I sure hope you get this because I am not a computer expert. Not sure on how to get it signed either.

Just want to let you know that I have questions about why it has to be rezoned if they are just wanting to take the small parcel for themselves and I imagine sell the larger piece. Can't it stay AP?

I guess I have some concerns about it being turned into a housing development. I know you said for that to happen a lot of things have to be done.

You also said I could still use my farm as I have been. That will be good.

Thank you for your help and patience.

Sincerely,

Vicki Atwell

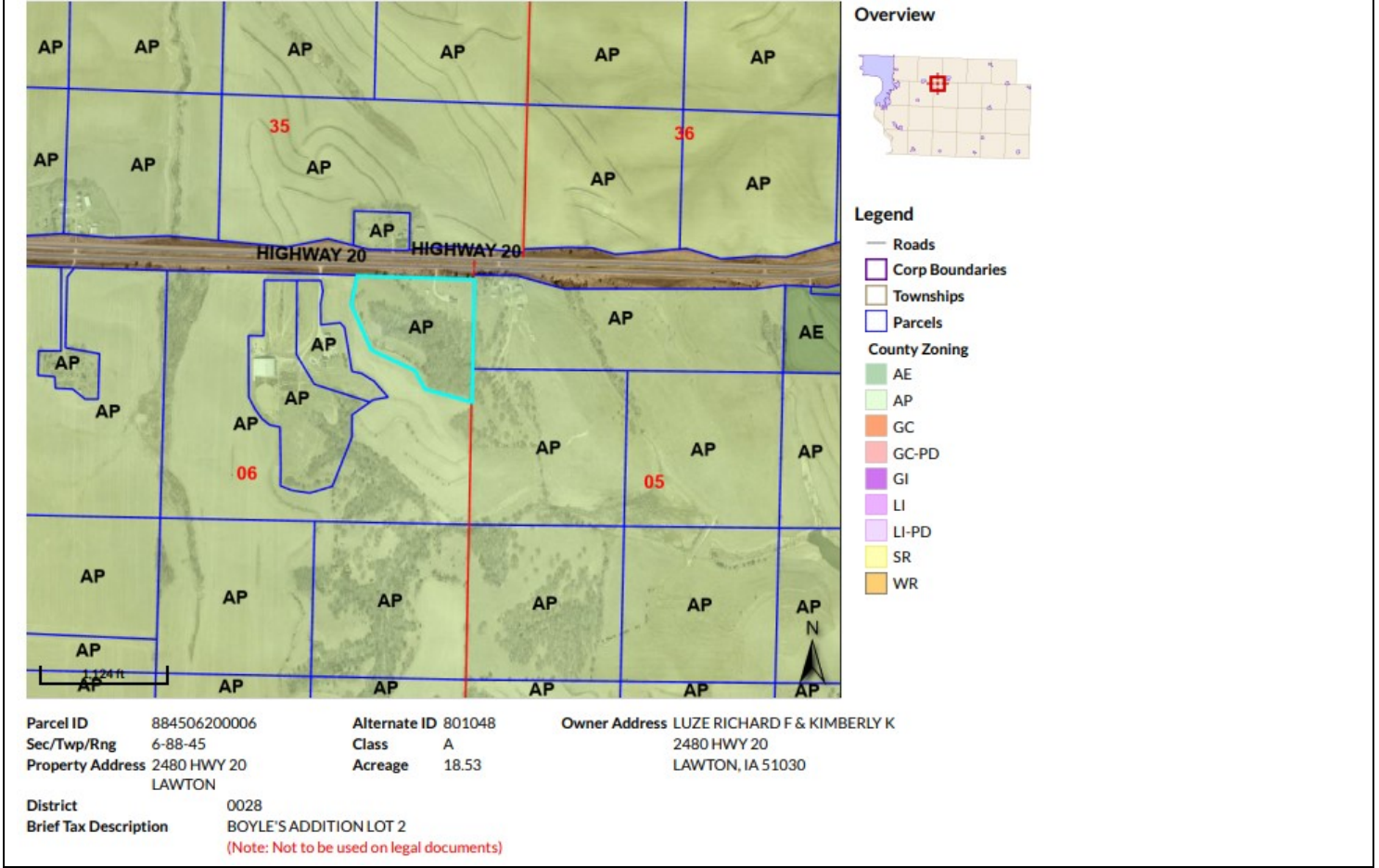
**STAKEHOLDER COMMENTS**

911 COMMUNICATIONS CENTER:	No comments.
FIBERCOMM:	No comments.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments.
IOWA DEPARTMENT OF TRANSPORTATION (IDOT):	No comments.
LOESS HILLS NATIONAL SCENIC BYWAY:	No comments.
LOESS HILLS PROGRAM:	No comments.
LONGLINES:	No comments.
LUMEN:	No comments.
MAGELLAN PIPELINE:	No comments.
MIDAMERICAN ENERGY COMPANY (Electrical Division):	I have reviewed the proposed rezoning for MEC electric, and we have no conflicts. – Casey Meinen, 8/8/23.
MIDAMERICAN ENERGY COMPANY (Gas Division):	No conflicts for MEC “Gas”. – Tyler Ahlquist, 8/7/23.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS):	No comments.
NORTHERN NATURAL GAS:	No comments.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	Have reviewed this zoning request. NIPCO has no issues with this request. – Jeff Zettel, 8/7/23.

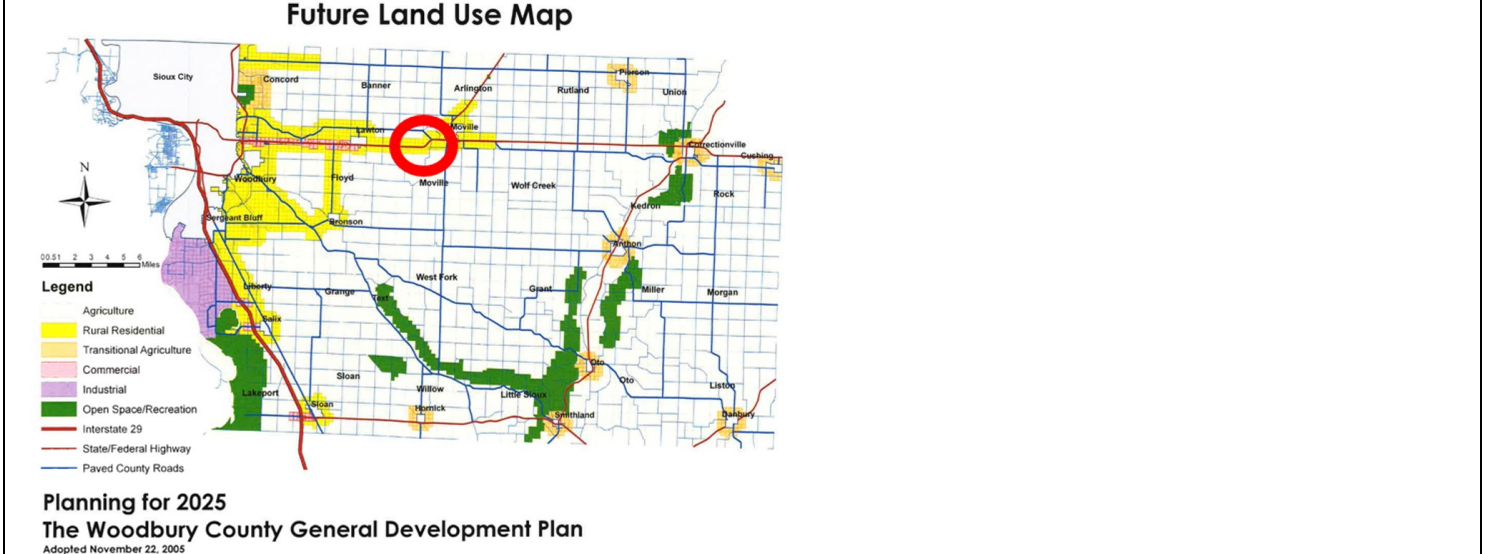


NUSTAR PIPELINE:	No comments.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	No comments.
WIATEL:	No comments.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments.
WOODBURY COUNTY EMERGENCY MANAGEMENT:	No comments.
WOODBURY COUNTY EMERGENCY SERVICES:	No comments.
WOODBURY COUNTY ENGINEER:	No comments.
WOODBURY COUNTY RECORDER:	I have no comments. – Diane Swoboda Peterson, 8/7/23.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No comments.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT:	The WCSWCD has no comments regarding this rezoning proposal. – Neil Stockfleth, 8/4/23.

**ZONING MAP**



**FUTURE LAND USE MAP**



# Woodbury County, IA / Sioux City

## Summary

**Parcel ID** 884506200006  
**Alternate ID** 801048  
**Property Address** 2480 HWY 20  
 LAWTON IA 51030  
**Sec/Twp/Rng** 6-88-45  
**Brief Tax Description** BOYLE'S ADDITION LOT 2  
 (Note: Not to be used on legal documents)  
**Deed Book/Page** 697-9110 (5/7/2008)  
**Gross Acres** 18.53  
**Exempt Acres** 10.16  
**Net Acres** 8.37  
**Adjusted CSR Pts** 0  
**Zoning** AP - AGRICULTURAL PRESERVATION  
**District** 0028 MOVILLE/LAWTON-BRONSON  
**School District** LAWTON BRONSON  
**Neighborhood** N/A



## Owner

**Deed Holder**  
 LUZE RICHARD F & KIMBERLY K  
 2480 HWY 20  
 LAWTON IA 51030  
**Contract Holder**  
**Mailing Address**  
 LUZE RICHARD F & KIMBERLY K  
 2480 HWY 20  
 LAWTON IA 51030

## Land

**Lot Area** 18.53 Acres;807,167 SF

## Residential Dwellings

**Residential Dwelling**  
**Occupancy** Single-Family / Owner Occupied  
**Style** 1 Story Frame  
**Architectural Style** N/A  
**Year Built** 2009  
**Condition** Normal  
**Roof** Asph / Hip  
**Flooring**  
**Foundation** Conc  
**Exterior Material** HARDBOARD  
**Interior Material** Drwl  
**Brick or Stone Veneer**  
**Total Gross Living Area** 2,261 SF  
**Main Area Square Feet** 2261  
**Attic Type** None;  
**Number of Rooms** 5 above; 3 below  
**Number of Bedrooms** 2 above; 2 below  
**Basement Area Type** Full  
**Basement Area** 2,261  
**Basement Finished Area** 1,750 - Living Qtrs. W/ Walk-out  
**Plumbing** 1 Cust Bath - 3 Fixt; 1 Standard Bath - 3 Fi; 2 Shower Stall Bath -3; 1 Toilet Room (1/2 Bat; 1 Sink; 1 Shower Stall/Tub;  
**Appliances** 1 Range Unit; 1 Dishwasher;  
**Central Air** Yes  
**Heat** FHA - Electric  
**Fireplaces** 1 Gas;  
**Porches** 1S Frame Open (225 SF);  
**Decks** Wood Deck (432 SF); Concrete Patio (432 SF);  
**Additions**  
**Garages** 949 SF - Att Frame (Built 2009);

## Yard Extras

#1 - (1) Shed W14.00 x L24.00 336 SF, Metal Shed, High Pricing, Built 2014

## Sales

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
5/7/2008	BOYLE KENNETH J & KELLY M	LUZE RICHARD F & KIMBERLY K	697/9110	CHANGE IN CLASS - MUST BE DEFINED	Deed		\$70,398.00

**Permits**

Permit #	Date	Description	Amount
5849	06/16/2014	Utility Shed	8,000
5105	09/15/2008	New Dwlg	357,000

**Valuation**

	2023	2022	2021	2020	2019
Classification	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Residential
+ Assessed Land Value	\$14,750	\$11,460	\$11,460	\$10,830	\$78,170
+ Assessed Building Value	\$0	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$585,030	\$441,280	\$441,280	\$383,580	\$347,070
= <b>Gross Assessed Value</b>	<b>\$599,780</b>	<b>\$452,740</b>	<b>\$452,740</b>	<b>\$394,410</b>	<b>\$425,240</b>
- Exempt Value	(\$8,400)	(\$6,980)	(\$6,980)	(\$6,160)	\$0
= <b>Net Assessed Value</b>	<b>\$591,380</b>	<b>\$445,760</b>	<b>\$445,760</b>	<b>\$388,250</b>	<b>\$425,240</b>

**Sioux City Special Assessments and Fees**

[Click here to view special assessment information for this parcel.](#)

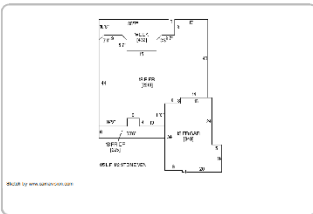
**Woodbury County Tax Credit Applications**

[Apply for Homestead, Military or Business Property Tax Credits](#)

**Photos**



**Sketches**



No data available for the following modules: Commercial Buildings, Agricultural Buildings, Sioux City Tax Credit Applications, Sioux City Board of Review Petition.



[User Privacy Policy](#) [GDPR Privacy Notice](#)  
 Last Data Upload: 8/3/2023, 6:42:49 PM



**EFFECTIVE FLOODPLAIN MAP**



**Overview**



**Legend**

- Roads
- ▭ Corp Boundaries
- ▭ Townships
- ▭ Parcels
- FEMA Flood Map**
- ▭ A,
- ▭ AE,
- ▭ AE, FLOODWAY
- ▭ AH,
- ▭ AO,
- ▭ X, 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- ▭ X, AREA WITH REDUCED FLOOD RISK DUE TO LEVEE

<b>Parcel ID</b>	884506200006	<b>Alternate ID</b>	801048	<b>Owner Address</b>	LUZE RICHARD F & KIMBERLY K
<b>Sec/Twp/Rng</b>	6-88-45	<b>Class</b>	A		2480 HWY 20
<b>Property Address</b>	2480 HWY 20	<b>Acres</b>	18.53		LAWTON, IA 51030
	LAWTON				
<b>District</b>	0028				
<b>Brief Tax Description</b>	BOYLE'S ADDITION LOT 2				
	(Note: Not to be used on legal documents)				

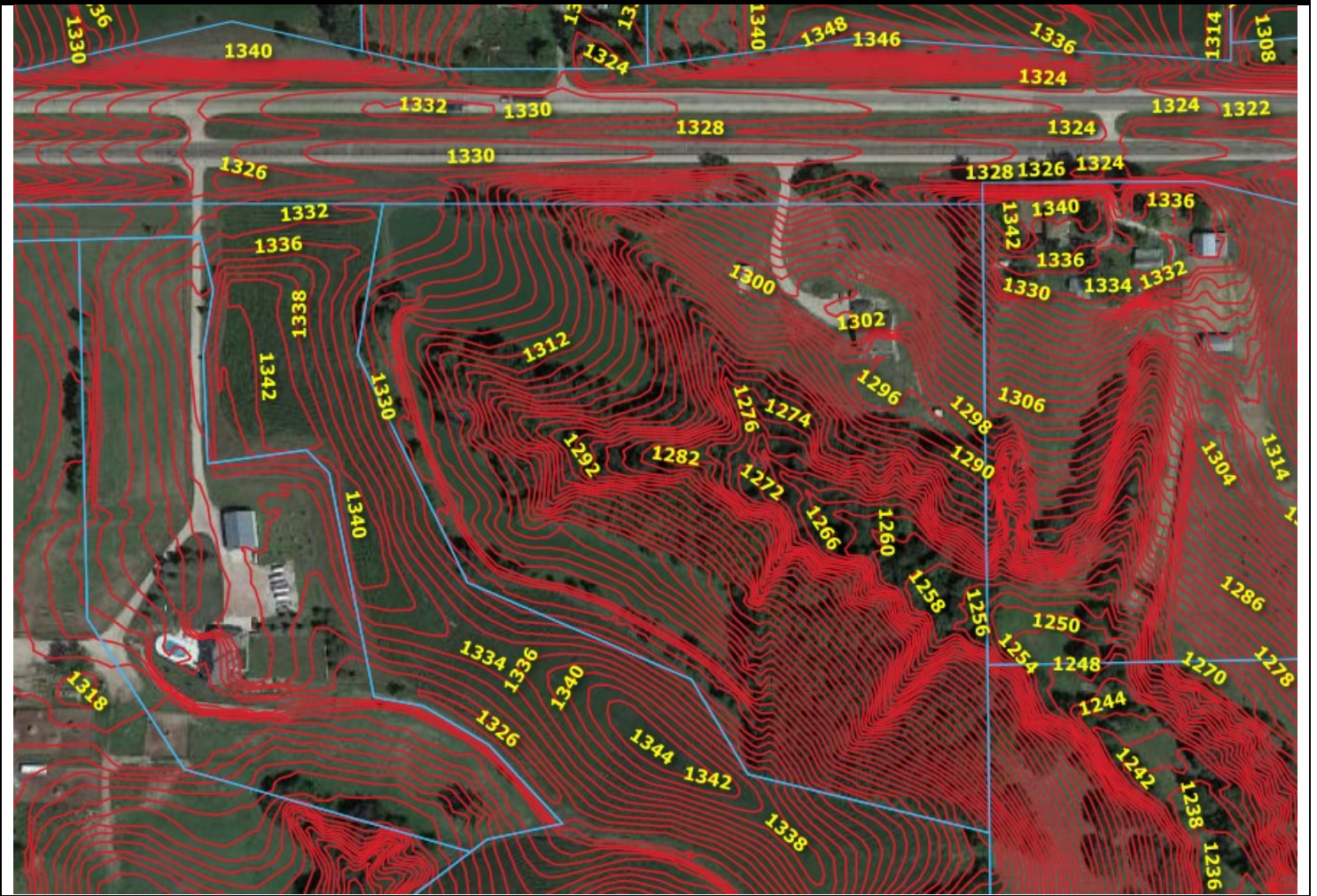
v

**DRAFT FLOODPLAIN MAP**



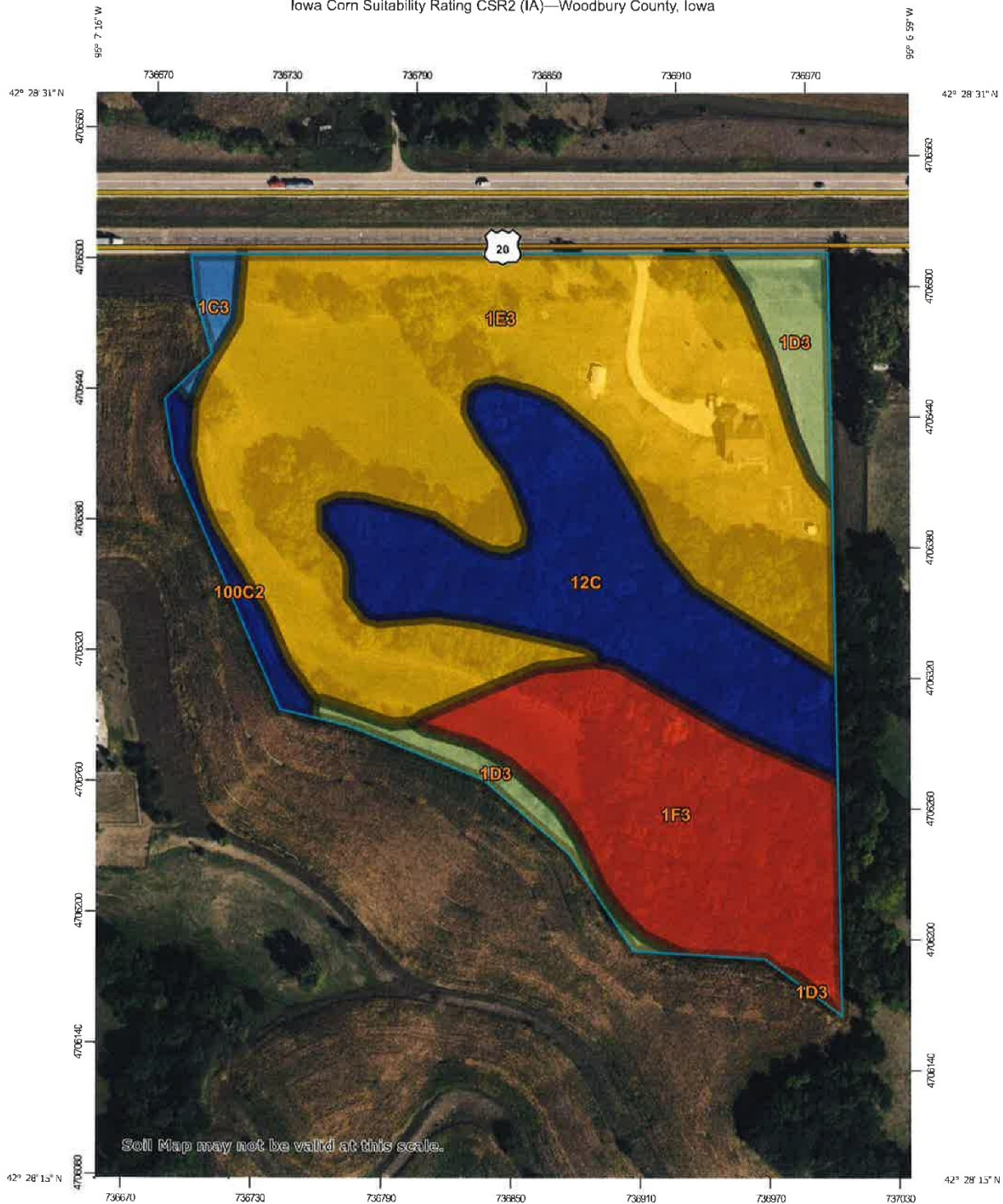


ELEVATION MAP





Iowa Corn Suitability Rating CSR2 (IA)—Woodbury County, Iowa



Map Scale: 1:2,430 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 14N WGS84



Natural Resources  
Conservation Service

Web Soil Survey  
National Cooperative Soil Survey

7/25/2023  
Page 1 of 3

## MAP LEGEND

<b>Area of Interest (AOI)</b>	<b>Transportation</b>
Area of Interest (AOI)	+++
Soils	Rails
Soil Rating Polygons	Interstate Highways
<= 8	US Routes
> 8 and <= 18	Major Roads
> 18 and <= 32	Local Roads
> 32 and <= 58	<b>Background</b>
> 58 and <= 89	Aerial Photography
Not rated or not available	
<b>Soil Rating Lines</b>	
<= 8	
> 8 and <= 18	
> 18 and <= 32	
> 32 and <= 58	
> 58 and <= 89	
Not rated or not available	
<b>Soil Rating Points</b>	
<= 8	
> 8 and <= 18	
> 18 and <= 32	
> 32 and <= 58	
> 58 and <= 89	
Not rated or not available	
<b>Water Features</b>	
Streams and Canals	

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

**Warning:** Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL:  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Woodbury County, Iowa  
 Survey Area Data: Version 32, Sep 2, 2022

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Sep 19, 2022—Sep 20, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Iowa Corn Suitability Rating CSR2 (IA)

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
1C3	Ida silt loam, 5 to 9 percent slopes, severely eroded	58	0.2	1.2%
1D3	Ida silt loam, 9 to 14 percent slopes, severely eroded	32	1.2	6.3%
1E3	Ida silt loam, 14 to 20 percent slopes, severely eroded	18	9.8	51.1%
1F3	Ida silt loam, 20 to 30 percent slopes, severely eroded	8	3.9	20.1%
12C	Napier silt loam, 5 to 9 percent slopes	89	3.8	19.6%
100C2	Monona silty clay loam, 5 to 9 percent slopes, eroded	85	0.4	1.9%
<b>Totals for Area of Interest</b>			<b>19.2</b>	<b>100.0%</b>

### Description

This attribute is only applicable to soils in the state of Iowa. Corn suitability ratings (CSR2) provide a relative ranking of all soils mapped in the State of Iowa according to their potential for the intensive production of row crops. The CSR2 is an index that can be used to rate the potential yield of one soil against that of another over a period of time. Considered in the ratings are average weather conditions and frequency of use of the soil for row crops. Ratings range from 100 for soils that have no physical limitations, occur on minimal slopes, and can be continuously row cropped to as low as 5 for soils that are severely limited for the production of row crops.

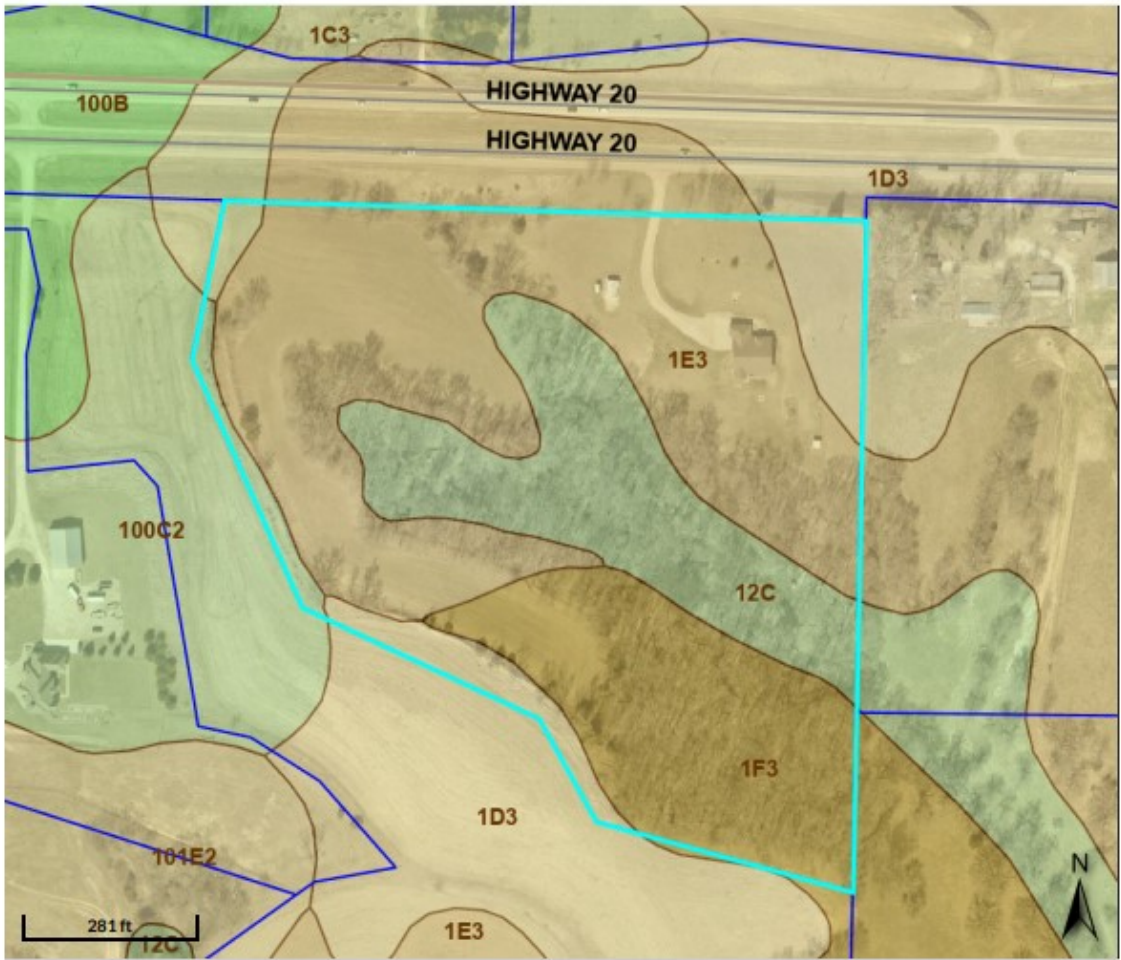
When the soils are rated, the following assumptions are made: a) adequate management, b) natural weather conditions (no irrigation), c) artificial drainage where required, d) no frequent flooding on the lower lying soils, and e) no land leveling or terracing. The weighted CSR2 for a given field can be modified by the occurrence of sandy spots, local deposits, rock and gravel outcrops, field boundaries, and noncrossable drainageways. Even though predicted average yields will change with time, the CSR2 values are expected to remain relatively constant in relation to one another over time.

### Rating Options

*Aggregation Method:* No Aggregation Necessary

*Tie-break Rule:* Higher

SOIL MAP



Overview



Legend

- Roads
- Soils
  - 0.000000 - 5.000000
  - 5.000001 - 20.000000
  - 20.000001 - 30.000000
  - 30.000001 - 40.000000
  - 40.000001 - 50.000000
  - 50.000001 - 60.000000
  - 60.000001 - 70.000000
  - 70.000001 - 80.000000
  - 80.000001 - 90.000000
  - 90.000001 - 100.000000
- Corp Boundaries
- Townships
- Parcels



**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 9/21/2023

Weekly Agenda Date: 9/26/2023

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Supervisor J. Taylor/M. Nelson

**WORDING FOR AGENDA ITEM:**

Give Direction to Planning and Zoning/BOA for Further Considerations During Public Hearings Regarding Utility-Scale Zoning

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

The Board of Supervisors unanimously has voiced support for adding solar energy systems (private use) as accessory use in each zoning district and affirming support of solar energy systems (utility scale) in the GI Zoning District. However, given that AP constitutes roughly 75% of Woodbury County's 875 sq. mi and inherent to Agricultural Preservation is the preservation of agriculture, we have an interest in doing what is inherent in the name: preserving agriculture. Toward that end, we are not against solar but think that the following strikes a very reasonable and thoughtful balance.

During the last item, we asked that consideration of adding utility-scale solar be considered in AP with limitations such as slope (<5%, no more than 2% of all AP be for solar, a "C" for conditional use, notification from 500 ft to 1 mi, at least 51% maintained in agricultural production.)

Upon public hearing comments and further reflection, we offer an alternative to be considered that might be preferable, namely the expansion of "Light Industrial." We would ask that landowners who desire such utility-scale solar be rezoned to this presently constituting only 101 acres of Woodbury County's 570,000 acres. Landowners could continue to farm the land but open up an avenue that would be far preferable than Agricultural Preservation and much more appropriate.

**BACKGROUND:**

- + A conditional use permit for AP "C" with Planning and Zoning and the Board of Adjustment to be able to site-specifically take into consideration the concerns of neighbors, land/soil, and other factors when approving permit.
- + A slope of no more than 5% ONLY for fixed arrays (most technology is now movable arrays) in order to preserve the land and to account for soil erosion, compaction, and future land stewardship.
- + No more than 1% of industrial land conversion every 4 years for reclassification, roughly 5,700 acres.
- + Current notification for utility-scale solar shall be 1 mile for public comment instead of 500 feet.
- + A decommissioning plan from solar companies reviewed by P&Z/BOA subject to approval by the Woodbury County Board of Supervisors.

**FINANCIAL IMPACT:**

None

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

Move to give direction for a new proposed ordinance in regards to utility-scale solar

**ACTION REQUIRED / PROPOSED MOTION:**

Move to give direction for a new proposed ordinance in regards to utility-scale solar