

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

Date: 4/18/24

Weekly Agenda Date: 4/23/24 4:40

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Daniel Priestley

WORDING FOR AGENDA ITEM:

A) Receive Zoning Commission final report and recommendation for Zoning Ordinance Text Amendments to the Floodplain Management Ordinance section from their 3/25/24 meeting. B) Public hearing to consider text amendments to the Floodplain Management Ordinance in the Zoning Ordinance Section 5.03. C) Approve the 1st Reading of the Ordinance.

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

AN ORDINANCE AMENDING THE TEXT OF THE WOODBURY COUNTY ZONING ORDINANCE WITH REVISED LANGUAGE TO MEET THE MINIMUM REQUIREMENTS FOR ACCEPTANCE IN THE NATIONAL FLOOD INSURANCE PROGRAM FOR COUNTIES WHICH HAVE A DETAILED FLOOD INSURANCE STUDY (FIS) ISSUED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).

BACKGROUND:

On March 25, 2024, the Woodbury County Zoning Commission voted to recommend an ordinance amending the text of the Woodbury County Zoning Ordinance to amend portions of Section 5.03 Floodplain Management Ordinance. The purpose of the proposed amendments are to bring the county's floodplain regulations into compliance with federal and state regulations in anticipation of the new floodplain maps that will go into effect in Woodbury County on July 17, 2024. This action is required so the county may continue its good standing in the National Flood Insurance Program (NFIP).

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:

Receive the Zoning Commission's recommendation from their March 25, 2024 meeting.

Open and close the public hearing (Set Time - 4:40 PM)

Conduct and approve the first reading of the Ordinance.

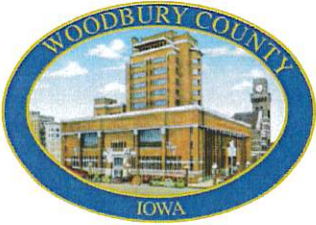
The 2nd and 3rd public hearings and readings of the ordinance have been scheduled for Tuesday, April 30, 2024 at 4:40 PM and Tuesday, May 7, 2024 at 4:40 PM.

ACTION REQUIRED / PROPOSED MOTION:

A) Receive Zoning Commission recommendation for Zoning Ordinance Text Amendments to the Floodplain Management Ordinance section from their 3/25/24 meeting.

B) Public hearing to consider text amendments to the Floodplain Management Ordinance in the Zoning Ordinance Section 5.03.

C) Approve the 1st Reading of the Ordinance.



WOODBURY COUNTY
ZONING COMMISSION

WOODBURY COUNTY COURTHOUSE
620 DOUGLAS STREET
SIOUX CITY, IA 51101

Woodbury County Board of Supervisors
620 Douglas Street
Sioux City, Iowa 51101

RE: Zoning Commission Section 5.03 - Floodplain Management Ordinance Zoning Ordinance Text Amendment Recommendation

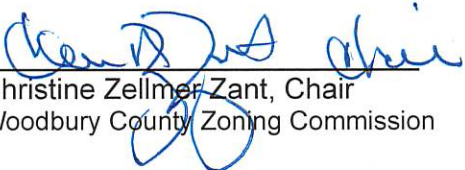
Dear Board of Supervisors:

The Woodbury County Zoning Commission voted 5-0 to recommend approval of the proposed Zoning Ordinance Text Amendment to Section 5.03 - Floodplain Management Ordinance in the Woodbury County Zoning Ordinance following the public hearing on March 25, 2024.

The proposed amendments are required for the county's continued good standing in the National Flood Insurance Program (NFIP) as regulated by Federal Emergency Management Agency (FEMA). The Iowa Department of Natural Resources has provided the county with these requested changes and have subsequently approved the Zoning Ordinance Text Amendment as being suitable for compliance with FEMA's regulations within the draft ordinance as included with this letter. These changes are required in anticipation of the new Federal Flood Insurance Rate Maps (FIRMs) that will go in effect on July 17, 2024.

Please refer to the draft copy of the Zoning Commission minutes from March 25, 2024 for further details about the Commission's recommendation.

Dated this 8 day of April, 2024


Christine Zellmer Zant, Chair
Woodbury County Zoning Commission

WOODBURY COUNTY, IOWA

ORDINANCE NO. ____

AN ORDINANCE AMENDING THE TEXT OF THE WOODBURY COUNTY ZONING ORDINANCE WITH REVISED LANGUAGE TO MEET THE MINIMUM REQUIREMENTS FOR ACCEPTANCE IN THE NATIONAL FLOOD INSURANCE PROGRAM FOR COUNTIES WHICH HAVE A DETAILED FLOOD INSURANCE STUDY (FIS) ISSUED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).

NOW, THEREFORE, BE IT ENACTED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA THAT THE BELOW ZONING ORDINANCE LANGUAGE AMENDMENTS BE MADE:

Amendment #1 – Section 5.03.1 AA

On page 59, to repeal the following language from Section 5.03.1 AA:

AA. New Factory-Built Home Park Or Subdivision - A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the first floodplain management regulations adopted by the community.

On page 59, to replace Section 5.03.1 AA with the following:

AA. New Factory-Built Home Park Or Subdivision - A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the first floodplain management regulations adopted by the community.

Amendment #2 – Section 5.03.3 B

On page 62, to repeal the following language from Section 5.03.3 B:

B. Establishment of Official Floodplain Zoning Map. The Flood Insurance Rate Map (FIRM) for Woodbury County and Incorporated Areas, dated March 2, 2015, which were prepared as part of the Flood Insurance Study for Woodbury County, is (are) hereby adopted by reference and declared to be the Official Floodplain Zoning Map. The Woodbury County Flood Insurance Study is hereby adopted by reference and is made a part of this ordinance for the purpose of administering floodplain management regulations.

On page 62, to replace Section 5.03.3 B with the following:

B. Establishment of Official Floodplain Zoning Map. The Flood Insurance Rate Map (FIRM) for Woodbury County and Incorporated Areas, dated 7-17-2024, which was prepared as part of the Flood Insurance Study for Woodbury County, is (are) hereby adopted by reference and declared to be the Official Floodplain Zoning Map. The Woodbury County Flood Insurance Study is hereby adopted by reference and is made a part of this ordinance for the purpose of administering floodplain management regulations.

Amendment #3 – Section 5.03.10 B(4)

On page 72, to repeal the following language from Section 5.03.10 B(4):

(4) In cases where the variance involves a lower level of flood protection for buildings than what is ordinarily required by this Ordinance, the applicant shall be notified in writing over the signature of the Administrator that: (i) the issuance of a variance will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction increases risks to life and property.

On page 72, to replace Section 5.03.10 B(4) with the following:

(4) In cases where the variance involves a lower level of flood protection for structures than what is ordinarily required by this Ordinance, the applicant shall be notified in writing over the signature of the Administrator that: (i) the issuance of a variance will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction increases risks to life and property.

Amendment #4 – Section 5.03.10 C(2)

On page 73, to repeal the following language from Section 5.03.10 C(2):

(2) Decisions. The Board shall arrive at a decision on an Appeal or Variance within a reasonable time. In passing upon an Appeal, the Board may, so long as such action is in conformity with the provisions of this ordinance, reverse or affirm, wholly or in part, or modify the order, requirement, decision, or determination appealed from, and it shall make its decision, in writing, setting forth the findings of fact and the reasons for its decision. In granting a Variance, the Board shall consider such factors as contained in this section and all other relevant sections of this ordinance and may prescribe such conditions as contained in subsection (b) below.

On page 73, to replace Section 5.03.10 C(2) with the following:

(2) Decisions. The Board shall arrive at a decision on an Appeal or Variance within a reasonable time. In passing upon an Appeal, the Board may, so long as such action is in conformity with the provisions of this ordinance, reverse or affirm, wholly or in part, or modify the order, requirement, decision, or determination appealed from, and it shall

make its decision, in writing, setting forth the findings of fact and the reasons for its decision. In granting a Variance, the Board shall consider such factors as contained in this section and all other relevant sections of this ordinance and may prescribe such conditions as contained in 5.03-10 C(2)(b).

Effective Date

This Ordinance shall be in effect on July 17, 2024.

ADOPTED AND PASSED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA

Dated this ____ day of _____, 2024.

THE WOODBURY COUNTY BOARD OF SUPERVISORS

Matthew Ung, Chairman

Daniel Bittinger II, Vice-Chairman

Mark Nelson

Keith Radig

Jeremy Taylor

ATTEST:

Patrick F. Gill, Woodbury County Auditor

Adoption Timeline:

Public Hearing and 1st Reading: _____
Public Hearing and 2nd Reading: _____
Public Hearing and 3rd Reading: _____
Adopted: _____
Published: _____
Effective: _____

Daniel Priestley

From: Ricehill, Adrienne <adrienne.ricehill@dnr.iowa.gov>
Sent: Friday, March 1, 2024 9:06 AM
To: Daniel Priestley
Subject: Re: Woodbury County - Flood Plain Ordinance Needing Updated

Follow Up Flag: Follow up
Flag Status: Flagged

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.**

Hi Daniel,

Thank you for making it so easy to conduct my review! Everything looks good and your Ordinance amendments are ready to be brought before the Board of Supervisors for adoption.

Thanks,

Adrienne

On Wed, Feb 28, 2024 at 1:32 PM Daniel Priestley <dpriestley@woodburycountyiowa.gov> wrote:

Adrienne,

Thank you for the follow up. Attached is a draft copy of the ordinance change that we plan to run next month (3/25) via the Zoning Commission (1st Attachment). Also attached is a copy of how it would look in the Zoning Ordinance (See Section 5.03).

Please let us know if everything appears in order before we run the amendments. We would like to begin the legal noticing process as early as next week.

Thanks,

Daniel J. Priestley, MPA

Woodbury County Zoning Coordinator

620 Douglas Street #609

Sioux City, IA 51101

Phone: 712-279-6609

Fax: 712-279-6530

Website: WoodburyCountyIowa.gov

From: Ricehill, Adrienne <adrienne.ricehill@dnr.iowa.gov>
Sent: Wednesday, February 28, 2024 12:15 PM
To: Daniel Priestley <dpriestley@woodburycountyiowa.gov>
Subject: Fwd: Woodbury County - Flood Plain Ordinance Needing Updated

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.**

Hi Dan,

Just wanted to reach out to you and see if you have had a chance to review the draft Floodplain Ordinance. If you have, can you email me the completed document so that I may conduct my review.

Thank you so much!

Adrienne

----- Forwarded message -----

From: Ricehill, Adrienne <adrienne.ricehill@dnr.iowa.gov>
Date: Fri, Jan 26, 2024 at 4:39 PM
Subject: Re: Woodbury County - Flood Plain Ordinance Needing Updated
To: Daniel Priestley <dpriestley@woodburycountyiowa.gov>

Hi Dan,

Sounds great! Have a great weekend!

Adrienne

On Fri, Jan 26, 2024 at 3:25 PM Daniel Priestley <dpriestley@woodburycountyiowa.gov> wrote:

Adrienne,

The requested changes to the floodplain development ordinance have been received. We will review those changes and let you know if we have any questions or concerns. I will let you know when we are ready to bring the requested changes to our Zoning Commission and Board of Supervisors.

Thank you for your assistance with this important matter.

Respectfully,

Daniel J. Priestley, MPA - Zoning Coordinator

Woodbury County Community & Economic Development

620 Douglas Street, 6th Floor

Sioux City, IA 51101

Office: (712) 279-6609

Fax: (712) 279-6530

Email: dpriestley@woodburycountyiowa.gov

Web: www.WoodburyCountyCED.com

*****IMPORTANT NOTICE*****

This e-mail, and any attachments thereto, is intended only for use by the addressee(s) named therein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution or copying of this e-mail, and any

attachments thereto, is strictly prohibited. If you have received this e-mail in error, please notify me immediately at: (712) 279-6609 and permanently delete the original and any copy of any e-mail and any printout thereof.

From: Ricehill, Adrienne <adrienne.ricehill@dnr.iowa.gov>
Sent: Friday, January 26, 2024 2:57 PM
To: Daniel Priestley <dpriestley@woodburycountyiowa.gov>
Cc: Matthew A. Ung <matthewung@woodburycountyiowa.gov>; Conn, Jason <jason.conn@dnr.iowa.gov>
Subject: Re: Woodbury County - Flood Plain Ordinance Needing Updated

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.**

Hi Dan,

Below I have attached your original Floodplain Ordinance where I have highlighted the areas that are needing to be amended. I have also included a document that lists the amendments with the corrected language. Please let me know if you have any questions or concerns. I am here to help!

Thanks,

Adrienne

On Tue, Jan 23, 2024 at 9:59 AM Daniel Priestley <dpriestley@woodburycountyiowa.gov> wrote:

NFIP Specialist Ricehill:

Thank you for the notification about the floodplain management ordinance as required by the attached FEMA notice that Woodbury County received on January 23, 2024.

Over the last several years, Woodbury County has been expecting for FEMA to adopt the proposed draft Flood Insurance Rate Maps (FIRM) for this jurisdiction. At this time, it is my understanding that the Iowa DNR will review

the county's existing regulations and advise about which language must be adjusted in order to maintain good standing in the National Flood Insurance Program (NFIP). As part of your review process, I would like to point out that Woodbury County proactively worked with your office, including with Jason Conn, to work toward adopting the latest floodplain management ordinance which became effective on April 13, 2022.

Based on Woodbury County's actions, it is my understanding that the required change may be as basic as modifying the FIRM map reference information. Attached, please find a copy of the FEMA notice along with a copy of Ordinance No. 62 which encompasses the effective floodplain management ordinance. Please advise on the specific language that we must address. Once received, we will take appropriate actions.

Thank you for your assistance with this matter.

Respectfully,

Daniel J. Priestley, MPA - Zoning Coordinator

Woodbury County Community & Economic Development

620 Douglas Street, 6th Floor

Sioux City, IA 51101

Office: (712) 279-6609

Fax: (712) 279-6530

Email: dpriestley@woodburycountyiowa.gov

Web: www.WoodburyCountyCED.com

*****IMPORTANT NOTICE*****

This e-mail, and any attachments thereto, is intended only for use by the addressee(s) named therein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution or copying of this e-mail, and any attachments thereto, is strictly prohibited. If you have received this e-mail in error, please notify me immediately at: (712) 279-6609 and permanently delete the original and any copy of any e-mail and any printout thereof.

From: Ricehill, Adrienne <adrienne.ricehill@dnr.iowa.gov>

Sent: Monday, January 22, 2024 3:55 PM

To: mung@woodburycountyiowa.gov; Daniel Priestley <dpriestley@woodburycountyiowa.gov>; Pat Gill <pgill@woodburycountyiowa.gov>

Subject: Woodbury County - Flood Plain Ordinance Needing Updated

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.**

Chairman Ung,

I am reaching out to you regarding the need to update your local floodplain ordinance in light of the new Woodbury County Flood Insurance Rate Maps (FIRMs). Recently, FEMA mailed a letter to your County stating the new County FIRMs have been finalized and will become effective on July 17, 2024. Among other things, the letter instructs the County to update its floodplain ordinance to ensure it is fully compliant with the regulations of the National Flood Insurance Program (NFIP) and to reference the new effective date of the maps.

Woodbury County has participated in the NFIP since 1974. In order to remain in good standing with the program, **FEMA is requiring the County to update its floodplain management ordinance prior to July 17, 2024**, to ensure full compliance with the NFIP's regulations. Failure to do so will result in suspension from the NFIP.

I will be reviewing your Floodplain Ordinance to determine the updates that will be required to meet the floodplain management criteria of the State of Iowa and FEMA. I will keep you apprised of my progress.

Please don't hesitate to contact us if you have any questions or concerns.

Thank you,

Adrienne

--

Adrienne Ricehill,
NFIP Specialist
Land Quality Bureau, Floodplain Management Section
Iowa Department of Natural Resources
502 E. 9th Street, Des Moines, Iowa 50319

515-829-2925 mobile

adrienne.ricehill@dnr.iowa.gov

<https://www.iowadnr.gov/environmental-protection/land-quality/flood-plain-management/national-flood-ins-program>



--

**Adrienne Ricehill,
NFIP Specialist**

Land Quality Bureau, Floodplain Management Section
Iowa Department of Natural Resources
502 E. 9th Street, Des Moines, Iowa 50319
515-829-2925 mobile

adrienne.ricehill@dnr.iowa.gov

<https://www.iowadnr.gov/environmental-protection/land-quality/flood-plain-management/national-flood-ins-program>



--

**Adrienne Ricehill,
NFIP Specialist**

Land Quality Bureau, Floodplain Management Section
Iowa Department of Natural Resources
502 E. 9th Street, Des Moines, Iowa 50319
515-829-2925 mobile

adrienne.ricehill@dnr.iowa.gov

<https://www.iowadnr.gov/environmental-protection/land-quality/flood-plain-management/national-flood-ins-program>



--

**Adrienne Ricehill,
NFIP Specialist**

Land Quality Bureau, Floodplain Management Section
Iowa Department of Natural Resources
502 E. 9th Street, Des Moines, Iowa 50319
515-829-2925 mobile

adrienne.ricehill@dnr.iowa.gov

<https://www.iowadnr.gov/environmental-protection/land-quality/flood-plain-management/national-flood-ins-program>



--

**Adrienne Ricehill,
NFIP Specialist**

Land Quality Bureau, Floodplain Management Section
Iowa Department of Natural Resources
502 E. 9th Street, Des Moines, Iowa 50319
515-829-2925 mobile

adrienne.ricehill@dnr.iowa.gov

<https://www.iowadnr.gov/environmental-protection/land-quality/flood-plain-management/national-flood-ins-program>



1. Definitions

AA. NEW FACTORY-BUILT HOME PARK OR SUBDIVISION - A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the first floodplain management regulations adopted by the community.

3. General Provisions

B. Establishment of Official Floodplain Zoning Map. The Flood Insurance Rate Map (FIRM) for Woodbury County and Incorporated Areas, dated 7-17-2024, which was prepared as part of the Flood Insurance Study for Woodbury County, is (are) hereby adopted by reference and declared to be the Official Floodplain Zoning Map. The Woodbury County Flood Insurance Study is hereby adopted by reference and is made a part of this ordinance for the purpose of administering floodplain management regulations.

B. Variance

(4) In cases where the variance involves a lower level of flood protection for structures than what is ordinarily required by this Ordinance, the applicant shall be notified in writing over the signature of the Administrator that: (i) the issuance of a variance will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction increases risks to life and property.

A. Hearings and Decisions of the Board of Adjustment

(2) In granting a Variance, the Board shall consider such factors as contained in this section and all other relevant sections of this ordinance and may prescribe such conditions as contained in 5.03-10 C(2)(b)



Federal Emergency Management Agency

Washington, D.C. 20472

January 17, 2024

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
19P

The Honorable Matthew Ung
Chairperson, Woodbury County Board
of Supervisors
620 Douglas Street, Room 104
Sioux City, Iowa 51101

Community Name: Woodbury County,
Iowa
(Unincorporated Areas)
Community No.: 190536
Map Panels Affected: See FIRM Index

Dear Chairperson Ung:

This is to notify you of the final flood hazard determination for Woodbury County, Iowa and Incorporated Areas, in compliance with Title 44, Chapter I, Part 67, Section 67.11, Code of Federal Regulations (CFR). This section requires that notice of final flood hazards shall be sent to the Chief Executive Officer of the community, all individual appellants, and the State Coordinating Agency, and shall be published in the *Federal Register*.

The statutory 90-day appeal periods that were initiated for your community when the Department of Homeland Security's Federal Emergency Management Agency (FEMA) published a notice of proposed flood hazard determinations for your community in the local newspaper have elapsed. FEMA did not receive any appeals of the proposed flood hazard determinations or submittals regarding the Revised Preliminary Flood Insurance Study (FIS) report and Flood Insurance Rate Map (FIRM) during that time.

Accordingly, the flood hazard determinations for your community are considered final. The final notice for flood hazard determinations will be published in the *Federal Register* as soon as possible. The FIS report and FIRM for your community will become effective on July 17, 2024. Before the effective date, we will send your community final printed copies of the FIS report and FIRM. For insurance purposes, the community number and new suffix code for the panels being revised are indicated on the FIRM and must be used for all new policies and renewals.

Because the FIS report for your community has been completed, certain additional requirements must be met under Section 1361 of the National Flood Insurance Act of 1968, as amended, within 6 months from the date of this letter.

It must be emphasized that all the standards specified in 44 CFR Part 60.3(d) of the National Flood Insurance Program (NFIP) regulations must be enacted in a legally enforceable document. This includes adoption of the current effective FIS report and FIRM to which the regulations apply and other modifications made by this map revision. Some of the standards should already

have been enacted by your community in order to establish initial eligibility in the NFIP. Your community can meet any additional requirements by taking one of the following actions in this Paragraph of the NFIP regulations:

1. Amending existing regulations to incorporate any additional requirements of 44 CFR Part 60.3(d);
2. Adopting all the standards of 44 CFR Part 60.3(d) into one new, comprehensive set of regulations; or
3. Showing evidence that regulations have previously been adopted that meet or exceed the minimum requirements of 44 CFR Part 60.3(d).

Also, prior to the effective date, your community is required, as a condition of continued eligibility in the NFIP, to adopt or show evidence of adoption of the floodplain management regulations that meet the standards of 44 CFR Part 60.3(d) of the NFIP regulations by the effective date of the FIRM. These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature.

Many states and communities have adopted building codes based on the International Codes (I-Codes); the model I-Codes (2009 and more recent editions) contain flood provisions that either meet or exceed the minimum requirements of the NFIP for buildings and structures. The model codes also contain provisions, currently found in an appendix to the International Building Code, that apply to other types of development and NFIP requirements. In these cases, communities should request review by the NFIP State Coordinator to ensure that local floodplain management regulations are coordinated (not duplicative or inconsistent) with the State or Local building code. FEMA's resource, *Reducing Flood Losses through the International Code: Coordinating Building Codes and Floodplain Management Regulations, 5th Edition (2019)*, provides some guidance on this subject and is available at <https://www.fema.gov/emergency-managers/risk-management/building-science/building-codes/flood>.

Communities that fail to enact the necessary floodplain management regulations will be suspended from participation in the NFIP and subject to the prohibitions contained in Section 202(a) of the Flood Disaster Protection Act of 1973 (Public Law 93-234) as amended, and 44 CFR Part 59.24.

To assist your community in maintaining the FIRM, we have enclosed a Summary of Map Actions (SOMA) to document previous Letters of Map Change (LOMC) actions (i.e., Letters of Map Amendment, Letters of Map Revision) that will be affected when the revised FIRM panels referenced above become effective. If no LOMCs were issued previously for your community, you are receiving a SOMA for informational purposes only.

Once the FIS report and FIRM are printed and distributed, the digital files containing the flood hazard data for the entire county can be provided for use in a computer mapping system. These files can be used in conjunction with other thematic data for floodplain management purposes,

insurance requirements, and many other planning applications. Copies of the digital files of the FIRM panels may be obtained by calling our FEMA Mapping and Insurance eXchange (FMIX), toll free, at (877) 336-2627 (877-FEMA MAP) or by visiting the Map Service Center at <https://www.msc.fema.gov>. In addition, your community may be eligible for additional credits under our Community Rating System if you implement your activities using digital mapping files.

For assistance with your floodplain management ordinance or enacting the floodplain management regulations, please contact Jason Conn, NFIP State Coordinator for Iowa by telephone at (515) 725-8333. If you should require any additional information, we suggest that you contact the Director, Mitigation Division of FEMA, Region 7 at (816) 808-3664 for assistance. If you have any questions concerning mapping issues in general or the enclosed SOMA, please call our FMIX at the telephone number shown above. Additional information and resources you may find helpful regarding the NFIP and floodplain management can be found on our website at <https://www.fema.gov/flood-maps>. Copies of these documents may also be obtained by calling our FMIX.

Sincerely,



Luis V. Rodriguez, P.E.
Director, Engineering and Modeling Division
Risk Management Directorate | Resilience

Enclosure:
Final SOMA

cc: Community Map Repository
Dan Priestley, Zoning Coordinator, Woodbury County

FINAL SUMMARY OF MAP ACTIONS

Community: WOODBURY COUNTY

Community No: 190536

To assist your community in maintaining the Flood Insurance Rate Map (FIRM), we have summarized below the effects of the enclosed revised FIRM panels(s) on previously issued Letter of Map Change (LOMC) actions (i.e., Letters of Map Revision (LOMRs), Letter of Map Revision based on Fill (LOMR-Fs), and Letters of Map Amendment (LOMAs)) that will be affected when the revised FIRM becomes effective on July 17, 2024.

1. LOMCs Incorporated

The modifications effected by the LOMCs listed below will be reflected on the revised FIRM. In addition, these LOMCs will remain in effect until the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
			NO CASES RECORDED		

2. LOMCs Not Incorporated

The modifications effected by the LOMCs listed below will not be reflected on the revised FIRM panels or will not be reflected on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lot(s) or structure(s) involved were outside the Special Flood Hazard Area, as shown on the FIRM. These LOMCs will remain in effect until the revised FIRM becomes effective. These LOMCs will be revalidated free of charge 1 day after the revised FIRM becomes effective through a single revalidation letter that reaffirms the validity of the previous LOMCs.

FINAL SUMMARY OF MAP ACTIONS

Community: WOODBURY COUNTY

Community No: 190536

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
LOMA	12-07-0937A	12/29/2011	LOT 4, GALLAND'S LAKEVIEW -- 4 LAKEVIEW LANE	19193C0400D	19193C0390E
LOMA	12-07-0944A	02/07/2012	1691 250TH STREET	19193C0400D	19193C0385E
LOMA	12-07-1403A	02/09/2012	2816 DELAWARE AVENUE	19193C0425D	19193C0425E
LOMA	12-07-0946A	02/28/2012	PART OF W1/2 SW1/4 SECTION 26-87-47----- 1629 270TH STREET	19193C0400D	19193C0385E
LOMA	12-07-1374A	02/28/2012	SEC. 23, T87N, R47W, OF THE 5TH P.M. -- 2586 CARROLL AVENUE	19193C0400D	19193C0385E
LOMA	12-07-1615A	03/06/2012	1419 230TH STREET	19193C0400D	19193C0380E
LOMA	12-07-1376A	04/17/2012	SEC. 33, T87N, R47W, WEST OF THE 5TH P.M. -- 120 LAKEVIEW LANE	19193C0400D	19193C0390E
LOMA	12-07-2297A	05/24/2012	SECTION 33, T88N, R47W -- 1420 210TH STREET	19193C0214D	19193C0214E
LOMA	12-07-2059A	06/05/2012	LOT 2, SHADELAND COUNTRY ESTATES -- 7384 OLD LAKEPORT ROAD	19193C0214D	19193C0214E
LOMA	12-07-2367A	06/05/2012	SECTION 14, T87N, R47W -- 1712 240TH STREET	19193C0400D	19193C0385E
LOMA	12-07-2711A	07/24/2012	SECTION 13, T87N, R47W, 5TH PM -- 2435 CHARLES AVENUE	19193C0400D	19193C0385E
LOMA	12-07-3097A	09/04/2012	SECTION 21, T87N, R47W, 5TH PM -- 2570 BARNETT AVENUE	19193C0400D	19193C0380E
LOMA	13-07-0207A	12/21/2012	SECTION 29, T87N, R46W -- 2630, 2634, 2678 DALLAS AVENUE	19193C0425D	19193C0425E
LOMA	13-07-0642A	01/10/2013	LOT 4, SECTION 33, T88N, R47W -- 1436 210TH STREET	19193C0214D	19193C0214E
LOMA	13-07-0337A	02/12/2013	SHADELAND COUNTRY ESTATES, LOT 9 -- 1383 220TH STREET	19193C0214D	19193C0214E
LOMA	13-07-1445A	05/30/2013	SECTION 4, T88N, R47W -- 6012 GARRETSON AVENUE	19193C0202D	19193C0202E
LOMA	13-07-1510A	05/30/2013	SECTION 26-87-47----- 1629 270TH STREET	19193C0400D	19193C0385E

FINAL SUMMARY OF MAP ACTIONS

Community: WOODBURY COUNTY

Community No: 190536

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
LOMA	13-07-2015A	07/30/2013	RUSTIN ADDITION SUBDIVISION, LOT 7 -- 1613 EASTLAND AVENUE	19193C0227D	19193C0227E
LOMR-F	13-07-2017A	08/01/2013	SECTION 32, T86N, R46W-- 3349 DELAWARE AVENUE	19193C0575D	19193C0575E
LOMA	13-07-2070A	08/01/2013	HINKEL ADDITION, LOT 1 -- 1459 210TH STREET	19193C0214D	19193C0214E
LOMA	14-07-0044A	10/08/2013	HINKEL ADDITION, LOT 3 -- 1483 210th Court	19193C0214D	19193C0214E
LOMA	14-07-0747A	02/25/2014	FOX VIEW 1ST ADDITION, LOT 6 -- 2168 BUCHANAN AVENUE	19193C0225D	19193C0225E
LOMA	14-07-1401A	05/13/2014	SECTION 33, T89N, R46W-- 7462 CORRECTION VILLE ROAD	19193C0225D	19193C0225E
LOMA	14-07-1681A	06/05/2014	BLOCK 29-87-46 - 2634 Dallas Avenue	19193C0425D	19193C0425E
LOMA	14-07-1726A	06/19/2014	SECTION 4, T88N, R46E -- 1609 EASTLAND AVENUE	19193C0227D	19193C0227E
LOMA	14-07-1728A	07/10/2014	SECTION 33, T88N, R47W-- 1444 210TH STREET	19193C0214D	19193C0214E
LOMA	14-07-2074A	08/14/2014	SECTION 8, T86N, R45W -- 2979 GRUNDY AVENUE	19193C0450D	19193C0450E
LOMA	14-07-2521A	09/16/2014	FOX VIEW 1ST ADDITION, LOT 2 -- 2150 BUCHANAN AVENUE	19193C0225D	19193C0225E
LOMA	14-07-2666A	09/30/2014	BLUFF VIEW FIRST SUBDIVISION, BLOCK 1, LOT 4 -- 2131 BUCHANAN AVENUE	19193C0225D	19193C0225E
LOMA	15-07-0154A	12/01/2014	SECTION 35, T89N, R46W-- 1821 HIGHWAY 20	19193C0230D	19193C0230E
LOMA	15-07-0112A	01/20/2015	LOT 3, SHADELAND COUNTRY ESTATES -- 7390 OLD LAKEPORT ROAD	19193C0214D	19193C0214E
LOMA	15-07-0550A	01/29/2015	FOX VIEW FIRST ADDITION, LOT 4 -- 2160 BUCHANAN AVENUE	19193C0225D	19193C0225E
LOMA	15-07-0851A	03/19/2015	PORTION OF SECTION 3, T86N & T87N, R46W -- 2836 EASTLAND AVENUE	19193C0425D	19193C0425E
LOMA	15-07-0531A	04/02/2015	A PORTION OF SECTION 33, T88N, R47W, 5TH P.M. -- 1482 210TH STREET	19193C0214D	19193C0214E

FINAL SUMMARY OF MAP ACTIONS

Community: WOODBURY COUNTY

Community No: 190536

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
LOMA	15-07-1129A	04/24/2015	PAYNE & SARGISSONS ADDITION, LOTS 18, 19 & 20 ± 17 LUTON TRAIL	19193C0425D	19193C0425E
LOMA	15-07-1347A	05/29/2015	SECTION 5, T86N, R47W, 5TH P.M. -- 1637 270TH STREET	19193C0400D	19193C0390E
LOMR-F	15-07-1298A	06/15/2015	SECTION 26, T86N, R46W, 5TH P.M. -- 3281 FAYETTE AVENUE	19193C0575D	19193C0575E
LOMA	15-07-1745A	07/24/2015	SECTION 34, T88N, R47W, 5TH PM -- 2174 BUCHANAN AVENUE	19193C0225D	19193C0225E
LOMA	15-07-1748A	07/24/2015	SECTION 17, T86N, R46W, 5TH P.M. -- 1991 310TH STREET	19193C0425D	19193C0425E
LOMA	15-07-2263A	10/16/2015	FOREMAN ADDITION TO WOODBURY COUNTY, LOT TWO -- 2163 BUCHANAN AVENUE	19193C0225D	19193C0225E
LOMA	15-07-2262A	11/04/2015	HALL'S BEACH SUBDIVISION, LOTS 11-14 & DRIVEWAY LOT -- 101 HALLS BEACH PATH	19193C0400D	19193C0390E
LOMA	16-07-0160A	11/25/2015	FOX VIEW 1ST ADDITION, LOT 5 -- 2164 BUCHANAN AVENUE	19193C0225D	19193C0225E
LOMA	16-07-0004A	12/02/2015	GALLAND'S LAKEVIEW SUBDIVISION, LOT 5 -- 5 LAKEVIEW LANE	19193C0400D	19193C0390E
LOMA	16-07-0594A	01/26/2016	Lot 1-29, Block 44, Morningside Addition, Second Filing Subdivision - 6500 6th Avenue	19193C0204D	19193C0204E
LOMA	16-07-0552A	02/03/2016	SECTION 27, T89N, R42W -- 1490 MICHIGAN AVENUE	19193C0306D	19193C0306E
LOMA	16-07-0324A	03/02/2016	HALL'S BEACH, LOTS 9 & 10 -- 105 HALLS BEACH PATH	19193C0400D	19193C0390E
LOMA	16-07-0707A	03/03/2016	SECTION 28, T86, R45W -- 3225 HUMBOLT AVENUE	19193C0577D	19193C0577E
LOMA	16-07-1239A	06/03/2016	SECTION 20, T87N, R47W -- 2593 BARKER AVENUE	19193C0400D	19193C0380E
LOMA	16-07-1248A	06/03/2016	SHADELAND COUNTRY ESTATES, LOT 4 -- 1359 220TH STREET	19193C0214D	19193C0214E
LOMA	16-07-1249A	06/03/2016	SHADELAND COUNTRY ESTATES, LOT 8 -- 1379 220TH STREET	19193C0214D	19193C0214E
LOMA	16-07-1250A	06/03/2016	SHADELAND COUNTRY ESTATES, LOT 5 -- 1361 220TH STREET	19193C0214D	19193C0214E

FINAL SUMMARY OF MAP ACTIONS

Community: WOODBURY COUNTY

Community No: 190536

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
LOMA	16-07-1247A	07/06/2016	SHADELAND COUNTRY ESTATES, LOT 7 -- 1371 220TH STREET	19193C0214D	19193C0214E
LOMA	16-07-1828A	08/18/2016	SECTION 9, T87N, R47W-- 1456 230TH STREET	19193C0400D	19193C0380E
LOMA	16-07-2002A	10/06/2016	SECTION 23, T87N, R47W, 5TH PM--260TH STREET	19193C0400D	19193C0385E
LOMA	17-07-0112A	11/15/2016	HINKEL ADDITION, LOT 2 -- 210TH STREET	19193C0214D	19193C0214E
LOMA	17-07-0798A	02/02/2017	SECTION 28, T86N, R46W-- 2009 325TH STREET	19193C0575D	19193C0575E
LOMA	17-07-1427A	05/17/2017	SECTION 33, T87, R47 -- 207 SKID ROW	19193C0400D	19193C0390E
LOMR-F	17-07-1323A	06/16/2017	SECTION 6, T87N, R46W-- 1862 220TH STREET	19193C0240D	19193C0240E
LOMA	17-07-1568A	06/15/2017	SECTION 27, T86N, R46W-- 3228 EASTLAND AVENUE	19193C0575D	19193C0575E
LOMA	17-07-0807A ²	07/20/2017	3008 Dallas Avenue	19193C0425D	19193C0425E
LOMA	17-07-2067A ²	08/01/2017	3008 Dallas Avenue (Machine Shed)	19193C0425D	19193C0425E
LOMA	17-07-1895A	08/17/2017	BLUFF VIEW FIRST SUBDIVISION, PORTION OF LOT 5 -- 1526 210TH STREET	19193C0225D	19193C0225E
LOMR-F	18-07-0981A	04/27/2018	SECTION 28, T88N, R47W-- 1489 210TH STREET	19193C0214D	19193C0214E
LOMA	18-07-2002A	09/17/2018	RUSTIN'S ADDITION, LOT 6 -- 1617 EASTLAND AVENUE	19193C0227D	19193C0227E
LOMA	19-07-0414A	12/12/2018	3161 295th Street	19193C0475D	19193C0425E
LOMA	19-07-0445A	01/14/2019	GLEN ELLEN ADDITION, LOTS 2-3 -- 2017 GLEN ELLEN ROAD	19193C0212D	19193C0212E
LOMA	19-07-1695A	09/04/2019	ERLANDSON'S ADDITION, LOT 5 -- 2258 CARROLL AVENUE	19193C0225D	19193C0225E
LOMA	20-07-0364A	03/06/2020	BLUFF VIEW FIRST SUB-DIVISION, PORTION OF LOTS 5 & 6 -- 1520 210TH STREET	19193C0225D	19193C0225E
LOMA	20-07-0894A	07/21/2020	SHADELAND COUNTRY ESTATES, LOT 10 -- 1389 220TH STREET	19193C0214D	19193C0214E
LOMA	20-07-1311A	08/20/2020	Lot 1, Fox View 1st Addition Subdivision - 2142 Buchanan Avenue	19193C0225D	19193C0225E

FINAL SUMMARY OF MAP ACTIONS

Community: WOODBURY COUNTY

Community No: 190536

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
LOMA	20-07-1332A	09/04/2020	SECTION 35, T89N, R42W -- 1549 HIGHWAY 31 (HOUSE, STEEL BUILDING, BARN, GARAGE & SHED)	19193C0307D	19193C0307E
LOMA	20-07-1312A	09/11/2020	Lot 1, Woodbury Farms Subdivision - 1538 210th Street	19193C0225D	19193C0225E
LOMA	21-07-0247A	12/11/2020	Lot 7, - 1428 210th Street	19193C0214D	19193C0214E
LOMA	21-07-0157A	12/15/2020	ERLANDSON'S ADDITION, LOT 4 -- 2252 CARROLL AVENUE	19193C0225D	19193C0225E
LOMA	21-07-0727A	05/25/2021	1225 HIGHWAY 31	19193C0165D	19193C0165E
LOMA	22-07-0021A	10/27/2021	BLUFF VIEW FIRST SUBDIVISION, BLOCK 1, LOTS 2 & 3 -- 2117 BUCHANAN AVENUE	19193C0225D	19193C0225E
LOMA	22-07-0408A	02/16/2022	SHADELAND ESTATES, LOT 11 -- 1391 220TH STREET	19193C0214D	19193C0214E
LOMA	23-07-0243A	01/17/2023	3081 Humbolt Avenue	19193C0450D	19193C0450E
LOMA	23-07-0299A	02/23/2023	SECTION 20, T87 N, R47W -- 2575 BARKER AVENUE	19193C0400D	19193C0380E
LOMA	23-07-0500A	05/01/2023	LOT 5 -- 1434 210TH STREET	19193C0214D	19193C0214E
LOMA	23-07-0409A	05/25/2023	Lot 1, Fox View 2nd Addition Subdivision - 2182 Buchanan Avenue	19193C0225D	19193C0225E
LOMA	23-07-0699A	07/31/2023	SECTION 1, T88N, R42W -- 1516 WAYSIDE AVENUE	19193C0350D	19193C0335E
LOMA	23-07-0923A	11/06/2023	HINKEL ADDITION, LOT 2 -- 1479 210TH STREET	19193C0214D	19193C0214E
LOMA	24-07-0150A	01/09/2024	HALL'S BEACH, LOT 2 -- 121 HALLS BEACH PATH	19193C0400D	19193C0390E

¹ This case was previously identified in Woodbury County Unincorporated Areas but falls in the jurisdiction of Winnebago Tribe of Nebraska

² This case was previously identified in the City of Sloan but falls in the jurisdiction of Woodbury County Unincorporated Areas

2B. LOMCs on Unrevised Panels

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
			NO CASES RECORDED		

FINAL SUMMARY OF MAP ACTIONS

Community: WOODBURY COUNTY

Community No: 190536

3. LOMCs Superseded

The modifications effected by the LOMCs listed below have not been reflected on the Final revised FIRM panels because they are being superseded by new or revised flood hazard information or the information available was not sufficient to make a determination. The reason each is being superseded is noted below. These LOMCs will no longer be in effect when the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
LOMA	12-07-2468A	06/14/2012	SECTION 13, T87N, R47W, 5TH PM -- 2435 CHARLES AVENUE	3
LOMA	12-07-2602A	06/26/2012	SECTION 32, T86N, R46W -- 3349 DELAWARE AVENUE	6
LOMA	12-07-3182A	09/06/2012	SECTION 13, T87N, R47W -- 2435 CHARLES AVENUE (GARAGE)	2
LOMR-F	15-07-0151A	11/20/2014	LOT 4, HINKEL ADDITION -- 1485 210TH STREET	3
LOMA	15-07-0384A	12/23/2014	SECTION 3, T86N, R46W -- 2836 EASTLAND AVENUE	6
LOMA	15-07-2199A	10/16/2015	HALL'S BEACH, LOTS 9 & 10 -- 105 HALLS BEACH PATH	6
LOMA	16-07-1140A	07/08/2016	SECTION 28, T88N, R47W -- 1489 210TH STREET	6
LOMA	17-07-0616A	01/23/2017	SECTION 28, T86N, R46W -- 2009 325TH STREET	6
LOMR	16-07-1823P	04/07/2017	SUNNYBROOK VILLAGE DEVELOPMENT, SIOUX CITY, IA	4
LOMA	18-07-2051A	09/21/2018	SECTION 16, T87N, R46W -- 2041 250TH STREET	3

1. Insufficient information available to make a determination.
2. Lowest Adjacent Grade and Lowest Finished Floor are below the proposed Base Flood Elevation.
3. Lowest Ground Elevation is below the proposed Base Flood Elevation.
4. Revised hydrologic and hydraulic analyses.
5. Revised topographic information.
6. Superseded by another LOMC.

FINAL SUMMARY OF MAP ACTIONS

Community: WOODBURY COUNTY

Community No: 190536

4. LOMCs To Be Redetermined

The LOMCs in Category 2 above will be revalidated through a single revalidation letter that reaffirms the validity of the determination in the previously issued LOMC. For LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures is no longer valid, the LOMC cannot be revalidated through this administrative process. Therefore, we will review the data previously submitted for the LOMC requests listed below and if appropriate issue a new determination for the affected properties after the effective date of the revised FIRM.

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
			NO CASES RECORDED		



FEMA

April 8, 2024

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Matthew Ung
Chairperson, Board of Supervisors
Woodbury County
620 Douglas Street, Room 104
Sioux City, Iowa 51101

Dear Chairperson Ung:

I commend you for the efforts that have been put forth in implementing the floodplain management measures for Woodbury County, Iowa, to participate in the National Flood Insurance Program (NFIP). As you implement these measures, I want to emphasize the following:

- a Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) have been completed for your community;
- the FIS and FIRM will become effective on July 17, 2024; and
- by the FIS and FIRM effective date, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) Regional Office is required to approve the legally enforceable floodplain management measures your community adopts in accordance with Title 44 Code of Federal Regulations (CFR) Section 60.3(d).

As noted in FEMA's letter dated January 17, 2024, no significant changes have been made to the flood hazard data on the Preliminary and/or revised Preliminary copies of the FIRM for Woodbury County. Therefore, Woodbury County should use the Preliminary and/or revised Preliminary copies of the FIRM as the basis for adopting the required floodplain management measures. Final printed copies of the FIRM for Woodbury County will be sent to you within the next few months.

If you encounter difficulties in enacting the measures, I recommend you contact the Iowa Department of Natural Resources. You may contact Jason Conn, CFM, the NFIP State Coordinator, by telephone at (515) 725-8333, in writing at 502 East Ninth Street, Des Moines, Iowa 50319, or by electronic mail at jason.conn@dnr.iowa.gov.

The FEMA Regional staff in Kansas City, Missouri, is also available to provide technical assistance and guidance in the development of floodplain management measures. The adoption of compliant floodplain management measures will provide protection for Woodbury County and will ensure its participation in the NFIP. The Regional Office may be contacted by telephone at (816) 283-7061 or

Matthew Ung
April 8, 2024
Page 2

in writing. Please send your written inquiries to the Director, Mitigation Division, FEMA Region 7, at 11224 Holmes Road, Kansas City, Missouri 64131-3626.

You may have already contacted the NFIP State Coordinator and/or the FEMA Regional Office, and may be in the final adoption process or recently adopted the appropriate measures. However, in the event your community has not adopted the appropriate measures, this letter is FEMA's official notification that you only have until July 17, 2024, to adopt and/or submit a floodplain management ordinance that meets or exceeds the minimum NFIP requirements, and request approval from the FEMA Regional Office by the effective date. Your community's adopted measures will be reviewed upon receipt and the FEMA Regional Office will notify you when the measures are approved.

I appreciate your cooperation to ensure that your community's floodplain management measures are approved by the FEMA Regional Office by July 17, 2024. Your compliance with these mandatory program requirements will enable your community to avoid suspension from the NFIP.

Additional information on community suspensions as proposed, other notices of current NFIP community status information, and details regarding updated publication requirements of community eligibility status information under the NFIP can be found on the Community Status Book section of our website at www.fema.gov/flood-insurance/work-with-nfip/community-status-book. Notices for scheduled suspension will be available on the National Flood Insurance Community Status and Public Notification section of our website at www.fema.gov/flood-insurance/work-with-nfip/community-status-book/public-notification. Individuals without internet access will be able to contact their local floodplain management official and/or NFIP State Coordinating Office directly for assistance.

Sincerely,



Rachel Sears, Director
Floodplain Management Division
Mitigation Directorate | FEMA

cc: Andrea Spillars, Regional Administrator, FEMA Region 7
Jason Conn, CFM, NFIP State Coordinator, Iowa Department of Natural Resources
Daniel Priestley, MPA, Zoning Coordinator, Woodbury County

Minutes - Woodbury County Zoning Commission – March 25, 2024

The Zoning Commission (ZC) meeting convened on the 25th of March, at 5:00 PM in the Board of Supervisors' meeting room in the Basement of the Woodbury County Courthouse, 620 Douglas Street, Sioux City, IA. The meeting was also made available via teleconference.

Meeting Audio:

For specific content of this meeting, refer to the recorded video on the Woodbury County Zoning Commission "Committee Page" on the Woodbury County website:

- County Website Link:
 - o https://www.woodburycountyiowa.gov/committees/zoning_commission/
- YouTube Direct Link:
 - o <https://www.youtube.com/watch?v=rpIVdwtKgFM>

ZC Members Present:	Chris Zant, Barb Parker, Jeff Hanson, Corey Meister, Tom Bride
County Staff Present:	Dan Priestley, Dawn Norton
Public Present:	Dan Bittinger, Daniel Hair, Peter Widman, Rand Fisher, Corinne Erickson, Christopher Widman, Rebekah Moerer
Telephone:	Tom Treharne

Call to Order:

Chair Chris Zellmer Zant formally called the meeting to order at 5:00 p.m. All members present.

Public Comment on Matters Not on the Agenda:

None

Approval Of Minutes: 2/26/24

Motion by Meister to approve the minutes from February 26, 2024. Second by Parker. Bride abstained. Approved 4-0.

Public Hearing (Action Item) for Proposed Woodbury County Comprehensive Plan 2040:

Priestley read summary of the draft comprehensive plan into the record. The purpose of the comprehensive plan is to establish a recommendation to the Board of Supervisors pursuant to Iowa Code Chapter 335.5. The plan is intended to serve as an advisory document that outlines the county's vision. The purpose of the comprehensive plan is to provide a current inventory of community services and resources and a thoughtful statement of the community's vision and goals for the future. The plan includes analysis of the following planning topics: Housing, Economic Development, Transportation, Public Infrastructure and Utilities, Community Facilities and Services, Land Use and National Resources, and Disaster Response, Recovery and Resiliency. In December of 2020, the Board of Supervisors entered into an agreement with SIMPCO for development of the plan. The project was funded partially by Cares Act money.

Corinne Erickson spoke on behalf of SIMPCO's work on the project by providing an overview including a historical account of the process. SIMPCO solicited public and stakeholder comments through open house events and surveys, with continuous opportunity for public comment. There have been approximately 450 responses to the survey. In 2021, a steering committee was developed, including several county officials, and overall met five times to establish rules and objectives for the plan.

Daniel Hair stated he was disappointed with the Land Use and Natural Resources section of the plan. He has communicated with residents through the Woodbury County Fair and Facebook regarding landowner rights. He believes the statement regarding Land Use and Natural Resources – Plan for Creation and Use of Alternative and Renewable Energy Sources in Woodbury County, especially the bullet point that includes - Continuously update policies that regulate renewable energy infrastructure to ensure that it does not present safety hazard and to minimize disruption to surround land uses – is too vague. Daniel presented a document for Commissioner review. Motion by Bride to receive. Second by Hanson. Carried: 5-0. Hair stated that throughout the public meetings residents voiced their desire for utility solar to only be acceptable in industrial areas, not agricultural areas. He suggested the following changes – Utility scale alternative and renewable energy sources should be placed in industrial zoned areas in order to minimize adverse impacts to agricultural and residential living. 1. Preserve

agricultural land for agriculture purposes. 2. Recognize alternative and renewable projects should remain in industrial zoned lands. 3. Respect the beauty of Loess Hills and natural landscapes and the great value of our rural resident's quality of life. 4. Utility Scale alternative and renewable projects should be viewed as industrial activities. 5. Preserve our agriculture land for future generations and protect our conservation areas for hunting, hiking, camping, fishing, and recreation use. He suggested wording supporting landowners individual choice to implement personal or private use of renewable energy infrastructure.

Bride asked Hair to clarify statement. Hair wants to emphasize industrial activity and private use be more defined and separated.

Corrine Ericksen from SIMOC verified the request to be separation between industrial scale and smaller, private scale use. The language could be fine tuned to reference the difference and leave room for future development.

Meister referenced the difference between the general summary of the plan versus the details as presented in the full plan and ordinances for further specifics.

Peter Widman stated there needs to be protection for the future from green energy.

Hanson motioned to close public hearing. Second by Meister. Carried: 5-0.

Hanson made a motion to amend the comprehensive plan as presented to include a statement under the renewable energy infrastructure that states support landowners individual choices to implement renewable energy infrastructure for personal and private use and to recommend the comprehensive plan to the Board of Supervisors. Second by Bride. Carried 5-0.

Public Hearing (Action Item) for Proposed Zoning Ordinance Text Amendments To The Floodplain Management Ordinance Section 5.03 Of The Woodbury County Zoning Ordinance:

Priestley read the summary into record. A proposal to amend the text of the Woodbury County Zoning Ordinance to repeal and replace portions of Section 5.03: Floodplain Management Ordinance. The proposal is to repeal and replace the following sections. **Amendment #1** - On page 59, to repeal and replace **Section 5.03.1 AA** with the following: AA. New Factory-Built Home Park Or Subdivision - A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the first floodplain management regulations adopted by the community.; **Amendment #2** - On page 62, to repeal and replace **Section 5.03.3 B** with the following: B. Establishment of Official Floodplain Zoning Map. The Flood Insurance Rate Map (FIRM) for Woodbury County and Incorporated Areas, dated 7-17-2024, which was prepared as part of the Flood Insurance Study for Woodbury County, is (are) hereby adopted by reference and declared to be the Official Floodplain Zoning Map. The Woodbury County Flood Insurance Study is hereby adopted by reference and is made a part of this ordinance for the purpose of administering floodplain management regulations.; **Amendment #3** - On page 72, to repeal and replace **Section 5.03.10 B(4)** with the following: (4) In cases where the variance involves a lower level of flood protection for structures than what is ordinarily required by this Ordinance, the applicant shall be notified in writing over the signature of the Administrator that: (i) the issuance of a variance will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction increases risks to life and property.; **Amendment #4** - On page 73, to repeal and replace **Section 5.03.10 C(2)** with the following: (2) Decisions. The Board shall arrive at a decision on an Appeal or Variance within a reasonable time. In passing upon an Appeal, the Board may, so long as such action is in conformity with the provisions of this ordinance, reverse or affirm, wholly or in part, or modify the order, requirement, decision, or determination appealed from, and it shall make its decision, in writing, setting forth the findings of fact and the reasons for its decision. In granting a Variance, the Board shall consider such factors as contained in this section and all other relevant sections of this ordinance and may prescribe such conditions as contained in 5.03-10 C(2)(b). Priestly explained that the amendments are to prepare for the new floodplain maps that will take effect on July 17, 2024, as directed by FEMA and IDNR. No public comment was received. Motion to close public hearing: Bride. Second by Parker. Carried: 5-0. A motion by Hanson to recommend approval to the Board of Supervisors of the amendments to Section 5.03 of the Woodbury County Zoning Ordinance. Second by Parker. Carried: 5-0.

Public Hearing (Action Item) for Proposed Utility-Scale Solar Energy Systems Zoning Ordinance Amendment(s):

Priestley summarized the zoning ordinance text amendment including amendments to the table of contents; to add a new section entitled Section 5.08: Utility-Scale Solar Energy Systems (US-SES) Conditional Use; and to include the renumbering of page numbers. The draft ordinance was brought back to the Zoning Commission as a result of the direction from the Commission at the January 22nd meeting after review by the County Attorney's office and staff. The US-SES ordinance amendment is meant to regulate the permitting and use of such systems in the General Industrial (GI) Zoning District. The Zoning Commission would be responsible for the review of US-SES conditional use permit (CUP) requests. The Board of Adjustment would be responsible for the consideration of approval of the US-SES CUP requests, and the Board of Supervisors would oversee the building permit process. After the review, the notable changes were to the decommissioning plan and the definition section.

Priestley stated that the office received comments from the public. Priestley asked for the consideration of a motion to receive an email received after packet was complete from Robert Wilson, Range Land Energy Management. Motion to receive: Meister. Second: Parker. Carried: 5-0. *Received Materials Available in the Appendix.*

Priestley asked for the consideration of a motion to receive a letter received after the packet was complete from Mayor Robert Scott, City of Sioux City. Motion to receive by Meister. Second by Parker. Carried: 5-0. *Received Materials Available in the Appendix.*

Rand Fisher, Center for Infrastructure and Economic Development, spoke on the benefits of renewable energy and the current restriction of allowing industrial solar only in General Industrial Zoning Districts. Fisher indicated that valuable existing infrastructure in that area would not be needed for industrial solar. Industrial solar in agricultural areas, if limited to certain areas, would be a more feasible approach. Fisher provided informational handouts to be received by the Commissioners. Motion to receive by Bride. Second by Hanson. Carried: 5-0. *Received Materials Available in the Appendix.*

Chris Madsen, City of Sioux City offered concerns with placement of utility solar within the corporate boundaries of the City and allowing utility solar in the Southbridge Industrial Park, which would not utilize the installed infrastructure that could be used for future development.

Daniel Hair stated industrial solar should only be allowed in industrial areas. Other areas of the state do not compare to Woodbury County.

Peter Widman stated we should not allow the mayor of the City of Sioux City to dictate what we do with land inside the County.

Tom Treiner, Nexstar Energy, spoke by telephone stating there should be another look at utility solar in agricultural areas with a conditional use permit process. Projects are voluntary to landowners, screening and buffering would address some issues. He thinks there are many landowners that support utility solar in agricultural areas, as seen by comments to the comprehensive plan, but some are hesitant to speak in support because it's a contentious issue.

Christopher Widman states no other location than industrial should be considered, pointed out only businesses, not residents, have spoken out in support tonight.

Parker motioned to close public hearing. Second by Bride. Carried: 5-0.

Priestley emphasized this ordinance is similar to what has been in place since 2008 but adds additional features and specifications. He cited MidAmerican's solar project that went through the conditional use permit process in the General Industrial (GI) Zoning District. Priestley pointed out that the Zoning Commission is responsible for reviewing the application and the Board of Adjustment is responsible for the consideration of the CUP application for approval. Additionally, the Board of Supervisors would be responsible for the consideration of the building permits.

Bride asked Priestley if there was any activity that would trigger extraterritorial review from the City of Sioux City. Priestley indicated that the city would be notified as a landowner under the typical process if they fall within the notification territory. However, the county will notify the city as a stakeholder and ask for comment regardless in the future. The certified abstractor listing notification area is one (1) mile under this proposal. The only extraterritorial review authority the city has is through the subdivision process.

Bride asked if there was anything in ordinance pertaining to setbacks that would prevent a solar project in an industrial area being placed near to conservation area. Priestley indicated that he is not aware of any provision in the zoning ordinance that would place a restriction or buffer between conservation areas and projects such as solar. The conservation board would be a stakeholder that would be asked to make comments on future projects.

Bride indicated that the zoning district setbacks along with the conditional use permit process could handle separation issues.

Hanson stated he would be against utility solar in industrial areas because there are only a small number of areas, and infrastructure has been placed and wouldn't be utilized with solar. Hansen stated under regulated standards he would support an overlay district which would allow placement in other zoning districts and landowners would have the opportunity of use property rights to place Utility Solar in agricultural areas.

Zellmer Zant stated there hasn't been a setback requirement on conditional use permits in industrial areas since 2008. She is concerned about setback that restricts useable General Industrial areas; public comment should be heard.

Meister agrees that the GI areas are restricted with setbacks.

Parker asked if the setbacks should be taken out of the requirements.

Bride agrees setbacks could prevent areas from developing and conditional use application allows each area to be looked at. Don't want to limit industrial areas.

Priestley stated setback zoning dimensional standards are in place for structures relative to property lines. The conditional use process would allow for stakeholder and public comment regarding placement. This draft is a process for Zoning Commission, Board of Adjustment and Board of Supervisors.

Zellmer Zant commented this language has been seen throughout other meetings, other counties and our County Attorney's Office.

Bride offered to include language that setbacks currently in zoning districts apply and not expanding other, such as conservation area setbacks, and others.

Motion by Bride to recommend the ordinance to the Board of Supervisors excluding the setbacks that are within it and just reverting to the General Industrial setbacks and to strike the definitions for the public conservation area and to remove Section J and definition R, and all definitions pertaining to the chart (occupied residences, cemeteries, public right-of-way, public drainage district right-of-way, and airports). Second by Parker. Carried 4-1.

No public comment on matters not on the agenda:

Staff Update:

Priestley mentioned upcoming CoZO conference to be hosted by Woodbury County in May.

No Commissioner Comment of Inquiry:

Daniel Priestley

From: Daniel Priestley
Sent: Monday, March 25, 2024 11:27 AM
To: Robert Wilson
Subject: RE: Email from the Woodbury County Website

Mr. Wilson,

Your message has been received. I will ask the Zoning Commission to consider receiving your email and attachment into the record at tonight's Zoning Commission meeting.

Respectfully,

Daniel J. Priestley, MPA
Woodbury County Zoning Coordinator
620 Douglas Street #609
Sioux City, IA 51101

Phone: 712-279-6609
Fax: 712-279-6530
Website: WoodburyCountyIowa.gov

RECEIVED FROM ROBERT WILSON, 3-25-24
From: Robert Wilson <r.wilson@rangeland-energy.com>
Sent: Saturday, March 23, 2024 9:51 AM
To: Daniel Priestley <dpriestley@woodburycountyiowa.gov>
Subject: RE: Email from the Woodbury County Website

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.**

Hey Dan, is there any way to request that the attached is included to Monday's packet for the record?

Unfortunately, due to flight schedules from where we're located, nothing quite works for us to make the meeting in person on Monday, but we'll be calling in. We have some major concerns that we'd like to discuss with the Commission, and I'm not sure the best venue to do that.

Robert Wilson – Managing Member
E: r.wilson@rangeland-energy.com
C: 435-901-9236



From: Daniel Priestley <dpriestley@woodburycountyiowa.gov>
Sent: Thursday, February 1, 2024 3:27 PM
To: Robert Wilson <r.wilson@rangeland-energy.com>
Subject: RE: Email from the Woodbury County Website

Mr. Wilson,

Your message has been received. I am available to answer questions you might have about the Woodbury County Zoning Commission's recent recommendation. As referenced in your message, the comprehensive plan adoption process will likely commence this spring at dates to be announced. The comp plan requires a Zoning Commission recommendation and the approval of the Board of Supervisors. Information regarding the activities of the Commission can be obtained on the Woodbury County website at: https://www.woodburycountyiowa.gov/committees/zoning_commission/. I am available to speak with you tomorrow if you have questions. The phone number is 712-279-6609.

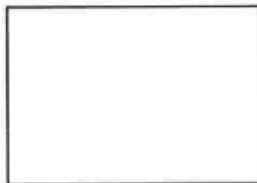
Respectfully,

Daniel J. Priestley, MPA - Zoning Coordinator
Woodbury County Community & Economic Development
620 Douglas Street, 6th Floor
Sioux City, IA 51101
Office: (712) 279-6609
Fax: (712) 279-6530
Email: dpriestley@woodburycountyiowa.gov
Web: www.WoodburyCountyCED.com

*****IMPORTANT NOTICE*****
This e-mail, and any attachments thereto, is intended only for use by the addressee(s) named therein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution or copying of this e-mail, and any attachments thereto, is strictly prohibited. If you have received this e-mail in error, please notify me immediately at: (712) 279-6609 and permanently delete the original and any copy of any e-mail and any printout thereof.

From: Woodbury County Website <no-reply@woodburycountyiowa.gov>
Sent: Wednesday, January 31, 2024 2:37 PM
To: Daniel Priestley <dpriestley@woodburycountyiowa.gov>
Subject: Email from the Woodbury County Website

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.**



Email from the Woodbury County Website

Name: Robert Wilson

Email: r.wilson@rangeland-energy.com

Comments:

Hey Dan,

I'd like to introduce myself and our company. We're the developer that is working with Leo Jochum and his family as well as other individuals that chose to participate in our solar project. I attended last weeks meeting and think it'd be good for us to discuss our project, the process, and what facilities like ours typically look like during operations. I'd also like to answer any questions you or the commission has for us, to better inform you as discussions around the 2040 comprehensive plan progress.

RECEIVED FROM ROBERT WILSON, 3-25-24

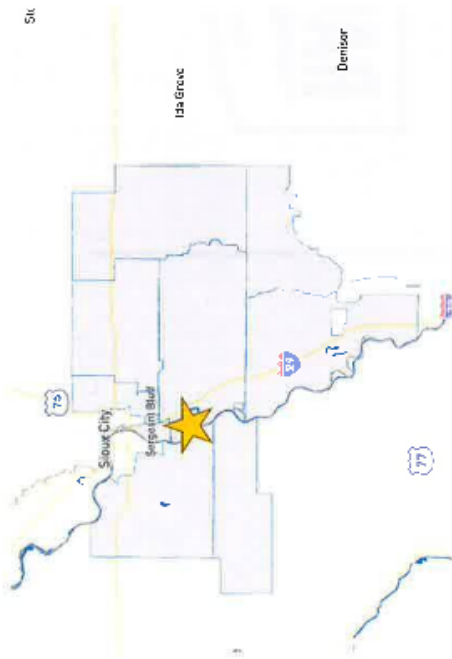


RECEIVED FROM ROBERT WILSON, 3-25-24



RECEIVED FROM ROBERT WILSON, 3-25-24

U.S. Treasury Department's Coal Closure Energy Community Designation



Woodbury County Census Tracts designated as Energy Communities:

- 19193003302 – State Tract 33.02
- 19193003200 – State Tract 32
- 19193003100 – State Tract 31
- 19193003500 – State Tract 35

Retired Thermal Units – George Neal

Energy Communities were designated in 2023 to encourage economic growth, tax revenue and job creation in areas impacted by retired thermal generators, coal mining operations, and high fossil fuel employment.

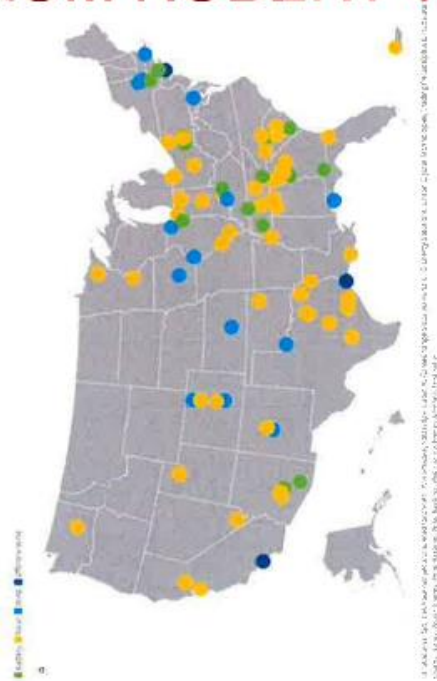
With extensive experience in large-scale development, BANGELAND expertly sources greenfield opportunities across the country. **We believe that by establishing a CUP process to allow for utility-scale solar development in AP districts, Woodbury County can utilize existing federal incentives and local energy infrastructure to create long-term tax revenue and source private capital from the renewable energy industry. A CUP Process with common-sense and informed guidelines approved on a case-by-case basis can allow for future development of renewable energy projects while mitigating any adverse affects to landowners that choose not to participate.**

BANGELAND ENERGY MANAGEMENT

RECEIVED FROM ROBERT WILSON, 3-25-24

2023 Inflation Reduction Act Domestic Content Tax Credit

New Manufacturing Facility Announcements
Explore the 77 new manufacturing facility announcements in the US 2023.



Under the Inflation Reduction Act, projects receive an additional 10% investment tax credit when the following attributes are met:

- Prevailing Wage & Apprenticeship Requirements - **high paying jobs, career growth and creation for rural communities with apprenticeship programs**
- Steel and Iron Requirements: products that are primarily steel and iron must be **100% produced in the United States**
- Manufactured Product Requirements: all components that are "manufactured products" are produced in the United States. This includes components **such as solar panels, transformers, trackers, etc.**

By utilizing components that are produced in the United States, utility-scale solar farms are more economically competitive after achieving the Domestic Content Investment Tax Credit. Further, utilizing steel, modules, and transformers produced in the United States mitigates supply chain risk while creating jobs and domestic innovation.

RECEIVED FROM ROBERT WILSON, 3-25-24

2023 Inflation Reduction Act

Domestic Content Tax Credit

First Solar to Build \$1.1 Billion US Manufacturing Facility First Solar Inc. is investing up to \$1.1 billion to construct its fifth manufacturing facility in the USA, further expanding America's capacity to produce its own photovoltaic (PV) solar modules.



Qcells will manufacture every part of a silicon solar panel in the United States

Qcells has announced it plans to invest more than \$2.5 billion to establish a complete solar supply chain in the United States. In addition to its existing two solar module assembly facilities in Dalton, Georgia, the company will build a new factory in the state that will manufacture 3.3 GW of silicon ingots, wafers, cells and more finished panels.



PVH to open 6 GW U.S. solar tracker manufacturing site

PV Hardware expects the plant to be operational in 2023. This is the first in a wave of solar supply chain onshoring in the wake of the Inflation Reduction Act.



Not only are projects more competitive after utilizing domestic content and meeting prevailing wage and apprenticeship requirements, but utilizing steel and components that are manufactured in the United States has become an industry "best practice" because of the value added with job creation and domestic supply chain reliability.

System height and attributes:



Modern solar energy systems are between 8'-12' max height depending on the angle of modules. **No concrete** is poured to secure our I-beams upon which modules and trackers are mounted. Minimal gravel roads would be used for typical maintenance and vegetation control.



Source: Nexttracker: <https://nexttracker.com/horizon-xtr/>



RECEIVED FROM ROBERT WILSON, 3-25-24

RECEIVED FROM ROBERT WILSON, 3-25-24

Other common facilities in AP districts:

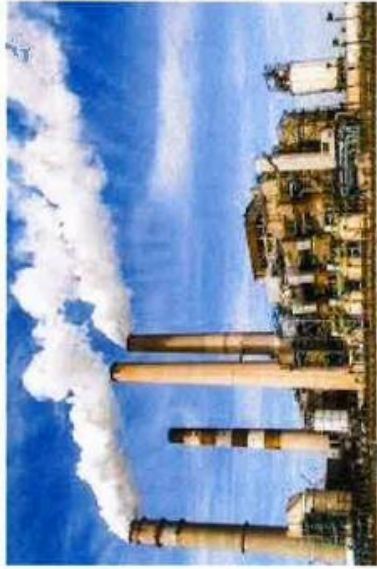
Modern solar energy systems are similar in height to center-pivot irrigation systems common in AP districts...



HANGLAND ENERGY MANAGEMENT

... and shorter than most modern crop sprayers.

What is "industrial"?



Woodbury County Ordinance:

7. LI Limited Industrial Zoning District

A. Purpose and Intent. The purpose of the Limited Industrial Zoning District is to provide for the orderly development of heavy commercial, warehousing and limited industrial uses. Appropriate sites for the LI Zoning District should have excellent infrastructure especially transportation access via highways.

8. GI General Industrial Zoning District

A. Purpose and Intent. The purpose of the GI, General Industrial Zoning District is to provide for the orderly development of heavy commercial and industrial uses. Appropriate sites for the GI Zoning District should have excellent infrastructure including transportation access via highways, railroad, airports, or barge, sanitary sewerage, water service, and power supply.



[MANAGEMENT AND ENERGY RANGE]

RECEIVED FROM ROBERT WILSON, 3-25-24

What is "industrial"?

Other "Conditional" uses permitted in Woodbury County AP Districts: Racetracks, RV Parks, Laboratories, Crackers, Landfills...



KANSASLAND ENERGY MANAGEMENT

RECEIVED FROM ROBERT WILSON, 3-25-24

What is "industrial"?

Other "Conditional" uses permitted in Woodbury County AP Districts: Airports, sanitation facilities, railyards, wind turbines, wind turbines....



RECEIVED FROM ROBERT WILSON, 3-25-24

RANGLAND ENERGY MANAGEMENT

Utility-scale Solar Parks:

- No expansion of municipal water, sewer or electrical services required
- No installation of new paved roads required
- No emissions, waste, or noise during operations



Due to the low impact that our projects have on air quality, noise, and viewshed in areas suitable for PV development, we feel that they are better qualified for a conditional use permit in AP districts than many of the other conditional uses currently allowed in AP districts.

No Emissions

No Noise

No Traffic

During Operations



RECEIVED FROM ROBERT WILSON, 3-25-24

LAND USE & NATURAL RESOURCES

Goals

Support sustainable agricultural practices.

- Ensure compliance with Iowa state code provisions for agriculturally zoned property.
- Promote the use of agricultural best management practices to reduce soil and fertilizer runoff, protect water quality, and manage animal waste.
- Encourage participation in federal incentive programs that pay farmers and ranchers for the implementation of conservation best practices.
- Consider the use of sliding scale zoning to prevent the fragmentation of large tracts of farmland.
- Advocate for the preservation of agriculture in urban fringe areas not identified in the future land use map for urban growth.
- Connect small and mid-sized farm businesses with succession planning resources and technical assistance.
- Create a roundtable of farmers and local agriculture businesses to voice concerns and needed resources to maintain sustainable business operations.
- Advocate for the adoption of local food purchasing policies that support public and institutional procurement from small and mid-sized local farmers.

Preserve environmentally sensitive lands.

- Consider the manner in which environmentally sensitive lands are developed, including wetlands, floodplains, prime agriculture, wildlife habitat, and open spaces for recreation.
- Encourage communication and cooperation between environmental advocates and landowners related to development of sensitive land.
- Strengthen existing control policies and grade and excavation limitations for development in the Lucas Hills.
- Encourage landowner participation in federal conservation easement programs that provide financial incentives for safeguarding natural resources on their property.
- Continue working to the county's network of parks, trails, and campgrounds.
- Coordinate across jurisdictions to address litter and the clogging of waste.

Limit urban sprawl and maintain the rural character of Woodbury County.

- Prioritize the rehabilitation of existing housing stock and infill development before building on previously undeveloped land.
- Consider the lifetime costs of new infrastructure development.
- Limit interstate development to interchanges or to within city jurisdictions to preserve agricultural land and maintain scenic views of the Lucas Hills.
- Discourage leap-frog development outside of incorporated areas and limit density in unincorporated areas.
- Guide future development of non-agricultural uses to a compact pattern by efficient and economical expansion of public infrastructure.

Empower landowners to be a partner in combating ecologically and economically harmful invasive and noxious species.

- Educate the public about invasive identification, control, and disposal of invasive species.
- Distribute information about proper disposal of woody debris and brush from private property, and how to handle woody debris that has been impacted by invasive species such as the Emerald Ash Borer.

Reduce contaminants in surface water runoff.



Image source: iStockphoto.com

- Provide resources for farmers to adopt best management practices.
- Provide resources for farmers to accept BMPs such as no-till methods and cover crops, to reduce nutrient loads entering waterways as non-point source pollution. Refer to the Iowa Nutrient Reduction Strategy and programs of the USDA's National Resources Conservation Service for farmers in need of assistance.

- Continue sensible zoning policies.
- Educate residents and business owners of proper lawn fertilizer and chemical use.
- Limit the density of properties requiring individual septic systems, maintain stringent standards for system inspections, and provide resources for homeowners to assist in maintaining these systems.

Safeguard groundwater by identifying and limiting sources of pollution.

- Encourage landowners to take advantage of the Iowa DNR's wellhead protection program that provides cost-sharing and assistance for sealing unused wells and planting nitrate-remediating plants near active well heads.

Identify potential sources of air quality hazards in Woodbury County.

- Maintain a network of low-cost air quality monitors throughout the rural county.

Maintain safe distances between industrial land use activities and residential, commercial, and institutional land uses.

- Ensure that no residential communities are impacted or harmed by off-site industrial activities, such as trucking routes or railway air hazards.

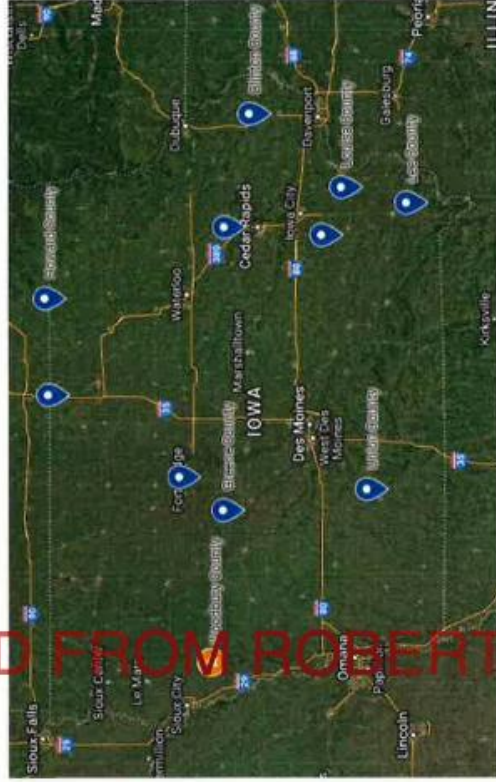
Plan for the creation and use of alternative and renewable energy sources in Woodbury County.

- Support landowners' individual choices to implement renewable energy infrastructure.
- Continually update policies that regulate renewable energy infrastructure to ensure that it does not present safety hazards and to minimize disruptions to surrounding land uses.
- Seek federal and state funding for the expansion of electric vehicle charging infrastructure.

RECEIVED FROM ROBERT WILSON 3-25-24

Economic Benefit of Comparable Projects

Project	County	Technology & MWac	Docket #
Big Dave Solar	Howard/Mitchell	PV 200 MWac	SCU-2019-0003
Coggon	Linn	PV 100 MWac	SCU-2021-0001
Creston	Union	PV-storage 75 MWac	SCU-2022-0005
Duane Arnold Solar	Linn	PV 50 MWac	SCU-2021-0002
Duane Arnold Solar II	Linn	PV 150 MWac	SCU-2021-0005
Soldfried	Washington	PV 200 MWac	60U-2022-0002
Grand Junction	Greene	PV-storage 150 MWac	60U-2021-0001
Hatchling	Clinton	PV 50 MWac	60U-2021-0006
Hawkeye	Clinton	PV 200 MWac	60U-2021-0005
Holiday Crest Solar	WeaVer	PV 100 MWac	60U-2020-0001
Magello Solar	Louis	PV 100 MWac	60U-2019-0001
Neveer	Lee	PV 150 MWac	60U-2022-0003
Worthme Solar Farm East	Worth	PV 149 MWac	27U-2319-0004
Worthme Solar Farm West	Worth	PV 500 MWac	60U-2019-0002

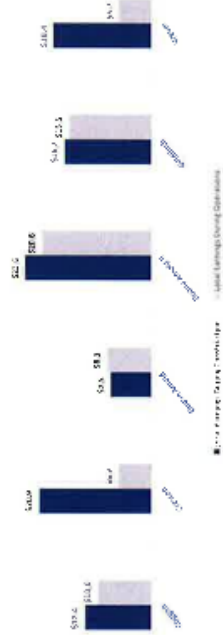


Restricting the CUP process to solely General Industrial zoning districts limits the ability of county officials to assess the potential positive impacts of utility-scale solar development that would otherwise be proposed under a broader CUP application. **By allowing for a CUP process for utility-scale solar development in AP districts, Woodbury County can assess long-term tax revenue and job creation on a case-by-case basis. A CUP Process** would also allow county officials to designate setback requirements and viewshed buffers, negotiate road-use agreements, and establish requirements for projects that alleviate the concerns of non-participating landowners. All while allowing participating landowners to see long-term lease revenue that doesn't fluctuate with commodity prices or adverse weather events – a stated component of the Land Use Goals in SIMPCO's 2040 Comprehensive Plan.

RECEIVED FROM ROBERT WILSON, 3-25-24

Economic Benefit of Comparable Projects

Local Earnings Impact (\$mm)



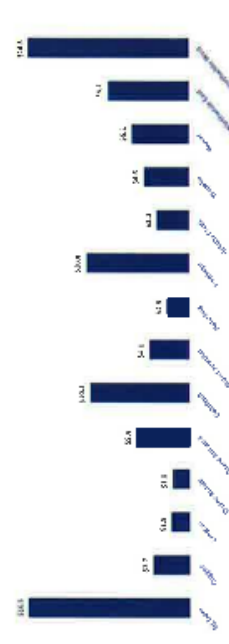
- 6 projects analyzed showing net local earnings impact and they showed an average of \$26.5mm in local earnings during construction and an average \$13.1 mm over the projects' lifetime operations
- Generally speaking, larger projects show greater local earnings impact

The ability for projects to propose job-creation, tax revenue projections, and community benefits packages to Woodbury County is preconditioned by a CUP process being permitting on lands in addition to GI districts. If projects can't demonstrate a net-benefit to the county in the CUP process, they can always be denied.

Parcels utilized in utility-scale PV projects contribute nearly 10x real and personal property tax revenue after the facility is in operation when compared to assessed taxes on agriculture parcels.

General Industrial parcels could contribute greater tax revenue to the county when developed by mixed-use or industrial developers by way of sales tax, fuel tax, etc. In addition, GI parcels are generally priced much greater, making PV development cost-prohibitive.

Property Tax Revenue (\$mm)



- This chart projects an average of \$6.7mm in property tax revenue total per parcel over their lifetime (35-40 years) to all the local entities involved
- This average is approximately \$26K per year in property tax revenue
- There is significant variance in the amount of property tax estimates, most of which is likely due to the "best" project size and project probability as well as local property tax rates

RECEIVED FROM ROBERT WILSON, 3-25-24

Appendix

ROBERT WILSON, 3-25-24



Dear Dan Priestley,

I am writing on behalf of the City of Sioux City. The City of Sioux City opposes the proposed utility-scale solar energy system Zoning Ordinance Amendment dated March 21, 2024.

The City of Sioux City's concern is the lack of a required setback from City corporate boundaries. The City of Sioux City would support the creation of a protected area of two (2) miles from a City's corporate boundary. These protected areas would be similar to the recently approved requirements for wind turbines located in Woodbury County. The City of Sioux City also supports solar energy systems as an accessory use to industrial development.

The City of Sioux City has reviewed the draft Woodbury County Comprehensive Plan 2024, and agree with a number of the findings in the plan. Goal T5.7 states:

Support efficient development of commercial and industrial operations in the Southbridge Interchange region.

The City of Sioux City and Woodbury County have been working extensively to promote the Southbridge Industrial Park. The City and County have partnered to construct a new interchange that would increase access and marketability of the Southbridge area. The City is concerned that large Utility-Scale Solar Energy Systems would hamper these efforts and create an obstacle to further industrial development in the area.

The City of Sioux City supports the efforts of Woodbury County to provide renewable energy sources. However, the proposal would have a substantial negative impact on the potential growth of the City of Sioux City's industrial areas. Therefore, I urge you to consider a revised version of the proposal that includes the protected area from a City's corporate boundary. If City Staff can be of any assistance as you work on the proposal, please feel free to contact us.

Sincerely,


Robert E. Scott
Mayor

RECEIVED FROM RAND FISHER, 3-25-24



CENTER

for Infrastructure & Economic
Development

RECEIVED FROM RAND FISHER, 3-25-24

**Renewable Energy Policy
Resource for Local Leaders**

www.centerforlocalpolicy.org

**Remarks and Input from Jonjon Infrastructure and Economic Development (*The Center*) at the
Woodbury County Planning and Zoning Solar Ordinance Hearing March 25, 2024**

Good evening! Rand Fisher, 15237 Woodcrest Drive, Clive, Iowa. I'm speaking this evening in my role as Director of The Center for Infrastructure and Economic Development. I will leave behind additional information and contact data that will more fully introduce the mission of our organization and its focus on local preparation, planning, and policies for facilitating renewable energy. When done thoughtfully, we believe renewable energy provides financial and quality of life improvements; creates good jobs; provides farmers and landowners income diversification and security; attracts new businesses and industries; and returns millions of dollars to local government and the regional economy.

At *The Center*, we have been following your work and deliberations. Like you, we know *good policy* is essential to *good projects*. Balancing individual choices, land owner rights, and necessary community protections isn't easy. Your commitment to citizen input, as well as policy research and discovery has been truly commendable.

RECEIVED FROM RAND FISHER, 3-25-24

That said, this evening we're here to clearly express our concern over the current status of your ordinance restricting conditional use application and authority for utility scale solar, singularly to industrial zoned property. Industrial property typically provides for sewer, water, natural gas, multi-modal transportation, and other, often expensive infrastructure demanding services. In stark contrast, utility scale renewable energy sites do not require the investment, readiness, and marketing that accompany industrial sites and parks. We would urge you, and the Board of Supervisors to further confer with all the parties and organizations involved in county and regional economic development before restricting utility solar to this one zoning category.

By prudently allowing conditional use permits in the agricultural zoned area of the county you can avoid many issues while knowing the land will still be preserved to agriculture. Such would not be the case if land gets permanently moved to industrial. Other process inefficiencies and problems seem likely in only allowing industrial property for solar investment.

For these policy reasons, we strongly urge you to take a second look at how a limited use of agricultural property for utility scale solar energy could maintain and strengthen your agricultural heritage, quality of life, and individual freedom.

Respectfully submitted,

Rand Fisher

Center for Infrastructure and Economic Development

rfisher@centerforpolicy.org

515 577 5900

www.centerforlocalpolicy.org

RECEIVED FROM RAND FISHER, 3-25-24



CENTER
for Infrastructure & Economic
Development

Our Mission

The Center for Infrastructure and Economic Development works with local leaders seeking to transition their communities to adapt to and realize benefits from emerging infrastructure and energy technologies. Our goal is to help counties and municipalities stay centered on their core community identities while enabling sustainable, long-term economic growth that benefits local residents and businesses.

Our Approach

At The Center, we believe the best policies are those that balance citizen concerns, energy needs and economic benefits. These policies will help local communities grow and prosper in an era of energy diversification and help lower energy costs during economic uncertainty.

Issues



Supporting Communities

We believe the development of renewable energy projects provides financial and quality of life improvements for communities that sponsor them. Many major manufacturers consider access to renewable energy as a key factor in locating new facilities, providing beneficial local economic ripple effects.



Wind Energy

We value the safe installation and operation of wind energy developments. We work with local governments and communities to develop the best policies to meet that goal while achieving emission reduction targets and delivering reliable and cost-effective energy.



Solar Energy

We understand community concerns of large-scale solar projects and we strive to highlight policies that address them while supporting reliable solar energy to meet customer demand.

RECEIVED FROM RAND FISHER, 3-25-24

How Renewables Can Benefit Your Community?



New Property Tax Revenue

Money that can be used to improve local services or infrastructure

New Jobs

Well-paid jobs in a rapidly growing industry

New Business

Businesses are increasingly looking to locate in places with access to renewable energy

Reduce Carbon Emissions

Meet local emission reduction targets with clean renewable energy



Our Services



Ordinance Database

Our ordinance database provides you with quality examples from around the country of ordinances adopted by other local governments that both protect their communities and spur economic growth. Learn from your peers and see what's best for your county, city, or town.



Case Studies

Go beyond numbers and data; hear from real results and real people.

The Center provides case studies and real world examples of how renewable energy projects, guided by sound policy, produce benefits for constituents and the greater community local officials are responsible for.



Access to Experts & Research

The Center aims to be the one-stop shop for all of your policy needs. We provide your staff with access to world class experts in policy, energy, environment, and economic development. Get in the know with research from industry leading institutions about the ordinance for you.



RECEIVED FROM RAND FISHER, 3-25-24

Governors Terry Branstad and Mike Johanns serve as National Co-Chairs of the Center and State Chairs of their respective states.

Former Iowa Governor Terry Branstad is the nation's longest serving Governor and served as America's Ambassador to China. Governor Branstad has a strong history of working with leaders at the local, state and federal levels to advocate the benefits of renewable energy development. While Governor he signed the first renewable energy portfolio standard.

Former Nebraska Governor Mike Johanns has 30 years of service at every level of government, including serving as Secretary of the U.S. Department of Agriculture. Through decades of work with farmers and ranchers, Governor Johanns learned firsthand that harvesting wind and solar energy works in tandem with current agricultural methods while providing new sources of income for landowners.

Get in Touch

Visit our website at:
www.centerforlocalpolicy.org

Call us by phone:
202-708-4968

Or send us an email:
rtanison@centerforlocalpolicy.org



Reducing Taxes while Funding Additional County Services – How O’Brien County Iowa Thrives with Wind Energy

Other Iowa Counties had to raise taxes. Wind Energy Meant O’Brien County Could Lower Them.

RECEIVED FROM RAND FISHER, 3-25-24



www.CenterForLocalPolicy.org

With Lower Taxes, Revenue from Wind Fills County Coffers



Revenue from Wind Farms Fund Essential County Services and Infrastructure



RECEIVED FROM RAND FISHER, 3-25-24

The Wind Farms Strengthened the County Budget during COVID



Between the added valuation and increased taxes, we were able to actually reduce tax rates when many counties in Iowa were having to raise taxes immensely to cover increased costs.



Nancy McDowell
O'Brien County Supervisor



O'Brien Has The 3rd Lowest Median Property Tax Payment Of Surrounding Counties

The Center Services -- Providing Fact-Based Expertise:



Ordinance Database

Our ordinance database provides you with quality examples for the number of ordinances adopted by state local government's in the number, their content, and their economic growth.



Case Studies

The Center provides case studies showing real world examples of how renewable energy projects can produce benefits to constituents.



Access to Experts & Research

We provide your staff with access to world class experts in policy, energy, environment, economic development, and research from industry leading institutions.



Governor Terry Branstad
National Co-Chairman and
Iowa State Chairman



Governor Mike Johanns
National Co-Chairman and
Nebraska State Chairman

Get in Touch

Phone: 202-709-4008 | Web: www.centerforlocalpolicy.org

Email: info@centerforlocalpolicy.org

CenterILL Center of Local Policy

Center of Infrastructure and Economic Development

RECEIVED FROM RAND FISHER, 3-25-24



CENTER
for Infrastructure & Economic
Development

The Renewable Energy Resource for Local Leaders

Issues We Support

👤 Communities

We believe the development of renewable energy projects provides financial and quality of life improvements for communities that seek for them.

☀️ Solar Energy

We strive to provide up-to-date information to address any concerns regarding large-scale solar projects.

🌬️ Wind Energy

We value the safe installation and operation of wind energy to achieve emission reduction goals and deliver reliable and cost-effective energy.

How Renewables Can Benefit Your Community?

New Property Tax Revenue

Money that can be used to improve local services or infrastructure.

Reduce Carbon Emissions

Reduce emissions to meet local reduction targets with clean renewable energy.

New Jobs

Well-paid jobs in a steadily growing industry.

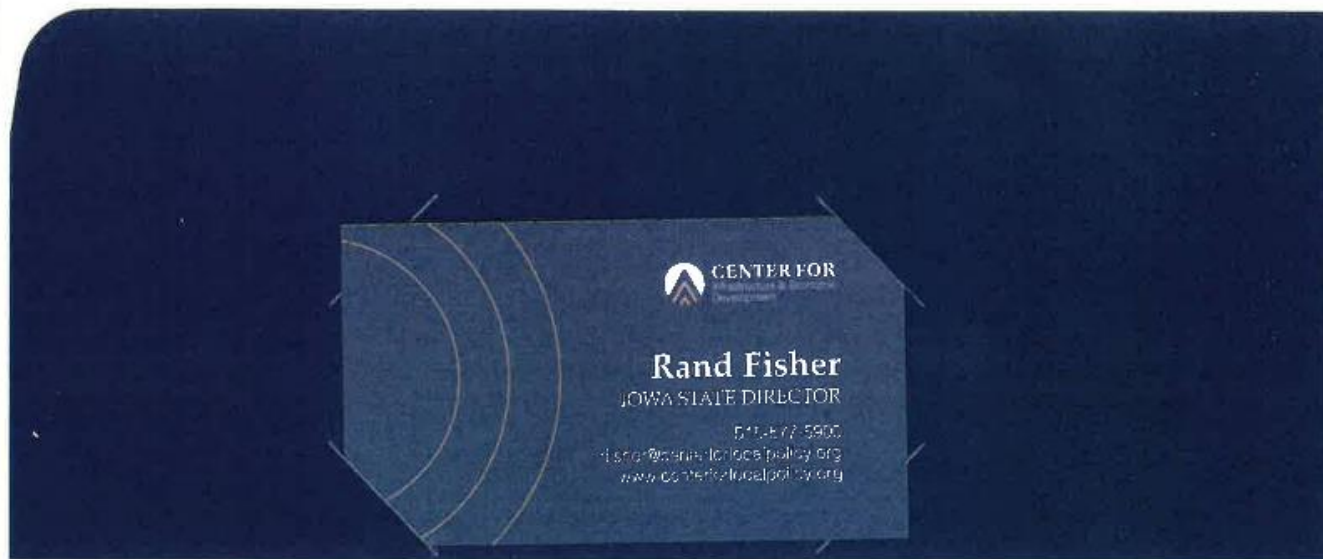
New Business

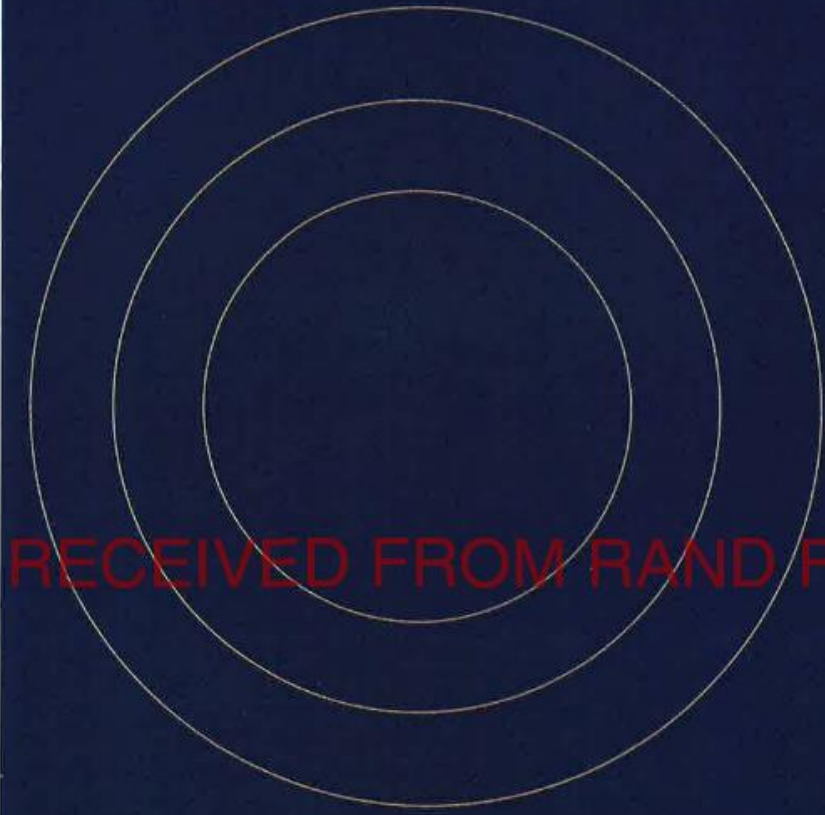
Attract businesses looking to locate in places with access to renewable energy.

www.centerforlocalpolicy.org

RECEIVED FROM RAND FISHER, 3-25-24

RECEIVED FROM RAND FISHER, 3-25-24





RECEIVED FROM RAND FISHER, 3-25-24

RECEIVED FROM RAND FISHER, 3-25-24

You can help protect Woodbury County from future alternative energy abuses such as industrial wind turbines being zoned in agricultural lands, which in our case, would allow them to be placed near our homes.

Woodbury County is in the drafting phase of our new Comprehensive Plan, which gives the *Board of Supervisors, Planning and Zoning*, and the *Board of Adjustment*, direction when considering new ordinances and projects. A company called SIMPCO is in charge of taking public comments during this drafting phase. It is **very important** that they hear from you!

Please call Erin Berzina (the planning director) and dictate to her the following changes we want to see in the Land Use & Natural Resources portion of the new Development Plan.

RECEIVED FROM DANIEL HAIR, 3-25-24

simpco
Erin Berzina, AICP
Regional Planning Director

SIouxLAND INTERSTATE METROPOLITAN PLANNING COUNCIL

P: 712.224.8906
C: 712.223.8687
F: 712.279.6920
1122 Pierce Street, Sioux City, IA 51105
erinb@simpco.org
www.simpco.org
f /simpcocog @simpcocog

Ask Erin to remove: *Plan for the creation and use of alternative and renewable energy sources in Woodbury County. Support landowners' individual choices to implement renewable energy infrastructure.*

Ask Erin to implement the following: *Utility scale alternative and renewable energy sources should be zoned and placed in Industrial Districts in order to minimize adverse impacts to agricultural and residential living.*

- 1. Preserve agricultural land for agricultural purposes.*
- 2. Recognize that alternative and renewable energy projects should remain on industrial zoned land.*
- 3. Respect the intrinsic beauty of our Loess Hills, natural landscapes, and the great value of rural resident's quality of life.*
- 4. Utility scale alternative and renewable energy projects should be viewed as industrial activities.*
- 5. Preserve our agricultural land for future generations and protect our conservation areas for hunting, hiking, camping, and recreational use.*

RECEIVED FROM DANIEL HAIR, 3-25-24



Daniel Priestly
Woodbury Co. Community & Economic Development
620 Douglas St. 6th Floor
Sioux City, IA 51101
dpriestley@woodburycountyiowa.gov

THIS IS NOT AN INVOICE

AFFIDAVIT OF PUBLICATION

#363135- Public Hearing - Floodplain Management

The undersigned, being first duly sworn on oath, states that Iowa Information Media Group, a corporation duly organized and existing under the laws of the State of Iowa, with its principal place of business in Sheldon, Iowa, the publisher of newspapers of general circulation as identified below, and printed and published in the city of Merville, Woodbury, Iowa, and that a legal notice, a printed copy of which is attached as Exhibit "A" and made part of this affidavit, was printed and published in the publication(s) and editions dated as follows:

363135	The Record	4/18/24	\$79.61
--------	------------	---------	---------

A handwritten signature in black ink, appearing to read 'Myrna Wagner', written in a cursive style.

Myrna Wagner
Management, The Record

Subscribed and sworn to before me by said
Myrna Wagner this 18th day of April, 2024

A handwritten signature in black ink, appearing to read 'Lori Wiersma', written in a cursive style.

Lori Wiersma
Notary Public in and for State of Iowa



Notice Regarding Public Hearings

NOTICE REGARDING PUBLIC HEARINGS BEFORE THE WOODBURY COUNTY BOARD OF SUPERVISORS FOR THE CONSIDERATION OF ZONING ORDINANCE TEXT AMENDMENTS TO "SECTION 5.03 FLOODPLAIN MANAGEMENT ORDINANCE" IN THE WOODBURY COUNTY ZONING ORDINANCE

The Woodbury County Board of Supervisors will hold public hearings on the following item of business, hereafter described in detail, on Tuesday, April 23, 2024 at 4:40 PM, Tuesday, April 30, 2024 at 4:40 PM and Tuesday, May 7, 2024 at 4:40 PM or as soon as possible thereafter as the matter may be considered. Pursuant to Iowa Code Section 331.302, the second and third public hearings may be waived by the Board of Supervisors.

Said hearings shall be held at the Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, in the Board of Supervisors' meeting room in the basement of the courthouse. Persons wanting to participate in the public hearings may attend in person during the meetings to comment.

Copies of said item may be examined in the Woodbury County Auditor's office in said Courthouse by any interested persons. You may forward your written comments by mail or email to: Woodbury County Community and Economic Development, 6th Floor, Woodbury County Courthouse, 620 Douglas St., Sioux City, IA 51101; Emails should be sent to Daniel Priestley at: dpriestley@woodburycountyiowa.gov. Only signed comments will be considered and should be received no later than 10:00 AM on Tue., Apr. 23, 2024.

All persons who wish to be heard in respect to this matter should appear to participate in the aforesaid hearing.

Item One (1)

SUMMARY OF ZONING ORDINANCE TEXT AMENDMENT TO SECTION 5.03: FLOODPLAIN MANAGEMENT ORDINANCE IN THE WOODBURY COUNTY ZONING ORDINANCE. SUMMARY: A proposal to amend the text of the Woodbury County Zoning Ordinance to repeal and replace portions of Section 5.03: Floodplain Management Ordinance. The proposal is to repeal and replace the following sections with updated content. Amendment #1 - On page 59, to repeal and replace the text in Section 5.03.1 AA with the following: AA. New Factory-Built Home Park Or Subdivision - A

factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the first floodplain management regulations adopted by the community.; Amendment #2 - On page 62, to repeal and replace the text in Section 5.03.3 B with the following: B. Establishment of Official Floodplain Zoning Map. The Flood Insurance Rate Map (FIRM) for Woodbury County and Incorporated Areas, dated 7-17-2024, which was prepared as part of the Flood Insurance Study for Woodbury County, is (are) hereby adopted by reference and declared to be the Official Floodplain Zoning Map. The Woodbury County Flood Insurance Study is hereby adopted by reference and is made a part of this ordinance for the purpose of administering floodplain management regulations.; Amendment #3 - On page 72, to repeal and replace the text in Section 5.03.10 B(4) with the following: (4) In cases where the variance involves a lower level of flood protection for structures than what is ordinarily required by this Ordinance, the applicant shall be notified in writing over the signature

of the Administrator. (i) the issuance of a variance will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction increases risks to life and property.; Amendment #4 - On page 73, to repeal and replace the text in Section 5.03.10 C(2) with the following: (2) Decisions. The Board shall arrive at a decision on an Appeal or Variance within a reasonable time. In passing upon an Appeal, the Board may, so long as such action is in conformity with the provisions of this ordinance, reverse or affirm, wholly or in part, or modify the order, requirement, decision, or determination appealed from, and it shall make its decision, in writing, setting forth the findings of fact and the reasons for its decision. In granting a Variance, the Board shall consider such factors as contained in this section and all other relevant sections of this ordinance and may prescribe such conditions as contained in 5.03-10 C(2)(b).

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

Published in The Record
Thursday, April 18, 2024
(#363135)