

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

Date: 6/11/25

Weekly Agenda Date: 6/17/25 4:45

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

**WORDING FOR AGENDA ITEM:**

a. Receive final report-Zoning Commission recommendation for a Zoning Ordinance Text Amendment to revise the Land Use Summary Table of Allowed Uses (Section 3.03.4), to classify "Borrow pits for earth materials" as a conditional use within the Agricultural Estates (AE) Zoning District. b. Conduct 1st Public Hearing on the Zoning Ordinance Text Amendment. c. Approve the 1st Reading of the Zoning Ordinance Text Amendment.

**ACTION REQUIRED:**

Approve Ordinance ☒

Approve Resolution ☐

Approve Motion ☒

Public Hearing ☒

Other: Informational ☐

Attachments ☒

**EXECUTIVE SUMMARY:**

The Board of Supervisors will hold a public hearing at 4:45 PM to discuss a proposed Zoning Ordinance Text Amendment to revise the Land Use Summary Table of Allowed Uses (Section 3.03.4), to classify "Borrow pits for earth materials" as a conditional use within the Agricultural Estates (AE) Zoning District.

Section 3.03.4 of the Woodbury County Zoning Ordinance prohibits borrow pits in the Agricultural Estates (AE) Zoning District, limiting property owners' ability to excavate earth materials for construction, improve land usability, or enhance road safety through strategic grading. We propose amending the ordinance to allow conditional use permit applications for borrow pits in AE zones, per Section 2.02.9, enabling case-by-case reviews by the Zoning Commission and Board of Adjustment. This change ensures community input and evaluates impacts on environment, traffic, and neighborhood compatibility, aligning with county goals. The amendment promotes equity, as borrow pits are permitted in adjacent Agricultural Preservation zones, and supports agricultural, safety, and infrastructure objectives while maintaining oversight.

Following the public hearing, the Board of Supervisors may:

- (1) Defer consideration of the matter for further study; or
- (2) Reject the proposed amendment; or
- (3) Adopt the ordinance amending the text of this title.

**BACKGROUND:**

The Woodbury County Zoning Ordinance, specifically Section 3.03.4, prohibits borrow pits for extracting earth materials in the Agricultural Estates (AE) Zoning District. This restriction prevents property owners, including farmers, from excavating and transferring significant volumes of earthen material to support local construction projects. However, strategic grading and dirt removal in certain county locations could benefit farmers by improving land usability and support regional development by providing materials for infrastructure. Additionally, excavation in and around right-of-way areas could enhance sight distances and mitigate snow accumulation along roads, improving safety and maintenance.

The outright prohibition of borrow pits in AE zones may hinder these maintenance and development objectives. Amending the ordinance to allow conditional use permits application consideration for borrow pits in AE districts would provide a balanced solution. This change would enable property owners, not limited to farmers, to propose borrow pit projects, subject to review by the Zoning Commission and Board of Adjustment. The conditional use permit process, outlined in Section 2.02.9, offers community input opportunities and evaluation based on criteria such as environmental impact, traffic, and compatibility with the surrounding area.

Allowing conditional use permit application consideration does not guarantee widespread borrow pit development in AE zones. Instead, it removes the blanket prohibition, enabling case-by-case assessments to determine if a proposed borrow pit aligns with neighborhood character and county goals. Notably, the current ordinance already permits borrow pit consideration in Agricultural Preservation (AP) zones, which are often adjacent to AE parcels. This adjacency creates inconsistencies, as borrow pits may be approved near AE properties but not within them. Amending the ordinance to extend conditional use permit opportunities to AE zones would create a more equitable and flexible framework.

**FINANCIAL IMPACT:**

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**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 final report and Zoning Commission recommendation from their 5/28/25 meeting.

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

Conduct and approve the first reading of the Zoning Ordinance Map Amendment (Rezone).

The 2nd and 3rd public hearings and readings of the ordinance have been scheduled for Tuesday, 6/24/25 at 4:45 PM, and Tuesday, 7/1/25 at 4:45 PM, respectively.

**ACTION REQUIRED / PROPOSED MOTION:**

a. Receive final report-Zoning Commission recommendation for a Zoning Ordinance Text Amendment to revise the Land Use Summary Table of Allowed Uses (Section 3.03.4), to classify "Borrow pits for earth materials" as a conditional use within the Agricultural Estates (AE) Zoning District.

b. Conduct 1st Public Hearing on the Zoning Ordinance Text Amendment.

c. Approve the 1st Reading of the Zoning Ordinance Text Amendment.

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

**WOODBURY COUNTY, IOWA**

**AN ORDINANCE AMENDING THE TEXT OF THE WOODBURY COUNTY ZONING ORDINANCE TO AMEND PORTIONS OF ARTICLE 3, SECTION 3.03.4 ENTITLED: *LAND USE SUMMARY TABLE OF ALLOWED USES IN EACH ZONING DISTRICT.***

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

**Amendment #1:**

The Woodbury County Zoning Ordinance, Article 3, Section 3.03.4, Land Use Summary Table of Allowed Uses in each Zoning District, is hereby amended to revise the classification of "Borrow pits for earth materials" from a prohibited use to a conditional use in the following zoning district:

- AE — Agricultural Estates Zoning District

The Land Use Summary Table (Section 3.03.4) shall be updated to reflect the following:

- In the row for "Borrow pits for earth materials," replace the designation "--" (Prohibited use) with "C" (Conditional use) in the column for the AE zoning district.

*Explanation: this Zoning Ordinance Text Amendment establishes the use of "Borrow pits for earth materials" as a Conditional Use in the Agricultural Estates (AE) Zoning District.*

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

\_\_\_\_\_  
Daniel Bittinger II, Chairman

\_\_\_\_\_  
Mark Nelson, Vice-Chairman

\_\_\_\_\_  
Kent Carper

Attest:

\_\_\_\_\_  
David Dietrich

\_\_\_\_\_  
Michelle K. Skaff, Woodbury County Auditor

\_\_\_\_\_  
Matthew Ung

Adoption Timeline:

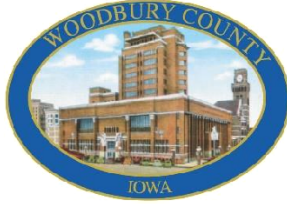
Date of Public Hearing and First Reading \_\_\_\_\_

Date of Public Hearing and Second Reading \_\_\_\_\_

Date of Public Hearing and Third Reading \_\_\_\_\_

Date of Adoption \_\_\_\_\_

Published/Effective Date \_\_\_\_\_



**WOODBURY COUNTY  
ZONING COMMISSION**

WOODBURY COUNTY COURTHOUSE  
620 DOUGLAS STREET  
SIOUX CITY, IA 51101

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

**From:** Christine Zellmer Zant, Chair  
Woodbury County Zoning Commission

**Date:** May 29, 2025

**Subject:** Zoning Commission Recommendation concerning Borrow Pits as Conditional  
Uses in the AE Zoning District

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On May 28, 2025, the Woodbury County Zoning Commission held a public hearing to consider the proposed amendment to the Woodbury County Zoning Ordinance, specifically to revise the Land Use Summary Table of Allowed Uses (Section 3.03.4) to classify “Borrow pits for earthen materials” as a conditional use within the Agricultural Estates (AE) Zoning District, as directed by your Board on April 29, 2025. Following a thorough review of the provided background materials, staff analysis, and public testimony, the Zoning Commission unanimously voted (4-0) to recommend approval of the proposed amendment.

The Commission recognizes that the current prohibition of borrow pits in AE zones, as outlined in Section 3.03.4, limits property owners’ ability to excavate and transfer earthen materials for purposes such as supporting local construction projects, improving land usability, or enhancing road safety through strategic grading. The proposed amendment to allow conditional use permit applications for borrow pits in AE zones, per the process outlined in Section 2.02.9, provides a balanced approach. This change enables case-by-case evaluations by the Zoning Commission and Board of Adjustment, ensuring community input and scrutiny based on criteria such as environmental impact, traffic, and compatibility with the surrounding area.

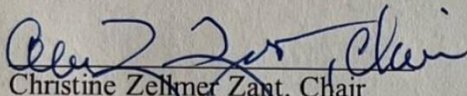
During the public hearing, the Commission heard testimony from a community member who shared a personal experience with unpermitted borrow pit activity on their property, highlighting the need for a clear permitting process to address such activities. The discussion also emphasized the broad definition of “borrow pit” in the current ordinance, which lacks intermediary thresholds or provisions for smaller-scale grading projects. The Commission believes that designating borrow pits as a conditional use in AE zones allows for tailored oversight, ensuring that projects align with neighborhood character and county goals without permitting widespread or unchecked development.

The Commission noted that the current ordinance permits borrow pit consideration in Agricultural Preservation (AP) zones, which are often adjacent to AE parcels, creating inconsistencies in land use policy. Allowing conditional use permits in AE zones promotes

equity and flexibility, aligning with the Board's objectives to support agricultural safety, infrastructure development, and economic opportunities for property owners. Importantly, the conditional use permit process ensures that each proposal is rigorously evaluated, with conditions such as time limits, dust mitigation, and stormwater management plans (e.g., DNR's NPDES Number 2 requirements) imposed as needed to protect public health, safety, and welfare.

The Zoning Commission recommends that the Board of Supervisors approve the amendment to revise Section 3.03.4 of the Woodbury County Zoning Ordinance to designate "Borrow pits for earthen materials" as a conditional use (denoted by "C") in the Agricultural Estates (AE) Zoning District. This recommendation reflects the Commission's commitment to fostering a fair and transparent process that balances development needs with community concerns. We encourage the Board to conduct the required public hearings to further engage the public and finalize this amendment.

**Respectfully submitted,**

  
Christine Zellmer Zant, Chair  
Woodbury County Zoning Commission

Dated this 29 day of May, 2025

## Woodbury County Zoning Commission Special Meeting Minutes

**Date:** May 28, 2025

**Time:** 5:00 PM

**Location:** Board of Supervisors' Meeting Room, Basement, Woodbury County Courthouse, 620 Douglas Street, Sioux City, IA

### 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/](https://www.woodburycountyiowa.gov/committees/zoning_commission/)
- YouTube Direct Link:
  - o <https://www.youtube.com/watch?v=HoUh4lVeBol>

### Attendees

- **Commissioners Present:** Chris Zellmer Zant - Chair, Tom Bride – Vice Chair, Corey Meister, Steve Corey
- **Commissioner Absent:** Jeff Hanson
- **Staff Present:** Dan Priestley - Zoning Coordinator, Dawn Norton – Senior Clerk
- **Public Attendees:** Alan Fagan (Land Surveyor), Jason Reynoldson (Morningside University), Steven Sitzmann, Debbie De Forrest, Chad Hofer, Jim McCullough, Frank Huseman, Dale Drees, Lynn Drees, Adam Boeve

### Call to Order

Chair Chris Zellmer Zant called the meeting to order at 5:00 PM on May 28, 2025, noting that the meeting would be audio-recorded and minutes prepared. Attendees were asked to silence cell phones and complete the attendance sheet. Zellmer Zant outlined the commission's procedures, emphasizing public hearing protocols, including staff reports, public comments limited to three minutes, and the process for closing hearings and deliberating motions. She noted that ex-parte communications must be disclosed before deliberations.

### Roll Call

Zellmer Zant conducted a roll call, confirming the presence of all commissioners except Jeff Hanson. The record reflected a quorum.

### Public Comment on Matters Not on the Agenda (Information Item)

Zellmer Zant opened the floor for public comments on non-agenda items. No comments were received.

### Approval of Minutes from Previous Meeting: March 24, 2025 (Action Item)

Zellmer Zant presented the minutes from the March 24, 2025, meeting for approval.

- **Motion:** Commissioner Corey moved to approve the minutes.
- **Second:** Commissioner Meister seconded the motion.
- **Vote:** Unanimous approval (4-0, all present saying "aye").
- **Outcome:** The minutes were approved.

## 5. Items of Business

### a. Public Hearing: Proposed Washburn Addition Minor Subdivision, Parcel #894635200009 (Michael W. and Janine J. Washburn) (Action Item)

#### Staff Presentation (Dan Priestley):

Priestley introduced the proposal for a three-lot minor subdivision on parcel #894635200009, owned by Michael W. and Janine J. Washburn, to divide 8.088 acres into Lot 1 (3.56 acres), Lot 2 (2.5 acres), and Lot 3 (2.03 acres). The property, located in the Agricultural Estates (AE) Zoning District, facilitates potential housing development. The proposal complied with Iowa Code closure requirements, as confirmed by County Engineer Laura Sievers, who outlined access criteria for the lots. The City of Lawton approved the final plat, and all stakeholders were notified with no objections received. Priestley recommended approval to the Board of Supervisors.

- **Public Comments:**
  - o Alan Fagan (Surveyor) clarified that the septic system for Lot 2 is self-contained, Lot 3 is to be sold to the adjacent western property owner with no building planned, and Lot 1 is for sale. No further questions were raised.
- **Motion to Close:** Commissioner Bride moved to close the public hearing.
- **Second:** Commissioner Corey seconded.

- **Vote:** Unanimous (4-0).

**Deliberation and Motion:**

No further discussion occurred.

- **Motion:** Commissioner Corey moved to recommend approval of the Washburn Addition minor subdivision to the Board of Supervisors.
  - **Second:** Commissioner Bride seconded.
  - **Vote:** Unanimous (4-0, all saying “aye”).
- Outcome:** The commission approved recommending the Washburn Addition minor subdivision to the Board of Supervisors.

**b. Public Hearing: Proposed Zoning Ordinance Map Amendment (Rezone) from Agricultural Preservation (AP) to General Industrial (GI), Parcel #864629351012 (New Cooperative, Inc.) (Action Item)**

**Staff Presentation (Dan Priestley):**

Priestley presented New Cooperative, Inc.’s application to rezone parcel #864629351012 from AP to GI, located near the city limits of Sloan, adjacent to their existing GI-zoned grain facility. The rezoning would enable a temporary grain storage facility with a 1.7-million-bushel corn capacity, aligning with county land use guidelines for grain terminals in GI zones. The proposal was advertised in the Sioux City Journal on May 13, 2025, and neighbors were notified by letter on May 12, 2025, with no direct objections received. Stakeholders, including government agencies, were notified, and the proposal met zoning ordinance criteria. Priestley recommended approval, pending public testimony.

- **Public Comments:**
  - Frank Huseman from New Cooperative confirmed the facility is for temporary grain storage located just outside Sloan’s city limits. No other public comments were received.
- **Motion to Close:** Commissioner Meister moved to close the public hearing.
- **Second:** Commissioner Corey seconded.
- **Vote:** Unanimous (4-0, all saying “aye”).

**Deliberation and Motion:**

No further discussion occurred.

- **Motion:** Commissioner Bride moved to recommend approval of the rezoning from AP to GI for parcel #864629351012 to the Board of Supervisors.
  - **Second:** Commissioner Meister seconded.
  - **Vote:** Unanimous (4-0, all saying “aye”).
- Outcome:** The commission approved recommending the rezoning to the Board of Supervisors.

**c. Public Hearing: Consideration of Borrow Pit for Earthen Material in Agricultural Estates (AE) Zoning District, Zoning Ordinance Text Amendment (Action Item)**

**Staff Presentation (Dan Priestley):**

Priestley explained the Board of Supervisors’ April 29, 2025, directive to amend the zoning ordinance to allow borrow pits as a conditional use in the AE Zoning District, currently prohibited under Section 3.03(4). The amendment, proposed under Section 2.02(9), would enable case-by-case reviews by the Zoning Commission and Board of Adjustment, addressing environmental, traffic, and neighborhood impacts. The change aims to promote equity, as borrow pits are permitted in AP zones, and support agricultural safety and infrastructure. Priestley provided background on the 2008 ordinance, noting AE districts’ higher housing density raised concerns about borrow pits’ compatibility. He highlighted the broad definition of “borrow pit,” which lacks size thresholds, complicating enforcement. Conditional use permits would allow scrutiny of temporary projects, ensuring public input and mitigation measures (e.g., dust control, stormwater plans). Priestley referenced agricultural exemptions allowing farmers to move dirt without permits, contrasting with economic borrow activities requiring permits.

- **Public Comments:**
  - Steve Sitzman (Sioux City) described a personal experience where a contractor removed a hill on his property without a permit, later requiring a grading permit. He supported borrow pits for development, citing Sioux City’s need to expand outward.
  - Alan Fagan suggested the county purchase right-of-way for road projects, remove dirt, and sell it back, avoiding borrow pit classification. Priestley noted this could be explored but emphasized private property triggers conditional use review.
- **Motion to Close:** Commissioner Corey moved to close the public hearing.
- **Second:** Commissioner Bride seconded.

- **Vote:** Unanimous (4-0, all saying “aye”).

**Deliberation:**

Commissioners discussed the lack of a clear borrow pit size definition, with Bride noting the 2008 prohibition in AE aimed to protect residential areas. Meister supported conditional use permits for case-by-case evaluation, addressing neighbor concerns. Priestley emphasized notification requirements and mitigation conditions (e.g., dust control, haul routes) via Board of Adjustment resolutions. The commission agreed one public hearing was sufficient, given the Board of Supervisors’ three additional hearings.

**Motion:**

- **Motion:** Commissioner Bride) moved to recommend including borrow pits for earthen materials as a conditional use in the AE Zoning District, subject to scrutiny via the conditional use process.
  - **Second:** Commissioner Corey seconded.
  - **Vote:** Unanimous (4-0, all saying “aye”).
- Outcome:** The commission approved recommending the ordinance amendment to the Board of Supervisors, with staff and the chair drafting a letter to the board.

**d. Review of Conditional Use Permit: Competitive Athletic Baseball Field, Morningside University, Parcel #884714300005 (Action Item)**

**Note:** The commission unanimously approved reordering the agenda to address this item before the nuclear energy discussion, via a motion and second (4-0 vote).

**Staff Presentation (Dan Priestley):**

Priestley clarified this was a review session, not a public hearing, to assess the completeness of Morningside University’s conditional use permit application for a baseball stadium on parcel #884714300005 in the AP Zoning District, where such uses are eligible. Jason Reynoldson, representing Morningside, proposed a facility to support organized sports, health, wellness, and community events, with minimal environmental impact through permeable surfaces, native landscaping, and noise/light controls. The project aims to attract visitors, boost local businesses, and foster social interaction. Priestley requested an updated staff analysis be entered into the record, correcting inaccuracies in the packet. He noted the proposal aligns with the county’s comprehensive plan but emphasized the need for public input at the Board of Adjustment’s public hearing on June 2, 2025.

**Motion to Accept Updated Staff Analysis:**

- **Motion:** Commissioner Bride moved to accept the updated staff analysis into the record.
  - **Second:** Commissioner Meister seconded.
  - **Vote:** Unanimous (4-0, all saying “aye”).
- Outcome:** The updated analysis was accepted. The updated analysis is available in the appendix.

**Comments (Review Session):**

- **Jason Reynoldson (Morningside University):** Estimated 50 games annually, mostly afternoon games in March, with rare night games (one per season potentially past 10 PM). Parking is planned for the southeast corner, with traffic directed to minimize impact. The field’s orientation (south/west) reduces light impact on neighbors. The remaining 54-56 acres are for agricultural programs.
- **Chad Hofer (nearby property owner):** Expressed concerns about night game time restrictions, water usage affecting neighbors’ wells, and septic system proximity. Noted the property was initially for agricultural use, not a baseball field, and raised traffic concerns on County Road 141.
- **Commissioner Comments:** Meister highlighted potential non-college use (e.g., high school teams), suggesting Board of Adjustment conditions. Corey emphasized addressing traffic and event scope.
- **Jim McCullough (nearby property owner):** Questioned why Morningside wasn’t using Sioux City Explorers’ field, citing underuse. Reynoldson explained failed negotiations with the Explorers’ owners.
- **Debbie De Forrest (nearby property owner):** Raised concerns about noise and asked about lighting strategies, and other events being allowed at stadium.

**Deliberation and Motion:**

The commission found the application complete and sufficient for Board of Adjustment review, noting public concerns (traffic, time restrictions, event scope) to be addressed in a letter from Chair Zellmer Zant.

- **Motion:** Commissioner Corey moved to recommend forwarding the application to the Board of Adjustment, based on the application’s criteria.
- **Second:** Commissioner Bride seconded.

- **Vote:** Unanimous (4-0, all saying “aye”).  
**Outcome:** The commission approved forwarding the application, with a letter reflecting public concerns.

#### **e. Public Hearing: Consideration of Nuclear Energy Facilities and Nuclear Waste Storage in Zoning Ordinance (Action Item)**

##### **Staff Presentation (Dan Priestley):**

Priestley outlined the ongoing discussion, initiated by the Board of Supervisors in 2024, to include “nuclear energy facilities” and “nuclear waste storage” as land use options in the zoning ordinance, likely as conditional uses in the General Industrial (GI) Zoning District. The hearing addressed nuclear energy generation, modular systems, and related technologies. Assistant County Attorney Joshua Widman memos emphasized defining these terms explicitly to avoid legal challenges, as the current “electrical energy generation” category could lead to interpretation disputes with a 500-foot notification radius. Priestley proposed a 10-mile notification zone for nuclear uses. He consulted the Nuclear Regulatory Commission (NRC) via Brian Bergeon, who detailed NRC’s regulatory role, licensing requirements, and federal oversight of reactors, materials, and waste (per Title 10, Code of Federal Regulations). The NRC’s process involves rigorous safety and business model reviews, complementing local conditional use scrutiny. Recent executive orders (May 2025) by the President aim to streamline NRC processes, targeting 400 gigawatts of nuclear capacity by 2050. Priestley suggested drafting ordinance language with Widman’s guidance for further review.

- **Public Comments:**
  - **Lynn Drees (resident):** Supported clarifying nuclear uses, favoring a 10-mile or larger notification radius due to long-term risks (e.g., waste seepage). Expressed concern about rezoning agricultural land to industrial, which Priestley countered with protections against spot zoning via the 2040 Comprehensive Plan and future land use map.
  - **Alan Fagan (Sioux City):** Opposed nuclear facilities, citing federal oversight failures, flood risks in industrial areas, and long-term storage uncertainties (300 vs. 10,000 years). Questioned the need for nuclear in densely populated Woodbury County versus sparsely populated states.
- **Public Hearing Closed:** The public hearing was closed and the commission transitioned to deliberation.

##### **Deliberation:**

Commissioners discussed the NRC’s timeline (unclear but multi-year), driven by AI and data center energy demands. Corey noted small modular reactors’ potential (e.g., powering Las Vegas). The commission agreed more public input was needed, given increased participation. Priestley suggested enumerating nuclear terms in the land use summary table with a 10-mile notification radius, prohibiting them elsewhere, and relying on federal compliance.

##### **Motion:**

- **Motion:** Commissioner Coery moved to continue the discussion for one month to draft ordinance language with Joshua Widman for further public review.
- **Second:** Commissioner Meister seconded.
- **Vote:** Unanimous (4-0, all saying “aye”).  
**Outcome:** The commission approved continuing the discussion, with staff to prepare draft language.

#### **f. Accessory Second Dwelling, Senate File 592 (Information Item)**

##### **Staff Presentation (Dan Priestley):**

Priestley discussed Senate File 592, signed May 1, 2025, amending Iowa Code Section 331.301 to mandate counties allow accessory dwelling units (ADUs) on single-family lots, either attached or detached, with minimal restrictions (e.g., setbacks, 50% size ratio, 1,000 sq ft minimum). Previously, ADUs required conditional use permits for relatives or workers. The law limits county restrictions, potentially requiring ordinance amendments to remove prohibitions. Priestley foresaw issues with lot splits, septic systems, and real estate market impacts, suggesting strategic placement to facilitate future subdivisions. He planned to consult Joshua Widman on compliance.

##### **Discussion:**

Commissioners raised concerns about setback enforcement (e.g., 10 feet between houses) and lot split challenges. Priestley noted ADUs could lead to unpermitted rentals or tax burdens, impacting property values. The commission anticipated ordinance updates to align with state law.

#### **g. Variance Legislation (Information Item)**

##### **Staff Presentation (Dan Priestley):**

Priestley outlined changes to variance criteria at the Board of Adjustment, shifting from economic hardship to practical

difficulty for setbacks, lot sizes, and measurements (not use variances, which are barred). He cited a successful variance case involving a two-acre lot with a creek, where a reduced setback was approved after stakeholder input. The new criteria aim to make variances more flexible while maintaining oversight.

**Discussion:**

No questions or comments were raised.

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

No additional comments were received.

**Staff Update**

Priestley reiterated plans to work with Joshua Widman and the Board of Supervisors to amend the zoning ordinance in response to Senate File 592 and variance legislation, potentially by striking restrictive language. He suggested a streamlined amendment process to comply with state law.

**Commissioners' Comments or Inquiries**

No comments were recorded.

**Adjournment**

- **Motion:** Commissioner Meister moved to adjourn.
  - **Second:** Commissioner Corey seconded.
  - **Vote:** Unanimous (4-0, all saying "aye").
- Outcome:** The meeting adjourned at 7:30 PM

APPENDIX RECEIVED INTO THE RECORD

ZONING ORDINANCE CRITERIA FOR BOARD APPROVAL

Conditional Use Permit is determined by a review of the following criteria by the Zoning Commission (ZC) and Board of Adjustment (BOA). The ZC makes a recommendation to the BOA which will decide following a public hearing before the Board.

APPLICANT'S DESCRIPTION OF THE PROPOSED CONDITIONAL USE

Transforming Agricultural Land into a Thriving Community Hub: The Future Baseball Field Project

The proposed baseball field is an exciting opportunity to bring a high-quality recreational facility to the community while preserving the agricultural character of the land. This project is not just about constructing a field—it's about fostering engagement, promoting sustainable development, and contributing to the local economy.

**Why This Project Works:**

- Strategic Land Use:** While zoned under Agricultural Preservation (AP), the field use fits as a conditional use per Woodbury County's zoning ordinances. The success of this project aligns with the state's land-use goals.
- Enhancing Community Recreation:** A dedicated space for organized sports supports health and wellness, builds community spirit, and provides opportunities for youth and adults alike to thrive.
- Economic & Social Benefits:** The facility will attract visitors, promote local businesses, and provide a gathering space for events, boosting economic growth and social interaction.
- Sustainable & Responsible Development:** Thoughtful planning will minimize environmental impact, integrating features like permeable surfaces, storm water management, native landscaping, and smart light controls.

**Commitment to Compatibility & Preservation**

- Minimal Disruption:** The project will be designed to complement surrounding agricultural land, preserving open space and ensuring minimal interference with adjacent properties.
- Traffic & Infrastructure Planning:** Proper access, parking solutions, and traffic management strategies will keep congestion under control while maintaining a seamless flow for all users.
- Environmental Stewardship:** Incorporating eco-friendly practices and maintaining scenic integrity ensure that the area's natural beauty remains untouched.
- Public Access & Accessibility:** Essential facilities—such as restrooms, concessions, emergency services access, and waste management—will ensure smooth operations while serving the community.

The baseball field is more than just a sports venue for Woodbury County. It's a vision for progress, community connection, and responsible development. By balancing recreational opportunities with zoning requirements, environmental integrity, and thoughtful use of land, this project will serve as a positive addition to the local landscape while staying true to agricultural preservation values.

**Current Permit Applications:** Baseball Field Development

We are actively working with local agencies, including the Engineering Division, to address the architectural details for the project. As part of the permitting process:

- The final set of plans has been submitted and will be published in the State Register on May 10, 2024.
- A topographic survey is currently underway to support the Stormwater Pollution Prevention Plan (SWPPP).
- Joint completion: Once these plans are submitted, the SWPPP plan along with the General Permit No. 2 application to the Department of Natural Resources (DNR), ensuring compliance with any necessary permits.
- Coordination with the County Engineer's Office has been initiated to approve driveway access to the property. Discussions with Local Assessors and local health care professionals are ongoing.
- The application for a conditional use permit has been submitted, and the associated fee has been paid.
- A Building Permit has been issued to commence the construction process.

These steps ensure compliance with zoning and regulatory standards while fostering a smooth progression of the project.

MAP DRAWN TO SCALE, SHOWING THE SUBJECT PROPERTY, ALL STRUCTURES AND OTHER IMPROVEMENTS, WITH THE PROPOSED CONDITIONAL USE IDENTIFIED PER STRUCTURE OF IMPROVEMENT. PROVIDED BY ATTACHMENT

See attached plans

**CRITERIA 1:** The conditional use requested is authorized as a conditional use in the zoning district in which the property is located and that any specific conditions or standards described as part of that authorization have been or will be satisfied (Woodbury County Zoning Ordinance, Sec. 2.02-9).

**APPLICANT RESPONSE:**

- The parcel in question is currently zoned as Agricultural Preservation (AP). According to Section 4 of the Zoning Ordinance of Woodbury County, titled "Agricultural Uses," fields that are used for agricultural purposes are included as a conditional use. Additionally, the ordinance provides the required conditions and standards, which have been approved and adhered to by the applicant.

Criteria	APPLICANT RESPONSE	COMMISSIONER COMMENTS
1. Compatibility with surrounding land use and existing structures.	Yes	Yes
2. Traffic and Access Management: Proper planning for parking and access to the site is required.	Yes	Yes
3. Noise and Light Control: Implementing measures like sound barriers and shielded lighting can prevent disturbances to nearby residents and wildlife.	Yes	Yes
4. Community Benefits: A baseball field can provide recreational opportunities and foster community engagement, which may be seen as a net benefit to the area's development.	Yes	Yes
5. Environmental Considerations: Ensuring that the field's construction and maintenance do not harm local ecosystems or create resources can help preserve the natural environment.	Yes	Yes
6. Monitoring and Compliance: Regular monitoring to ensure adherence to permit conditions can address any unforeseen issues and maintain harmony with the surrounding properties.	Yes	Yes

**CRITERIA 4:** The proposed use and development will be located, designed, constructed and opened in such a manner that it will be compatible with the immediate neighborhood and will not interfere with the orderly use, development and improvement of surrounding property (Woodbury County Zoning Ordinance, Sec. 2.02-9).

**APPLICANT RESPONSE:**

**Preservation of Agricultural Character:** The design of the baseball field use incorporates elements that align with the agricultural nature of the area, such as maintaining open green spaces and using native plants for landscaping.

**Traffic and Access Management:** Proper planning for parking and access to the site can prevent congestion and ensure smooth traffic flow, reducing the impact on neighboring properties.

**Noise and Light Control:** Implementing measures like sound barriers and shielded lighting can prevent disturbances to nearby residents and wildlife, maintaining the area's tranquility.

**Community Benefits:** A baseball field can provide recreational opportunities and foster community engagement, which may be seen as a net benefit to the area's development.

**Environmental Considerations:** Ensuring that the field's construction and maintenance do not harm local ecosystems or create resources can help preserve the natural environment.

**Monitoring and Compliance:** Regular monitoring to ensure adherence to permit conditions can address any unforeseen issues and maintain harmony with the surrounding properties.

**STAFF ANALYSIS:**

It is expected that there will be an increase of activity on this site and traffic in the area during events. It should be expected that the college be mindful of the neighborhood and do what they can to mitigate any conflicts including these that could potentially impact neighbors.

**CRITERIA 5:** Essential public facilities and services will adequately serve the proposed use or development (Woodbury County Zoning Ordinance, Sec. 2.02-9).

**APPLICANT RESPONSE:**

**Road Access & Transportation:** Well-maintained roads and highways ensure safe and efficient access for players, spectators, and staff. Public transportation options, if available, can further ease accessibility.

**Water Supply & Drainage:** Adequate water supply for irrigation, restrooms, and concessions is crucial. Proper drainage systems prevent flooding and maintain field conditions.

**Electricity & Lighting:** Reliable electrical infrastructure supports field lighting, scoreboards, and other operational needs, ensuring usability during evening games.

**Emergency Services:** Nearby fire stations, police presence, and medical facilities ensure safety and rapid response in case of emergencies.

**Waste Management:** Regular trash collection and recycling services help maintain cleanliness and environmental sustainability.

**Parking Facilities:** Well-planned parking areas accommodate visitors while minimizing traffic congestion in surrounding areas.

**Restroom & Sanitation Facilities:** Public restrooms and sanitation stations are hygienic and comfort for all users.

**Storm Water Management:** Systems to control runoff and prevent erosion help protect surrounding agricultural land and natural resources.

**STAFF ANALYSIS:**

The property owner(s) will need to work out the details with impacted stakeholders.

**CRITERIA 6:** The proposed use or development will not result in unnecessary adverse effects upon any significant natural, scenic, or historic features of the subject property or adjacent properties (Woodbury County Zoning Ordinance, Sec. 2.02-9).

**APPLICANT RESPONSE:**

**Preserving Natural Features:** The field can be designed to avoid disrupting existing trees, wetlands, or other ecological areas. Landscaping with native plants can help maintain biodiversity.

**Minimizing Scenic Impact:** The field can be integrated into the landscape using natural contours and vegetation buffers to maintain the area's scenic beauty.

**Respecting Historic Sites:** If there are historic sites of significance, the design can incorporate interpretive signage or preserve key elements of the site, ensuring that the site's history is respected.

**Sustainable Construction:** Using eco-friendly materials and minimizing light grading can reduce environmental disruption.

**STAFF ANALYSIS:**

The Land Use Summary Table (Section 3.03-4) of the Woodbury County Zoning Ordinance includes the Agricultural Preservation (AP) Zoning District as a location authorized for a conditional use pending review by the Zoning Commission and approval by the Board of Adjustment.

**CRITERIA 2:** The proposed use and development will be in harmony with the general purpose and intent of this ordinance and the goals, objectives and standards of the general plan (Woodbury County Zoning Ordinance, Sec. 2.02-9).

**APPLICANT RESPONSE:**

**Community Recreation:** Providing spaces for organized sports and recreational activities aligns with fostering community engagement, physical fitness, and healthy lifestyles, which may be goals outlined in the general plan.

**Efficient Land Use:** The development of a baseball field can be a net benefit to the community, as it can be used for multiple purposes, which can be in harmony with preservation objectives.

**Economic & Social Benefits:** By creating a venue for local sports events, the field can attract visitors and generate economic activity, supporting the broader objectives of community development.

**Compatibility with Existing Land Use:** If designed thoughtfully, the baseball field could complement surrounding areas and maintain a aesthetic that aligns with AP zoning, minimizing disruption and enhancing the area's value.

**Promoting Environmental Stewardship:** Sustainable design practices, such as using eco-friendly materials or preserving adjacent natural habitats, could align the development with environmental goals of the general plan.

**STAFF ANALYSIS:**

The proposed baseball field appears to be compatible with the Woodbury County Zoning Ordinance and Comprehensive Plan 2040, as it can align with zoning regulations and conditional use standards. It can contribute to the objectives of promoting community well-being and economic development, and it supports the Comprehensive Plan goal of enhancing recreational facilities, supporting economic growth, and ensuring compatible land use.

[https://www.woodburycountywa.gov/files/community\\_economic\\_development/woodbury\\_county\\_comprehensive\\_plan\\_2040\\_03417.pdf](https://www.woodburycountywa.gov/files/community_economic_development/woodbury_county_comprehensive_plan_2040_03417.pdf)

**CRITERIA 3:** The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other factors affecting the public health, safety and general welfare (Woodbury County Zoning Ordinance, Sec. 2.02-9).

**APPLICANT RESPONSE:**

**Environmental Impact Assessment:** Conduct a thorough study to identify potential impacts on soil, water, and local ecosystems. This helps in designing measures to mitigate harm.

**Community Engagement:** Involve local residents and stakeholders early in the planning process. Their input can help address concerns about noise, traffic, and other design issues.

**Sustainable Design Practices:** Such as using permeable materials for parking lots to reduce water runoff and planting native vegetation to support local wildlife.

**Traffic Management:** Develop a plan to handle increased traffic, including alternate parking solutions and access routes, to minimize disruption to the surrounding area.

**Noise and Light Control:** Use sound barriers and strategically placed lighting to reduce noise and light pollution, ensuring minimal disturbance to nearby residents and wildlife.

**Preservation of Agricultural Land:** If possible, design the field to occupy the least productive agricultural area, preserving prime farmland for cultivation.

**Monitoring and Maintenance:** Establish ongoing monitoring to address any unforeseen issues and maintain the field in an environmentally responsible manner.

**STAFF ANALYSIS:**

The proposed project is considered compatible with the surrounding area, based on the provided site plan and information. However, it is anticipated that the facility's use may generate increased activity in the neighborhood, including traffic, parking, and noise. To mitigate potential impacts, it is expected that the college will be responsible for being a considerate neighbor and will take measures to ensure that the facility is safe, healthy, and well-maintained.

**Noise and Light Management:** Shielded lighting and sound barriers can prevent disturbances to nearby residents, ensuring the field does not negatively impact the surrounding area.

**Traffic and Infrastructure Planning:** Proper access, parking facilities can prevent congestion and maintain the orderly development of adjacent properties.

**STAFF ANALYSIS:**

The project does not appear to be any significant impact determined.

**OTHER CONSIDERATION 1:** The proposed use or development, at the particular location is necessary or desirable to provide a service or facility that is in the public interest or will contribute to the general welfare of the neighborhood or community (Woodbury County Zoning Ordinance, Sec. 2.02-9).

**APPLICANT RESPONSE:**

A baseball field on land zoned for Agricultural Preservation (AP) can serve the public interest and contribute to community welfare by providing a space for recreational activities, fostering economic development, and supporting educational programs that promote teamwork and discipline. If designed responsibly, the field can coexist with agricultural activities, ensuring adjacent land use while maintaining environmental integrity. Additionally, the facility can generate economic activity by attracting visitors for tournaments, supporting local businesses, and strengthening ties in the community. By aligning with AP zoning regulations, securing a conditional use permit or zoning amendment would be essential to demonstrate that the project is a net benefit to the community and can be a positive addition to the surrounding area.

**STAFF ANALYSIS:**

The proposed conditional use can be considered as a community development that supports education and quality of life.

**OTHER CONSIDERATION 2:** All possible efforts, including building and site design, landscaping and screening have been undertaken to minimize any adverse effects of the proposed use or development (Woodbury County Zoning Ordinance, Sec. 2.02-9).

**APPLICANT RESPONSE:**

We are committed to ensuring that the proposed baseball field is developed with minimal impact on the surrounding environment and community. Every effort has been made to thoughtfully design the site, including architectural considerations, landscaping strategies, and screening elements that harmonize with the existing landscape. The building design prioritizes sustainability and compatibility with the Agricultural Preservation (AP) zoning, ensuring that structures blend seamlessly into the landscape while maintaining functionality. Additionally, site planning will be meticulously executed to address factors such as traffic flow, storm water management, and noise mitigation, reinforcing our dedication to responsible development. To further minimize any potential adverse effects, comprehensive landscaping and screening measures have been implemented to preserve visual aesthetics, reduce disruption to neighboring properties, and maintain the rural character of the area. Through this proactive steps, we aim to create a facility that serves the public interest while respecting and enhancing the integrity of the surrounding environment.

**STAFF ANALYSIS:**

The organization can live up to the commitment as expected through the conditional use permit process to responsibly construct and operate a facility that is compliant with the zoning regulations and is mindful of the neighborhood.

## **BOARD OF SUPERVISORS DIRECTIVE ON APRIL 29, 2025:**

On April 29, 2025, the Woodbury County Board of Supervisors initiated the consideration of an amendment to the Woodbury County Zoning Ordinance, specifically to revise the Land Use Summary Table of Allowed Uses (Section 3.03.4), to classify “Borrow pits for earth materials” as a conditional use within the Agricultural Estates (AE) Zoning District. The following content is provided directly or verbatim from their direction:

### **EXECUTIVE SUMMARY:**

Section 3.03.4 of the Woodbury County Zoning Ordinance prohibits borrow pits in the Agricultural Estates (AE) Zoning District, limiting property owners' ability to excavate earth materials for construction, improve land usability, or enhance road safety through strategic grading. We propose amending the ordinance to allow conditional use permit applications for borrow pits in AE zones, per Section 2.02.9, enabling case-by-case reviews by the Zoning Commission and Board of Adjustment. This change ensures community input and evaluates impacts on environment, traffic, and neighborhood compatibility, aligning with county goals. The amendment promotes equity, as borrow pits are permitted in adjacent Agricultural Preservation zones, and supports agricultural, safety, and infrastructure objectives while maintaining oversight. Under Section 2.02.3 A of the Woodbury County Zoning Ordinance, the Board of Supervisors has the authority to initiate amendments to the text. This directive tasks the Zoning Commission to conduct a public hearing to perform their function of reviewing the amendment and any supporting information prior to considering and providing their recommendation to either approve or disapprove the proposed amendment. Draft Zoning Ordinance Text Amendment attached for consideration.

### **BACKGROUND:**

The Woodbury County Zoning Ordinance, specifically Section 3.03.4, prohibits borrow pits for extracting earth materials in the Agricultural Estates (AE) Zoning District. This restriction prevents property owners, including farmers, from excavating and transferring significant volumes of earthen material to support local construction projects. However, strategic grading and dirt removal in certain county locations could benefit farmers by improving land usability and support regional development by providing materials for infrastructure. Additionally, excavation in and around right-of-way areas could enhance sight distances and mitigate snow accumulation along roads, improving safety and maintenance.

The outright prohibition of borrow pits in AE zones may hinder these maintenance and development objectives. Amending the ordinance to allow conditional use permits application consideration for borrow pits in AE districts would provide a balanced solution. This change would enable property owners, not limited to farmers, to propose borrow pit projects, subject to review by the Zoning Commission and Board of Adjustment. The conditional use permit process, outlined in Section 2.02.9, offers community input opportunities and evaluation based on criteria such as environmental impact, traffic, and compatibility with the surrounding area.

Allowing conditional use permit application consideration does not guarantee widespread borrow pit development in AE zones. Instead, it removes the blanket prohibition, enabling case-by-case assessments to determine if a proposed borrow pit aligns with neighborhood character and county goals. Notably, the current ordinance already permits borrow pit consideration in Agricultural Preservation (AP) zones, which are often adjacent to AE parcels. This adjacency creates inconsistencies, as borrow pits may be approved near AE properties but not within them. Amending the ordinance to extend conditional use permit opportunities to AE zones would create a more equitable and flexible framework.

Under Section 2.02.3 A of the Woodbury County Zoning Ordinance, the Board of Supervisors has the authority to initiate amendments to the text. This directive tasks the Zoning Commission to conduct a public hearing to perform their function of reviewing the amendment and any supporting information prior to considering and providing their recommendation to either approve or disapprove the proposed amendment. Draft Zoning Ordinance Text Amendment attached for consideration.

## STAKEHOLDER COMMENTS:

### Daniel Priestley

**From:** Meinen, Casey (MidAmerican) <Casey.Meinen@midamerican.com>  
**Sent:** Wednesday, April 30, 2025 1:37 PM  
**To:** Daniel Priestley  
**Subject:** RE: [INTERNET] Comments Requested Borrow Pits in AE Zoning District

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Daniel,

I have reviewed the attached proposed zoning amendment for MEC electric distribution and we have no conflicts.

*Psychology is more contagious than the flu.*

**Casey Meinen**  
**Lead, Electric Distribution Engineering**  
[Casey.meinen@midamerican.com](mailto:Casey.meinen@midamerican.com)

**Phone (712-233-4831)**  
**MIDAMERICAN**  
ENERGY COMPANY



### Daniel Priestley

**From:** Patrick Proski <PGPROSOS@UP.COM>  
**Sent:** Wednesday, April 30, 2025 2:22 PM  
**To:** Daniel Priestley  
**Subject:** Re: Comments Requested Borrow Pits in AE Zoning District

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Dan, remarks from UPRR in blue below.

- Do you support allowing conditional use permits for borrow pits in the AE Zoning District? Why or why not? Yes, No objections provided the existing drainage pattern(s) are not impacted.
- What potential benefits or concerns do you foresee with this amendment (e.g., economic, environmental, or community impacts)? Concern if it will change the flow of storm drainage or impact vehicular traffic patterns.  
Patrick

### Daniel Priestley

**From:** Craig ANDERSON <craignan@msn.com>  
**Sent:** Thursday, May 1, 2025 2:05 PM  
**To:** Daniel Priestley  
**Subject:** Re: Comments Requested Borrow Pits in AE Zoning District

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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We value your perspective on this proposed change. Please consider the following questions in your response:

- Do you support allowing conditional use permits for borrow pits in the AE Zoning District? Why or why not? I support conditional use permits for borrow pits in lands within this zoning district. There are situations where removing material improves the site for development. With oversight and conditions granted by the BoA the existing landowners have protection against negative impact. In Plymouth county Borrow pits and Extraction are subject to conditional use, with the exception of land under the Loess Hills Conservation Overlay. This area is in the southwest part of the county. The soils under the Overlay are extremely fragile, erosion is difficult to control, and a proper cover is difficult to reestablish.
- What potential benefits or concerns do you foresee with this amendment (e.g., economic, environmental, or community impacts)? Benefits are mostly economic, allowing the landowner to remove material for sale or to improve the site. Reshaping the land may help with storm water drainage. It really comes down to the character of the developer. It is important that the BoA knows how long the project will take, how much material will be removed and what is the plan for reestablishing a proper cover when the project is finished. Existing landowner rights should be taken into consideration when conditional uses are permitted. However, I don't think existing landowners should be able to nix a project if the project will be done quickly and without a lot of disturbance.

Daniel Priestley

**From:** Stockfleth, Neil <NStockfleth@cfindustries.com>  
**Sent:** Wednesday, May 7, 2025 11:46 AM  
**To:** Daniel Priestley  
**Subject:** RE: Comments Requested Borrow Pits in AE Zoning District

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Dan:

The WCSWCD has no comments regarding this proposal.

Neil

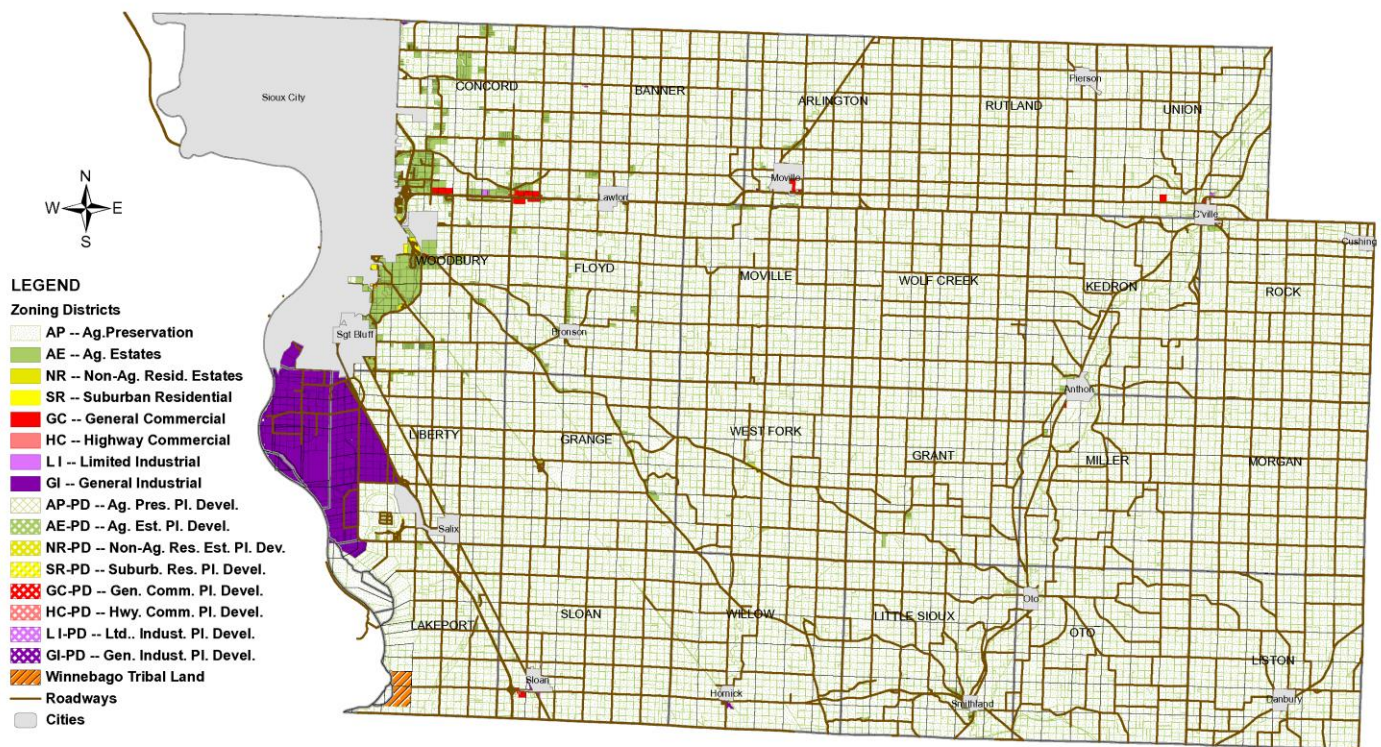


**Neil Stockfleth**  
Environmental Superintendent, Port Neal Complex  
Office: 1.712.233.6276  
Cell: 1.712.251.5155  
[nstockfleth@cfindustries.com](mailto:nstockfleth@cfindustries.com)



**Conditional Use Permit applications for borrow pits are allowed for consideration in only the AP and GI Zoning Districts as illustrated below:**

## Zoning Map of Woodbury County, Iowa

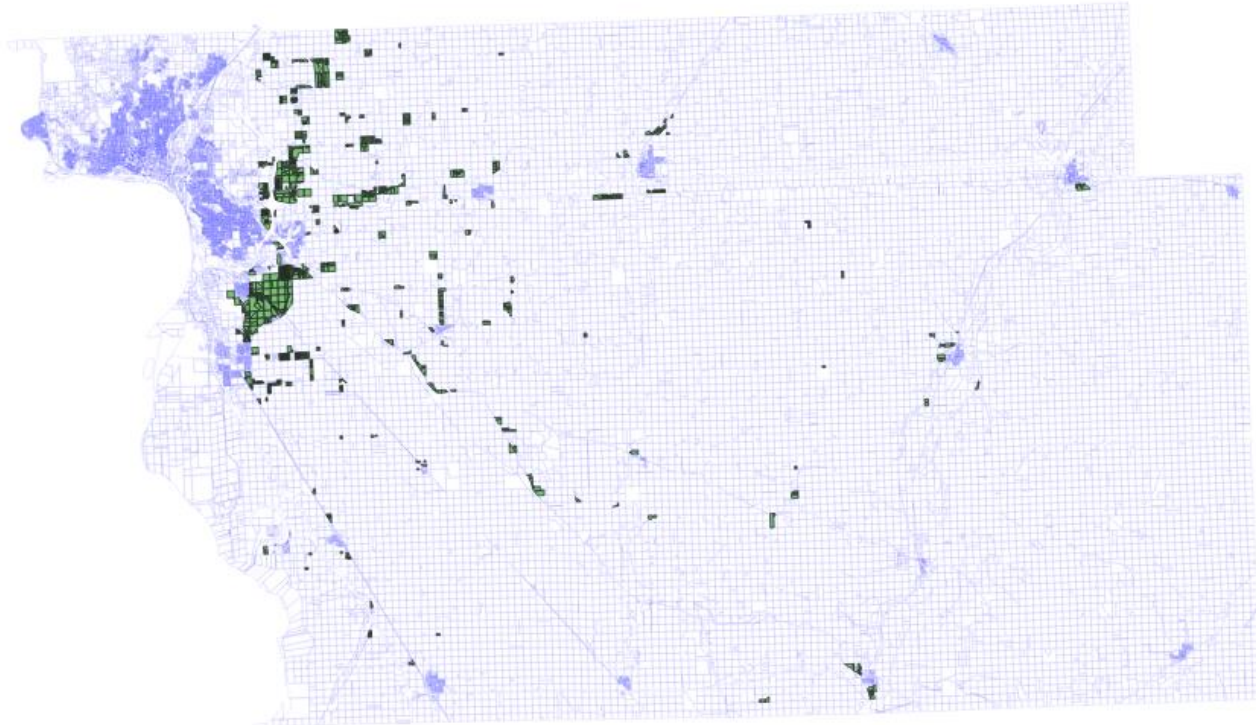


Woodbury County Zoning Map

Adopted July 22, 2008

\*This map may not necessarily represent the current districts due to subsequent rezones since 2008.

**CONDITIONAL USE PERMIT PROHIBITED IN THE GREEN AREAS**  
**AGRICULTURAL ESTATES (AE) ZONING DISTRICT LOCATIONS (ESTIMATE)**



\*Some parcels may be missing due to software issues.

**CONDITIONAL USE PERMIT ALLOWED IN THE GREEN AND PURPLE AREAS**  
**AGRICULTURAL PRESERVATION (AP) AND GENERAL INDUSTRIAL (GI) ZONING DISTRICT LOCATIONS (ESTIMATE)**



\*White Parcels or Regions are missing due to software issues.

**Sioux City Journal**  
**AFFIDAVIT OF PUBLICATION**

**Sioux City Journal**  
**2802 Castles Gate Drive**  
**Sioux City 51106**  
**(712) 293-4250**

State of Florida, County of Broward, ss:

Ankit Sachdeva, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Sioux City Journal, printed and published by Journal Communications, in Sioux City in Woodbury County and issued daily and Sunday and that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

**PUBLICATION DATES:**  
May. 13, 2025

**NOTICE ID:** dkZ10Ad0Y6egfblwzYPC  
**PUBLISHER ID:** COL-IA-501790  
**NOTICE NAME:** ZC-2025-05-28  
**Publication Fee:** \$117.84

*Ankit Sachdeva*

(Signed) \_\_\_\_\_



**VERIFICATION**

State of Florida  
County of Broward

Subscribed in my presence and sworn to before me on this: **05/20/2025**

*S. Smith*

Notary Public  
Notarized remotely online using communication technology via Proof.

**NOTICE OF PUBLIC HEARINGS  
DURING A SPECIAL PUBLIC  
MEETING BEFORE THE  
WOODBURY COUNTY ZONING  
COMMISSION**

The Woodbury County Zoning Commission will have a special public meeting and will hold public hearings on the following items hereinafter described in detail on **Wednesday, May 28, 2025 at 5:00 PM** or as soon thereafter as the matters may be considered.

Said public hearings will be held in the Board of Supervisors' meeting room in the basement of the Winthrup County Courthouse, 4571 Douglas Street, Sioux City, Iowa. Copies of said items may now be examined at the office of the Woodbury County Community and Economic Development, on the 6th floor of said courthouse by any interested persons. All persons who wish to be heard in respect to these matters should appear at the aforesaid public hearings in person or call 712-454-1133 and enter the Conference ID: 276-446-7529 during the meeting to listen or comment. However, it is recommended to attend in person as there is the possibility for technical difficulties with phone and computer systems. You may forward your written comments by mail or email to: Woodbury County Community and Economic Development, 6th Floor, Woodbury County Courthouse, 4571 Douglas St., Sioux City, IA 51101. Emails should be sent to Daniel Priestley at: [dpristley@woodburycountyia.gov](mailto:dpristley@woodburycountyia.gov). Only signed comments will be considered and should be received no later than 10:00 AM on Friday, May 23, 2025.

**Item One (1)  
CONSIDERATION OF NUCLEAR ENERGY  
FACILITIES, NUCLEAR WASTE STORAGE  
AND/OR RE-ENTRY USES, ZONING  
ORDINANCE TEXT AMENDMENTS FOR A  
RECOMMENDATION TO THE WOODBURY  
COUNTY BOARD OF SUPERVISORS**

The Woodbury County Zoning Commission will hold a public hearing to discuss the potential inclusion of nuclear energy facilities, nuclear waste storage, and/or related uses as land use options in the Woodbury County Zoning Ordinance. The hearing will address various aspects of permitting these facilities, including nuclear energy generation, modular nuclear energy systems, nuclear waste storage, and other related nuclear technologies. The Commission will consider options such as amending the Land Use Summary Table of Allowed Uses (Section 3.03.4) to designate nuclear energy facilities, nuclear waste storage and/or related uses as either allowed or conditional uses in specific zoning districts such as the General Industrial (G) Zoning District within Woodbury County. Additionally, the discussion may include amendments to add new sections related to nuclear energy facilities and nuclear waste storage and/or related uses, update definitions, enumerate annexes, sections, and pages, and/or reorganize the content of the Zoning Ordinance as necessary. The goal of the hearing is to gather public input and determine the appropriate way to address the potential inclusion of nuclear-related land uses in the Woodbury County Zoning Ordinance in terms of preparing a recommendation to the Woodbury County Board of Supervisors.

**Item Two (2)  
CONSIDERATION OF BORROW PITS FOR  
EARTHEN MATERIALS IN THE AE ZONING  
DISTRICT ZONING ORDINANCE TEXT  
AMENDMENT FOR A RECOMMENDATION  
TO THE WOODBURY COUNTY BOARD OF  
SUPERVISORS**

The Woodbury County Zoning Commission will hold a public hearing to consider a proposed amendment to Article 3, Section 3.03.4 of the Woodbury County Zoning Ordinance. The proposed amendment would revise the Land Use Summary Table of Allowed Uses to change the classification of "Borrow pits for earth materials" from a prohibited use to a conditional use in the Agriculture Estates (AE) Zoning District. Specifically, the amendment would update the table by replacing the "(prohibited)" designation with a "C" (conditional use) in the AE zoning district column for "Borrow pits for earth materials."

**Item Three (3)  
ZONING ORDINANCE MAP AMENDMENT  
(REZONE)**

Pursuant to Section 535 of the Code of Iowa, the Woodbury County Zoning Commission will hold a public hearing to consider the application for a zoning ordinance map amendment (rezoning) to the Woodbury County Zoning Ordinance and/or Map for the Unincorporated Area of Woodbury County Iowa by New

operative, Inc., 2626 1st Ave. South, Fort Dodge, IA 50501.

The proposal is to rezone from the Agricultural Preservation (AP) Zoning District to the General Industrial (GI) Zoning District for a 12.32-acre portion of the property located in the SW ¼ of the SW ¼ of Section 29, T89N R46W (Sloan Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel #664623351012 and is described as:

WIG TRACT One (1) in the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section Twenty-nine (29), Township Eighty-six (86) North, Range Forty-six (46) West of the Fifth Principal Meridian, Woodbury County, Iowa, more particularly described by metes and bounds as follows:

Commencing at the Southwest Corner of said Section; thence North Eighty-eight Degrees Twenty Minutes Fifty-six Seconds (N 88°20'56") East along the South line of said Section, a distance of Two Hundred feet (200.00') to the Point of Beginning; thence North Two Degrees Seventeen Minutes Thirty-eight Seconds (N 02°17'38") West, a distance of One Thousand Three Hundred Four and Forty-one Hundredths feet (1304.41') to the North line of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4); thence North Eighty-eight Degrees Fifty-two Minutes Fifty-five Seconds (N 88°52'55") East, along said North line a distance of Two Hundred Forty-eight and Three Hundredths feet (248.03') to the West line of a tract of land described in a Plat of Survey, filed in Roll 243, Image 1217 of the Woodbury County Recorder's Office, thence South Sixteen Degrees Four Minutes Three Seconds (S 16°04'03") East along said West line, a distance of Nine Hundred Twenty-five and Thirty-four Hundredths feet (925.34'); thence South Nineteen Degrees Eighteen Minutes Forty-two Seconds (S 19°18'42") East, along said West line, a distance of Four Hundred Twenty-five and Eighty-nine Hundredths feet (425.89') to the South line of said Section; thence South Eighty-eight Degrees Twenty Minutes Fifty-six Seconds (S 88°20'56") West, along the South line of said Section, a distance of Five Hundred Ninety-two and Ninety-seven Hundredths feet (592.97') to the Point of Beginning, containing an area of 12.32 acres, more or less.

Petitioner Applicant(s): New Cooperative, Inc., 2626 1st Ave. South, Fort Dodge, IA 50501.

Item Four (4)

#### CONSIDERATION OF PROPOSED MINOR SUBDIVISION

A PUBLIC HEARING FOR A PROPOSED MINOR SUBDIVISION: To be known as Washburn Addition, A Minor Subdivision to Woodbury County, Iowa, a three-lot minor subdivision in an 8.088-acre more or less portion of T89N R46W (Concord Township) in Section 35 in the SE ¼ of the NE ¼ on Parcel #694636200009. The property is approximately two-miles west of the City of Lawton and 3.5 miles east of Sioux City. The property is located in the Agricultural Estates (AE) Zoning District. Owner/Applicant: Michael W. Washburn and Janine J. Washburn, 1545 Dallas Ave., Lawton, IA 51030. OOL-IA-501790