



WOODBURY COUNTY ZONING COMMISSION

Monday, September 23, 2024 at 5:00 PM

The Zoning Commission will hold a public meeting on **Monday, September 23, 2024 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. Please use the 7th St. entrance. Public access to the conversation of the meeting will also be made available during the meeting by telephone. Persons wanting to participate in the public meeting and public hearings on the agenda may attend in person or call: **(712) 454-1133** and enter the **Conference ID: 638 086 537#** during the meeting to listen or comment. It is recommended to attend in person as there is the possibility for technical difficulties with phone and computer systems.

AGENDA

1	CALL TO ORDER
2	ROLL CALL
3	PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA
4	APPROVAL OF PREVIOUS MEETING MINUTES
5	ITEM(S) OF BUSINESS
»	PUBLIC HEARING (ACTION ITEM): FOR PROPOSED ZONING ORDINANCE MAP AMENDMENT (REZONE) FROM AGRICULTURAL PRESERVATION (AP) TO THE AGRICULTURAL ESTATES (AE) ZONING DISTRICT (PARCEL #884726200002). SUMMARY: Consideration of the application to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for a 1.14-acre portion of the property located in the NW ¼ of the NE ¼ of Section 26, T88N R47W (Woodbury Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel #884726200002. Petitioner Applicant(s): Sandra K. Baker Revocable Trust (Sandra K. Baker - Applicant), 1997 Carroll Avenue, Sergeant Bluff, IA 51054 & Jimmie Lee Colyer & Renee T. Colyer (Owners), 1650 Old Highway 141, Sergeant Bluff, IA 51054.
»	PUBLIC HEARING (ACTION ITEM): FOR THE CONSIDERATION OF NUCLEAR ENERGY FACILITIES TO BE INCLUDED AS PART OF THE WOODBURY COUNTY ZONING ORDINANCE. SUMMARY: Consideration the addition of Nuclear Energy Facilities as a land use option in the Woodbury County Zoning Ordinance. The hearing will include topics of how to approach the permitting of nuclear energy facilities. Possible options include to amend the Land Use Summary Table of Allowed Uses (Section 3.03.4) by adding Nuclear Energy Facilities as a permitted allowed use or a conditional use in all or select the county zoning districts. Amendments may also be discussed pertaining to the addition of new sections pertaining to nuclear energy facilities, definitions, the renumbering, and reorganization of content within the zoning ordinance.
»	REVIEW OF CONDITIONAL USE PERMIT APPLICATION (ACTION ITEM): FOR THE INSTALLATION AND USE OF THREE 100' WIND TURBINES (PARCEL #884420300005). SUMMARY: Consideration of the Conditional Use Permit application by L & K Tabke Holdings, LLC (Kathy Tabke) for the installation and use of three (3) 100' wind turbines to reduce the electrical costs on the farm. The property is designated as Parcel #884420300005 and is located in T88N R44W (Wolf Creek Township) in Section 20 in the N ½ of the SW ¼. The proposed location is about 5.2 miles southeast of Merville, IA which is on the south side of 195th Street and east of Jasper Avenue. The property is located in the Agricultural Preservation (AP) Zoning District and "Electric wind generator (Private use)" is classified as a "conditional use" in Section 3.03.4 of the Woodbury County Zoning Ordinance. Applicant(s)/Owner(s): L & K Tabke Holdings, LLC (Kathy Tabke), 3112 195th St., Merville, IA 51039.

»	<p>REVIEW OF CONDITIONAL USE PERMIT APPLICATION (ACTION ITEM): FOR THE INSTALLATION AND USE OF A 250' SELF-SUPPORT WIRELESS COMMUNICATIONS TOWER TO REPLACE AN EXISTING TOWER (PARCEL #874720400004). SUMMARY: Consideration of the Conditional Use Permit application by Andrew Bobrytzke on behalf of American Tower LLC and the Bradley J. Kobold Trust who have filed the conditional use permit application to request to construct a 250' self-support wireless communications tower to replace an existing tower from the area. The property is designated as Parcel #874720400004 in T87N R47W (Liberty Township) in Section 20 in the SE ¼ of the SE ¼. The proposed location is about one (1) half mile west of the Salix, IA which is on the north side of 260th Street and west of Barker Avenue. The property is located in the General Industrial (GI) Zoning District and "Telecommunication towers" are classified as a "conditional use" in Section 3.03.4 of the Woodbury County Zoning Ordinance. Applicant(s)/Owner(s): Andrew Bobrytzke on behalf of American Tower LLC, 10 Presidential Way, Woburn, MA 01801 / Bradley J. Kobold Trust, 211 7th Street, Sergeant Bluff, IA 51054.</p>
»	<p>INFORMATION ITEM: CONSIDERATION OF A RECOMMENDATION CONTEMPLATING DECOMMISSIONING REQUIREMENTS AS PART OF A NEW ORDINANCE REGARDING CARBON PIPELINES. SUMMARY: The Woodbury County Board of Supervisors at their meeting on August 27, 2024 voted to direct the Planning and Zoning Director to work with Planning and Zoning, the Board of Adjustment, and Legal Counsel in order to make a recommendation contemplating decommissioning requirements as part of a new ordinance regarding carbon pipelines.</p>
6	<p>PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA</p>
7	<p>STAFF UPDATE</p>
8	<p>COMMISSIONER COMMENT OR INQUIRY</p>
9	<p>ADJOURN</p>

PACKET CONTENTS

PREVIOUS MEETING MINUTES	4
PUBLIC HEARING (ACTION ITEM): FOR PROPOSED ZONING ORDINANCE MAP AMENDMENT (REZONE) FROM AGRICULTURAL PRESERVATION (AP) TO THE AGRICULTURAL ESTATES (AE) ZONING DISTRICT (PARCEL #884726200002).	6
PUBLIC HEARING (ACTION ITEM): FOR THE CONSIDERATION OF NUCLEAR ENERGY FACILITIES TO BE INCLUDED AS PART OF THE WOODBURY COUNTY ZONING ORDINANCE.	33
REVIEW OF CONDITIONAL USE PERMIT APPLICATION (ACTION ITEM): FOR THE INSTALLATION AND USE OF THREE 100' WIND TURBINES (Parcel #884420300005).	47
REVIEW OF CONDITIONAL USE PERMIT APPLICATION (ACTION ITEM): FOR THE INSTALLATION AND USE OF A 250' SELF-SUPPORT WIRELESS COMMUNICATIONS TOWER TO REPLACE AN EXISTING TOWER (PARCEL #874720400004).	74
INFORMATION ITEM: CONSIDERATION OF A RECOMMENDATION CONTEMPLATING DECOMMISSIONING REQUIREMENTS AS PART OF A NEW ORDINANCE REGARDING CARBON PIPELINES.	130

Minutes - Woodbury County Zoning Commission – August 26, 2024

The Zoning Commission (ZC) meeting was called to order on August 26, 2024, at 5:00 PM in the Board of Supervisors' meeting room, located in the basement of the Woodbury County Courthouse, 620 Douglas Street, Sioux City, IA. The meeting was also available via teleconference.

Meeting Audio:

For a detailed account of this meeting, refer to the recorded video on the Woodbury County Zoning Commission's "Committee Page" on the Woodbury County website:

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

Members Present: Barb Parker, Corey Meister, Chris Zant

Staff Present: Dan Priestley, Dawn Norton

Public Attendees: Michael Montino, Dan Bittinger

CALL TO ORDER:

Chair Chris Zant called the meeting to order at 5:02 PM. Tom Bride and Jeff Hanson were absent.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA:

None

APPROVAL OF MINUTES:

Motion by Meister to approve the July 22 minutes. Seconded by Parker. Approved 3-0.

DISCUSSION AND PLANNING PROCESS FOR NUCLEAR ENERGY TO BE CONSIDERED FOR ADDITION TO WOODBURY COUNTY ZONING ORDINANCE (INFORMATION /

DISCUSSION ITEM) SUMMARY: The Woodbury County Board of Supervisors, at their July 2, 2024 meeting, directed the Zoning Commission to explore the possibility of nuclear energy in the county. This discussion focused on the next steps for work sessions and public hearings. Dan Priestley outlined that establishing a nuclear power plant is a highly regulated process, with extensive site studies required to determine suitability. Michael Montino from Woodbury County Emergency Management, who studied nuclear energy at Georgetown University, shared his knowledge of nuclear power plants. He explained that these plants generally operate using pressurized boiling water to generate steam, and proximity to a water source is crucial to maintain cooling levels and prevent core meltdowns. Montino discussed the importance of considering factors such as drought, flooding, and earthquakes when selecting a site. An Emergency Planning Zone extending 50 miles around the plant would be necessary, affecting neighboring counties. Although nuclear energy could take up to 30 years to fully implement, it is essential to plan for future energy needs as older coal plants are retired. Repurposing these sites for nuclear power could reduce the need for eminent domain. Priestley emphasized that this is an exploratory phase, and the county has not yet received significant public feedback. He suggested that establishing a conditional use permit could demonstrate the county's openness to nuclear energy development. Future work sessions, public hearings could be scheduled to explore the issue further.

INFORMATION AND DISCUSSION ITEM ABOUT THE BOARD OF SUPERVISORS' CONSIDERATION OF CHANGES TO THE COMMERCIAL WIND ENERGY CONVERSION SYSTEMS (C-WECS) (INFORMATION / DISCUSSION ITEM) SUMMARY:

Following a petition from the public at the 2024 Woodbury County Fair, the Board of Supervisors, on August 6, 2024, directed staff to review and potentially revise Ordinance #56, which governs commercial wind energy systems. This discussion provided information on the upcoming review process. Dan Priestley reported that the County Attorney's Office is currently reviewing revisions to the ordinance, particularly concerning setbacks between participating and non-participating properties, decommissioning requirements, and setback waivers. These revisions aim to address safety concerns, such as lighting and fire risks. Public hearings will be held to gather input from the community.

HOME OCCUPATION SIGNS ZONING REGULATIONS REVIEW (INFORMATION / DISCUSSION ITEM) SUMMARY: The Zoning Commission reviewed home occupation sign regulations to determine if any changes are needed. Research shows that Woodbury County's policies are consistent with those of other Iowa counties, with a few counties allowing slightly larger signs.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

None

STAFF UPDATE

At the August 27 Board of Supervisors meeting, the Supervisors are expected to direct the Planning & Zoning Director to collaborate with the Board of Adjustment, Zoning Commission, and legal counsel to recommend decommissioning requirements as part of a new ordinance regarding carbon pipelines. Additionally, the Board of Adjustment has deferred its decision on a conditional use application for a data center/bitcoin mining facility for 35 days. The applicant is expected to provide additional information at the rescheduled September 4 meeting.

COMMISSIONER COMMENT OR INQUIRY

None

Motion to Adjourn:

Motion by Meister to adjourn. Seconded by Parker. Motion carried 3-0. The meeting adjourned at 5:53 PM.



WOODBURY COUNTY PLANNING & ZONING

620 Douglas Street, Sixth Floor, Sioux City, Iowa 51101
712.279.6609 – 712.279.6530 (Fax)

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

Dawn Norton – Senior Clerk
dnorton@woodburycountyiaowa.gov

PRELIMINARY REPORT – SEPTEMBER 18, 2024

ZONING ORDINANCE MAP AMENDMENT (REZONE) FROM AGRICULTURAL PRESERVATION (AP) TO AGRICULTURAL ESTATES (AE)

APPLICATION DETAILS	
Applicant(s)/Owner(s):	Sandra K. Baker Rev. Trust (Sandra K. Baker – Applicant) / Jimmie L. and Renee T. Colyer (Owner)
Application Type:	Zoning Ordinance Map Amendment (Rezone)
Current Zoning District:	Agricultural Preservation (AP)
Requested Zoning District:	Agricultural Estates (AE)
Current Use:	Bare Ground, Path to Field
Proposed Use:	To be added to Baker's Acres Lot 1
Average CSR Rating:	40.53
Engineer/Surveyor:	Alan Fagan, 712-539-1471
Attorney:	Joel D. Voss, 712-222-4105
Pre-application Meeting:	June 26, 2024
Application Date:	August 20, 2024
Stakeholder Notification:	
Neighbors' Notification:	September 9, 2024
Legal Publication:	September 12, 2024
Zoning Commission Public Hearing:	September 23, 2024
Board of Supervisors Public Hearings:	October 8, 15, 22 all at 4:45 PM

PROPERTY DETAILS	
Parcel(s):	884726200002
Township/Range:	T88N R47W (Woodbury)
Section:	26
Quarter:	NW 1/4 of the NE 1/4
Zoning District:	Agricultural Preservation (AP)
Floodplain:	Not in floodplain (Zone X)
Property Address:	No address
Legal Description:	PART OF THE N.W. 1/4 OF THE N.E. 1/4 OF SECTION 26, TOWNSHIP 88 NORTH, RANGE 47 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: BEGINNING AT THE N.W. CORNER OF LOT 1, BAKER'S ACRES, AN ADDITION TO WOODBURY COUNTY, IOWA; THENCE S.0°00'19"E. ALONG THE WEST LINE OF SAID LOT 1 FOR 267.10 FEET TO THE S.W. CORNER OF SAID LOT 1; THENCE N.55°43'07"W. FOR 390.29 FEET; THENCE N.0°00'19"W. FOR 40.00 FEET TO THE NORTH LINE OF SAID N.W. 1/4 OF THE N.E. 1/4; THENCE N.88°42'30"E. ALONG SAID NORTH LINE FOR 322.55 FEET TO THE POINT OF BEGINNING, CONTAINING 1.14 ACRES. SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS, RESTRICTIONS AND COVENANTS.
NOTE:	THE NORTH LINE OF SAID N.W. 1/4 OF THE N.E. 1/4 IS ASSUMED TO BEAR N.88°42'30"E.

CONTENTS	
Summary	
Aerial Map / Survey Excerpt	
Applications / Attachments	
Plat of Survey	
Purchase Agreement	
Legal Description	
Proposed Ordinance Amendment	
Evaluation Criteria	
Legal Notification	
Public Comments	
Stakeholder Comments	
Supporting Documentation	

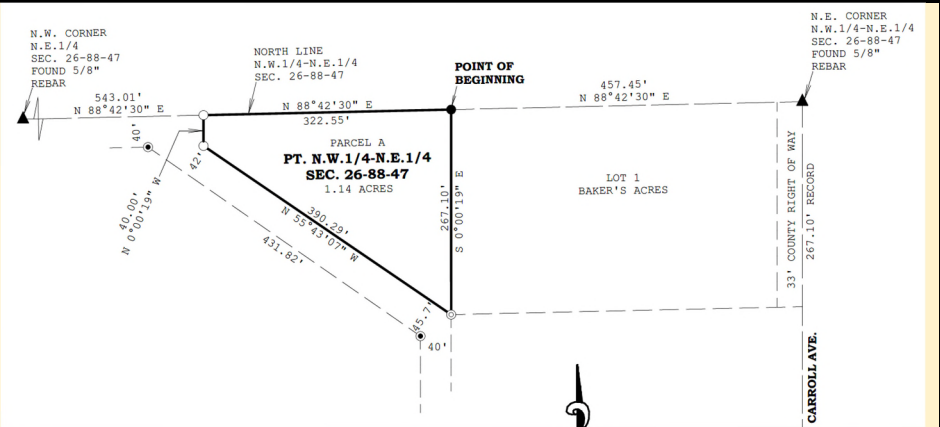
SUMMARY

The Sandra K. Baker Revocable Trust (Applicant: Sandra K. Baker) and Jimmie L. and Renee T. Colyer (Owners) have submitted an application for a zoning ordinance map amendment to rezone a portion of the property (Parcel #884726200002) from the Agricultural Preservation (AP) District to the Agricultural Estates (AE) District. The applicants seek to rezone a 1.14-acre portion of this parcel, which will be split and combined with Lot 1 of the Baker Acres subdivision through the Woodbury County Assessor's combination process. A survey conducted by Al Fagan Land Surveying P.C. provides the legal description of the portion of land to be conveyed to the Sandra K. Baker Revocable Trust. This 1.14-acre triangular portion is not eligible for development as a standalone lot because it does not meet the requirements of the Zoning and Subdivision Ordinance. In the purchase agreement, Baker acknowledges that the property being acquired "is not a legal lot for building purposes and must be combined with their existing adjacent parcel, described as Lot One (1) of Baker's Acres." The rezoning is requested so that the new parcel's zoning matches that of Lot 1, facilitating the combination into a single parcel for tax purposes. This proposal has been properly noticed in the Sioux City Journal Legals Section on September 12, 2024. The neighbors within 1000 FT have been duly notified via a September 9, 2024 letter about the September 23, 2024 Zoning Commission public hearing and have been requested to comment. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No objections were received from the stakeholders. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. It is the recommendation of staff to approve this proposal.

AERIAL MAP



SURVEY EXCERPT



STAFF RECOMMENDATION

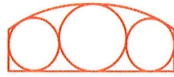
Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. Staff recommends approval. Suggested Motion: Motion to recommend approval to the Board of Supervisors as proposed.

SUGGESTED MOTION

Motion to recommend approval of the Zoning Ordinance Map Amendment (Rezone) from AP to AE on a portion of Parcel #884726200002 to the Woodbury County Board of Supervisors with the condition that the remaining portion of the said parcel be combined with either of Colyer's remaining parcels via the Woodbury County Assessor.

Daniel D. Dykstra†
John C. Gray*†
Patrick L. Sealey*†
Jeff W. Wright*†
Rosalynd J. Koob*
Joel D. Vos†
Sarah K. Kleber*†
Jacob B. Natwick*
Allyson C. Dirksen*†
Jessica A. Board*†
Elizabeth A. Rosenbaum†

Of Counsel
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Retired
Marvin F. Heidman
John F. De Hoogh
Alan E. Fredregill*
James W. Redmond†

All attorneys licensed in Iowa
* Licensed in Nebraska
† Licensed in South Dakota

August 26, 2024

Woodbury County Community and Economic Development
Attn: Dan Priestley, MPA
620 Douglas Street, 6th Floor
Sioux City, IA 51101

Re: Rezoning Application for Parcel Number 884726200002

Dear Dan:

I am enclosing with this letter the Rezoning Application, Property Owner's List from Engleson Abstract, and a copy of the Purchase Agreement between Colyer and the Sandra Baker Revocable Trust. I did not write down the date of our July 2024 meeting on the Rezoning Application. I was not certain whether that was considered a formal meeting or not. If you would like an additional formal meeting, please let me know. Otherwise, if you have any questions regarding the application and its attachments, do not hesitate to contact me. A check in the amount of \$400.00 for the filing fee is also enclosed. Thank you for your attention to this matter.

Very Truly Yours,

JOEL D. VOS
For the Firm

JDV/gl
Enclosures
9926-1



Rezoning Application & Zoning Ordinance Map Amendment

Owner Information:	Applicant Information:
Owner <u>Jimmie L. and Renee T. Colyer</u>	Applicant <u>Sandra K. Baker Rev. Trust</u>
Address <u>1650 Old Highway 141</u> <u>Sergeant Bluff, IA 51054</u>	Address <u>1997 Carroll Ave.</u> <u>Sergeant Bluff, IA 51054</u>
Phone <u>712-490-2853</u>	Phone _____

Engineer/Surveyor Al Fagan Phone 712-539-1471

Property Information:

Property Address or Address Range 1997 Carroll Ave.*

Quarter/Quarter NE Sec 26 Twnshp/Range 88/47 Woodbury

Parcel ID # _____ or GIS # 884726200002 Total Acres 1.14

Current Use bare ground, path to field Proposed Use to be added to Baker's Acres Lot 1

Current Zoning AP Proposed Zoning AE

Average Crop Suitability Rating (submit NRCS Statement) 40.53 (from Beacon)

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

A formal pre-application meeting is recommended prior to submitting this application.

Pre-app mtg. date _____ Staff present _____

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

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

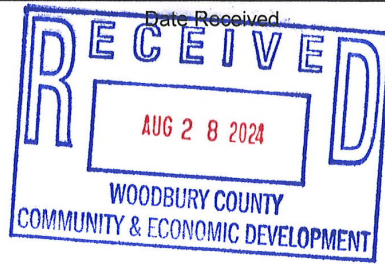
Owner _____ Applicant *Sandra K. Baker

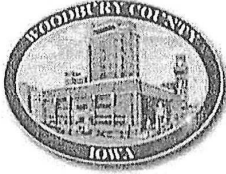
Date _____ Date 8-14-24

Fee: \$400 Case #: 7017

Check #: 144 8-28-24

Receipt #: _____





Rezoning Application & Zoning Ordinance Map Amendment

Owner Information:	Applicant Information:
Owner <u>Jimmie L. and Renee T. Colyer</u>	Applicant <u>Sandra K. Baker Rev. Trust</u>
Address <u>1650 Old Highway 141</u> <u>Sergeant Bluff, IA 51054</u>	Address <u>1997 Carroll Ave.</u> <u>Sergeant Bluff, IA 51054</u>
Phone <u>712-490-2853</u>	Phone _____

Engineer/Surveyor Al Fagan Phone 712-539-1471

Property Information:

Property Address or Address Range 1997 Carroll Ave.*

Quarter/Quarter NE Sec 26 Twnshp/Range 88/47

Parcel ID # _____ or GIS # 884726200002 Total Acres 1.14

Current Use bare ground, path to field Proposed Use to be added to Baker's Acres Lot 1

Current Zoning AP Proposed Zoning AE

Average Crop Suitability Rating (submit NRCS Statement) 40.53 (from Beacon)

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

A formal pre-application meeting is recommended prior to submitting this application.

Pre-app mtg. date _____ Staff present _____

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

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

Owner Jimmie L. Colyer Renee T. Colyer Applicant Jimmie L. Colyer Renee T. Colyer

Date 8-20-24 Date 8-20-24

Fee: \$400 Case #: _____

Check #: _____

Receipt #: _____

Date Received _____



Rezoning Application & Zoning Ordinance Map Amendment

Owner Information:	Applicant Information:
Owner <u>Jimmi Lea & Renee T. Colyer</u>	Applicant <u>Sandra K. Baker Revocable Trust</u>
Address <u>1650 Old Highway 141</u> <u>Sergeant Bluff, IA 51054</u>	Address <u>1997 Carroll Ave.</u> <u>Sergeant Bluff, IA 51054</u>
Phone <u>712-490-2853</u>	Phone _____

Engineer/Surveyor Alan Fagan Phone _____

Property Information:

Property Address or Address Range 1997 - 2015 range of Carroll Avenue

Quarter/Quarter NE Sec 26 Twtnshp/Range 88 / 47

Parcel ID # 88472120002 or GIS # _____ Total Acres 1.14

Current Use bare ground, path to field Proposed Use to be added to Bakers Acres Lot 1

Current Zoning AP Proposed Zoning AE

Average Crop Suitability Rating (submit NRCS Statement) 40.53

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

A formal pre-application meeting is recommended prior to submitting this application.

Pre-app mtg. date _____ Staff present _____

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

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

Owner _____ Applicant _____

Date _____ Date _____

Fee: \$400 Case #: _____

Check #: _____

Receipt #: _____

Date Received _____

Attachment to Rezoning Application

1. Survey of 1.14 Acre Parcel
2. Purchase Agreement between Colyers and Sandra Baker Revocable Trust.

The purpose of the attachment is to provide supplemental information regarding the proposed rezoning. Currently, Colyers own an irregularly shaped 3.42 acre parcel, GIS #88472620002, which provides access from Carroll Avenue to farmland owned by Colyers to the North and West of the 3.42 acre parcel.

A portion of the 3.42 acre parcel abuts Lot 1 of Baker's Acres, which is owned by the Sandra Baker Revocable Trust and which has a street address of 1997 Carroll Avenue. Baker desires to add a 1.14 acre triangular portion of the 3.42 acre parcel to their lot at 1997 Carroll Avenue. Colyer and Baker have entered into a purchase agreement for the 1.14 acre parcel, which has been surveyed by Al Fagan. The 1.14 acre triangular portion is not separately buildable, because it does not meet the requirements of the Zoning and Subdivision Ordinance for a freestanding lot. In the purchase agreement, Baker acknowledges that "the property they are purchasing is not a legal lot for building purposes and must be combined with their existing adjacent parcel of land, briefly described as Lot One (1) of Baker's Acres."

The purpose for the requested rezoning is so that the new parcel's zoning will match the zoning of Lot One (1) of Baker's Acres, which will facilitate combining it into a single parcel for tax purposes.

INDEX LEGEND	
SURVEYOR: ALAN L. FAGAN 712 539-1471	
MAIL TO: AL FAGAN LAND SURVEYING, P.C. P.O. BOX 858 - MERRILL, IA 51038	
COUNTY: WOODBURY	
SECTION(S): 26 T. 88 N., R. 47 W.	
ALIQUOT PART: PART OF THE N.W.1/4 OF THE N.E.1/4	
CITY:	
SUBDIVISION:	
BLOCK(S):	
LOT(S):	
PROPRIETOR(S): JIMMIE L. COLYER AND RENEE T. COLYER, HUSBAND AND WIFE	
REQUESTED BY: JIMMIE L. COLYER	

AL FAGAN LAND SURVEYING P.C.-P.O. BOX 858-MERRILL, IOWA 51038-PH. (712) 539-1471

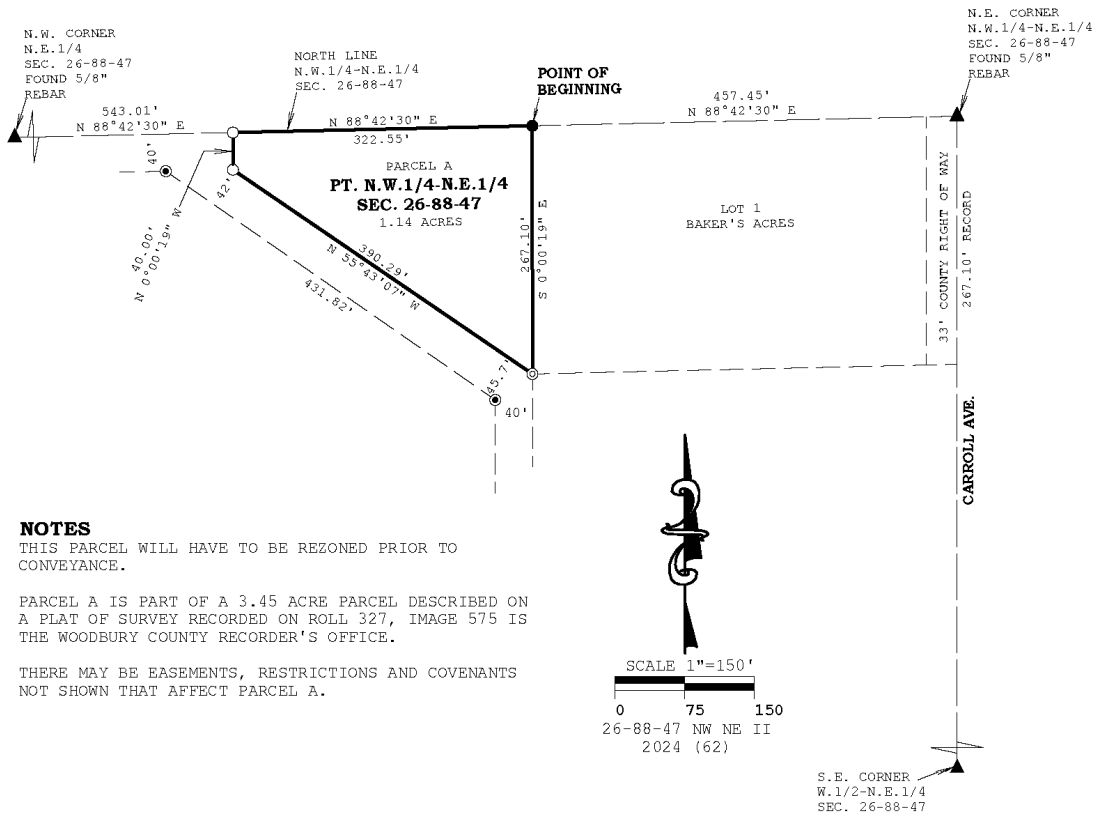
PLAT OF SURVEY

PLAT OF SURVEY SHOWING PART OF THE N.W.1/4 OF THE N.E.1/4 OF SECTION 26, T.88N., R.47W. OF THE 5TH P.M., WOODBURY COUNTY, IOWA.

SURVEYOR'S DESCRIPTION:

PART OF THE N.W.1/4 OF THE N.E.1/4 OF SECTION 26, TOWNSHIP 88 NORTH, RANGE 47 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: BEGINNING AT THE N.W. CORNER OF LOT 1, BAKER'S ACRES, AN ADDITION TO WOODBURY COUNTY, IOWA; THENCE S.0°00'19"E. ALONG THE WEST LINE OF SAID LOT 1 FOR 267.10 FEET TO THE S.W. CORNER OF SAID LOT 1; THENCE N.55°43'07"W. FOR 390.29 FEET; THENCE N.0°00'19"W. FOR 40.00 FEET TO THE NORTH LINE OF SAID N.W.1/4 OF THE N.E.1/4; THENCE N.88°42'30"E. ALONG SAID NORTH LINE FOR 322.55 FEET TO THE POINT OF BEGINNING. CONTAINING 1.14 ACRES. SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS, RESTRICTIONS AND COVENANTS.

NOTE: THE NORTH LINE OF SAID N.W.1/4 OF THE N.E.1/4 IS ASSUMED TO BEAR N.88°42'30"E.



NOTES

THIS PARCEL WILL HAVE TO BE REZONED PRIOR TO CONVEYANCE.

PARCEL A IS PART OF A 3.45 ACRE PARCEL DESCRIBED ON A PLAT OF SURVEY RECORDED ON ROLL 327, IMAGE 575 IS THE WOODBURY COUNTY RECORDER'S OFFICE.

THERE MAY BE EASEMENTS, RESTRICTIONS AND COVENANTS NOT SHOWN THAT AFFECT PARCEL A.

DATE OF SURVEY: MAY 22, 2024

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

ALAN L. FAGAN DATE

LICENSE NUMBER 15082
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2025
PAGES OR SHEETS COVERED BY THIS SEAL: ONE



MONUMENTS

- = 5/8" REBAR FOUND
- = 1/2" YELLOW CAPPED REBAR #5542 FOUND
- ⊙ = 1/2" YELLOW CAPPED REBAR #10570 FOUND
- = 1/2" YELLOW CAPPED REBAR #15082 SET



**OFFER TO BUY REAL ESTATE AND ACCEPTANCE
(NONRESIDENTIAL)**

TO: Jimmie Lee Colyer and Renee T. Colyer (SELLERS)

The undersigned BUYERS hereby offer to buy and the undersigned SELLERS by their acceptance agree to sell the real property situated in Woodbury County, Iowa, legally described as:

Part of the NW ¼ of the NE ¼ of Section 26, Township 88 North, Range 47 West of the 5th Principal Meridian, Woodbury County, Iowa described as follows: Commencing at the N.E. corner of said NW ¼ of the NE ¼, thence S 88°42'30" W a distance of 457.45' to the point of beginning; thence S 0°00'19" E a distance of 267.10'; thence N 55°43'07" W a distance of 390.29'; thence N 0°00'19" W a distance of 40.00'; thence N 88°42'30" E distance of 322.55' to the point of beginning. Said parcel contains 1.14 acres, more or less.

(Said parcel description is based on a preliminary survey of Alan Fagan and remains subject to correction and finalization.)

together with any easements and appurtenant servient estates, but subject to any reasonable easements of record for public utilities or roads, any zoning restrictions customary restrictive covenants and mineral reservations of record, if any, herein referred to as the "Property," upon the following terms and conditions provided BUYERS, on possession, are permitted to use the Property for commercial.

1. PURCHASE PRICE. The Purchase Price shall be **\$64,500.00** and the method of payment shall be as follows: **\$500.00** with this offer, to be deposited upon acceptance of this offer and held in trust by Heidman Law Firm as earnest money, to be delivered to the SELLERS upon performance of SELLERS' obligations and satisfaction of BUYERS' contingencies, if any; and the balance of the Purchase Price, as follows: **\$64,000 to be paid in cash at time of closing.**
2. REAL ESTATE TAXES. The parcel being sold is part of an irregularly shaped tract of land which consists of 3.42 acres in total. Taxes for the 2022/2023 tax year, due and payable in September 2023 and March 2024, totaled \$68.00. Additionally, there is a drainage assessment in the amount of \$20.25 covering the same time period. Sellers will pay the 2023/24 taxes and drainage assessment on the 3.42 acre parcel, due and payable in September 2024 and March 2025. Buyers will pay all subsequent taxes and drainage assessments on the 1.14 acre parcel.
3. SPECIAL ASSESSMENTS.
 - A. SELLERS shall pay in full at time of closing all special assessments which are a lien on the Property as of the date of acceptance.

B. BUYERS shall pay all other special assessments or installments not payable by SELLERS.

4. RISK OF LOSS. The property is bare ground. SELLERS shall bear the risk of loss or damage to the Property prior to closing or possession, whichever first occurs.
5. POSSESSION AND CLOSING. If BUYERS timely perform all obligations, possession of the Property shall be delivered to Buyers 30 days after final zoning approval, and any adjustments of rent, insurance, interest and all charges attributable to the SELLERS' possession shall be made as of the date of possession. Closing shall occur after the approval of title by BUYERS and vacation of the Property by SELLERS, but prior to possession by BUYERS. If possession is given on a day other than closing, the parties shall make a separate agreement with adjustments as of the date of possession. This transaction shall be considered closed upon the delivery of the title transfer documents to BUYERS and receipt of all funds then due at closing from BUYERS under the Agreement.
6. CONDITION OF PROPERTY. The property as of the date of this Agreement, will be preserved by the SELLERS in its present condition until possession, ordinary wear and tear excepted. SELLERS make no warranties, expressed or implied, as to the condition of the property.
7. ABSTRACT AND TITLE. SELLERS, at their expense, shall promptly obtain an abstract of title to the Property continued through the date of acceptance of this Agreement, and deliver it to BUYERS' attorney for examination. It shall show marketable title in SELLERS in conformity with this Agreement, Iowa law, and title standards of the Iowa State Bar Association. The SELLERS shall make every reasonable effort to promptly perfect title. If closing is delayed due to SELLERS' inability to provide marketable title, this Agreement shall continue in force and effect until either party rescinds the Agreement after giving ten days written notice to the other party. The abstract shall become the property of BUYERS when the Purchase Price is paid in full. SELLERS shall pay the costs of any additional abstracting and title work due to any act or omission of SELLERS, including transfers by or the death of SELLERS or their assignees. Unless stricken, the abstract shall be obtained from an abstracter qualified by the Guaranty Division of the Iowa Housing Finance Authority.
8. SURVEY. If a survey is required under Iowa Code Chapter 354, or city or county ordinances, SELLERS shall pay the costs thereof. BUYERS may, at BUYERS' expense prior to closing, have the property surveyed and certified by a registered land surveyor.
9. ENVIRONMENTAL MATTERS.
 - A. SELLERS warrant to the best of their knowledge and belief that there are no abandoned wells, solid waste disposal sites, hazardous wastes or substances, or underground storage tanks located on the Property, the Property does not contain levels of radon gas, asbestos, or urea-formaldehyde foam insulation which require remediation under current governmental standards, and SELLERS have done

nothing to contaminate the Property with hazardous wastes or substances. SELLERS warrant that the property is not subject to any local, state, or federal judicial or administrative action, investigation or order, as the case may be, regarding wells, solid waste disposal sites, hazardous wastes or substances, or underground storage tanks. SELLERS shall also provide BUYERS with a properly executed GROUNDWATER HAZARD STATEMENT showing no wells, private burial sites, solid waste disposal sites, private sewage disposal system, hazardous waste and underground storage tanks on the Property unless disclosed here: none.

10. DEED. Upon payment of the Purchase Price, SELLERS shall convey the Property to BUYERS by warranty deed, free and clear of all liens, restrictions, and encumbrances except as provided in this Agreement. General warranties of the title shall extend to the time of delivery of the deed excepting liens and encumbrances suffered or permitted by BUYERS.
11. JOINT TENANCY IN PROCEEDS AND IN REAL ESTATE. If SELLERS, immediately preceding acceptance of the offer, hold title to the Property in joint tenancy with full rights of survivorship, and the joint tenancy is not later destroyed by operation of law or by acts of the SELLERS, then the proceeds of this sale, and any continuing or recaptured rights of SELLERS in the Property, shall belong to SELLERS as joint tenants with full rights of survivorship and not as tenants in common; and BUYERS in the event of death of any SELLER, agree to pay any balance of the price due SELLERS under this contract to the surviving SELLER and to accept a deed from the surviving SELLER consistent with Paragraph 14.
12. JOINDER BY SELLER'S SPOUSE. SELLER'S spouse, if not a title holder immediately preceding acceptance, executes this Agreement only for the purpose of relinquishing all rights of dower, homestead and distributive share or in compliance with Section 561.13 of the Code of Iowa and agrees to execute the deed or real estate contract for this purpose.
13. USE OF PURCHASE PRICE. At time of settlement, funds of the Purchase Price may be used to pay taxes and other liens and to acquire outstanding interests, if any, of others.
14. APPROVAL OF COURT. If the Property is an asset of an estate, trust or conservatorship, this Agreement is contingent upon Court approval unless Court approval is not required under Iowa law and title standards of the Iowa State Bar Association. If the sale of the Property is subject to Court approval, the fiduciary shall promptly submit this Agreement for such approval. If this Agreement is not so approved by _____ either party may declare this Agreement null and void, and all payments made hereunder shall be made to BUYERS.
15. REMEDIES OF THE PARTIES.
 - A. If BUYERS fail to timely perform this Agreement, SELLERS may forfeit it as provided in the Iowa Code (Chapter 656), and all payments made shall be

forfeited; or, at SELLERS' option, upon thirty days written notice of intention to accelerate the payment of the entire balance because of BUYERS' default (during which thirty days the default is not corrected), SELLERS may declare the entire balance immediately due and payable. Thereafter this Agreement may be foreclosed in equity and the Court may appoint a receiver.

B. If SELLERS fail to timely perform this Agreement, BUYERS have the right to have all payments made returned to them.

C. BUYERS and SELLERS are also entitled to utilize any and all other remedies or actions at law or in equity available to them, and the prevailing parties shall be entitled to obtain judgment for costs and attorney fees.

16. NOTICE. Any notice under this Agreement shall be in writing and be deemed served when it is delivered by personal delivery or mailed by certified mail, addressed to the parties at the addresses given below.

17. GENERAL PROVISIONS. In the performance of each part of this Agreement, time shall be of the essence. Failure to promptly assert rights herein shall not, however, be a waiver of such rights or a waiver of any existing or subsequent default. This Agreement shall apply to and bind the successors in interest of the parties. This Agreement shall survive the closing. This Agreement contains the entire agreement of the parties and shall not be amended except by a written instrument duly signed by SELLERS and BUYERS. Paragraph headings are for convenience of reference and shall not limit or affect the meaning of this Agreement. Words and phrases herein shall be construed as in the singular or plural number, and as masculine, feminine, neutral or other gender according to the context.

18. NO REAL ESTATE AGENT OR BROKER. Neither party has used the service of a real estate agent or broker in connection with this transaction.

19. CERTIFICATION. Buyers and Sellers each certify that they are not acting, directly or indirectly, for or on behalf of any person, group, entity or nation named by any Executive Order or the United States Treasury Department as a terrorist, "Specially Designated National and Blocked Person" or any other banned or blocked person, entity, nation or transaction pursuant to any law, order, rule or regulation that is enforced or administered by the Office of Foreign Assets Control; and are not engaged in this transaction, directly or indirectly on behalf of, any such person, group, entity or nation. Each party hereby agrees to defend, indemnify and hold harmless the other party from and against any and all claims, damages, losses, risks, liabilities and expenses (including attorney's fees and costs) arising from or related to my breach of the foregoing certification.

20. INSPECTION OF PRIVATE SEWAGE DISPOSAL SYSTEM. Seller represents and warrants to Buyer that the Property is not served by a private sewage disposal system, and there are no known private sewage disposal systems on the property.

21. ADDITIONAL PROVISIONS.

A. BUYERS' obligation to purchase the property is contingent upon the property being rezoned from AP to AE. SELLERS will cooperate with BUYERS in the rezoning of the property. All expenses of the rezoning will be paid by BUYERS.

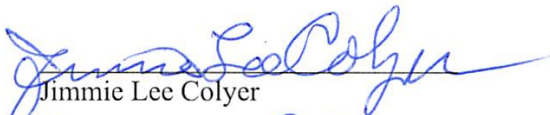
B. BUYERS acknowledge that the property they are purchasing is not a legal lot for building purposes and must be combined with their existing adjacent parcel of land, briefly described as Lot One (1) of Baker's Acres. BUYERS will undertake all necessary steps in order to apply for combination of this parcel into Lot One (1) of Baker's Acres.

C. In the event that Woodbury County requires filing of a minor subdivision plat, BUYERS will subdivide the property at their expense. SELLERS will cooperate with BUYERS in the subdividing of the property.

ACCEPTANCE. When accepted, this Agreement shall become a binding contract. If not accepted and delivered to BUYERS on or before _____, this Agreement shall be null and void and all payments made shall be returned immediately to BUYERS. If accepted by SELLERS at a later date and acceptance is satisfied in writing, then this contract shall be valid and binding.

Accepted _____
SELLERS

Dated _____
BUYERS
Sandra K. Baker Revocable Trust


Jimmie Lee Colyer

By: _____


Renee T. Colyer

1650 Old Highway 141
Sergeant Bluff, IA 51054
Telephone: _____

1997 Carroll Ave.
Sergeant Bluff, IA 51054
Telephone: _____

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Accepted _____
SELLERS

Dated Sandra K. Baker
BUYERS
Sandra K. Baker Revocable Trust

Jimmie Lee Colyer

By: _____

Renee T. Colyer

1650 Old Highway 141
Sergeant Bluff, IA 51054
Telephone: _____

1997 Carroll Ave.
Sergeant Bluff, IA 51054
Telephone: _____

LEGAL DESCRIPTION

PART OF THE N.W.1/4 OF THE N.E.1/4 OF SECTION 26, TOWNSHIP 88 NORTH, RANGE 47 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: BEGINNING AT THE N.W. CORNER OF LOT 1, BAKER'S ACRES, AN ADDITION TO WOODBURY COUNTY, IOWA; THENCE S.0°00'19"E. ALONG THE WEST LINE OF SAID LOT 1 FOR 267.10 FEET TO THE S.W. CORNER OF SAID LOT 1; THENCE N.55°43'07"W. FOR 390.29 FEET; THENCE N.0°00'19"W. FOR 40.00 FEET TO THE NORTH LINE OF SAID N.W.1/4 OF THE N.E.1/4; THENCE N.88°42'30"E. ALONG SAID NORTH LINE FOR 322.55 FEET TO THE POINT OF BEGINNING. CONTAINING 1.14 ACRES. SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS, RESTRICTIONS AND COVENANTS.

NOTE: THE NORTH LINE OF SAID N.W.1/4 OF THE N.E.1/4 IS ASSUMED TO BEAR N.88°42'30"E.

ORDINANCE NO. ____

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

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

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

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

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

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

Dated this ____ day of _____, 2024.

THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS

Matthew Ung, Chairman

Daniel Bittinger II, Vice-Chairman

Mark Nelson

Attest:

Keith Radig

Patrick F. Gill, Woodbury County Auditor

Jeremy Taylor

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 _____

ITEM ONE (1)

Property Owner(s): Jimmie Lee Colyer & Renee T. Colyer, 1650 Old Highway 141, Sergeant Bluff, IA 51054.

Petitioner Applicant(s): Sandra K. Baker Revocable Trust (Sandra K. Baker - Applicant), 1997 Carroll Avenue, Sergeant Bluff, IA 51054 & Jimmie Lee Colyer & Renee T. Colyer (Owners), 1650 Old Highway 141, Sergeant Bluff, IA 51054.

Pursuant to Section 2.02:4 of the Woodbury County Zoning Ordinance, and in accordance with Section 335 of the Code of Iowa, the Woodbury County Zoning Commission held a public hearing on **September 23, 2024**, to review and make a recommendation for amendments to the Woodbury County Zoning Ordinance and Mapping for the unincorporated area of Woodbury County, Iowa as follows:

Amendment to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for a 1.14-acre portion of the property located in the NW ¼ of the NE ¼ of Section 26, T88N R47W (Woodbury Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel #884726200002 and is described as:

PART OF THE N.W.1/4 OF THE N.E.1/4 OF SECTION 26, TOWNSHIP 88 NORTH, RANGE 47 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: BEGINNING AT THE N.W. CORNER OF LOT 1, BAKER'S ACRES, AN ADDITION TO WOODBURY COUNTY, IOWA; THENCE S.0°00'19"E. ALONG THE WEST LINE OF SAID LOT 1 FOR 267.10 FEET TO THE S.W. CORNER OF SAID LOT 1; THENCE N.55°43'07"W. FOR 390.29 FEET; THENCE N.0°00'19"W. FOR 40.00 FEET TO THE NORTH LINE OF SAID N.W.1/4 OF THE N.E.1/4; THENCE N.88°42'30"E. ALONG SAID NORTH LINE FOR 322.55 FEET TO THE POINT OF BEGINNING. CONTAINING 1.14 ACRES. SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS, RESTRICTIONS AND COVENANTS.

NOTE: THE NORTH LINE OF SAID N.W.1/4 OF THE N.E.1/4 IS ASSUMED TO BEAR N.88°42'30"E.

EVALUATION CRITERIA

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

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

There does not appear to be any conflicts with the Woodbury County Comprehensive Plan 2040. (https://www.woodburycountyiowa.gov/files/community_economic_development/woodbury_county_comprehensive_plan_2040_89417.pdf). This area is designated as rural residential on the future land use map thereby illustrating that this request is compatible with future land use goals and objectives. This rezone is not expected to change any existing land use other than transferring ownership from one party to another.

Current Land Use

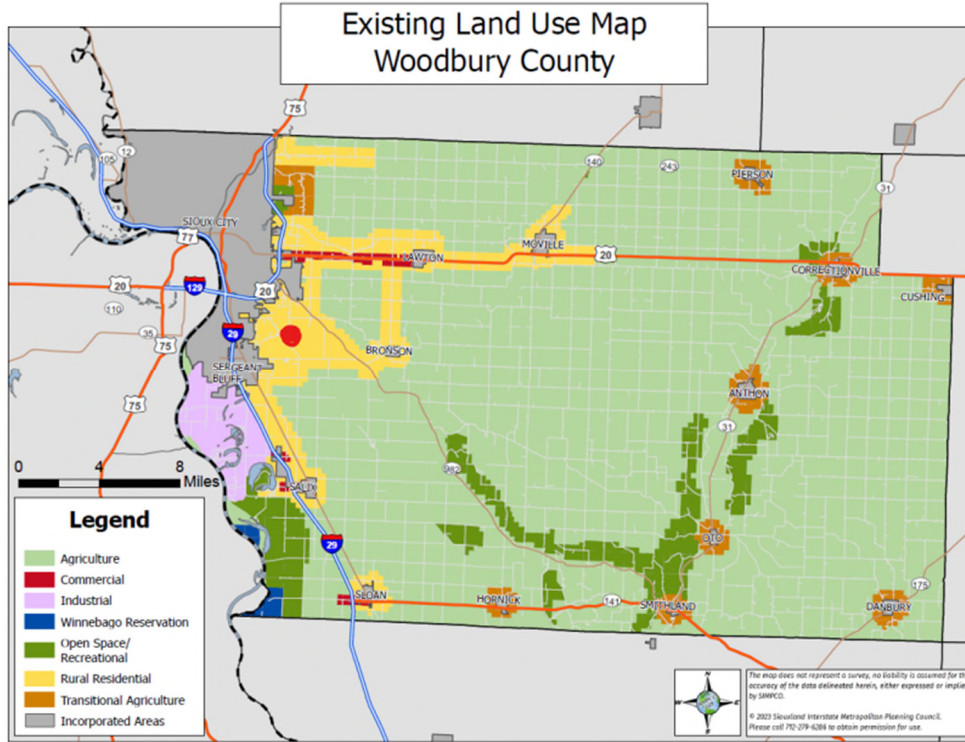


Figure 7.2. Existing Land Use Map, 2023.

Compatibility and conformance with the policies and plans of other agencies with respect to the subject property.

There does not appear to be any conflicts with the policies and plans of other agencies based on the information received.

Consideration of the Corn Suitability (CSR) of the property.



Summary

Parcel ID	884726200002
Gross Acres	3.42
ROW Acres	0.00
Gross Taxable Acres	3.42
Exempt Acres	0.00
Net Taxable Acres	3.42
Average Unadjusted CSR2	40.53 <small>(Gross Taxable Acres - Exempt Land)</small> <small>(138.6 CSR2 Points / 3.42 Gross Taxable Acres)</small>

Aglamd Active Contig 2017 CSR2

Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value:	3.42	40.53	138.60	138.60
Non-Crop	0.00	0.00	0.00	0.00
Total	3.42		138.60	138.60

Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value:	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	0.58	51.62	51.62
100% Value:	701	WILSEY SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODE	79.00	0.46	36.34	36.34
100% Value:	170E	NAPIER-CASTANA SILT LOAMS, 9 TO 20 PERCENT SLOPES	57.00	0.20	11.40	11.40
100% Value:	1E3	IDA SILT LOAM, 14 TO 20 PERCENT SLOPES, SEVERELY ERODED	18.00	2.18	39.24	39.24
Total				3.42	138.60	138.60

	Compatibility with adjacent land uses.
	<p>The rezone to AE is compatible with the area residential uses. The AE Zoning District retains much of the land use characteristics that are offered in the AP Zoning District. The major difference between the two is that AE allows for more than two houses in a quarter-quarter section. Additional homes in the area should not be adversely impacted by this change in zoning designation as this portion will be rezoned to the same designation in which they reside.</p>
	Compatibility with other physical and economic factors affecting or affected by the proposed rezoning.
	<p>There does not appear to be any other additional compatibility issues with this location.</p>
	Any other relevant factors.
	<p>As noted in the summary, the applicants seek to rezone a 1.14-acre portion of this parcel, which will be split and combined with Lot 1 of the Baker Acres subdivision through the Woodbury County Assessor's combination process. A survey conducted by Al Fagan Land Surveying P.C. provides the legal description of the portion of land to be conveyed to the Sandra K. Baker Revocable Trust. This 1.14-acre triangular portion is not eligible for development as a standalone lot because it does not meet the requirements of the Zoning and Subdivision Ordinance.</p>

Sioux City Journal
AFFIDAVIT OF PUBLICATION

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

State of Florida, County of Orange, ss:

Kevin King, 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:
Sep. 12, 2024

NOTICE ID: U1DJi9E12Lg4DH520f4c
PUBLISHER ID: COL-IA-500805
NOTICE NAME: ZC_Nuclear_Rezone_9_23_2024
Publication Fee: \$74.81

Kevin King (handwritten signature)

(Signed)

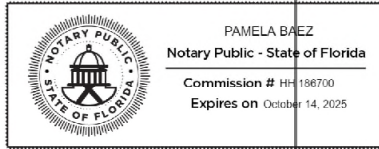
VERIFICATION

State of Florida
County of Orange

Subscribed in my presence and sworn to before me on this: 09/13/2024

(Handwritten signature of Notary Public)

Notary Public
Notarized remotely online using communication technology via Proof.



NOTICE OF PUBLIC HEARINGS BEFORE THE WOODBURY COUNTY ZONING COMMISSION
The Woodbury County Zoning Commission will have a public meeting and will hold public hearings on the following items hereafter described in detail on September 23, 2024, 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 Woodbury County Courthouse, 620 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 9th 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 712-544-1133 and enter the Conference ID 638 386 5571 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, 620 Douglas St., Sioux City, IA 51101. Emails should be sent to Daniel Miesley at dmiesley@woodburycountyiowa.gov. Only signed comments will be considered and should be received no later than 10:00 AM on Wednesday, September 18, 2024.

Item One (1)
Nuclear Energy Facilities Zoning Ordinance Text Amendments
The Woodbury County Zoning Commission will hold a public hearing to consider Zoning Ordinance Text Amendments for the addition of nuclear energy as land use options in the Woodbury County Zoning Ordinance. The hearing will include topics of how to approach the permitting of nuclear energy. Possible options may include to amend the Land Use Summary Table of Allowed Uses (Section 3.3.3.4) by adding nuclear energy and/or nuclear energy facilities as permitted allowed uses or conditional uses in all or select Woodbury County zoning districts. Zoning Ordinance Text Amendments may also be discussed pertaining to the addition of non-schedule pertaining to nuclear energy, nuclear energy facilities, definitions, the renumbering and reorganization of certain within that zoning ordinance.

Item Two (2)
Zoning Ordinance Map Amendment (Rezone)
Pursuant to Section 935 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 (rezone) to the Woodbury County Zoning Ordinance and/or Map for the Unincorporated Area of Woodbury County, Iowa by Sandra K. Baker Revocable Trust (Sandra K. Baker - Applicant), 1997 Carol Avenue, Sergeant Bluff, IA 51554 & Jimmie Lee Coyle & Renee T. Coyle (Owners), 1620 Old Highway 141, Sergeant Bluff, IA 51554.

The proposal is to rezone from the Agricultural Preservation (AP) zoning district to the Agricultural Estates (AE) Zoning District for a 1.14-acre portion of the property located in the NW 1/4 of the NE 1/4 of Section 28, T88N R37W (Woodbury Township) in the County of Woodbury and State of Iowa. The property is known as GIC Parcel #6647020002 and is described as: PART OF THE NW 1/4 OF THE NE 1/4 OF SECTION 28, TOWNSHIP 88 NORTH, RANGE 37 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: BEGINNING AT THE NW CORNER OF LOT 1, RANKERS ACRES, AN ADDITION TO WOODBURY COUNTY, IOWA, THENCE 3.000 FEET ALONG THE WEST LINE OF SAID LOT 1 FOR 207.10 FEET TO THE S.W. CORNER OF SAID LOT 1, THENCE N55°43'07"W FOR 380.56 FEET, THENCE N70°11'57"W FOR 40.6 FEET TO THE NORTH LINE OF SAID NW 1/4 OF THE NE 1/4, THENCE N49°27'07" W ALONG SAID NORTH LINE FOR 322.55 FEET TO THE POINT OF BEGINNING, CONTAINING 1.14 ACRES, SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS, RESTRICTIONS AND COVENANTS.

NOTE: THE NORTH LINE OF SAID NW 1/4 OF THE NE 1/4 IS ASSUMED TO BEAR N88°28'00"E.
Petitioner Applicant(s): Sandra K. Baker Revocable Trust (Sandra K. Baker - Applicant), 1997 Carol Avenue, Sergeant Bluff, IA 51554

& Jimmie Lee Colyer & Renee T. Colyer (Owners),
1650 Old Highway 141, Sergeant Bluff, IA 51054.
Petitioner Applicant(s): Sandra K. Baker Revocable
Trust (Sandra K. Baker - Applicant), 1997 Carroll
Avenue, Sergeant Bluff, IA 51054 & Jimmie Lee
Colyer & Renee T. Colyer (Owners), 1650 Old
Highway 141, Sergeant Bluff, IA 51054.
OOL-IA-500805

PROPERTY OWNER(S) NOTIFICATION



Total Property Owners within 1000 FT via Certified Abstractor's Listing:	9
Notification Letter Date:	September 9, 2024
Public Hearing Board(s):	Zoning Commission & Board of Supervisors
Public Hearing Date:	September 23, 2024
Phone Inquiries:	0
Written Inquiries:	0
The names of the property owners are listed below.	
When more comments are received after the printing of this packet, they will be provided at the meeting.	

PROPERTY OWNER(S)	MAILING ADDRESS					COMMENTS
Jimmie Lee Colyer and Renee T. Colyer	1650 Old Hwy 141	Sgt. Bluff	IA	51054	No comments received.	
James E. Waddell, Joseph F. Waddell, and Judith Scheer	3183 Tyler Court	Sioux Falls	SD	57103-6562	No comments received.	
Bradley R. Jochum, Angela M. Jochum, Timothy Ryan McWilliams, and Stacey L. McWilliams	2498 Carroll Ave.	Salix	IA	51052	No comments received.	
Trustees of the Sandra K. Baker Revocable Trust	1997 Carroll Ave.	Sgt. Bluff	IA	51054-8042	No comments received.	
Alexis M. Moore and Dylan M. Moore	2616 So. Cornelia St.	Sioux City	IA	51106	No comments received.	
Richard G. Speed and Cindy S. Speed	2009 Carroll Ave.	Sgt. Bluff	IA	51054-8042	No comments received.	
Wendel Real Estate, LLC	26638 Wirt Plaza	Waterloo	NE	68069-5860	No comments received.	
Iowa Natural Heritage Foundation	505 5th Ave., Ste. 444	Des Moines	IA	50309	No comments received.	
Richardson Family Farms, LLC	421 E. Main St.	Lawton	IA	51030	No comments received.	

STAKEHOLDER COMMENTS

911 COMMUNICATIONS CENTER:	No comments received.
CITY OF ANTHON:	No comments received.
FIBERCOMM:	No comments received.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments received.
IOWA DEPARTMENT OF TRANSPORTATION (IDOT):	No comments received.
LOESS HILLS NATIONAL SCENIC BYWAY:	No comments received.
LOESS HILLS PROGRAM:	No comments received.
LONGLINES:	No comments received.
LUMEN:	No comments received.
MAGELLAN PIPELINE:	No comments received.
MILLER TOWNSHIP:	No comments received.
MIDAMERICAN ENERGY COMPANY (Electrical Division):	I have reviewed the attached proposed rezoning application for MEC electric and we have; No conflicts. – Casey Meinen, 9/4/24.
MIDAMERICAN ENERGY COMPANY (Gas Division):	No comments received.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS):	No comments received.
NORTHERN NATURAL GAS:	No comments received.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	Have reviewed this zoning request. NIPCO has no issues with this request. – Jeff Zettel, 9/10/24.
NUSTAR PIPELINE:	No comments received.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	No comments received.
WIATEL:	No comments received.
WINNEBAGO TRIBE:	Thank you for your Section 106 correspondence regarding this project. While it has been determined that this project will not impact any identified sites, it is situated on or near land historically inhabited or traversed by our ancestors. Should any findings arise, please reach out to THPO Sunshine Thomas-Bear at (402) 257-

	5587 or via e-mail at sunshine.bear@winnebago-tribe.com . Should you have any inquiries, do not hesitate to contact our office. – Gayla Whitewater, 9/3/24.
WOODBURY COUNTY ASSESSOR:	No comments received.
WOODBURY COUNTY CONSERVATION:	No issues here. – Daniel Heissel, 9/3/24.
WOODBURY COUNTY EMERGENCY MANAGEMENT:	No comments received.
WOODBURY COUNTY EMERGENCY SERVICES:	No comments received.
WOODBURY COUNTY ENGINEER:	I have no concerns with the proposed zoning change. It would appear to be consistent with the adjacent land zoning and use. – Mark Nagra, 9/11/24.
WOODBURY COUNTY RECORDER:	No comments. Thank you. – Diane Swoboda Peterson, 9/3/24.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No comments received.
WOODBURY COUNTY SHERIFF:	No comments received.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT:	The WCSWCD has no comments regarding this proposed rezoning request. 9/5/24.
WOODBURY COUNTY TREASURER:	No comments received.

Woodbury County, IA / Sioux City

Summary

Parcel ID 884726200002
 Alternate ID 826876
 Property Address N/A
 Sec/Twp/Rng 26-88-47
 Brief AN IRREG TCT BEG @ NW CORNER NWNE THEC E865.52' THEC S1088.06' THEC SELY469.25' THEC S40' THEC NE NE510.31' THEC N201.50' THEC NW69.64' THEC NELY279.94' THEC N289.21' THEC NW431.87' THEC W469.68' THEC N40' TO PT OF BEG: NENE & N40' E45' NENW 3.450 ACRES
 Tax Description (Note: Not to be used on legal documents)
 Deed Book/Page [702-854\(2/16/2009\)](#)
 Gross Acres 3.42
 Net Acres 3.42
 Adjusted CSR Pts 138.6
 Zoning AP - AGRICULTURAL PRESERVATION
 District 0039 WOODBURY/SB/L
 School District SGT BLUFF LUTON
 Neighborhood N/A

Owner

Deed Holder
[COLYER JIMMIE LEE & RENEE T COLYER](#)
[1650 OLD HIGHWAY 141](#)
 SERGEANT BLUFF IA 51054
 Contract Holder
 Mailing Address
 COLYER JIMMIE LEE & RENEE T COLYER
 1650 OLD HIGHWAY 141
 SERGEANT BLUFF IA 51054

Land

Lot Area 3.42 Acres; 148,975 SF

Sales

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
2/16/2009	COLYER MINNIE LORENA,% MINNIE LORENA COLYER ESTATE	COLYER JIMMIE LEE & RENEE T	702/854	Fulfillment of prior year contract	Deed		\$0.00
1/16/2009	COLYER EDWARD F SR & MINNIE L	COLYER JIMMIE LEE & RENEE T	701/6449	No consideration	Deed		\$0.00
6/24/2004	COLYER EDWARD F SR & MINNIE L	COLYER JIMMIE LEE & RENEE T	648/1147	NORMAL ARMS-LENGTH TRANSACTION	Contract		\$200,000.00

Show There are other parcels involved in one or more of the above sales:

Valuation

	2024	2023	2022	2021	2020
Classification	Agriculture	Agriculture	Agriculture	Agriculture	Agriculture
+ Assessed Land Value	\$4,510	\$4,510	\$3,500	\$3,500	\$3,310
+ Assessed Building Value	\$0	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$4,510	\$4,510	\$3,500	\$3,500	\$3,310
- Exempt Value	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$4,510	\$4,510	\$3,500	\$3,500	\$3,310

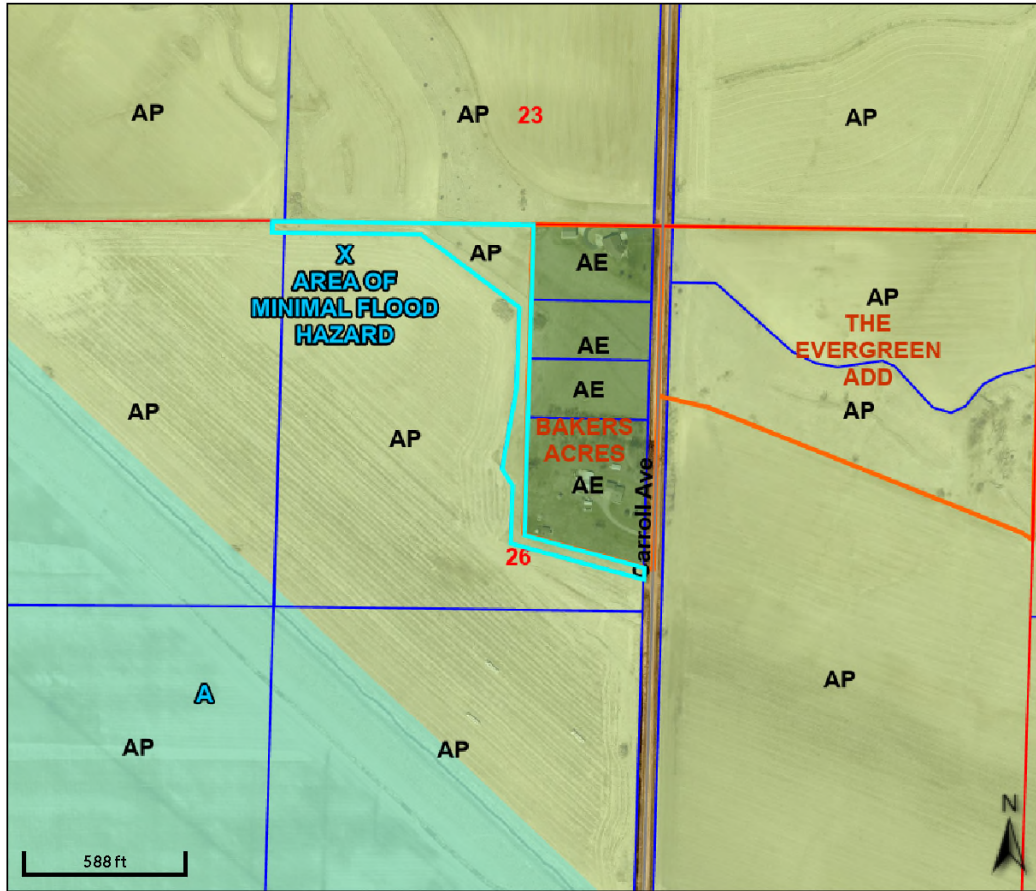
Sioux City Special Assessments and Fees

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

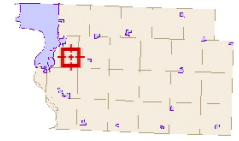
Woodbury County Tax Credit Applications

Apply for Homestead, Military or Business Property Tax Credits

No data available for the following modules: Residential Dwellings, Commercial Buildings, Agricultural Buildings, Yard Extras, Permits, Sioux City Tax Credit Applications, Sioux City Board of Review Petition, Photos, Sketches.



Overview



Legend

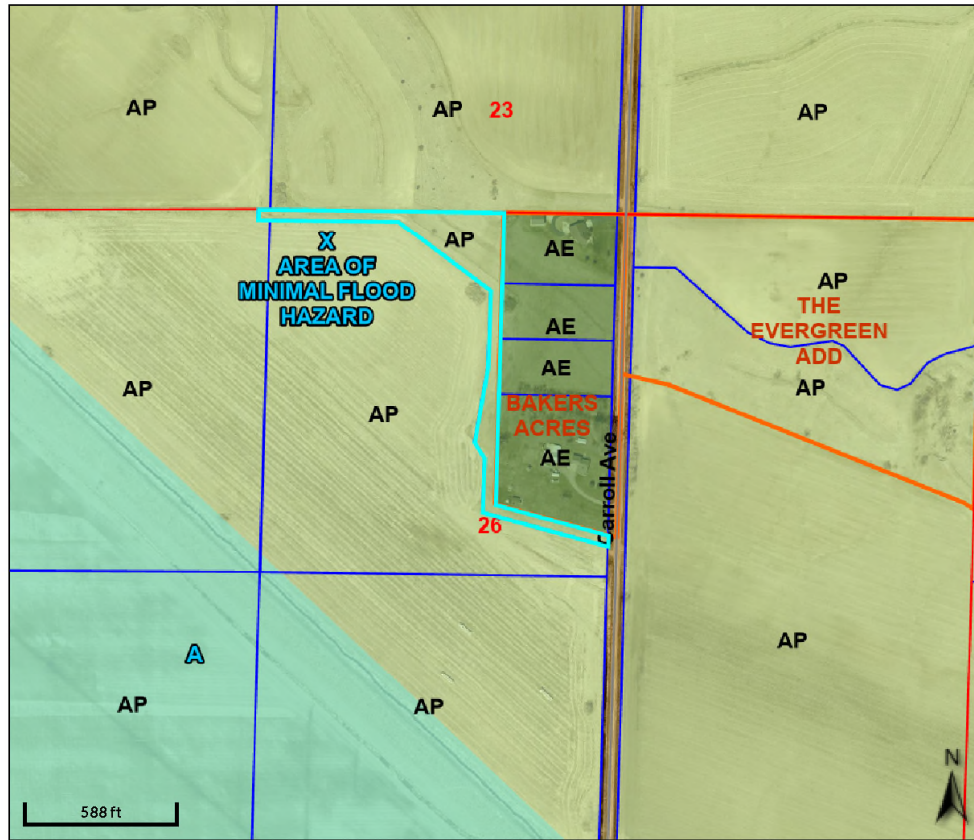
- Roads
- ▭ Corp Boundaries
- ▭ Townships
- ▭ Subdivisions
- ▭ Parcels
- County Zoning
- AE
- AP
- GC
- GC-PD
- GI
- LI
- LI-PD
- SR
- WR

Parcel ID	884726200002	Alternate ID	826876	Owner Address	COLYER JIMMIE LEE & RENEE T COLYER
Sec/Twp/Rng	26-88-47	Class	A		1650 OLD HIGHWAY 141
Property Address		Acreage	3.42		SERGEANT BLUFF, IA 51054
District	0039				
Brief Tax Description	AN IRREG TCT BEG @ NW CORNER NWNE THEC E865.52' THEC S1088.06' THEC SELY469.25' THEC S40' THEC NE NE510.31' THEC N201.50' THEC NW69.64' THEC NELY279.94' THEC N289.21' THEC NW431.87' THEC W469.68' THEC N40' TO PT OF BEG: NENE & N40' E45' NENW 3.450 ACRES				
	(Note: Not to be used on legal documents)				

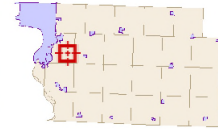
Date created: 8/30/2024
 Last Data Uploaded: 8/30/2024 3:35:16 PM

Developed by Schneider
 GEOSPATIAL

SPECIAL FLOOD HAZARD AREA (SFHA) MAP



Overview



Legend

- Roads
- ▭ Corp Boundaries
- ▭ Townships
- ▭ Subdivisions
- ▭ Parcels
- County Zoning**
- AE
- AP
- GC
- GC-PD
- GI
- LI
- LI-PD
- SR
- WR

Parcel ID	884726200002	Alternate ID	826876	Owner Address	COLYER JIMMIE LEE & RENEET COLYER
Sec/Twp/Rng	26-88-47	Class	A		1650 OLD HIGHWAY 141
Property Address		Acreege	3.42		SERGEANT BLUFF, IA 51054
District	0039				
Brief Tax Description	AN IRREG TCT BEG @ NW CORNER NWNE THEC E865.52' THEC S1088.06' THEC SELY469.25' THEC S40' THEC NE NE510.31' THEC N201.50' THEC NW69.64' THEC NELY279.94' THEC N289.21' THEC NW431.87' THEC W469.68' THEC N40' TO PT OF BEG: NENE & N40' E45' NENW 3.450 ACRES				
	<i>(Note: Not to be used on legal documents)</i>				

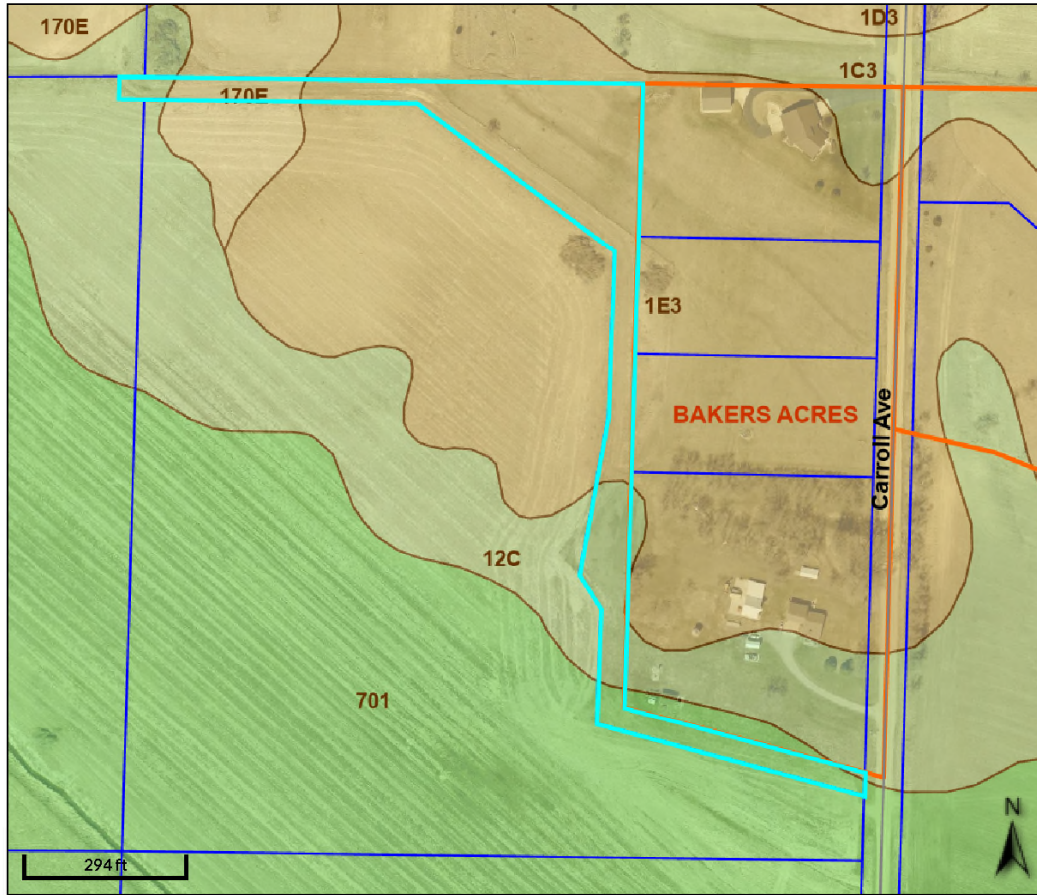
Date created: 8/30/2024
 Last Data Uploaded: 8/30/2024 3:35:16 PM

Developed by Schneider GEOSPATIAL

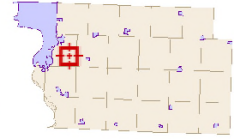
BASE FLOOD ELEVATION DATA

Not in floodplain. No data to report.

BeaconTM Woodbury County, IA / Sioux City



Overview



Legend

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

Parcel ID	884726200002	Alternate ID	826876	Owner Address	COLYER JIMMIE LEE & RENEE T COLYER
Sec/Twp/Rng	26-88-47	Class	A		1650 OLD HIGHWAY 141
Property Address		Acreage	3.42		SERGEANT BLUFF, IA 51054
District	0039				
Brief Tax Description	AN IRREG TCT BEG @ NW CORNER NWNE THEC E865.52' THEC S1088.06' THEC SELY469.25' THEC S40' THEC NE NE510.31' THEC N201.50' THEC NW69.64' THEC NELY279.94' THEC N289.21' THEC NW431.87' THEC W469.68' THEC N40' TO PT OF BEG: NENE & N40' E45' NENW 3.450 ACRES				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 8/30/2024
 Last Data Uploaded: 8/30/2024 3:35:16 PM

Developed by Schneider
 GEOSPATIAL

SOIL REPORT(S)

Woodbury County, IA / Sioux City

Summary

Parcel ID	884726200002		
Gross Acres	3.42		
ROW Acres	0.00		
Gross Taxable Acres	3.42		
Exempt Acres	0.00		
Net Taxable Acres	3.42	<i>(Gross Taxable Acres - Exempt Land)</i>	
Average Unadjusted CSR2	40.53	<i>(138.6 CSR2 Points / 3.42 Gross Taxable Acres)</i>	

Agland Active Config 2017 CSR2

Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	3.42	40.53	138.60	138.60
Non-Crop	0.00	0.00	0.00	0.00
Total	3.42		138.60	138.60

Soil Summary

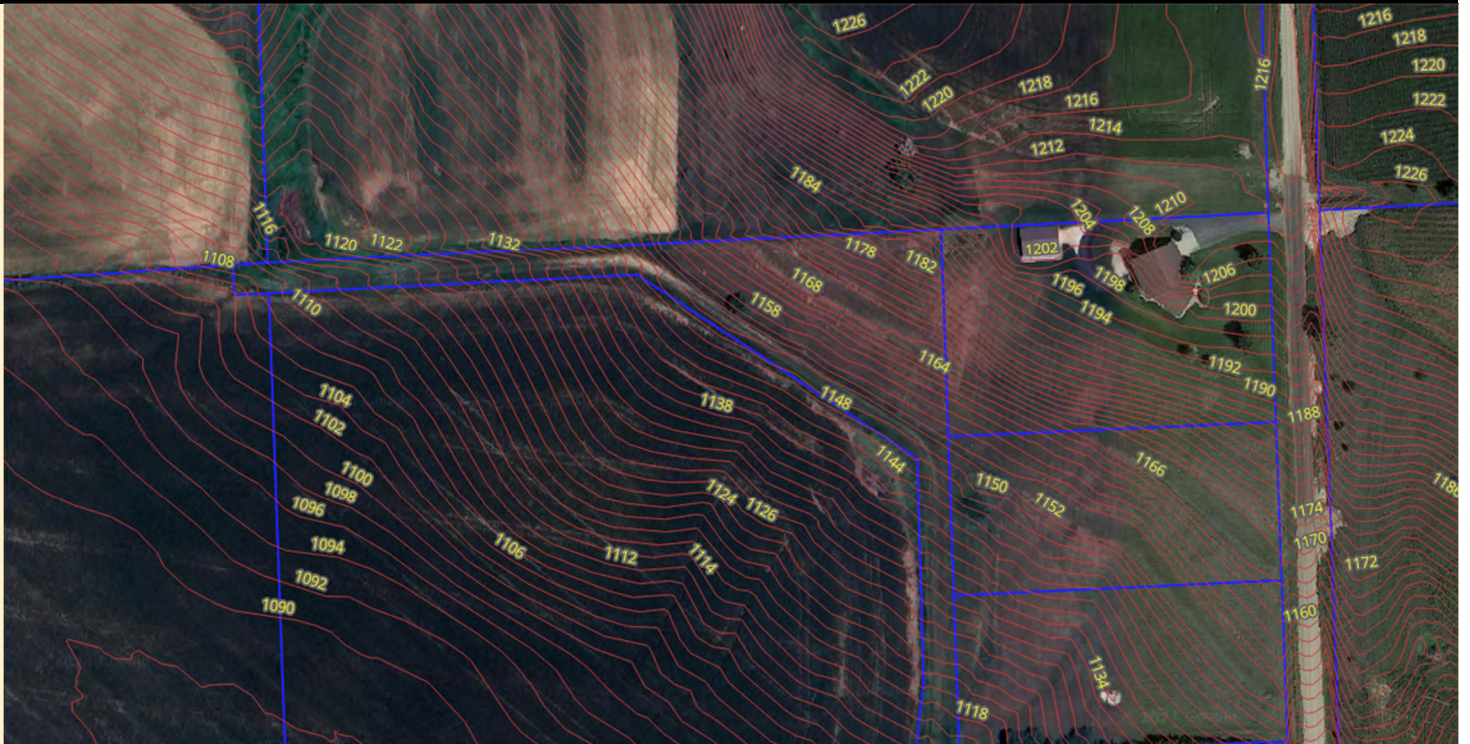
Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	0.58	51.62	51.62
100% Value	701	WILSEY SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODE	79.00	0.46	36.34	36.34
100% Value	170E	NAPIER-CASTANA SILT LOAMS, 9 TO 20 PERCENT SLOPES	57.00	0.20	11.40	11.40
100% Value	1E3	IDA SILT LOAM, 14 TO 20 PERCENT SLOPES, SEVERELY ERODED	18.00	2.18	39.24	39.24
Total				3.42	138.60	138.60

The maps and data available for access at this website are provided "as is" without warranty or any representation of accuracy, timeliness, or completeness. There are no warranties, expressed or implied, as to the appropriate use of the maps and data or the fitness for a particular purpose. The maps and associated data at this website do not represent a survey. No liability is assumed for the accuracy of the data delineated on any map, either expressed or implied.
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Contact Us



ELEVATION MAP



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

Date: 6/27/24 Weekly Agenda Date: 7/2/24

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: <u>Supervisor Keith Radig</u>		
WORDING FOR AGENDA ITEM: <u>Motion to direct the Zoning Commission to look at the zoning of nuclear energy.</u>		
ACTION REQUIRED:		
Approve Ordinance <input type="checkbox"/>	Approve Resolution <input type="checkbox"/>	Approve Motion <input checked="" type="checkbox"/>
Public Hearing <input type="checkbox"/>	Other: Informational <input type="checkbox"/>	Attachments <input type="checkbox"/>

EXECUTIVE SUMMARY:

This directs the Zoning Commission to look at the zoning of nuclear energy as a potential energy option in Woodbury County.

BACKGROUND:

The Zoning Commission shall explore the zoning potential of nuclear energy as a potential option.

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:

Approve the motion.

ACTION REQUIRED / PROPOSED MOTION:

Motion to direct the Zoning Commission to look at the zoning of nuclear energy.

Approved by Board of Supervisors April 5, 2016.

DISCUSSION AND PLANNING PROCESS FOR NUCLEAR ENERGY TO BE CONSIDERED FOR ADDITION TO WOODBURY COUNTY ZONING ORDINANCE (INFORMATION / DISCUSSION ITEM) SUMMARY:

The Woodbury County Board of Supervisors at their meeting on July 2, 2024 voted to direct the Zoning Commission to begin the process of exploring nuclear energy as a potential energy option in Woodbury County. This information item is for a discussion on how to proceed with future work sessions and public hearings.

Initial Information about Nuclear

The following is provided for initial informational purposes. The goal is to examine both standard nuclear power plants and small modular reactors as potential energy opportunities in the unincorporated areas in Woodbury County.

Nuclear Power Plant –

- A nuclear power plant is a thermal power station that harnesses energy from nuclear fuel fission. Here's how it works: the heat released during fission boils water, producing steam. This steam drives a turbine connected to a generator, ultimately producing electricity.

Small Modular Reactors (SMR) –

- Type of advanced nuclear reactor designed to be smaller in size and capacity compared to traditional nuclear reactors.
- Characteristics:
 - o Small Size. SMRs have a power capacity of up to 30 MW per unit, which is about one-third of the capacity of conventional nuclear reactors.
 - o Modular Construction. These reactors are designed to be factory-assembled and transported to the site for installation.
 - o Flexibility. SMRs can be deployed in single or multiple modules, making them suitable for a variety of application, including industrial use and remote areas with limited grid capacity.
 - o Safety. Many SMR designs incorporate passive safety features, which rely on natural physical processes rather than active controls to ensure safety.

Articles Links:

- *Nuclear Power Plan Licensing Process*
 - o <https://www.nrc.gov/reading-rm/doc-collections/fact-sheets/licensing-process-fs.html>
- *Office of Nuclear Material Safety and Safeguards*
 - o <https://scp.nrc.gov/>
- *Governing Legislation*
 - o www.nrc.gov/about-nrc/governing-laws.html
- *Fact Sheet: Biden-Harris Administration Announces New Steps to Bolster Domestic Nuclear Industry and Advance America's Clean Energy Future*
 - o <https://www.whitehouse.gov/briefing-room/statements-releases/2024/05/29/fact-sheet-biden-harris-administration-announces-new-steps-to-bolster-domestic-nuclear-industry-and-advance-americas-clean-energy-future/>
- *Without a plant currently operating in Iowa, does nuclear energy have a future in the state?*
 - o <https://www.weareiowa.com/article/tech/science/climate-change/nuclear-energy-in-iowa-future-developments-midamerican/524-aaed2ac4-7c3b-406a-a84b-c6e356b181ee>
- *Newly Signed Bill Will Boost Nuclear Reactor Deployment in the United States*
 - o <https://www.energy.gov/ne/articles/newly-signed-bill-will-boost-nuclear-reactor-deployment-united-states#:~:text=President%20Biden%20signed%20the%20Fire,t%20seen%20since%20the%201970s.>
- *What is a Nuclear Microreactor?*
 - o <https://www.energy.gov/ne/articles/what-nuclear-microreactor>
- *Micro-reactor Pilot Program*
 - o <https://www.eielson.af.mil/microreactor/>
- *Project PELE Mobile Nuclear Reactor*
 - o https://www.cto.mil/pele_eis/
- *NRC Dockets Construction Permit Application for TerraPower's Natrium Reactor*
 - o <https://www.energy.gov/ne/articles/nrc-dockets-construction-permit-application-terrapowers-natrium-reactor>
- *What is High-Assay Low-Enriched Uranium (HALEU)?*
 - o <https://www.energy.gov/ne/articles/what-high-assay-low-enriched-uranium-haleu>
- *4 Crucial Steps the Biden-Harris Administration is Taking to Secure a Nuclear Fuel Supply Chain*
 - o <https://www.energy.gov/ne/articles/4-crucial-steps-biden-harris-administration-taking-secure-nuclear-fuel-supply-chain>
- *New DOE and NRC Agreement Will Lead to Faster Deployment and Licensing of U.S. Nuclear Technologies*
 - o <https://www.energy.gov/ne/articles/new-doe-and-nrc-agreement-will-lead-faster-deployment-and-licensing-us-nuclear>
- *What are Small Modular Reactors (SMRs)?*
 - o <https://www.iaea.org/newscenter/news/what-are-small-modular-reactors-smrs>
- *Small modular reactors*
 - o <https://www.iaea.org/topics/small-modular-reactors>

Nuclear Energy Discussion

Nuclear energy power plants including their establishment is primarily governed by the United States Nuclear Regulatory Commission (NRC). The NRC has a significant amount of control over the permitting and operation of such plants. Companies who wish to get involved in nuclear must directly work with the NRC through the process of obtaining an “Early site permit (ESP).” An example of this process can be found at the following NRC website:

<https://www.nrc.gov/reactors/new-reactors/large-lwr/esp/north-anna.html>

This website illustrates the process for the North Anna Site that was submitted by Dominion Nuclear North Anna, LLC. It includes application information, a review schedule, a safety evaluation report, a final environmental impact statement, the North Anna Early Site Permit, and contacts. There is also a “combined license process” which includes construction and operation approvals. The applicants must provide detailed plans for the plant’s design, construction, and operation as well as safety measures. It is the duty of the NRC to thoroughly review the submissions. The following website includes a list of combined license applications for new reactors: <https://www.nrc.gov/reactors/new-reactors/large-lwr/col.html>

An example of a combined license can be found at this link for the North Anna, Unit 3 site: <https://www.nrc.gov/reactors/new-reactors/large-lwr/col/north-anna.html>. The application materials include: referenced documents; application information; review schedule; safety evaluations; early site permit; final supplemental environmental impact statement; combined licenses; related application information; and contacts. In the combined license process, the application is reviewed and includes a public participation process, safety and environmental reviews and compliance with the National Environmental Policy Act (NEPA). The NRC also is involved in design certification, construction and operation, and post-license oversight.

It appears at this time that the permitting process for nuclear power plants including modular is a multi-governmental complex process largely governed by the NRC. The Iowa legislature appears to have considered two study bills (House Study Bill 555 and Senate Study Bill 3075) which would designate modular nuclear as an alternative energy production facility in Iowa. For more information, there is a January 25, 2024 article written by Wally Taylor entitled “Iowa Utilities bill includes a good idea – and a lost cause”

<https://www.bleedingheartland.com/2024/01/25/iowa-utilities-board-bill-includes-a-good-idea-and-a-lost-cause/>

Role of the County

Presently, under Section 3.03.3 of the Zoning Ordinance, nuclear energy generation could be administratively interpreted as a utility use that is eligible for conditional use permit consideration by the Zoning Commission and Board of Adjustment in the General Industrial (GI) Zoning District. However, as the same section reads “the table in subsection 3.03.4 may be updated pursuant to the procedure outlined in Section 2.03 from time to time to reflect legislative acceptance or rejection of the interpretations of the zoning director.” (p. 31).

As nuclear and modular nuclear technological systems are evolving, Woodbury County is in a position to legislatively address the county's nuclear policy for clarification. At this time, in terms of county zoning the question is, do the citizens of Woodbury County view nuclear as a viable alternative energy option for the future? If so, are there areas within the county that would be most appropriate for nuclear power generation? Depending on the input from the public stakeholders and the industry, the Woodbury County Zoning Ordinance could potentially be updated to clearly clarify the permitting of future nuclear projects.

Based on the regulations as presented by the NRC and the State of Iowa including the Iowa Utilities Board, the county could choose to add "Nuclear Energy Generation" as a land use in Section 3.03.4 (Land Use Summary Table of Allowed Uses...) under the "Utilities" category as either a "Conditional Use" or a "Principal Allowed Use" in the General Industrial (GI) Zoning District in the Woodbury County Zoning Ordinance. Regardless of either a conditional use or a principal allowed use, the applicants must go through a rigorous permitting process through other levels of government.

It is apparent that nuclear energy is significant, complex, and consequential. As directed by the Board of Supervisors, the work of the Zoning Commission is to examine nuclear energy as an option for zoning. Hence, a Zoning Commission public hearing process can be employed to seek public comments and consider potential recommendations including possibly legislatively adding "nuclear energy generation" formally as an option to the Zoning Ordinance's land use summary table.

Stakeholder Comments:

On July 26, 2024, a letter was sent to over 120 Woodbury County stakeholders ranging from state, city, county and township officials, utilities, and other stakeholder organizations. They were requested to offer their initial thoughts about nuclear energy. As of August 22, 2024, a total of five (5) comments have been received for the record. The letter is available on the subsequent page followed by the comments.



WOODBURY COUNTY COMMUNITY & ECONOMIC DEVELOPMENT

620 Douglas St. - Sixth Floor - Sioux City, IA 51101 - Phone: 712.279.6609 - Fax: 712.279.6530 - Web: woodburycountyia.gov
Daniel J. Priestley, MPA - Zoning Coordinator - dpriestley@woodburycountyia.gov
Dawn Norton - Senior Clerk - dnorton@woodburycountyia.gov

July 26, 2024

Dear Woodbury County Stakeholder(s):

The Woodbury County Zoning Commission has been tasked to explore the addition of nuclear energy including modular nuclear facilities as a potential land use to the Woodbury County Zoning Ordinance.

Currently, we are requesting your insights, perspective, and input on this matter. Your participation will play a crucial role in shaping the future zoning regulations pertaining to the potential siting of nuclear energy plants in our community. Specifically, we are seeking your comments and recommendations regarding the following aspects:

Appropriate Locations / Zoning District Designation(s):

- Where do you believe nuclear energy facilities, including modular nuclear reactors, could be appropriately sited within the unincorporated areas of Woodbury County?
- Which zoning districts do you think would be most suitable for accommodating nuclear energy facilities (General Industrial, Agricultural Preservation, etc.)? See map included.
- Are there any specific considerations or criteria we should prioritize in these areas?

Impact Assessment:

- What potential impacts (economic, environmental, social) do you foresee with the introduction of nuclear energy facilities in our community?

Regulatory Framework:

- Are there any specific regulatory frameworks or best practices from other jurisdictions that you believe we should consider when updating our zoning ordinance to include nuclear energy?

Your perspective is highly valued in helping us make informed decisions that reflect the interests and concerns of all Woodbury County stakeholders involved. We aim to ensure that any changes to our zoning ordinance are comprehensive, inclusive, and aligned with both community needs and regulatory standards.

Please provide your initial feedback by **August 23, 2024 before 10:00 AM**. You can send your response to dpriestley@woodburycountyia.gov, Woodbury County Planning and Zoning, 620 Douglas St., Sixth Floor, Sioux City, IA 51101 or call 712-279-6609 to discuss this matter further.

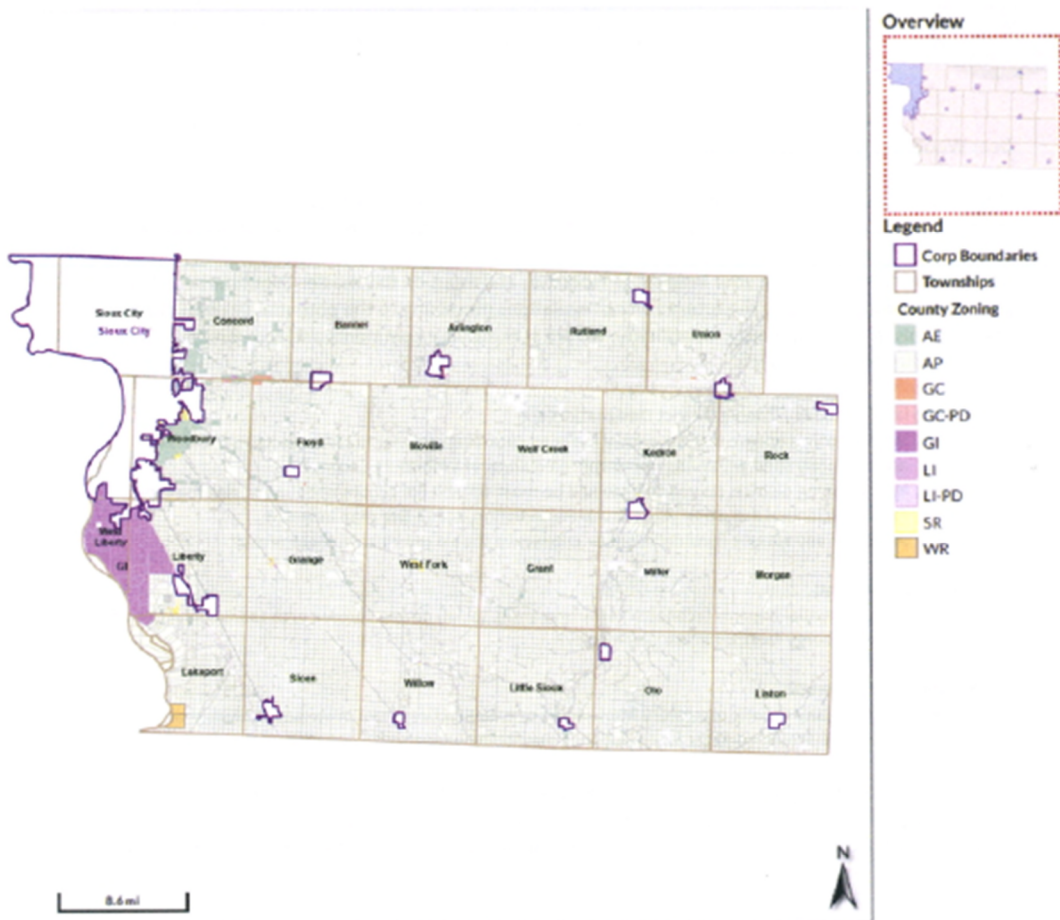
The Woodbury County Zoning Commission is in the introductory stage of this process. There will be an information / discussion agenda item at the next public meeting on **Monday, August 26 at 5:00 PM** at the Woodbury County Courthouse, 620 Douglas Street, Sioux City, IA, basement meeting area. Subsequently, public hearings and work sessions will be scheduled and announced at a future date.

Thank you in advance for your time and contribution to this important investigation. We look forward to hearing from you.

Respectfully and sincerely,

Daniel J. Priestley, MPA
Zoning Coordinator

Enclosure: Woodbury County Zoning Map



From: Wendi Hess
Sent: Wednesday, August 7, 2024 9:22 AM
To: Daniel Priestley
Subject: RE: Comments Requested Nuclear Energy in Woodbury County, Iowa

Follow Up Flag: Follow up
Flag Status: Flagged

Dan: In regards to the 911 Dispatch Center- having this type of facility in our response area would potentially create a need for additional training for our staff members along with participating in regular exercises and training related to potential emergencies at the facility. For us that would become a budgetary item needing to add training funds to our annual budget for overtime, etc related to the additional training activity that would be necessary. I am not sure if there are any specific certifications that would be required by our staff.

Thanks,
Wendi

Wendi Hess
Communications Center Director/Accreditation Manager
Woodbury County Communications
PO Box 447
Sioux City, IA 51102
Office: 712-279-6268
whess@sioux-city.org

Aug 6 2024
Woodbury Co. Planning & Zoning
I would like to say NO
to Any Nuclear facilities in
Woodbury County. Nuclear Waste
And Malfunctions can be Catastrophic

Thank You

Jerry Holder
105 D Street
Sergeant Bluff IA 51054



From: Bob Scott
Sent: Monday, July 29, 2024 9:44 AM
To: Daniel Priestley
Subject: RE: Comments Requested Nuclear Energy in Woodbury County, Iowa

I am all four a nuke plant in the area south of town. I am also for wind energy and solar farms. The construction of a nuclear plant would be a boon to our local economy. Nuclear plants are so highly regulated that we should not have to do much locally.

From: Mark Nahra
Sent: Friday, July 26, 2024 4:11 PM
To: Daniel Priestley
Subject: RE: Comments Requested Nuclear Energy in Woodbury County, Iowa

Follow Up Flag: Follow up
Flag Status: Flagged

Dan,

I gave this some thought, but reserve the opportunity to add to these comments at a later date. See my preliminary thoughts in **red**.

Mark J. Nahra, P.E.
Woodbury County Engineer
759 E. Frontage Road
Merville, IA 51039
Phone: 712-873-3215 or 712-279-6484
Fax: 712-873-3235
Email: mnahra@woodburycountyiowa.gov

From: Daniel Priestley <dpriestley@woodburycountyiowa.gov>
Sent: Friday, July 26, 2024 10:16 AM
To: Daniel Priestley <dpriestley@woodburycountyiowa.gov>
Subject: Comments Requested Nuclear Energy in Woodbury County, Iowa
Importance: High

Dear Woodbury County Stakeholder(s):

The Woodbury County Zoning Commission has been tasked to explore the addition of nuclear energy including modular nuclear technology as a potential land use to the Woodbury County Zoning Ordinance.

Currently, we are requesting your insights, perspective, and input on this matter. Your participation will play a crucial role in shaping the future zoning regulations pertaining to the potential siting of nuclear energy plants in our community. Specifically, we are seeking your comments and recommendations regarding the following aspects:

Appropriate Locations / Zoning District Designation(s):

- Where do you believe nuclear energy facilities, including modular nuclear reactors, could be appropriately sited within the unincorporated areas of Woodbury County? **I think the General industrial zoning areas are the best for these facilities with the exception of allowing such a facility to be located within a city's two mile jurisdictional area. Communities desiring to control their own power generation should be able to expand into the rural area from their current boundaries to their two mile jurisdictional limits. When we lived in Tipton, IA, we lived in a community with its own electric generation capacity. I don't feel the county ordinance should interfere with communities' efforts to be energy self-sufficient.**

- Which zoning districts do you think would be most suitable for accommodating nuclear energy facilities (General Industrial, Agricultural Preservation, etc.)? See map included. **General industrial plus portions of districts bordering cities as noted above.**
- Are there any specific considerations or criteria we should prioritize in these areas? **On site security should be a priority to prevent sabotage to nuclear generation plants. I am not sure what this looks like as I sit here today, but feel it should be noted as a consideration in developing site selection standards. Additional concerns may include items like standoff from existing/future housing, distances from water or wastewater treatment facilities, land drainage characteristics, offsets from highways and public properties.**

Impact Assessment:

- What potential impacts (economic, environmental, social) do you foresee with the introduction of nuclear energy facilities in our community? **Less costly, clean energy for county residents and our city dwellers. I don't see a downside to allowing nuclear to develop within the county. I think public perception of the safety of such plants will be a huge issue for entities seeking to develop nuclear power generation.**

Regulatory Framework:

- Are there any specific regulatory frameworks or best practices from other jurisdictions that you believe we should consider when updating our zoning ordinance to include nuclear energy? **Depending upon the size of the reactor and its construction needs, the county should require a Road agreement to assure restoration of county roads damaged by nuclear plant construction. The road agreement for wind generation can, and should be utilized, for nuclear plant construction to assure taxpayers aren't left holding the bag for energy plant construction.**

From: Meinen, Casey (MidAmerican) <Casey.Meinen@midamerican.com>
Sent: Friday, July 26, 2024 10:33 AM
To: Daniel Priestley
Subject: RE: [INTERNET] Comments Requested Nuclear Energy in Woodbury County, Iowa

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.**

Daniel,

I have forwarded this to company Management for their input.

Have a great weekend.

Casey Meinen
Lead, Electric Distribution Engineering
Casey.meinen@midamerican.com

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

ORDINANCE NO. _____

WOODBURY COUNTY, IOWA

AN ORDINANCE AMENDING THE TEXT OF THE WOODBURY COUNTY ZONING ORDINANCE TO INCLUDE THE USE OF NUCLEAR ENERGY FACILITIES AS AN ENERGY OPTION IN WOODBURY COUNTY AND TO ALLOW FOR THE ESTABLISHMENT OF SUCH FACILITIES IN INDUSTRIAL ZONING AREAS AND TO AMEND PORTIONS OF: THE TABLE OF CONTENTS; TO ADD ANEW SECTION ENTITLED SECTION 5.09: NUCLEAR ENERGY FACILITIES CONDITIONAL USE; AND TO INCLUDE THE RENUMBERING OF PAGE NUMBERS.

WHEREAS, WOODBURY COUNTY IS COMMITTED TO SUPPORTING SUSTAINABLE AND RELIABLE ENERGY SOLUTIONS THAT ENSURE LONG-TERM ENVIRONMENTAL AND ECONOMIC BENEFITS FOR ITS RESIDENTS AND BUSINESSES; AND

WHEREAS, NUCLEAR ENERGY IS RECOGNIZED AS A EFFECTIVE METHOD OF PRODUCING BASELOAD ENERGY THAT IS CARBON-FREE AND CAPABLE OF MEETING THE GROWING DEMAND FOR CLEAN ENERGY IN BOTH RESIDENTIAL AND INDUSTRIAL SECTORS; AND

WHEREAS, ADVANCEMENTS IN NUCLEAR TECHNOLOGY, INCLUDING SMALL MODULAR REACTORS (SMRS) AND OTHER INNOVATIVE DESIGNS, PROVIDE A SAFER, MORE EFFICIENT, AND MORE FLEXIBLE OPTION FOR ENERGY GENERATION COMPARED TO TRADITIONAL NUCLEAR PLANTS, MAKING THEM A VIABLE ADDITION TO THE COUNTY'S ENERGY PORTFOLIO; AND

WHEREAS, THE COUNTY ACKNOWLEDGES THE POTENTIAL FOR ECONOMIC GROWTH THROUGH THE DEVELOPMENT OF NUCLEAR ENERGY FACILITIES, INCLUDING JOB CREATION, INCREASED INVESTMENT IN LOCAL INFRASTRUCTURE, AND A BROADENED TAX BASE; AND

WHEREAS, WOODBURY COUNTY SEEKS TO DIVERSIFY ITS ENERGY RESOURCES TO PROMOTE RESILIENCE, ENERGY INDEPENDENCE, AND STABILITY IN ENERGY PRICING FOR ITS RESIDENTS AND INDUSTRIES; AND

WHEREAS, THE SITING OF NUCLEAR ENERGY FACILITIES IN GENERAL INDUSTRIAL ZONING AREAS WILL ALLOW FOR BETTER LAND USE PLANNING BY UTILIZING SPACES ALREADY DESIGNATED FOR LARGE-SCALE INDUSTRIAL OPERATIONS, MINIMIZING POTENTIAL CONFLICTS WITH RESIDENTIAL OR AGRICULTURAL AREAS, AND ENSURING THE AVAILABILITY OF APPROPRIATE INFRASTRUCTURE TO SUPPORT SUCH FACILITIES; AND

WHEREAS, THE COUNTY IS COMMITTED TO ENSURING THAT ANY NUCLEAR ENERGY FACILITIES COMPLY WITH FEDERAL AND STATE SAFETY STANDARDS, AS WELL AS LOCAL REGULATIONS, TO PROTECT THE HEALTH, SAFETY, AND WELFARE OF THE PUBLIC AND THE ENVIRONMENT; AND

WHEREAS, THE PASSAGE OF THIS ORDINANCE WILL PROVIDE THE FRAMEWORK FOR THE REVIEW AND APPROVAL OF CONDITIONAL USE PERMITS FOR NUCLEAR ENERGY FACILITIES WITHIN INDUSTRIAL ZONES, ENSURING THAT EACH PROJECT IS CONSIDERED ON A CASE-BY-CASE BASIS WITH INPUT FROM THE COMMUNITY, REGULATORY BODIES, AND EXPERTS;

NOW, THEREFORE, BE IT RESOLVED BY THE WOODBURY COUNTY BOARD OF SUPERVISORS:

SUPPORT FOR NUCLEAR ENERGY: WOODBURY COUNTY AFFIRMS ITS SUPPORT FOR THE DEVELOPMENT OF NUCLEAR ENERGY FACILITIES AS PART OF ITS LONG-TERM ENERGY STRATEGY TO MEET CLEAN ENERGY GOALS AND FOSTER ECONOMIC GROWTH.

DESIGNATION OF GENERAL AND LIMITED INDUSTRIAL ZONES: THE COUNTY APPROVES THE AMENDMENT TO ITS ZONING ORDINANCE TO ALLOW NUCLEAR ENERGY FACILITIES AS A CONDITIONAL USE IN GENERAL AND LIMITED INDUSTRIAL ZONES, ENSURING THAT SUCH FACILITIES ARE APPROPRIATELY LOCATED WITHIN AREAS DESIGNED FOR INDUSTRIAL ACTIVITIES.

CONDITIONAL USE PERMIT PROCESS: THE COUNTY WILL ESTABLISH A TRANSPARENT AND RIGOROUS PROCESS FOR THE EVALUATION OF CONDITIONAL USE PERMITS FOR NUCLEAR ENERGY FACILITIES, WHICH WILL INCLUDE ENVIRONMENTAL ASSESSMENTS, SAFETY REVIEWS, AND PUBLIC HEARINGS TO ADDRESS ANY CONCERNS.

COMMITMENT TO SAFETY AND COMPLIANCE: THE COUNTY WILL ENSURE THAT ALL NUCLEAR ENERGY FACILITIES COMPLY WITH APPLICABLE FEDERAL, STATE, AND LOCAL REGULATIONS, PARTICULARLY REGARDING SAFETY, ENVIRONMENTAL PROTECTION, AND EMERGENCY PREPAREDNESS.

PUBLIC ENGAGEMENT AND EDUCATION: THE COUNTY WILL WORK TO INFORM AND ENGAGE THE PUBLIC ON THE BENEFITS AND SAFETY MEASURES ASSOCIATED WITH NUCLEAR ENERGY, PROVIDING OPPORTUNITIES FOR COMMUNITY INPUT THROUGHOUT THE PROCESS.

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:

On page 39: To add the following line-item use language within zoning ordinance Section 3.03.4 *Land Use Summary Table of Allowed Uses in each Zoning District* under the “Utilities” category:

“Nuclear Energy Facilities”. With placement of the letter “C” within the (Limited Industrial), and GI (General Industrial) zoning districts columns on the table related to this line-item use.

On page 104: To add the following definition, “Nuclear Facility” as definition 112 to Article 6. Definitions. Section 6.02: Definitions as “112. Nuclear Energy Facility” includes any facility designed for the generation of electricity or power through nuclear fission or fusion, as well as any associated storage or handling of nuclear materials and waste in compliance with federal and state regulatory requirements.”

Amendment #2:

In the Table of Contents, on page iii: To add “Section 5.09: Nuclear Energy Facilities Conditional Use” under the Article 5, Supplemental Requirements category(PAGE NUMBER).

Amendment #3:

Beginning on page 92, to re-designate or re-number the definitions in Article 6. Definitions. Section 6.02: Definitions 112 through 191. The purpose is to add “Nuclear Energy Facilities” as definition 112 thereby pushing the existing definitions 112 through 191 ahead one position with Article 6. Definitions. Section 6.02 now including definitions 1 through 192.

Beginning on page 82, to amend Article 6. Definitions by moving the start page from page ____ to page ____.

Amendment #4:

Beginning on Page 97, to add the following section to be known as “Section 5.09: Nuclear Energy Facilities Conditional Use.”

Section 5.09: Nuclear Energy Facilities Conditional Use

1. **Purpose.** This section is established to regulate the siting, development, and operation of nuclear energy facilities, including but not limited to nuclear power plants and small modular reactors (SMRs), within Woodbury County. The intent is to ensure public health, safety, environmental protection, and compliance with federal and state regulations, while facilitating orderly land use and development.
2. **Definition.** For the purposes of this ordinance, a “Nuclear Energy Facility” includes any facility designed for the generation of electricity or power through nuclear fission or fusion, as well as any associated storage or handling of nuclear materials and waste in compliance with federal and state regulatory requirements.
3. **General Requirements for Conditional Use Permit (CUP) Approval**
 - A. **Compliance with Federal and State Regulations**
 - (1) All nuclear energy facilities must comply with regulations set forth by the Nuclear Regulatory Commission (NRC), the Environmental Protection Agency (EPA), and the Iowa Department of Natural Resources (IDNR), including but not limited to licensing, environmental impact assessments, waste management, and operational safety.
 - (2) Applicants must provide evidence of approval or pending approval from the NRC, including required licensing documentation for the proposed facility.
 - B. **Environmental Impact**
 - (1) Applicants shall conduct a comprehensive Environmental Impact Statement (EIS) in accordance with the National Environmental Policy Act (NEPA) and state-level environmental regulations, demonstrating minimal adverse effects on air and water quality, soil, wildlife habitats, and surrounding land uses.
 - (2) The applicant must submit a mitigation plan outlining how environmental impacts will be managed and minimized, including measures for water usage, waste containment, and radiation control.
 - C. **Safety, Security, and Emergency Response**
 - (1) A detailed Emergency Response Plan must be submitted, reviewed, and approved by Woodbury County’s Emergency Management Department in coordination with state and federal authorities. This plan must address potential radiation leaks, natural disasters, fire, and other hazards.
 - (2) The facility shall include 24/7 security, perimeter fencing, surveillance systems, and controlled access points as required by NRC guidelines for nuclear facilities.
 - (3) The facility operator must provide ongoing safety training for county emergency services personnel and coordinate regular emergency response drills.
 - D. **Nuclear Waste Storage and Transportation**

- (1) The storage and transportation of nuclear materials and waste must be in full compliance with federal standards outlined by the NRC and Department of Transportation (DOT), including regulations regarding the safe handling, containment, and transportation of radioactive materials.
- (2) A long-term waste management plan shall be submitted as part of the CUP application, detailing storage solutions, transportation routes, and potential impacts on local infrastructure and communities.

E. Decommissioning Plan

- (1) A detailed decommissioning plan must be submitted, outlining procedures for safely shutting down the facility at the end of its operational life. The plan shall include financial assurance mechanisms (such as bonds or escrow accounts) to ensure the proper removal of radioactive materials and the restoration of the site to its original condition.

4. Conditions for Approval

- A. The County may impose additional conditions, restrictions, or safeguards to ensure compatibility with surrounding land uses and protect the health, safety, and welfare of the public.
- B. Approval of the CUP may be conditioned upon periodic review by the County to verify ongoing compliance with applicable regulations and conditions of the permit.

5. Revocation of Permit

- A. The conditional use permit may be revoked by the County if the facility is found to be in violation of any applicable federal, state, or local regulation, or if any conditions of approval are not met. The County reserves the right to impose corrective actions or suspend operations as necessary to protect public welfare.

THE WOODBURY COUNTY BOARD OF SUPERVISORS

Matthew Ung, Chairman

Daniel Bittinger II, Vice-Chairman

Mark Nelson

Keith Radig

Jeremy Taylor

Attest:

Patrick Gill, Woodbury County Auditor

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 PLANNING & ZONING

620 Douglas Street, Sixth Floor, Sioux City, Iowa 51101
712.279.6609 – 712.279.6530 (Fax)

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

Dawn Norton – Senior Clerk
dnorton@woodburycountyiowa.gov

PRELIMINARY REPORT – SEPTEMBER 18, 2024

THREE PRIVATE WIND TURBINES – CONDITIONAL USE PERMIT PROPOSAL

APPLICATION DETAILS	
Applicant(s)/Owner(s):	L & K Tabke Holdings LLC
Application Type:	Conditional Use Permit
Zoning District:	Agricultural Preservation (AP)
Total Acres:	76.02
Current Use:	Agricultural
Proposed Use:	Agricultural (Wind Power)
Pre-application Meeting:	August, 2024
Application Date:	September 1, 2024
Legal Notice Date:	September 21, 2024
Neighbor(s) Notice Date:	September 18, 2024
Stakeholder(s) Notice Date:	September 4, 2024
Zoning Commission Review:	September 23, 2024
Board of Adjustment Public Hearing:	October 7, 2024

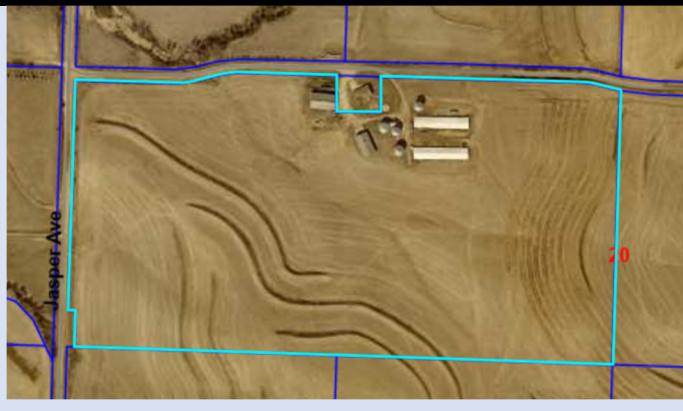
PROPERTY DETAILS	
Parcel(s):	884420300005
Township/Range:	T88N R44W (Wolf Creek)
Section:	20
Quarter:	N ½ of the SW 1/4
Zoning District:	Agricultural Preservation (AP)
Floodplain:	Zone X (Not in floodplain)
Property Address:	3112 195 th St., Moville, IA 51039 (Abutting Parcel)

CONTENTS	
Summary	
Aerial Map / Site Plan Excerpt	
Review Requirements	
Review Criteria	
Application Materials	
Legal Notification	
Public Comments	
Stakeholder Comments	
Supporting Information	

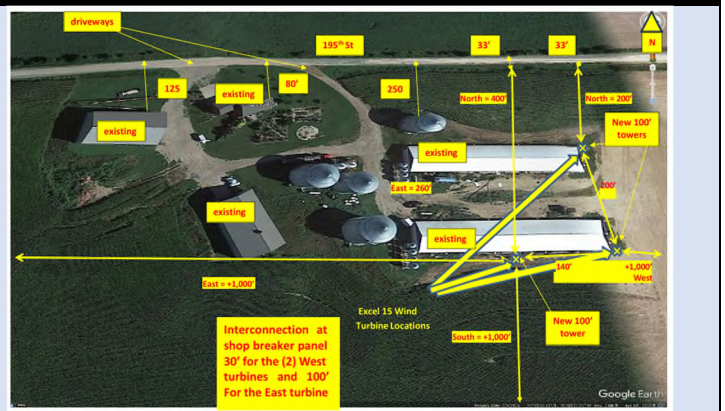
SUMMARY

L & K Tabke Holdings, LLC (Kathy Tabke) has filed a conditional use permit application for the installation and use of three (3) 100' wind turbines to reduce the electrical costs on the farm. The proposed locations are around 5.2 miles southeast of Moville which is on the south side of 195th Street and east of Jasper Avenue. The property is located in the Agricultural Preservation (AP) Zoning District and "Electric wind generator (Private use)" is classified as a "conditional use" in Section 3.03.4 of the Woodbury County Zoning Ordinance which is eligible for review by the Zoning Commission and for consideration for approval by the Board of Adjustment for a conditional use permit. This proposal has been properly noticed in the Sioux City Journals legal section on September 21, 2024. The neighbors within 500 FT were duly notified via a September 18, 2024 letter about the October 7, 2024 Board of Adjustment public hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been requested to comment. Based on the information received and the requirements set forth in the Zoning Ordinance, the proposal can meet the criteria for approval of the conditional use permit.

AERIAL MAP



SITE PLAN EXCERPT



STAFF RECOMMENDATION & SUGGESTED MOTION

Based on the information received and the requirements set forth in the Zoning Ordinance, the proposal can meet the criteria for approval of the conditional use permit. Motion to recommend approval of the conditional use permit request to the Board of Adjustment.

ZONING ORDINANCE CRITERIA FOR BOARD APPROVAL

Conditional Use Permits are 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:

Applicant wishes to install (3) 100' wind turbine towers to reduce the electrical costs on his farm.

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

Attached.

CRITERIA 1: The conditional use requested is authorized as a conditional use in the zoning district within 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 land is zoned Ag and the applicant is surrounded by several hundred acres of his own farm land as can be seen from the abstract. The closest turbine is 200' from the nearest road and it appears that it meets the standard for approval of a conditional use permit.

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:

This use and development promotes the use of renewable energy and helps us protect our environment for future generations without imposing any burden on surrounding neighbors.

STAFF ANALYSIS:

The proposed use of the three (3) wind turbines on the 100 FT support tower is compatible with the Woodbury County's Comprehensive Plan 2040 including to "support landowners' individual choices to implement renewable energy infrastructure for personal and private use" (p. 127).

(https://www.woodburycountyiowa.gov/files/community_economic_development/woodbury_county_comprehensive_plan_2040_89417.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:

Due to the rural location and the sparse population nearby the project will have no adverse affect on public health, safety and general welfare.

STAFF ANALYSIS:

Based on the site plan and information presented, this project does not appear to have significant impacts on adjacent properties including the character of the neighborhood, traffic conditions, parking, utilities facilities, and other factors affecting public health, safety, and the general welfare of the public.

CRITERIA 4: The proposed use and development will be located, designed, constructed and operated 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:

By locating the turbines on 100' towers they are able to take advantage of the higher winds aloft and also avoid turbulence from any nearby buildings or trees and will not interfere with the surrounding property.

STAFF ANALYSIS:

There does not appear to be significant impacts to the immediate neighborhood including impacts to the orderly use, development and improvement of surrounding property.

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:

The towers and turbines do not consume any public services and will actually offset approximately 100,000 gallons of water annually that would otherwise be used in the generation of electricity that the turbines will save.

STAFF ANALYSIS:

The property owner(s) will need to work out the details with the local utility in terms of their respective interconnection agreement.

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:

There are no nearby natural, scenic or historic features

STAFF ANALYSIS:

There 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).

STAFF ANALYSIS:

This proposed conditional use is an optional feature that has been added to the property for the benefit of the property owner(s).

OTHER CONSIDRATION 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).

STAFF ANALYSIS:

The appearance of a private wind turbine tower speaks for itself. At a height of 100 FT, there likely is no level of building, site design, landscaping, and screening available to conceal its effects.

PER SECTION 2.02(9)(C)(2 (d) PROVIDE A SPECIFIC DESCRIPTION OF THE PROPOSED CONDITIONAL USE: (Tab at the end of each line to continue)

Applicant wishes to install (3) 100' wind turbine towers to reduce the electrical costs on his farm.

PER SECTION 2.02(9) (C)(2)(e) PROVIDE A MAP DRAWN TO SCALE, SHOWING THE SUBJECT PROPERTY, ALL STRUCTURES AND OTHER IMPROVEMENTS, WITH THE PROPOSED CONDITIONAL USE IDENTIFIED PER STRUCTURE OR IMPROVEMENT . PROVIDE BY ATTACHMENT. [Attached](#)

PER SECTION 2.02(9) (C)(2)(e) PROVIDE A STATEMENT IN RESPONSE TO EACH OF SIX BELOW CRITEREA AND STANDARDS FOR APPROVAL OF CONDITIONAL USES AS LISTED IN SECTION 2.02(9)F OF THE ORDINANCES. (Tab at the end of each line to continue)

- (a) Provide a statement to why you feel the conditional use requested is authorized as a conditional use in the zoning district within which the property is located and that any specific conditions or standards described as part of that authorization have been or will be satisfied.

The land is zoned Ag and the applicant is surrounded by several hundred acres of his own farm land as can be seen from the abstract. The closest turbine is 200' from the nearest road and it appears that it meets the standard for approval of a conditional use permit.

- (b) Provide a statement to why 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.

This use and development promotes the use of renewable energy and helps us protect our environment for future generations without imposing any burden on surrounding neighbors.

- (c) Provide a statement to why 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. **Due to the rural location and the sparse population nearby the project will have no adverse affect on public health, safety and general welfare.**

- (d) Provide a statement to why the proposed use and development will be located, designed, constructed and operated 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. **By locating the turbines on 100' towers they are able to take advantage of the higher winds aloft and also avoid turbulence from any nearby buildings or trees and will not interfere with the surrounding property.**

(e) Provide a statement to why essential public facilities and services will adequately serve the proposed use or development.

The towers and turbines do not consume any public services and will actually offset approximately 100,000 gallons of water annually that would otherwise be used in the generation of electricity that the turbines will save.

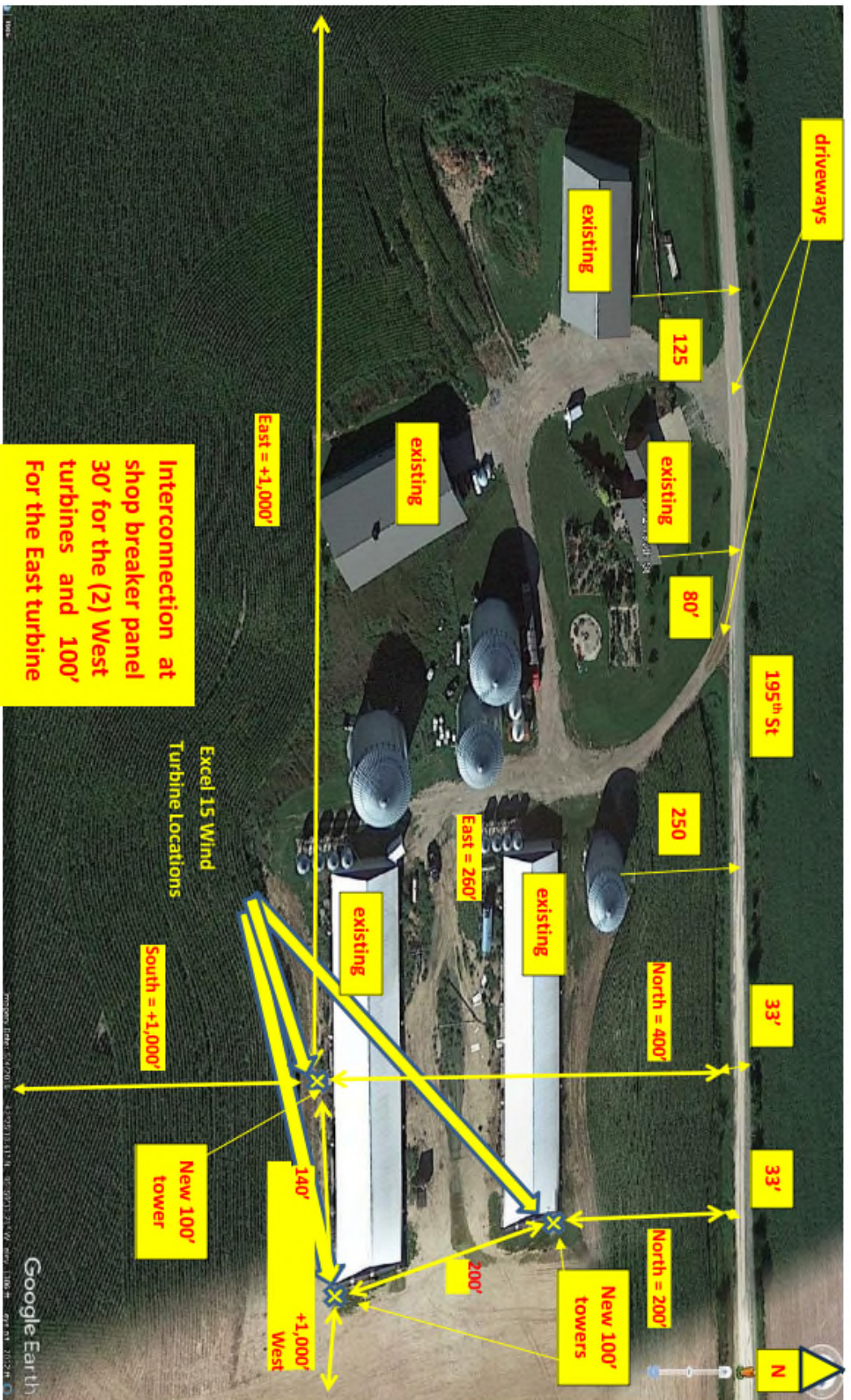
(f) Provide a statement to why the proposed use or development will not result in unnecessary adverse effects upon any significant natural, scenic or historic features of the subject property or adjacent properties.

There are no nearby natural, scenic or historic features

L&K Tabke Farms LLC Wind Turbine Locations
3112 195th St., Merville, IA



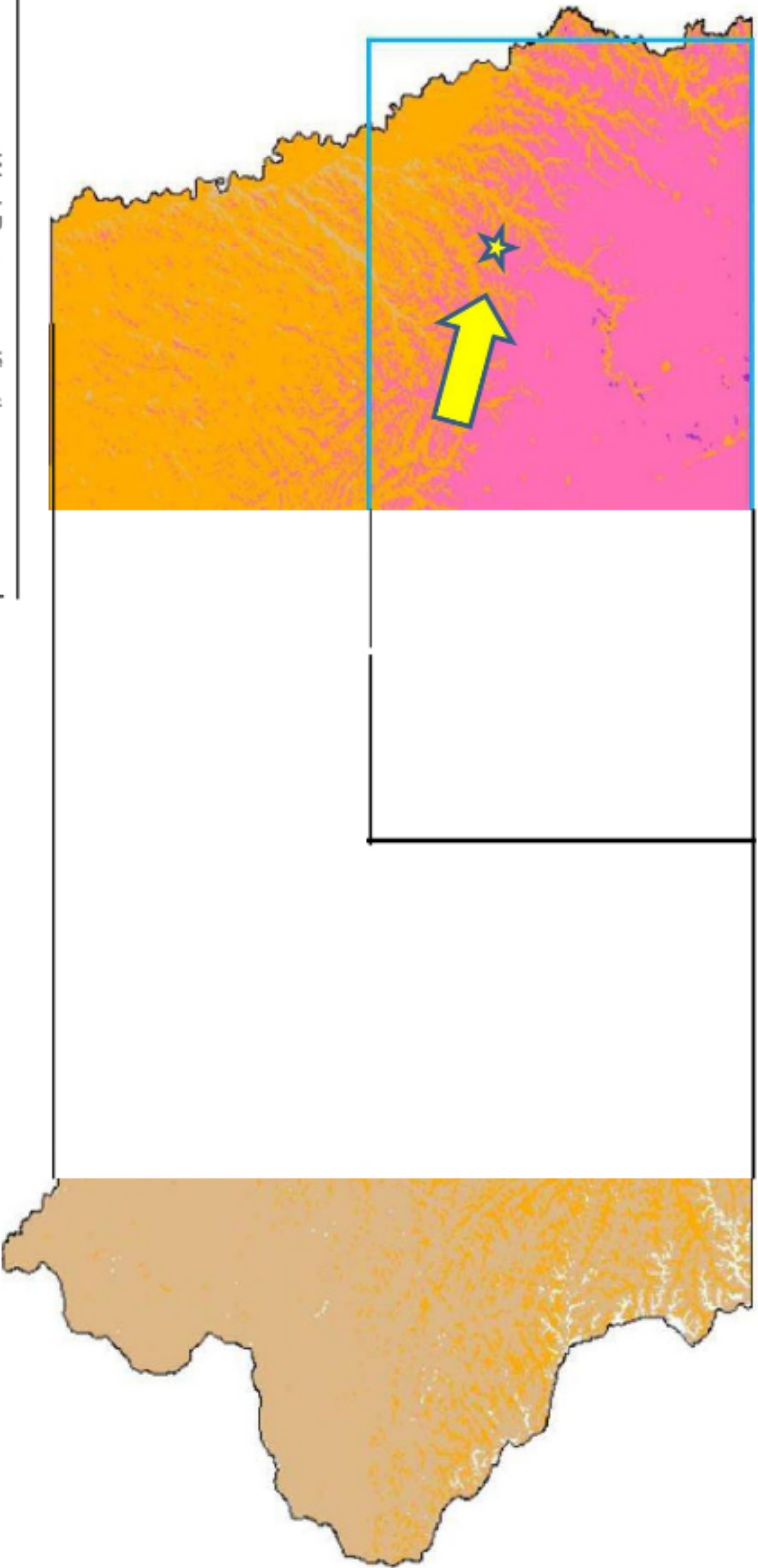
The turbine locations are ideal with wide open unobstructed space in all directions. In particular, the prevailing winds from the North and South are wide-open for miles. The Iowa 50m wind map indicates the area is in the range of 7-7.5 m/s or 15.7-16.8 mph, which for a small turbine like the Excel 15 is an excellent wind resource. This map was compiled by NREL using historical data. The turbine site analysis was performed by Cody Buhrman with American Windpower. Cody has sighted hundreds of wind turbines in his +10-year wind energy career and is acknowledged as a small wind turbine expert.



Approximately 200' from the North property line (road) and 260' +1,000' from the West, East and South property lines

The Wind Turbine is the Excel 15 manufactured by Bergey Windpower. It has a rated output of 15KW in an 11 m/s wind speed. The underground electrical wiring is approximately 100', 30' and 30' from the tower bases to the synchronous inverters located in the barns as indicated on the drawing. At the barns the wiring will enter the inverter and then exit into an accessible, lockable disconnect and then into the utility electric meter. The Electric Utility is Woodbury County REC in Merville, IA.

Iowa - Annual Wind Power at 50-m Height



Wind Power Classification

Wind Power Class	Resource Potential	Wind Power Density at 50m W/m ²	Wind Speed at 50m ft	Wind Speed at 50m ft
1	0.0-2000	0.0-5.6	0.0-12.5	0.0-12.5
2	2000-3000	5.6-6.4	12.5-13.3	12.5-13.3
3	3000-4000	6.4-7.0	14.3-15.7	14.3-15.7
4	4000-5000	7.0-7.5	15.7-16.8	15.7-16.8
5	5000-6000	7.5-8.0	16.8-17.9	16.8-17.9
6	6000-8000	8.0-8.8	17.9-19.7	17.9-19.7
7	> 8000	> 8.8	> 19.7	> 19.7

Wind Power Classification

Wind Power Classification





NORTH

Turbine 1



EAST

Turbine 1

SOUTH



Turbine 1

WEST



Turbine 1

NORTH



Turbine 2

EAST



Turbine 2

SOUTH

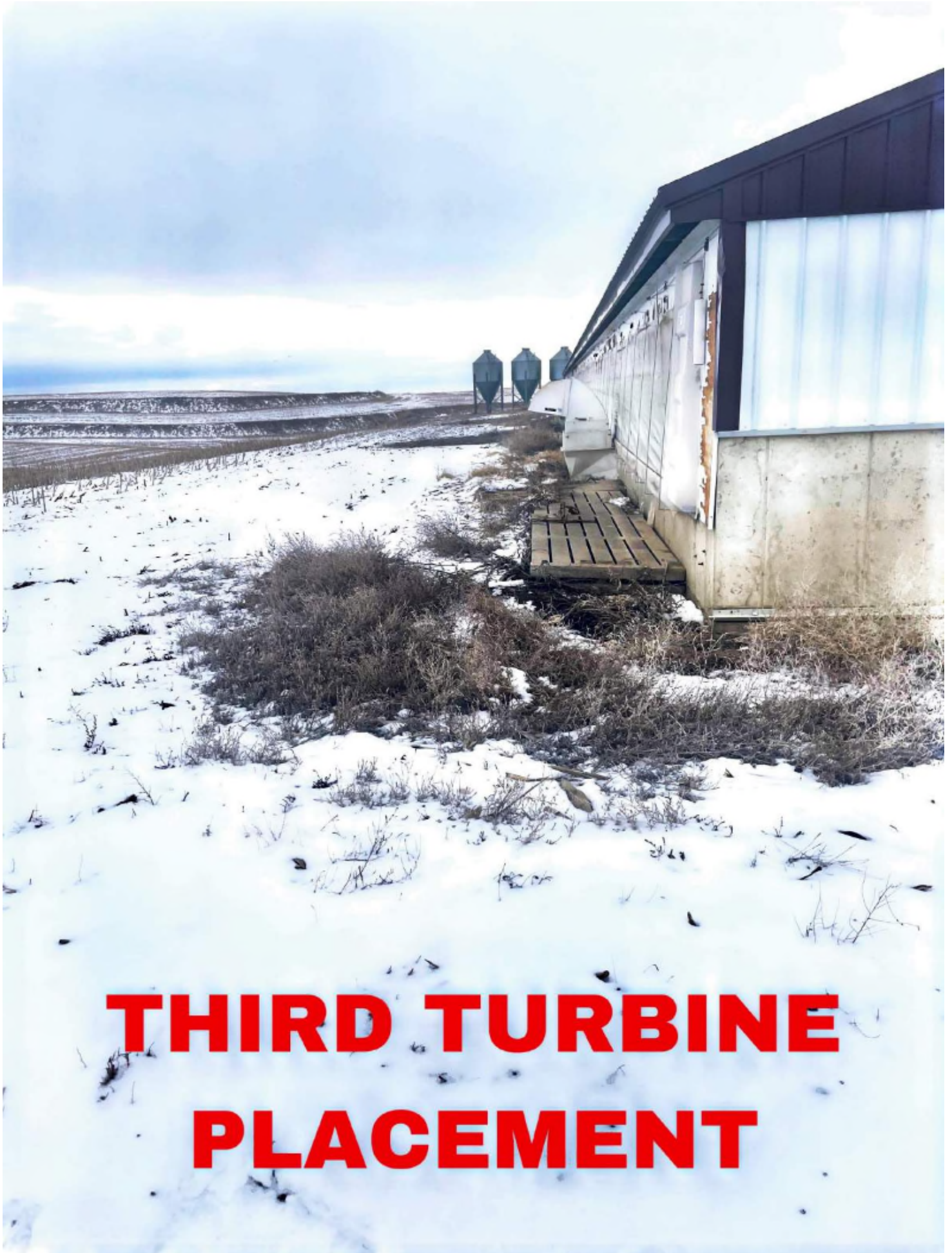


Turbine 2

WEST



Turbine 2



THIRD TURBINE PLACEMENT



WOODBURY COUNTY, IOWA APPLICATION FOR BUILDING PERMIT

For Office Use:		Case No. _____	
Zoning District <u>AP</u>	Date Approved _____	Denied _____	By _____
Floodplain District <u>X</u>	Map # _____	Fee _____	Ck/Rct # _____
GIS # <u>88442030005</u>	Mail _____	Pick up _____	

In accordance with the Woodbury County Zoning Ordinance, the undersigned hereby applies for a building permit:

L+K Tabke Holdings, L.L.C. (Kathy Tabke)

Landowner's name: Lane Tabke Phone: _____

Mailing Address: 3112 195th St City: Moville Zip: 51039

Structure will be built at (address): same

Occupied by: Lane Tabke

N1/2 SW 1/4(EX COMM NW COR THEC E1272' TO POB THEC E210',S207. 43' W210,& N 207.43')
Quarter/quarter _____ Section _____ Civil Township _____

or

Subdivision _____ Block _____ Lot(s) _____

Name of Contractor: American Windpower Phone: 833-464-9463

Address of Contractor: PO Box 1760 Great Bend, KS 67530

Anticipated start date of construction: (month/day/year): June 15, 2024

Type of structure: Wind Turbine -3 Will this be used for business purposes? Yes

Structure's Value: \$300,000 Size of parcel in acres: 160

Remarks: Towers take up an 11' triangle

PLEASE READ CAREFULLY.

I, the undersigned, hereby understand and state that the land and building listed herein SHALL NOT BE OCCUPIED OR USED in whole or in part for any purpose whatsoever until the structure has been completed and reported as such to the County Office of Planning and Zoning; and to do so constitutes a violation of the Woodbury County Zoning Ordinance subject to misdemeanor charges. I further state that I have read the foregoing application and attachments and know the contents therein, and the facts contained are true and accurate.

Signature Lane Tabke Kathy Tabke
This _____ day of _____, 20____.

L+K Tabke Holdings, L.L.C

9/4/24

Notary Public in and for Woodbury County, Iowa

AFTER THE APPLICATION HAS BEEN APPROVED AND THE PERMIT ISSUED, THE PERMIT BECOMES NULL AND VOID IF CONSTRUCTION HAS NOT COMMENCED WITHIN 120 DAYS AND IN ANY EVENT ONE YEAR.

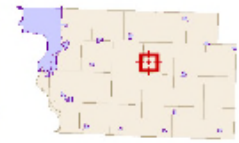
PICTOMETRY



BeaconTM Woodbury County, IA / Sioux City



Overview



Legend

- Roads
- ▭ Corp Boundaries
- ▭ Townships
- ▭ Sections
- ▭ Parcels
- County Zoning
- AE
- AP
- GC
- GC-PD
- GI
- LI
- LI-PD
- SR
- WR

Parcel ID	884420300005	Alternate ID	799757	Owner Address	L & K TABKE HOLDINGS LLC
Sec/Twp/Rng	20-88-44	Class	A		3112 195TH ST
Property Address		Acres	76.02		MOVILLE, IA 51039
District	0056				
Brief Tax Description	WOLFCREEK TOWNSHIP N 1/2 SW 1/4 (EX TCT COMM NW COR THEC E 1272 FT TO POB; THEC E 210 FT, S 207.43 FT, W 210 FT, & N 20 7.43 FT) 20-88-44				
	(Note: Not to be used on legal documents)				

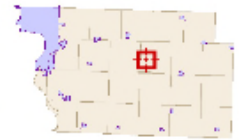
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SPECIAL FLOOD HAZARD AREA (SFHA) MAP



Overview



Legend

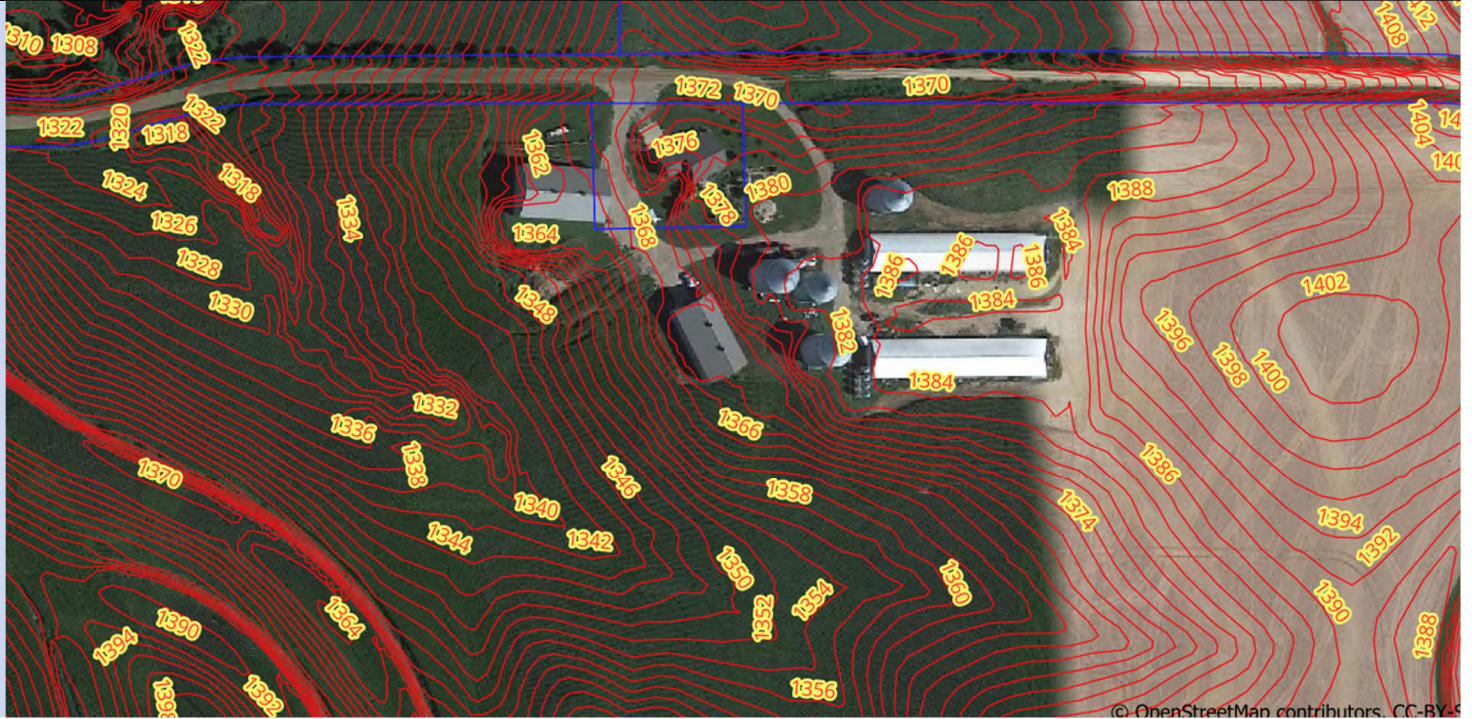
- Roads
- Corp Boundaries
- Townships
- Parcels

Parcel ID	884420300005	Alternate ID	799757	Owner Address	L & K TABKE HOLDINGS LLC
Sec/Twp/Rng	20-88-44	Class	A		3112 195TH ST
Property Address		Acres	76.02		MOVILLE, IA 51039
District	0056				
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	<i>(Note: Not to be used on legal documents)</i>				

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ELEVATION MAP



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SOIL REPORT(S)

Woodbury County, IA / Sioux City

Summary

Parcel ID	884420300005
Gross Acres	76.02
ROW Acres	0.00
Gross Taxable Acres	76.02
Exempt Acres	0.00
Net Taxable Acres	76.02 (Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	59.86 (4550.3 CSR2 Points / 76.02 Gross Taxable Acres)

Agland Active Con g 2017 CSR2

Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	71.01	58.85	4,179.02	4,179.02
Non-Crop	5.01	74.11	371.28	211.46
Total	76.02		4,550.30	4,390.48

Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	8C	JUDSON SILTY CLAY LOAM, 5 TO 9 PERCENT SLOPES	86.00	8.76	753.36	753.36
100% Value	100C2	MONONA SILTY CLAY LOAM, 5 TO 9 PERCENT SLOPES, MODERATELY ER	85.00	13.74	1,167.90	1,167.90
100% Value	100D2	MONONA SILTY CLAY LOAM, 9 TO 14 PERCENT SLOPES, MODERATELY E	60.00	10.69	641.40	641.40
100% Value	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	15.62	905.96	905.96
100% Value	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	22.20	710.40	710.40
Non-Crop	100C2	MONONA SILTY CLAY LOAM, 5 TO 9 PERCENT SLOPES, MODERATELY ER	85.00	3.88	329.80	174.76
Non-Crop	100D2	MONONA SILTY CLAY LOAM, 9 TO 14 PERCENT SLOPES, MODERATELY E	60.00	0.19	11.40	7.32
Non-Crop	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	0.94	30.08	29.38
Total				76.02	4,550.30	4,390.48

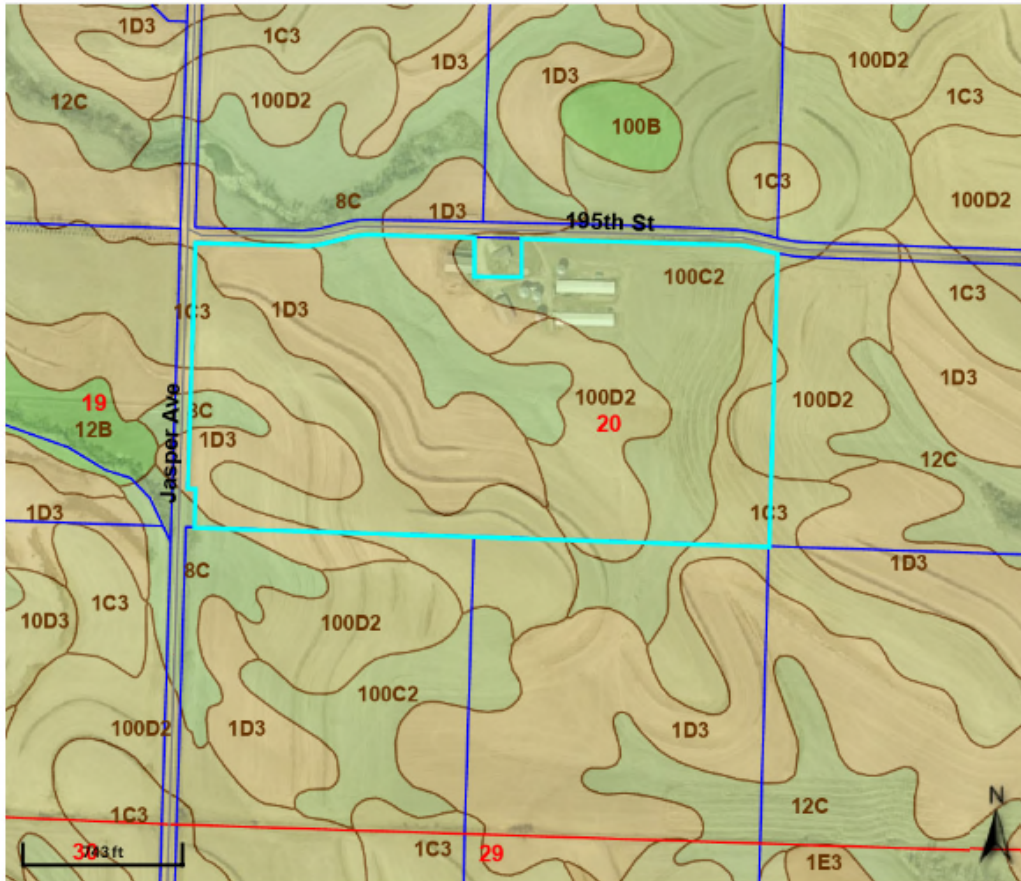
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Contact Us

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Overview



Legend

- Roads
- Soils**
- 0.000000 - 5.000000
- 5.000001 - 20.000000
- 20.000001 - 30.000000
- 30.000001 - 40.000000
- 40.000001 - 50.000000
- 50.000001 - 60.000000
- 60.000001 - 70.000000
- 70.000001 - 80.000000
- 80.000001 - 90.000000
- 90.000001 - 100.000000
- Corp Boundaries
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WOODBURY COUNTY PLANNING & ZONING

620 Douglas Street, Sixth Floor, Sioux City, Iowa 51101
712.279.6609 – 712.279.6530 (Fax)

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

Dawn Norton – Senior Clerk
dnorton@woodburycountyiowa.gov

PRELIMINARY REPORT – SEPTEMBER 18, 2024

COMMUNICATIONS TOWER – CONDITIONAL USE PERMIT PROPOSAL

APPLICATION DETAILS

Applicant(s)/Owner(s):	Andrew Bobrytzke obo American Towers LLC / Bradley J. Kobold Trust
Application Type:	Conditional Use Permit
Zoning District:	General Industrial (GI)
Total Acres:	36.9
Current Use:	Farming
Proposed Use:	Farming w/ Wireless Tower
Pre-application Meeting:	April 23, 2024
Application Date:	August 23, 2024
Legal Notice Date:	September 21, 2024
Neighbor(s) Notice Date:	September 18, 2024
Stakeholder(s) Notice Date:	September 3, 2024
Zoning Commission Review:	September 23, 2024
Board of Adjustment Public Hearing:	October 7, 2024

PROPERTY DETAILS

Parcel(s):	874720400004
Township/Range:	T87N R47W (Liberty)
Section:	20
Quarter:	SE ¼ of the SE ¼
Zoning District:	General Industrial (GI)
Floodplain:	Portions in the Zone A
Property Address:	2593 Barker Ave., Salix, IA 51052

CONTENTS

Summary	
Aerial Map / Site Plan Excerpt	
Review Requirements	
Review Criteria	
Application Materials	
Legal Notification	
Public Comments	
Stakeholder Comments	
Supporting Information	

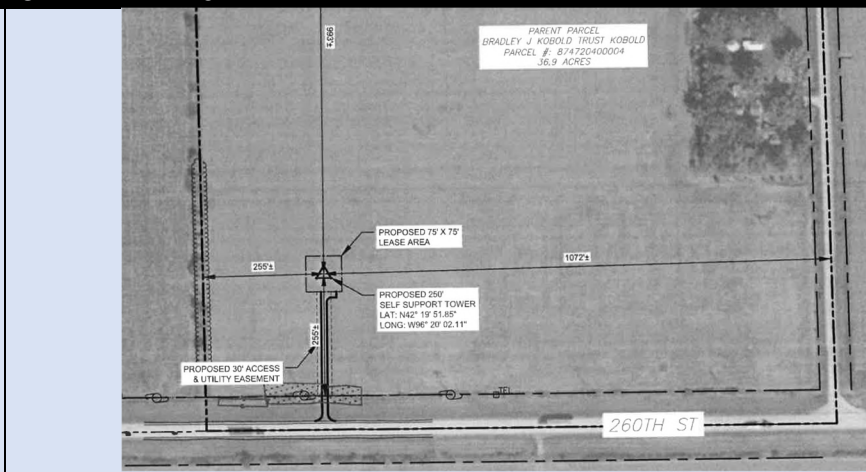
SUMMARY

Andrew Bobrytzke on behalf of American Towers LLC and the Bradley J. Kobold Trust have filed a conditional use permit application to request to construct a 250' self-support wireless communications tower to replace an existing tower from the area on Parcel #874720400004. The proposed location is about one (1) half mile west of the Salix which is on the north side of 260th Street and west of Barker Avenue. The parcel is located in the General Industrial (GI) Zoning District and "telecommunication towers" are classified as a "conditional use" in Section 3.03.4 of the Woodbury County Zoning Ordinance which is eligible for review by the Zoning Commission and for consideration for approval by the Board of Adjustment for a conditional use permit. This proposal has been noticed in the Sioux City Journals legal section on September 21, 2024. The neighbors within one (1) mile were duly notified via a September 18, 2024 letter about the October 7, 2024 Board of Adjustment public hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been requested to comment. Based on the information received and the requirements set forth in the Zoning Ordinance, the proposal meets the appropriate criteria for approval of the conditional use request. It is the recommendation of staff to approve the proposal.

AERIAL MAP



SITE PLAN EXCERPT



STAFF RECOMMENDATION & SUGGESTED MOTION

Staff recommends approval of the proposal. Suggested Motion: motion to recommend approval of the construction and use of the communication tower on the property identified as Parcel #874720400004.

LOCAL GOVERNMENTS CANNOT:

In order to ensure uniformity across this state with respect to the consideration of every application, and notwithstanding any other provision to the contrary, an authority shall not do any of the following:

1. Require an applicant to submit information about, or evaluate an applicant's business decisions with respect to, the applicant's designed service, customer demand for service, or quality of the applicant's service to or from a particular area or site, but may require propagation maps solely for the purpose of identifying the location of the coverage or capacity gap or need for applications for new towers in an area zoned residential.
2. a. Evaluate an application based on the availability of other potential locations for the placement or construction of a tower or transmission equipment. b. Require the applicant to establish other options for collocation instead of the construction of a new tower or modification of an existing tower or existing base station that constitutes a substantial change to an existing tower or existing base station. c. Notwithstanding paragraph "b", an authority shall require an applicant applying for the construction of a new tower to provide an explanation regarding the reason for choosing the proposed location and the reason the applicant did not choose collocation. The explanation shall include a sworn statement from an individual who has responsibility over placement of the tower attesting that collocation within the area determined by the applicant to meet the applicant's radio frequency engineering requirements for the placement of a site would not result in the same mobile service functionality, coverage, and capacity, is technically infeasible, or is economically burdensome to the applicant.
3. Dictate the type of transmission equipment or technology to be used by the applicant or discriminate between different types of infrastructure or technology.
4. a. Require the removal of existing towers, base stations, or transmission equipment, wherever located, as a condition to approval of an application. b. Notwithstanding paragraph "a", the authority may adopt reasonable rules regarding removal of abandoned towers or transmission equipment.
5. Impose environmental testing, sampling, or monitoring requirements, or other compliance measures, for radio frequency emissions from transmission equipment that are categorically excluded under the federal communications commission's rules for radio frequency emissions pursuant to 47 C.F.R. §1.1307(b)(1).
6. Establish or enforce regulations or procedures for radio frequency signal strength or the adequacy of service quality.
7. Reject an application, in whole or in part, based on perceived or alleged environmental effects of radio frequency emissions, as provided in 47 U.S.C. §332(c)(7)(B)(iv).
8. Prohibit the placement of emergency power systems that comply with federal and state environmental requirements.
9. Charge an application fee, consulting fee, or other fee associated with the submission, review, processing, or approval of an application, unless the fee charged is in compliance with this section. Fees imposed by an authority or by a third-party entity providing review or technical consultation to the authority shall be based on actual, direct, and reasonable administrative costs incurred for the review, processing, and approval of an application. In no case shall total charges and fees exceed five hundred dollars for an eligible facilities request or three thousand dollars for an application for a new tower, for the initial placement or installation of transmission equipment on a wireless support structure, for a modification of an existing tower or existing base station that constitutes a substantial change to an existing tower or base station, or any other application to construct or place transmission equipment that does not constitute an eligible facilities request. An authority or any third-party entity shall not include within its charges any travel expenses incurred in the review of an application for more than one trip to the authority's jurisdiction, and an applicant shall not be required to pay or reimburse an authority for consultant or other third-party fees based on a contingency-based or result-based arrangement.
10. Impose surety requirements, including bonds, escrow deposits, letters of credit, or any other type of financial surety, to ensure that abandoned or unused towers or transmission equipment can be removed, unless requirements are competitively neutral, nondiscriminatory, reasonable in amount, and commensurate with the historical record for local facilities and structures that are abandoned.
11. Condition the approval of an application on the applicant's agreement to provide space on or near the tower, base station, or wireless support structure for authority or local governmental or nongovernmental services at less than the market rate for such space or to provide other services via the structure or facilities at less than the market rate for such services.
12. Limit the duration of the approval of an application, except that construction of the approved structure or facilities shall be commenced within two years of final approval, including the disposition of any appeals, and diligently pursued to completion.
13. Discriminate on the basis of the ownership, including ownership by the authority, of any property, structure, or tower when promulgating rules or procedures for siting wireless facilities or for evaluating applications.

ZONING ORDINANCE CRITERIA FOR BOARD APPROVAL

Conditional Use Permits are 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:

In order to prevent a loss of wireless cellular phone coverage in the area, American Tower Corp (ATC) wishes to construct a new 250' Self Support Wireless Communications tower. This is a replacement tower for the tower located on the property to the immediate west. That lease is expiring, and ATC will be removing that tower once new tower is built and all equipment is operating on new tower.

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

Attached

CRITERIA 1: The conditional use requested is authorized as a conditional use in the zoning district within 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:

Telecommunications Towers are allowed in GI with a Conditional Use per Woodbury Counting Zoning ordinances.

STAFF ANALYSIS:

This conditional use permit requested is authorized in the Agricultural Preservation (AP) Zoning District.

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:

Telecommunications Towers are allowed in GI with a Conditional Use per Woodbury Counting Zoning ordinances.

There is an existing tower in the parcel to the west that will be removed once this tower is operational

STAFF ANALYSIS:

The granting of this request will assist with adding to the communication infrastructure of the surrounding area, it complies with the Woodbury County Comprehensive Plan 2040, Chapter 4: Public Infrastructure and Utilities (https://www.woodburycountyiowa.gov/files/community_economic_development/woodbury_county_comprehensive_plan_2040_89417.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:

The area around this parcel are used for farming.

There is an existing tower in the parcel to the west that will be removed once this tower is operational

STAFF ANALYSIS:

The plans submitted comply with the parameters of Section 5.05 of the Zoning Ordinance. This proposal does not appear to adversely impact the neighborhood, traffic, parking, utility facilities, public health, safety and general welfare. The proposed tower meets the setbacks from the property lines with either meeting or exceeding 250 feet from the property lines (see site plan).

CRITERIA 4: The proposed use and development will be located, designed, constructed and operated 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:

The area around this parcel are used for farming.
There is an existing tower in the parcel to the west that will be removed once this tower is operational

STAFF ANALYSIS:

The plans submitted comply with the parameters of Section 5.05 of the Zoning Ordinance. This proposal is compatible with the neighborhood as noted in Criteria 3.

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:

This will be an unnammed facility, with limited traffic. We will only require Electricity and fiber Optics, which are already in the vicinity at the tower to the west, shceduled to be removed once this tower is operational

STAFF ANALYSIS:

The plans submitted comply with the zoning ordinance. There have been no concerns presented from the 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:

We have conducted a required NEPA Environmental Site Assessment Report. (Attached)

The purpose of a NEPA Land Use Screening is to comply with the National Environmental Policy Act of 1969 (NEPA). Trileaf performs extensive research and review to provide our clients with a full NEPA document. The following is a summary of the scope of work Trileaf performs to complete a NEPA/Section 106 Review.

STAFF ANALYSIS:

This proposal does not appear to significantly impact the items as referenced in Criteria #6.

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).

STAFF ANALYSIS:

This CUP request could be interpreted as a contribution to the local communication infrastructure.

OTHER CONSIDRATION 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).

STAFF ANALYSIS:

The design of the tower and its proposed use clearly distinguishes itself as a communication structure. The plans submitted comply with the Zoning Ordinance. Under Iowa Code 8C, local governments cannot "dictate the type of transmission equipment or technology to be used, or discriminate between different types of infrastructure or technology."



SMJ INTERNATIONAL, LLC. 49030 Pontiac Trail Ste.100, Wixom, MI 48393

August 23, 2024

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

Re: CUP American Tower LLC

Dear Daniel,

Enclosed are the following items for the CUP request.

- CUP Application
- \$300.00 Fee
- BP Application
- \$500.00 Fee
- Floodplain Development Permit Application
- \$110.00 Fee
- FAA Approval
- FCC Approval
- NEPA Summary
- Construction Drawings
- Abstract Mailing list

Please let me know if you need anything else to put this on the next meeting agenda.

Best Regards,

Andy

Andy Bobrytzke
Project Manager
SMJ International, LLC
507-327-2361
Email: abobrytzke@smj-llc.com



WOODBURY COUNTY COMMUNITY AND ECONOMIC DEVELOPMENT

Zoning Ordinance Section 2.02(9)

Page 1 of 6

CONDITIONAL USE PERMIT APPLICATION

Owner Information:	Applicant Information:
Owner <u>Bradley J. Kobold Trust</u>	Applicant <u>Andrew Bobrytzke obo</u>
Address <u>211 7th Street</u> <u>Sergeant Bluff, IA 51054</u>	Address <u>American Towers LLC</u> <u>10 Presidential Way</u> <u>Woburn, MA 01801</u>
Phone <u>712-251-4533</u>	Phone <u>507-327-2361</u>

We, the undersigned, hereby apply to the Woodbury County Board of Adjustment for permission to:
Construct a 250' Self Support Wireless Communications Tower to replace existing tower

Property Information:

Property Address or Address Range TBD 260th Street, Salix, IA

Quarter/Quarter _____ Sec 20 Twnshp/Range 87-47 *SESE Liberty*

Parcel ID # 874720400004 GIS # _____ Total Acres 36.9

Current Use Farming Proposed Use Farming w/ Wireless Tower

Current Zoning GI - GENERAL INDUSTRIAL

The filing of this application is required to be accompanied with all items and information required pursuant to section 2.02(9)(C)(2) through (C)(4) of Woodbury County's zoning ordinances (see attached pages of this application for a list of those items and information).

A formal pre-application meeting is recommended prior to submitting this application.

Pre-app mtg. date 04/23/2024 Staff present Daniel Priestly

The undersigned is/are the owners(s) of the described property on this application, located in the unincorporated area of Woodbury County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the Woodbury County Community and Economic Development staff, Zoning Commission and Board of Adjustment members to conduct site visits and photograph the subject property.

This Conditional Use Permit Application is subject to and shall be required, as a condition of final approval, to comply with all applicable Woodbury County ordinances, policies, requirements and standards that are in effect at the time of final approval.

Andrew J. Bobrytzke

Owner obo Brad Kobold Applicant Andrew J. Bobrytzke

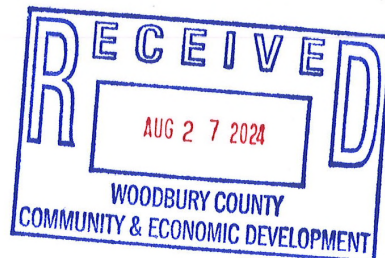
Date 08/23/2024 Date 08/23/2024

Fee: **\$300*** Case #: 7013

Check #: 6068 8.27.24

Receipt #: _____

Date Received



PER SECTION 2.02(9)(C)(2 (d) PROVIDE A SPECIFIC DESCRIPTION OF THE PROPOSED CONDITIONAL USE: (Tab at the end of each line to continue)

In order to prevent a loss of wireless cellular phone coverage in the area, American Tower Corp (ATC) wishes to construct a new 250' Self Support Wireless Communications tower. This is a replacement tower for the tower located on the property to the immediate west. That lease is expiring, and ATC will be removing that tower once new tower is built and all equipment is operating on new tower.

PER SECTION 2.02(9) (C)(2)(e) PROVIDE A MAP DRAWN TO SCALE, SHOWING THE SUBJECT PROPERTY, ALL STRUCTURES AND OTHER IMPROVEMENTS, WITH THE PROPOSED CONDITIONAL USE IDENTIFIED PER STRUCTURE OR IMPROVEMENT . PROVIDE BY ATTACHMENT.

Attached

PER SECTION 2.02(9) (C)(2)(e) PROVIDE A STATEMENT IN RESPONSE TO EACH OF SIX BELOW CRITEREA AND STANDARDS FOR APPROVAL OF CONDITIONAL USES AS LISTED IN SECTION 2.02(9)F OF THE ORDINANCES. (Tab at the end of each line to continue)

- (a) Provide a statement to why you feel the conditional use requested is authorized as a conditional use in the zoning district within which the property is located and that any specific conditions or standards described as part of that authorization have been or will be satisfied.

Telecommunications Towers are allowed in GI with a Conditional Use per Woodbury Counting Zoning ordinances.

- (b) Provide a statement to why 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. (Tab at the end of each line to continue)

Telecommunications Towers are allowed in GI with a Conditional Use per Woodbury Counting Zoning ordinances.

There is an existing tower in the parcel to the west that will be removed once this tower is operational

- (c) Provide a statement to why 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. (Tab at the end of each line to continue)

The area around this parcel are used for farming.
There is an existing tower in the parcel to the west that will be removed once this tower is operational

- (d) Provide a statement to why the proposed use and development will be located, designed, constructed and operated 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. (Tab at the end of each line to continue)

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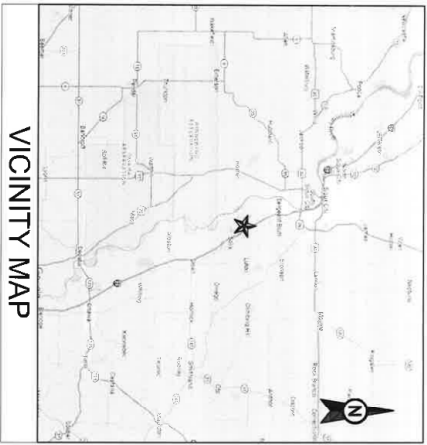
- (e) Provide a statement to why essential public facilities and services will adequately serve the proposed use or development. (Tab at the end of each line to continue)

This will be an unnamed facility, with limited traffic. We will only require Electricity and fiber Optics, which are already in the vicinity at the tower to the west, scheduled to be removed once this tower is operational

- (f) Provide a statement to why 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. (Tab at the end of each line to continue)

We have conducted a required NEPA Environmental Site Assessment Report. (Attached)

The purpose of a NEPA Land Use Screening is to comply with the National Environmental Policy Act of 1969 (NEPA). Trileaf performs extensive research and review to provide our clients with a full NEPA document. The following is a summary of the scope of work Trileaf performs to complete a NEPA/Section 106 Review.



VICINITY MAP



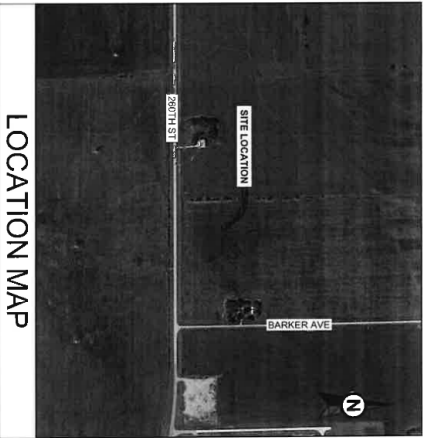
AMERICAN TOWER®

SITE NAME: STRELO WOODBURY COUNTY - 108

SITE NUMBER: 211984

SITE ADDRESS: TBD

SALIX, IA 51052-8137



LOCATION MAP

**STRATEGIC RELOCATION
ZONING DRAWINGS**

<p>COMPLIANCE CODE</p> <p>ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNMENT AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.</p> <p>1. INTERNATIONAL BUILDING CODE (IBC) 2. NATIONAL ELECTRICAL CODE (NEC) 3. NATIONAL FIRE ALARM CODE 4. OPT/COUNTY ORDINANCES</p>		<p>PROJECT SUMMARY</p> <p>SITE ADDRESS: TBD SALIX, IA 51052-8137 COUNTY: WOODBURY</p> <p>GEOGRAPHIC COORDINATES: LATITUDE: 42° 19' 51.88" LONGITUDE: 98° 28' 02.11" GROUND ELEVATION: 1083.9' AMSL</p> <p>ZONING INFORMATION: JURISDICTION: WOODBURY COUNTY PARCEL NUMBER: 8747240004</p>																																																																																	
<p>SURVEY INFORMATION</p> <p>1. TOPOGRAPHY AND BOUNDARY INFORMATION WAS OBTAINED FROM A LICENSED PROFESSIONAL SURVEYING & ENGINEERING FIRM.</p> <p>UTILITY COMPANIES</p> <p>POWER COMPANY: UNKNOWN PHONE: N/A TELEPHONE COMPANY: UNKNOWN PHONE: N/A</p>		<p>PROJECT TEAM</p> <p>TOWER OWNER: AMERICAN TOWER CORPORATION 10 FERTON MAIN STREET SUITE 300 WOODBURY, IA 51094</p> <p>PROJECT OWNER: BRADLEY J. KOBOLD 221 7TH STREET SERGEANT BLUFF, IA 51084</p> <p>ENGINEER: ATC TOWER SERVICES 1 FERTON MAIN STREET SUITE 300 WOODBURY, IA 51094</p>																																																																																	
<p>PROJECT DESCRIPTION</p> <p>THIS PROJECT ENTAILS A NEW 200' TOWER TO BE CONSTRUCTED WITHIN A PROPOSED 75' X 75' LOT AREA INSTALLED ON THE TOWER AND THEIR ASSOCIATED GROUND EQUIPMENT WITHIN THE COMPOUND</p> <p>PROJECT NOTES</p> <ol style="list-style-type: none"> 1. THE FACILITY IS UNMANNED. 2. A TECHNICIAN WILL VISIT THE SITE APPROXIMATELY ONCE A MONTH FOR ROUTINE INSPECTION AND MAINTENANCE. 3. FACILITY WILL MEET OR EXCEEDS ALL FAA AND FCC REGULATORY REQUIREMENTS. 4. NO GATEWAY SIGNS, PORTABLE WATERS OR TRASH DISPOSAL IS REQUIRED. 5. HANDICAP ACCESS IS NOT REQUIRED. 6. THE FACILITY WILL NOT GENERATE NOISE IN EXCESS OF 59db AT THE PROPERTY LINES. 		<p>SHEET INDEX</p> <table border="1"> <thead> <tr> <th>SHEET NO.</th> <th>DESCRIPTION</th> <th>REV.</th> <th>DATE</th> <th>BY:</th> </tr> </thead> <tbody> <tr> <td>G-001</td> <td>TITLE SHEET</td> <td>3</td> <td>06/05/24</td> <td>JD</td> </tr> <tr> <td>G-002</td> <td>GENERAL NOTES</td> <td>1</td> <td>04/22/24</td> <td>JD</td> </tr> <tr> <td>V-101</td> <td>ATKINSONS LAND TITLE SURVEY</td> <td>3</td> <td>08/08/24</td> <td>JD</td> </tr> <tr> <td>C-101</td> <td>OVERALL SITE PLAN</td> <td>2</td> <td>07/29/24</td> <td>EB</td> </tr> <tr> <td>C-102</td> <td>WETLAND IMPACT SITE PLAN</td> <td>1</td> <td>04/22/24</td> <td>JD</td> </tr> <tr> <td>C-201</td> <td>GRADING PLAN & PROFILE</td> <td>1</td> <td>04/22/24</td> <td>JD</td> </tr> <tr> <td>C-401</td> <td>COMPOUND PLAN</td> <td>1</td> <td>04/22/24</td> <td>JD</td> </tr> <tr> <td>C-402</td> <td>TOWER ELEVATION</td> <td>1</td> <td>04/22/24</td> <td>JD</td> </tr> <tr> <td>C-501</td> <td>CONSTRUCTION DETAILS</td> <td>1</td> <td>04/22/24</td> <td>JD</td> </tr> <tr> <td>C-502</td> <td>CONSTRUCTION DETAILS</td> <td>1</td> <td>04/22/24</td> <td>JD</td> </tr> <tr> <td>C-603</td> <td>SIGNAGE</td> <td>1</td> <td>04/22/24</td> <td>JD</td> </tr> <tr> <td>E-401</td> <td>GROUNDING LAYOUT</td> <td>1</td> <td>04/22/24</td> <td>JD</td> </tr> <tr> <td>E-501</td> <td>ELECTRICAL DETAILS</td> <td>1</td> <td>04/22/24</td> <td>JD</td> </tr> <tr> <td>E-601</td> <td>ELECTRICAL ONE LINE DIAGRAM</td> <td>1</td> <td>04/22/24</td> <td>JD</td> </tr> <tr> <td>R-601</td> <td>SPECIAL INSPECTIONS WORKSHEET</td> <td>1</td> <td>04/22/24</td> <td>JD</td> </tr> </tbody> </table>		SHEET NO.	DESCRIPTION	REV.	DATE	BY:	G-001	TITLE SHEET	3	06/05/24	JD	G-002	GENERAL NOTES	1	04/22/24	JD	V-101	ATKINSONS LAND TITLE SURVEY	3	08/08/24	JD	C-101	OVERALL SITE PLAN	2	07/29/24	EB	C-102	WETLAND IMPACT SITE PLAN	1	04/22/24	JD	C-201	GRADING PLAN & PROFILE	1	04/22/24	JD	C-401	COMPOUND PLAN	1	04/22/24	JD	C-402	TOWER ELEVATION	1	04/22/24	JD	C-501	CONSTRUCTION DETAILS	1	04/22/24	JD	C-502	CONSTRUCTION DETAILS	1	04/22/24	JD	C-603	SIGNAGE	1	04/22/24	JD	E-401	GROUNDING LAYOUT	1	04/22/24	JD	E-501	ELECTRICAL DETAILS	1	04/22/24	JD	E-601	ELECTRICAL ONE LINE DIAGRAM	1	04/22/24	JD	R-601	SPECIAL INSPECTIONS WORKSHEET	1	04/22/24	JD
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<p>PROJECT LOCATION DIRECTIONS</p> <p>FROM SALIX: HEAD NORTH ON TIFTON ST TOWARD POPULAR ST, THEN TURN RIGHT AT THE 1ST CROSS STREET ONTO POPULAR ST, THEN TURN LEFT ONTO BARKER AVE, THEN TURN RIGHT ONTO NEW ZENOBOLD HWY 75 AND CONTINUE TO FOLLOW OLD HWY 75 FOR 1.7 MILES, THEN TURN LEFT ONTO 280TH ST AND IN 1.8 MILES, SITE DESTINATION WILL BE ON THE RIGHT.</p>		<p>1. THE LANDOWNER ACKNOWLEDGE AND APPROVE OF THE CONSTRUCTION ACTIVITIES AS INDICATED ON THESE PLANS.</p>																																																																																	



AMERICAN TOWER®
ATC TOWER SERVICES, LLC
1 FERTON MAIN STREET
SUITE 300
WOODBURY, IA 51094
PHONE: (678) 488-9112

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REV.	DESCRIPTION	BY	DATE
1	FOR CONSTRUCTION	JD	02/25/24
2	UPDATES PER PLAN	JD	04/22/24
3	WETLAND IMPACT	EB	07/29/24
4	UPDT. SOUTH ROW DTM	JD	08/08/24

ATC SITE NUMBER:
211984
ATC SITE NAME:
STRELO WOODBURY
COUNTY - 108



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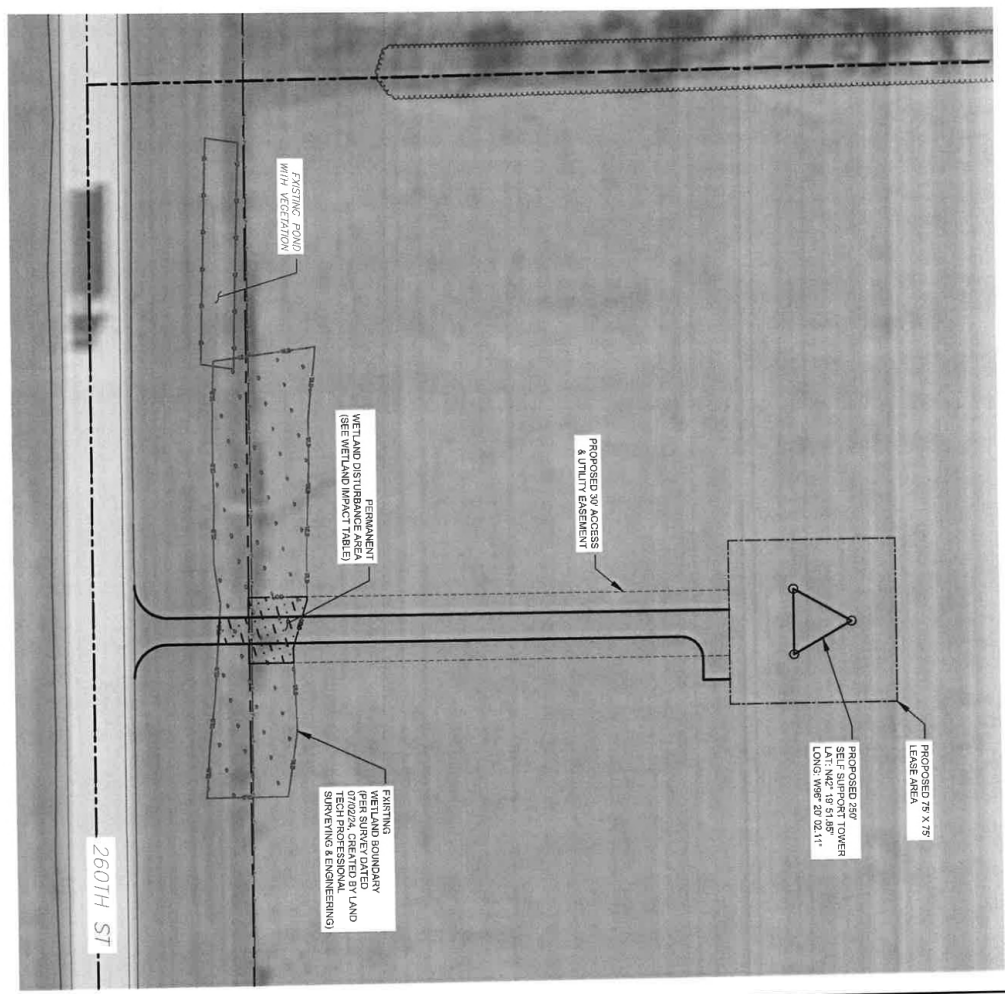
DATE DRAWN: 03/25/24
ATC JOB NO: 14188750
GFS JOB NO: 14688553/D8
ATC LEGACY #: 50182

Scott Wirgau
Digitally signed by Scott Wirgau
Date: 2024.08.07 16:58:33 -0400

TITLE SHEET
SHEET NUMBER: G-001
REVISION: 3

- CONSTRUCTION NOTES:
1. SEDIMENT TRAPPED ON TO ANY PUBLIC ROADWAY OR SURFACE EACH WORK DAY AND DISPOSED IN THE MANNER DESCRIBED IN THIS PLAN. IN NO CASE SHALL THE SEDIMENT BE WASHED OR SURFACE WATER (NOT ANY POSSIBLE DITCH, STORM SEWER, NOTIFY ATC CONSTRUCTION MANAGER AT LEAST 7 DAYS PRIOR TO STARTING ANY EARTH DISTURBANCE ACTIVITIES.
 2. ACTIVITIES SHALL BE LIMITED TO THE DISTURBANCE ACTIVITIES. THE ONE CALL SYSTEM, INC. SHALL BE NOTIFIED TO BE IMPLEMENTED DURING CONSTRUCTION. METHODS REFER TO A CONSTRUCTION SPECIFICATION SECTION 9.0209.3.7
 3. ALL DISTURBED AREAS SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION.
 4. ALL DISTURBED AREAS SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION.

WETLAND IMPACT TABLE (EASEMENT OPTION A)		
AREA TYPE	TOTAL (SF)	TOTAL (AC)
PERMANENT DISTURBANCE AREA (COMPOUND)	6525.00	0.13
PERMANENT DISTURBANCE AREA (EASEMENT & ROAD)	2372.00	0.17
PERMANENT WETLAND DISTURBANCE AREA	843.00	0.02
TOTAL PERMANENT PROJECT DISTURBANCE AREA	9740.00	0.32
TOTAL PERMANENT WETLAND DISTURBANCE AREA	643.00	0.02



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ATC TOWER SERVICES, LLC
1 FENTON MAN STREET
CARY, NC 27511
PHONE: (919) 468-9112

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REV.	DESCRIPTION	BY	DATE
1	FOR CONSTRUCTION	JL	09/25/24
2	UPDTS PER PM	JD	04/22/24
3	WETLAND IMPACT	EE	07/26/24

ATC SITE NUMBER
211984
ATC SITE NAME
**STRELO WOODBURY
COUNTY - 108**



SEAL: SCOTT A. WIROTA, LICENSED PROFESSIONAL ENGINEER, STATE OF NORTH CAROLINA, LICENSE NO. 23705

I hereby certify that this engineering document was prepared by me or under my direct supervision and that I am a duly licensed professional engineer under the laws of the State of North Carolina. My license number is 23705.

My license expires on December 31, 2023.

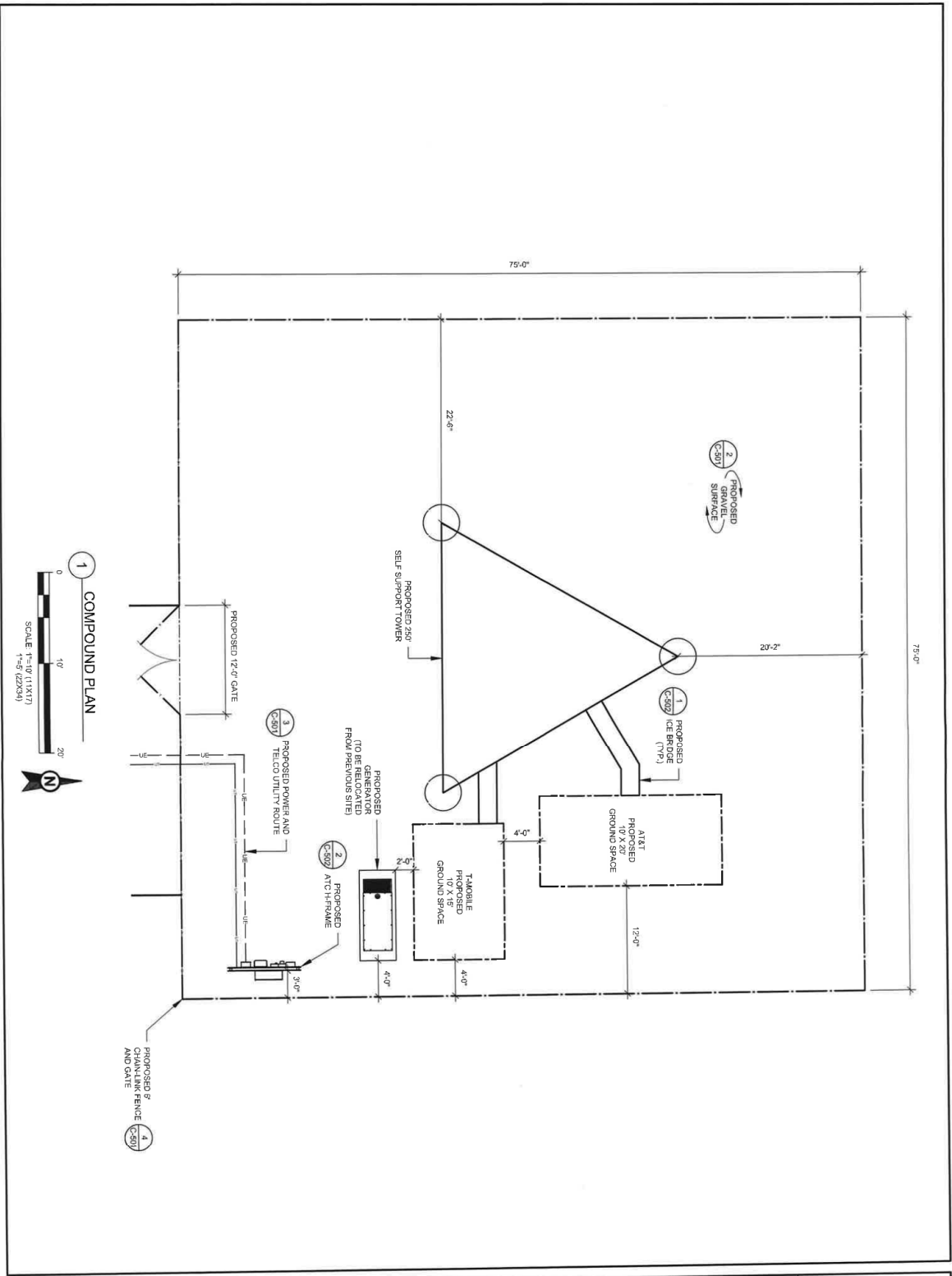
Printed Name: **Scott Wirota**
Signature: *[Signature]*
Date: **23705**
Title: **ALL**

Pages in sheets created by this user: **ALL**

DATE DRAWN: 02/25/24
ATC JOB NO: 14180750
OPS JOB NO: 14696035_06
ATC LEGACY #: 50182

**WETLAND IMPACT
SITE PLAN**

SHEET NUMBER: **C-102** REVISION: **2**



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 ATC TOWER SERVICES, LLC
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 CHARLOTTE, NC 28204
 PHONE: (770) 4844112

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REV	DESCRIPTION	BY	DATE
1	FOR CONSTRUCTION	JL	03/25/24
2	UPDTS PER PM	JL	04/22/24
3			
4			

ATC SITE NUMBER:
 211984
 ATC SITE NAME:
 STRELO WOODBURY
 COUNTY - 108

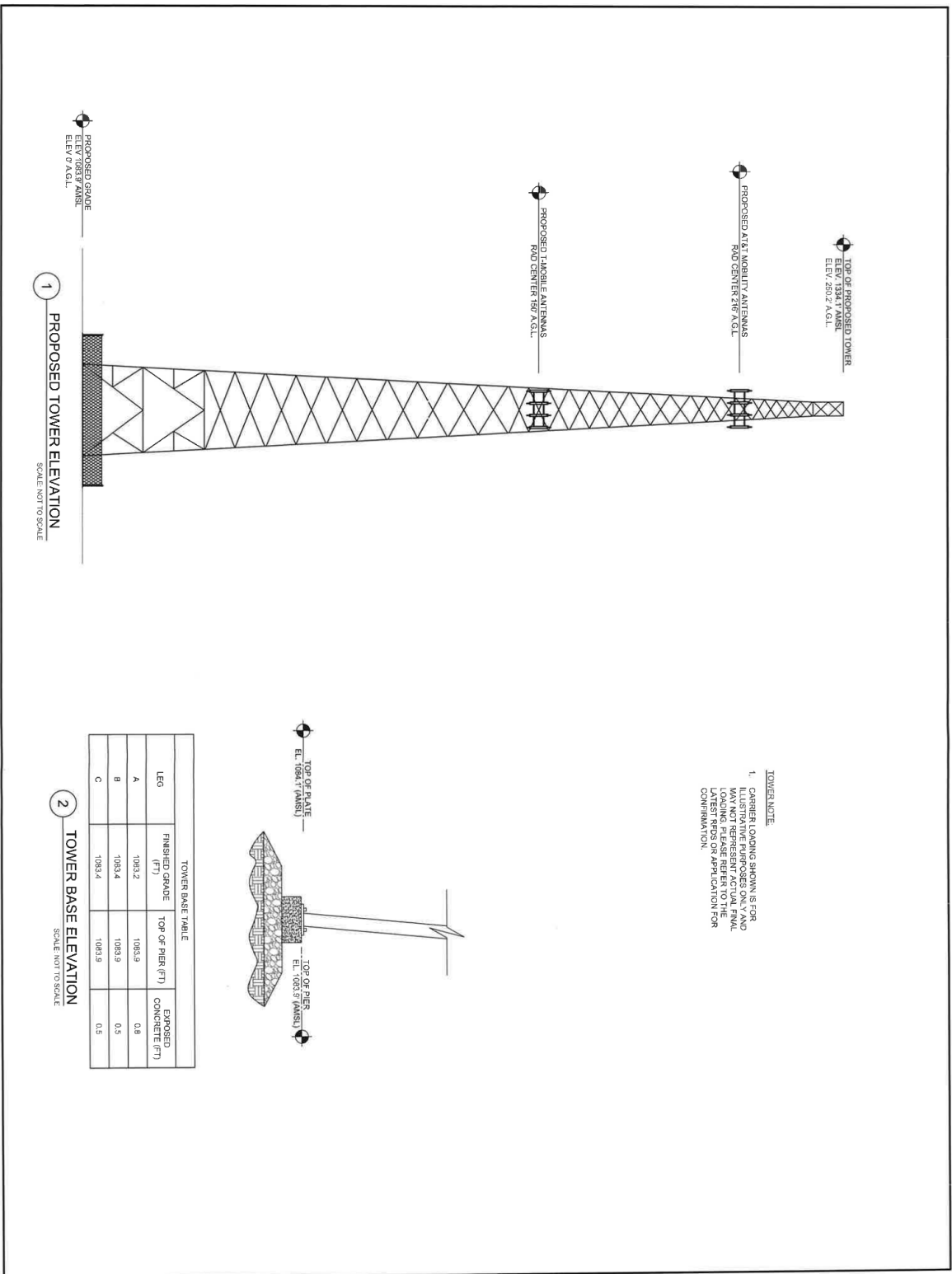


SEAL: (Print and Affix)
 I hereby certify that the engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of North Carolina.
 Printed or typed name: **Scott Wirgau**
 License Number: **22705**
 My license renewal date is December 31, **2023**
 My tower renewal date is the year **2023**
 My tower renewal expires on the year **2023**

DATE DRAWN: 03/25/24
 ATC JOB NO: 14789750
 OPS JOB NO: 14695855_05
 ATC LEGACY #: 50182

COMPOUND PLAN

SHEET NUMBER: **C-401** REVISION: **1**

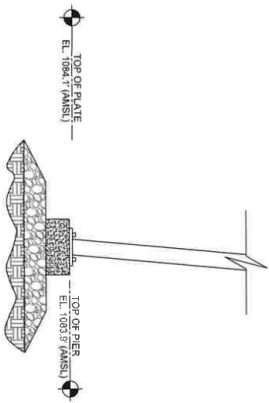


TOWER NOTE

1. CURRENT LOADING SHOWN IS FOR ILLUSTRATIVE PURPOSES ONLY AND MAY NOT REPRESENT ACTUAL FINAL LOADING. PLEASE REFER TO THE CONTRACT DOCUMENTS FOR FINAL CONFIRMATION.

TOWER BASE TABLE

LEG	FINISHED GRADE (FT)	TOP OF PIER (FT)	EXPOSED CONCRETE (FT)
A	1083.2	1083.9	0.8
B	1083.4	1083.9	0.5
C	1083.4	1083.9	0.5



AMERICAN TOWER
ATC TOWER SERVICES, LLC
11800 MAIN STREET
SUITE 300
CARY, NC 27511
PHONE: (919) 468-8112

ATC SITE NUMBER:
211984

ATC SITE NAME:
**STRELO WOODBURY
COUNTY - 108**

DATE DRAWN: 03/25/24
ATC JOB NO: 14188751
OPS JOB NO: 14886633_DS
ATC LEGACY #: 501482

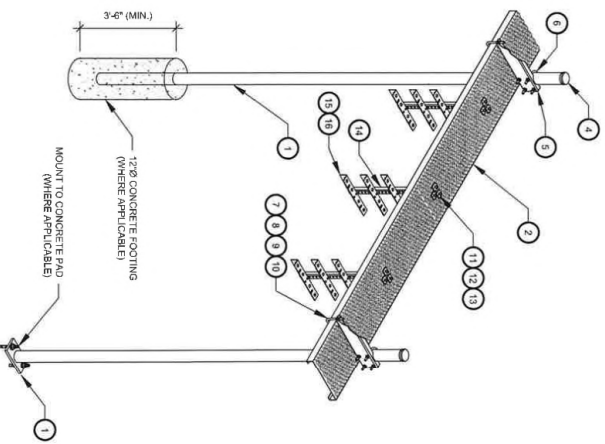
TOWER ELEVATION

SHEET NUMBER: **C-402** REVISION: **1**

PROFESSIONAL ENGINEER
SCOTT A. WIRGALU
20205
LICENSE NUMBER: 23705
My license renewal date is December 31, 2023
Signatures should comply with the seal. ALL

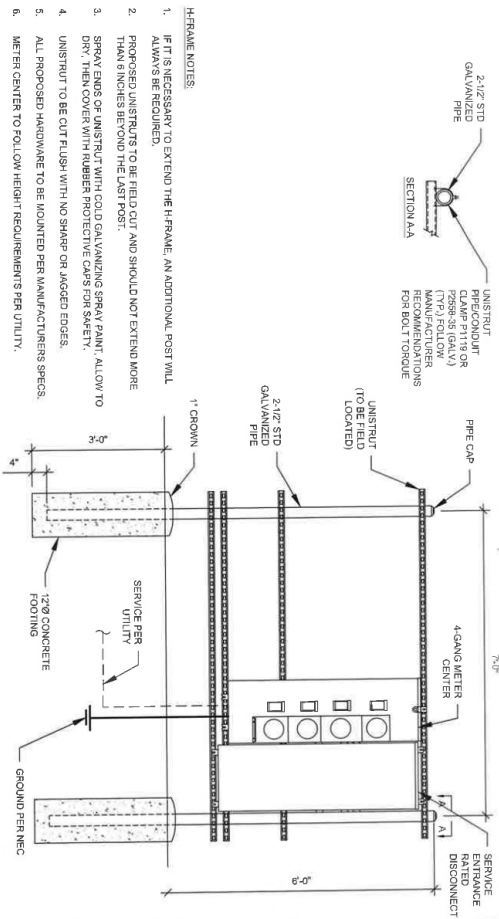
Digitally Signed: 2024-08-07

- CONSTRUCTION NOTE:
- WHERE POSSIBLE AND AS APPLICABLE, THE CONTRACTOR SHALL UTILIZE EXISTING ICE BRIDGE, CABLE LADDER, COAX SUPPORTS, AND COAX PORTS BEFORE UTILIZING CONTRACTOR SHALL VERIFY THE FALL HEIGHTS FOR THE COMPONENTS OF THE BRIDGE. CONTRACTOR SHALL VERIFY THE FALL HEIGHTS FOR THE COMPONENTS OF THE BRIDGE. CONTRACTOR SHALL VERIFY THE FALL HEIGHTS FOR THE COMPONENTS OF THE BRIDGE. CONTRACTOR SHALL VERIFY THE FALL HEIGHTS FOR THE COMPONENTS OF THE BRIDGE.
 - INSTALLATION OF NEW ICE BRIDGE, CABLE LADDER, COAX SUPPORT, AND COAX PORT AS REQUIRED WITH THE ATC CONSTRUCTION MANAGER.
 - INSTALLATION OF NEW ICE BRIDGE, CABLE LADDER, COAX SUPPORT, AND COAX PORT AS REQUIRED WITH THE ATC CONSTRUCTION MANAGER.



ITEM NUMBER	PART NUMBER	DESCRIPTION	ITEM NUMBER	PART NUMBER	DESCRIPTION
1	MF-128.01	10'-0" COLUMN & BASE SHOE	9	GMH-04	1/2" GALV. LOCK WASHER
2	WB-CV210	13'-4" PIPE COLUMN	10	GMH-04	1/2" GALV. HEX NUT
3	WBK1109BK	SAFETY GRATING 24" X 10"	11	GB-03205	3/8" X 2" GALV. BOLT KIT
4	PC-034	HARDWARE KIT (ITEMS 4, 16)	12	MT-387	SQUARE WASHER 1-1/2" X 1-1/2" WITH HOLE
5	WB-0343.08	PIPE CAP 3-1/2"	13	GMH-03	3/8" GALV. PLAT WASHER
6	WB-0343.08	24" WAVEGUIDE BRIDGE SUPPORT BRACKET	14	WB7243.01	VERTICAL TRAPEZOID SECTION
7	WB-034	1/2" X 3/8" X 8" GALV. U-BOLT	15	GB-03105	3/8" X 1" GALV. BOLT KIT
8	GMH-04	1/2" GALV. PLAT WASHER	16	WB7243.02	HORIZONTAL TRAPEZOID SECTION

1 24" WAVEGUIDE BRIDGE KIT
SCALE: NOT TO SCALE




2 UTILITY H-FRAME
SCALE: N.T.S.

- H-FRAME NOTES:
- IF IT IS NECESSARY TO EXTEND THE H-FRAME, AN ADDITIONAL POST WILL ALWAYS BE REQUIRED.
 - PROPOSED UNISTRUTS TO BE FIELD CUT AND SHOULD NOT EXTEND MORE THAN 8 INCHES BEYOND THE LAST POST.
 - SPRAY ENDS OF UNISTRUT WITH GOLD GALVANIZING SPRAY PAINT, ALLOW TO DRY, THEN COVER WITH RUBBER PROTECTIVE CAPS FOR SAFETY.
 - UNISTRUT TO BE CUT FLUSH WITH NO SHARP OR JAGGED EDGES.
 - ALL PROPOSED HARDWARE TO BE MOUNTED PER MANUFACTURER'S SPECS.
 - METER CENTER TO FOLLOW HEIGHT REQUIREMENTS PER UTILITY.

AMERICAN TOWER
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1 FENOM MAIN STREET
SUITE 200
CARY, NC 27511
PHONE: (919) 959-1112

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DATE DRAWN: 03/26/24
ATC JOB NO: 14788750
GFS JOB NO: 14686832_03
ATC LEGACY #: 50182

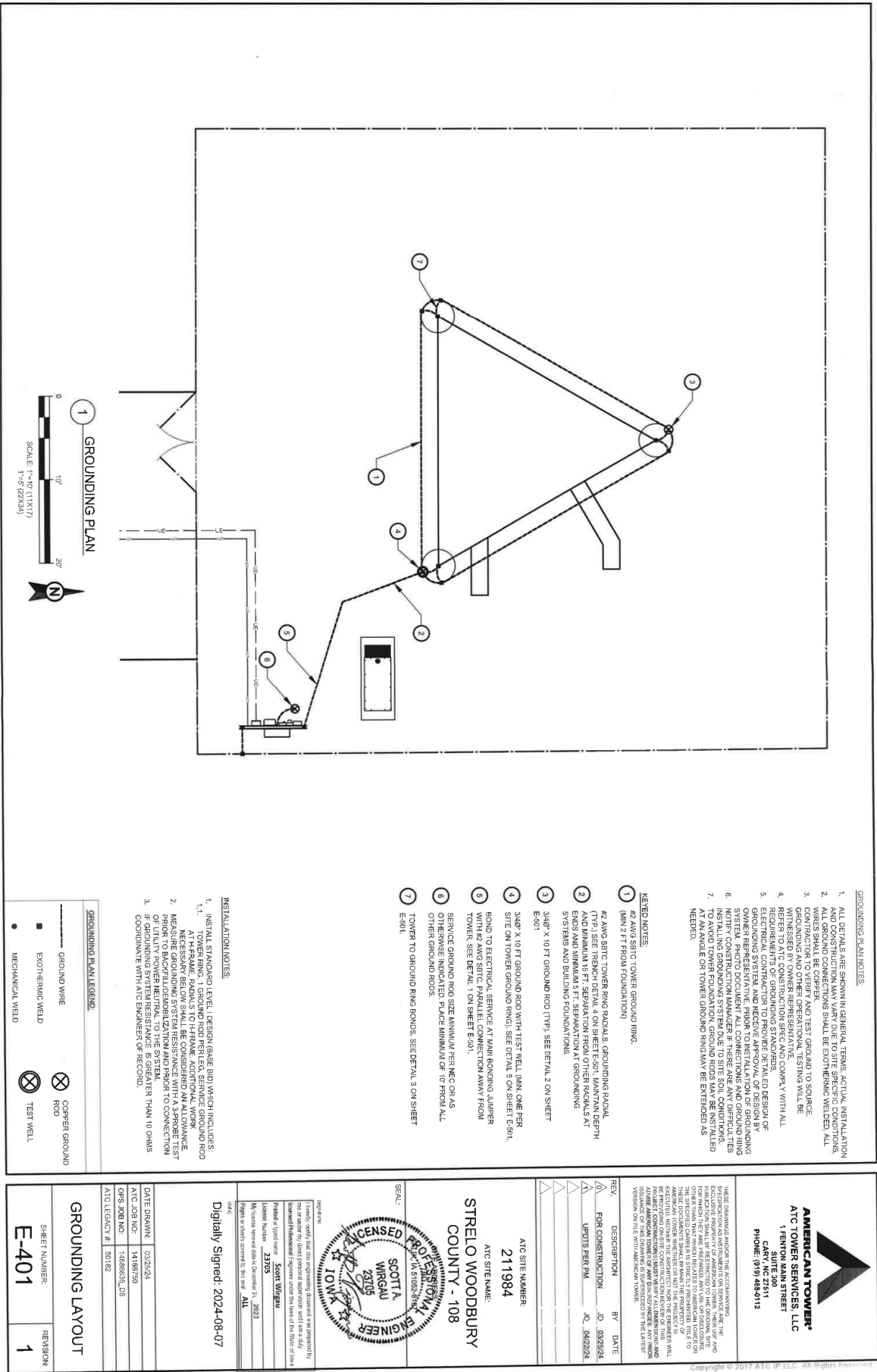
SEAL: 
SCOTT A. WIERGAU
REGISTERED PROFESSIONAL ENGINEER
LICENSE NO. 27705
STATE OF NORTH CAROLINA

CONSTRUCTION DETAILS

ATC SITE NAME: STRELO WOODBURY COUNTY - 108
ATC SITE NUMBER: 211984

SHEET NUMBER: C-502

REVISION: 1



- GROUNDING PLAN NOTES**
1. ALL DETAILS ARE SHOWN IN GENERAL TERMS. ACTUAL INSTALLATION AND CONSTRUCTION MAY VARY DUE TO SITE SPECIFIC CONDITIONS.
 2. ALL GROUND CONNECTIONS SHALL BE EXOTHERMIC WELDED. ALL GROUNDING AND OTHER OPERATIONAL TESTING WILL BE WITNESSED BY THE CONTRACTOR SPEC AND COMPLY WITH ALL REQUIREMENTS OF GROUNDING STANDARDS.
 3. ELECTRICAL CONTRACTOR TO PROVIDE DETAILED DESIGN OF SYSTEM. PHOTO DOCUMENT ALL CONNECTIONS AND GROUND RING NOTIFICATIONS TO THE OWNER REPRESENTATIVE PRIOR TO INSTALLATION OF GROUNDING TO AVOID TOWER FOUNDATION. GROUND RODS MAY BE INSTALLED AT AN ANGLE OR TOWER GROUND RING MAY BE EXTENDED AS NEEDED.

- NEEDED NOTES:**
1. #2 AWG SPTC TOWER GROUND RING. (MIN 2' FROM FOUNDATION)
 2. #2 AWG SPTC TOWER RING RADIALS. GROUNDING RADIAL (TYP) SEE DETAIL 4 ON SHEET E-301. MINIMUM DEPTH ENDS AND MINIMUM 1 FT. SEPARATION AT GROUNDING SYSTEMS AND BUILDING FOUNDATIONS.
 3. 3/4" X 10 FT GROUND ROD (TYP). SEE DETAIL 2 ON SHEET E-301
 4. 3/4" X 10 FT GROUND ROD WITH TEST WELL (MIN. ONE PER SITE ON TOWER GROUND RING). SEE DETAIL 5 ON SHEET E-301.
 5. BOND TO ELECTRICAL SERVICE AT MAIN BONDING JUMPER WITH #2 AWG SPTC PARALLEL CONNECTION AWAY FROM TOWER. SEE DETAIL 1 ON SHEET E-301.
 6. SERVICE GROUND ROD SIZE MINIMUM 1/2" OR AS OTHERWISE INDICATED. PLACE MINIMUM 6" FROM ALL OTHER GROUND RODS.
 7. TOWER TO GROUND RING BONDS. SEE DETAIL 3 ON SHEET E-301.

- INSTALLATION NOTES:**
1. INSTALL STANDARD LEVEL (PERSON RANGE ROD) WHICH INCLUDES:
 - 1.1. TOWER RING, 1 GROUND ROD PER LEG, SERVICE GROUND ROD AT H-FRAME, RADIAL, S TO H-FRAME. ADDITIONAL WORK NECESSARY BEFORE SHALL BE CONSIDERED WITH A PROBE TEST PRIOR TO BACKFILL/DEMOLITION AND PRIOR TO CONNECTION OF UTILITY POWER NEUTRAL TO THE SYSTEM.
 2. IF GROUNDING SYSTEM IS MORE THAN 10 OHMS CONDUCTANCE WITH THE ENGINEER OF RECORD.

GROUNDING PLAN LEGEND:

—	GROUND WIRE	⊗	COPPER GROUND ROD
■	EXOTHERMIC WELD	⊗	TEST WELL
•	MECHANICAL WELD		

AMERICAN TOWER
ATC TOWER SERVICES, LLC
 11000 MAIN STREET
 SUITE 300
 CAMARILLO, CA 91301
 PHONE (818) 880-0112

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REV	DESCRIPTION	BY	DATE
1	FOR CONSTRUCTION	JD	03/25/24
2	UPDATES PER RM	JD	04/22/24
3			
4			
5			

ATC SITE NUMBER: 211984
 ATC SITE NAME: STRELO WOODBURY COUNTY - 108

SEAL:

Digitally Signed: 2024-08-07
 My time-stamped data is December 31, 2023
 My time-stamped data is the year: ALL

DATE DRAWN:	03/25/24
ATC JOB NO:	14188759
OPS JOB NO:	14689552_L08
ATC LEGACY #:	50182

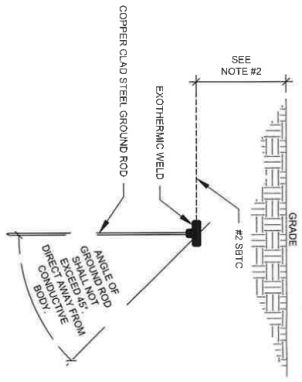
GROUNDING LAYOUT

SHEET NUMBER:	E-401	REVISION:	1
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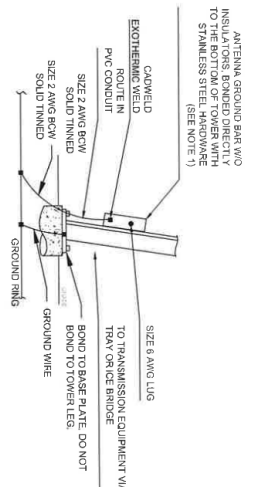


1 TIE CONNECTION DETAIL
SCALE: N.T.S.

- NOTES:
1. LOCATE BEFORE DIGGING.
 2. ALL RING AND RADIAL DEPTHS AT 30" OR 6" BELOW FOOT LINE, WHICHEVER IS GREATER.
 3. WELD GROUND TO FENCE AS LOW AS POSSIBLE TO DETERR COPPER THEFT

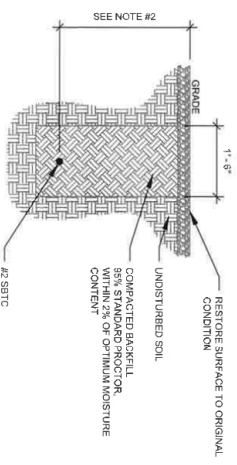


2 GROUND ROD DETAIL
SCALE: N.T.S.

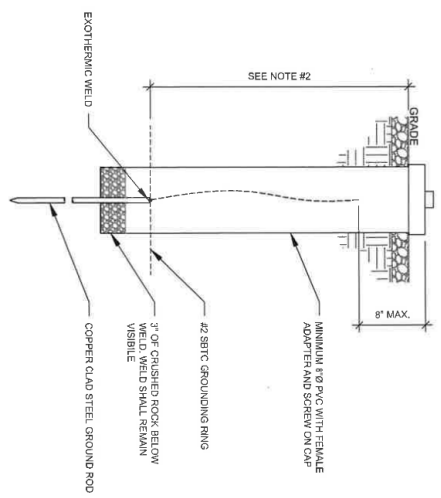


3 TOWER GROUNDING
SCALE: NOT TO SCALE

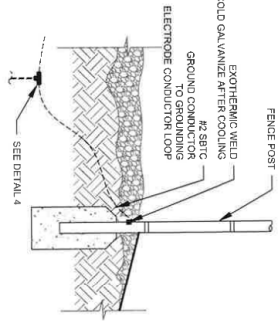
- NOTE:
1. NUMBER OF GROUNDING BARS MAY VARY DEPENDING ON THE ANTI-CORROSION PREVENTION PROVIDED AS REQUIRED. GROUND BAR IS NOT REQUIRED FOR SITES WITH ONE COAX CABLE.



4 GROUND CONNECTION TRENCH DETAIL (STD.)
SCALE: N.T.S.



5 TEST WELL DETAIL
SCALE: N.T.S.



6 FENCE GROUNDING DETAIL
SCALE: N.T.S.

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REV.	DESCRIPTION	BY	DATE
1	FOR CONSTRUCTION	J.D.	03/25/24
2	UPDTS PER IHA	J.D.	04/22/24

ATC SITE NUMBER: 211984
ATC SITE NAME: STRELO WOODBURY COUNTY - 108

Digitally Signed: 2024-08-07

DATE DRAWN	03/22/24
ATC JOB NO.	14188750
CPS JOB NO.	1468955_L05
ATC LEGACY #	50182
SHEET NUMBER	E-501
REVISION	1



Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2024-ACE-1110-OE

Issued Date: 04/12/2024

Alyse Brussard
 American Towers LLC - AB
 10 Presidential Way
 Woburn, MA 01801

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Antenna Tower STRE;LO WOODBURY COUNTY - 108 (211984)
 Location: Salix, IA
 Latitude: 42-19-51.87N NAD 83
 Longitude: 96-20-02.07W
 Heights: 1083 feet site elevation (SE)
 265 feet above ground level (AGL)
 1348 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

Emissions from this site must be in compliance with the parameters set by collaboration between the FAA and telecommunications companies and reflected in the FAA 5G C band compatibility evaluation process (such as power, frequencies, and tilt angle). Operational use of this frequency band is not objectionable provided the Wireless Providers (WP) obtain and adhere to the parameters established by the FAA 5G C band compatibility evaluation process. **Failure to comply with this condition will void this determination of no hazard.**

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, a med-dual system-Chapters 4,8(M-Dual),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Air Missions (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 10/12/2025 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination of No Hazard is granted provided the following conditional statement is included in the proponent's construction permit or license to radiate:

Upon receipt of notification from the Federal Communications Commission that harmful interference is being caused by the licensee's (permittee's) transmitter, the licensee (permittee) shall either immediately reduce the power to the point of no interference, cease operation, or take such immediate corrective action as is necessary to eliminate the harmful interference. This condition expires after 1 year of interference-free operation.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (817) 222-5924, or Christopher.Grote@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2024-ACE-1110-OE.

Signature Control No: 614201725-618841951
Christopher Grote
Technician

(DNE)

Attachment(s)
Additional Information
Frequency Data
Map(s)

cc: FCC

Additional information for ASN 2024-ACE-1110-OE

BASIS FOR DECISION

Part 77 authorizes the FAA to evaluate a structure or object's potential electromagnetic effects on air navigation, communication facilities, and other surveillance systems. It also authorizes study of impact on arrival, departure, and en-route procedures for aircraft operating under visual or instrument flight rules, as well as the impact on airport traffic capacity at existing public use airports. Broadcast in the 3.7 to 3.98 GHz frequency (5G C band) currently causes errors in certain aircraft radio altimeters and the FAA has determined they cannot be relied upon to perform their intended function when experiencing interference from wireless broadband operations in the 5G C band. The FAA has adopted Airworthiness Directives for all transport and commuter category aircraft equipped with radio altimeters that prohibit certain operations when in the presence of 5G C band.

This determination of no hazard is based upon those mitigations implemented by the FAA and operators of transport and commuter category aircraft, and helicopters operating in the vicinity of your proposed location. It is also based on telecommunication industry and FAA collaboration on acceptable power levels and other parameters as reflected in the FAA 5G C band evaluation process.

The FAA 5G C band compatibility evaluation is a data analytics system used by FAA to evaluate operational hazards related to aircraft design. The FAA 5G C band compatibility evaluation process refers to the process in which the telecommunication companies and the FAA have set parameters, such as power output, locations, frequencies, and tilt angles for antenna that mitigate the hazard to aviation. As the telecommunication companies and FAA refine the tools and methodology, the allowable frequencies and power levels may change in the FAA 5G C band compatibility evaluation process. Therefore, your proposal will not have a substantial adverse effect on the safe and efficient use of the navigable airspace by aircraft provided the equipment and emissions are in compliance with the parameters established through the FAA 5G C band compatibility evaluation process.

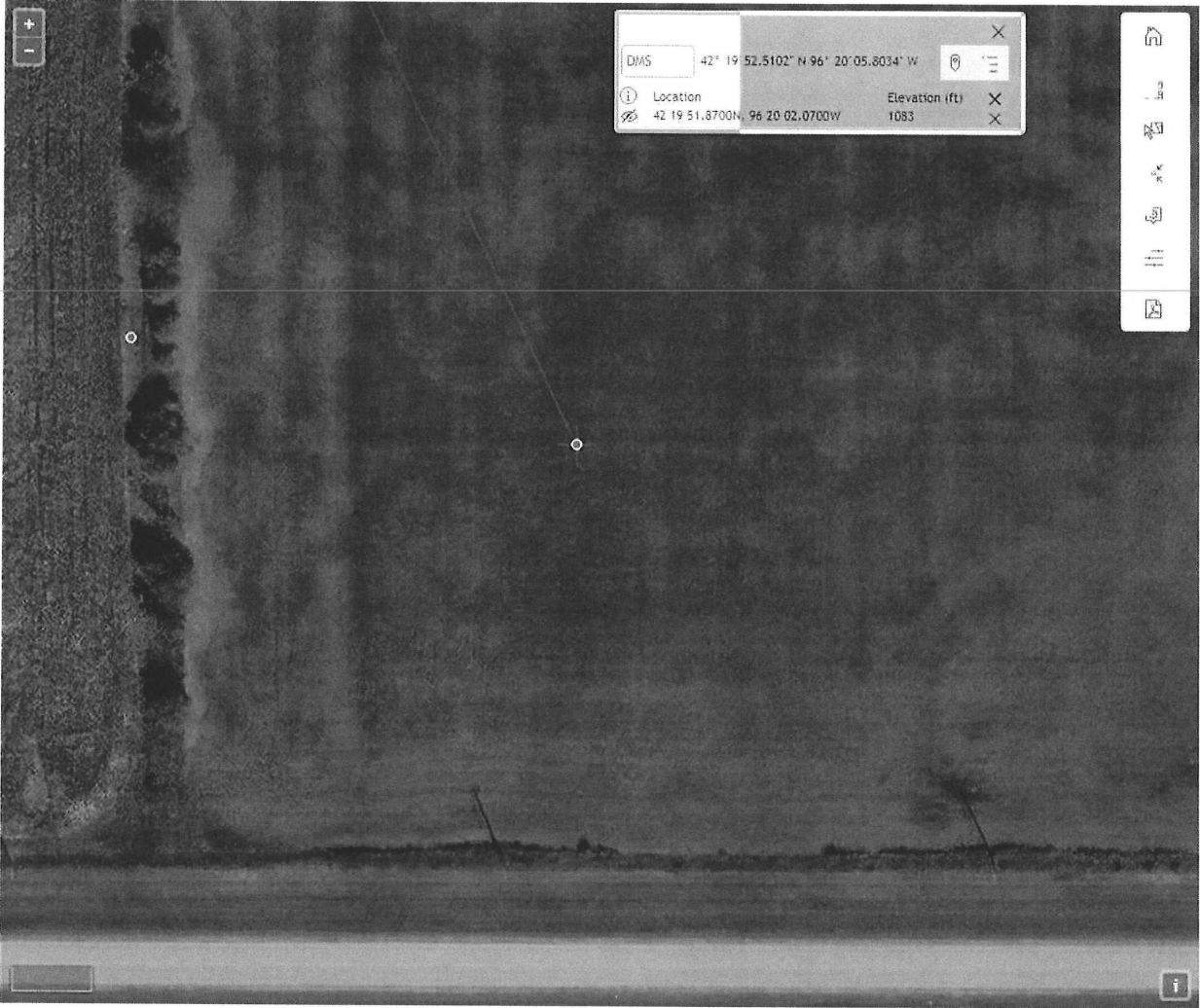
Any future changes that are not consistent with the parameters listed in the FAA 5G C band compatibility evaluation process will void this determination of no hazard.

For 2496-2690 MHz: No Objection with provision that upon receipt of notification from the Federal Aviation Administration (FAA) or Federal Communications Commission (FCC) that harmful interference is being caused by the licensee's (permittee's) transmitter, the licensee (permittee) shall either immediately reduce the power to the point of no interference, cease operation, or take immediate corrective action as is necessary to eliminate the harmful interference.

Frequency Data for ASN 2024-ACE-1110-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
6	7	GHz	55	dBW
6	7	GHz	42	dBW
10	11.7	GHz	55	dBW
10	11.7	GHz	42	dBW
17.7	19.7	GHz	55	dBW
17.7	19.7	GHz	42	dBW
21.2	23.6	GHz	55	dBW
21.2	23.6	GHz	42	dBW
614	698	MHz	2000	W
614	698	MHz	1000	W
698	806	MHz	1000	W
806	824	MHz	500	W
806	901	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
929	932	MHz	3500	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1670	1675	MHz	500	W
1710	1755	MHz	500	W
1755	1780	MHz	3280	W
1850	1910	MHz	1640	W
1850	1990	MHz	1640	W
1930	1990	MHz	1640	W
1990	2025	MHz	500	W
2110	2200	MHz	500	W
2305	2360	MHz	2000	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W
2496	2690	MHz	500	W
3450	3550	MHz	1640	W
3550	3700	MHz	47	dBm
3700	3980	MHz	1640	W

Verified Map for ASN 2024-ACE-1110-OE



**FCC Form 854
Main Form**

Approved by OMD – 3060-0139
See instructions for public burden estimate

Application for Antenna Structure Registration

Purpose of Filing

1) Enter the application purpose: (AM)	
AM – Amendment of a Pending Application AU – Administrative Update CA – Cancellation of an Antenna Structure Registration DI – Notification of an Antenna Structure Dismantlement MD – Modification of a Antenna Structure Registration	NE – Registration of a New Antenna Structure NT – Required Construction/Alteration Notification OC – Ownership Change RE – Registration of a Replacement Antenna Structure WD – Withdrawal of a Pending Application
2a) If the answer to 1 is AU, CA, DI, MD, NT, OC or RE, provide the FCC Antenna Structure Registration (ASR) Number.	FCC ASR Number:
2b) If the answer to 1 is AM or WD, provide the File Number of the pending application on file.	File Number: A1277938
2c) If the answer to 1 is MD or NT, provide the date the Antenna Structure was constructed or the date it was last altered (mm/dd/yyyy).	Date:
2d) If the answer to 1 is DI, provide the date the Antenna Structure was dismantled (mm/dd/yyyy).	Date:

Antenna Structure Ownership Information

3) Select one of the entity types:			
() Individual	() Unincorporated Association	() Trust	() Government Entity
() Corporation	(X) Limited Liability Company	() General Partnership	() Limited Partnership
() Consortium	() Limited Liability Partnership	() Other: _____	
4) FCC Registration Number (FRN): 0011498342		5) Assignor FCC Registration Number (FRN):	
6) First Name (if individual):	MI:	Last Name:	Suffix:
7) Legal Entity Name (if not an individual): American Towers LLC			
8) Attention To: FAA-FCC Regulatory Team		9) P.O. Box:	And/Or
10a) Street Address 1: 10 Presidential Way		10b) Street Address 2:	
11) City: Woburn	12) State: MA	13) Zip Code: 01801	
14) Telephone Number (xxx-xxx-xxxx): (781) 926-4500		15) Fax Number: (xxx-xxx-xxxx):	
16) E-mail Address: faa-fcc@americantower.com			

Contact Representative Information

17) First Name (if individual):	MI:	Last Name:	Suffix:
18) Business Name: American Towers LLC			
19) Attention To: FAA-FCC Regulatory Team	20) P.O. Box		And/Or
21a) Street Address 1: 10 Presidential Way		21b) Street Address 2:	
22) City: Woburn	23) State: MA	24) Zip Code: 01801	
25) Telephone Number (xxx-xxx-xxxx): (781) 926-4500		26) Fax Number: (xxx-xxx-xxxx):	
27) E-mail Address: faa-fcc@americantower.com			

Antenna Structure Information

28a) Latitude (DD-MM-SS.S): 42- 19- 51.8		28b) North or South: North	
29a) Longitude (DDD-MM-SS.S): 096- 20- 02.1		29b) East or West: West	
30) Street Address or Geographic Location: 260th Street (site # 211984)		31) City: Salix	
32) County: WOODBURY	33) State: IOWA	34) Zip Code: 51052-8137	
35) Elevation of site above mean sea level (meters):			330.1 meters
36) Overall height above ground level (AGL) of the supporting structure without appurtenances:			76.2 meters
37) Overall height above ground level (AGL) of the antenna structure including all appurtenances:			80.8 meters
38) Overall height above mean sea level (add items 35 and 37 together):			410.9 meters
39a) Enter the type of structure on which the antenna will be mounted: (LTOWER)			
B – Building BANT – Building with Antenna on Top BMAST – Building with Mast BPIPE – Building with Pipe BPOLE – Building with Pole BRIDG – Bridge BTWR – Building with Tower GTOWER – Guyed Structure Used For Communication Purposes LTOWER – Lattice Tower MAST – Mast MTOWER – Monopole NNGTANN – Guyed Tower Array		NNLTANN – Lattice Tower Array NNMTANN – Monopole Array PIPE – Any type of Pipe POLE – Any type of Pole RIG – Oil or Other Type of Rig SIGN – Any type of Sign or Billboard SILO – Any type of Silo STACK – Smoke Stack TANK – Any type of Tank (water, gas, etc.) TREE – When used as a support for an antenna UPOLE – Utility Pole/Tower used to provide service (electric, telephone, etc.)	
39b) Number of Towers in Array:		39c) Position of this Tower in the Array:	
40a) Array Center Latitude (DD-MM-SS.S):		40b) North or South	
41a) Array Center Longitude (DDD-MM-SS.S):		41b) East or West:	

Proposed Marking and/or Lighting

42) Enter the proposed marking and/or lighting: (7) See Form 854 Item 42 Instructions for detailed tier and lighting information.		
1) None	4) FAA Style B	7) FAA Style E
2) Paint Only	5) FAA Style D	8) FAA Style F
3) Other _____	6) FAA Style C	9) FAA Style A
		10) FAA Style G

FAA Notification

43) FAA Study Number: 2024-ACE-1110-OE	44) Date Issued: 04/12/2024
--	---------------------------------------

Environmental Compliance

45) Does the applicant request a waiver of the Commission's rules for environmental notice prior to construction due to an emergency situation?	(No) Yes or No
46a) If the answer to 45 is No, is another federal agency taking responsibility for environmental review of the Antenna Structure?	(No) Yes or No
46b) If the answer to 46a is Yes, indicate why: 1) The Antenna Structure is on Federal Land and the landholding agency is taking responsibility for the environmental review of the Antenna Structure. 2) Another federal agency has agreed with the FCC in writing to take responsibility for the environmental review of the Antenna Structure.	() 1 or 2
46c) If the answer to 46a is Yes, provide the name of the federal agency taking responsibility for the environmental review of the Antenna Structure.	Name:
47) If the answers to 45 and 46a are No, provide the National Notice Date for the application to be posted on the FCC's website (mm/dd/yyyy).	Date: 04/12/2024
48) Is the applicant submitting an environmental assessment?	(No) Yes or No
49) Does the applicant certify that grant of Authorizations at this location would not have a significant environmental effect pursuant to Section 1.1307 of the FCC's rules?	(Yes) Yes or No
50) If the answer to 49 is Yes, select the basis for this certification. 1) The construction is exempt from environmental notification (other than due to another agency's review) and it does not fall within one of the categories in Section 1.1307(a) or (b) of the FCC's rules? 2) The construction is exempt from environmental notification due to another agency's review, and the other agency has issued a Finding of No Significant Impact. 3) The environmental notification has been completed, and the FCC has notified the applicant that an Environmental Assessment is not required under Section 1.1307(c) or (d) of the FCC's rules, and the Construction does not fall within one of the categories in Section 1.1307(a) or (b) of the FCC's rules. 4) The FCC has issued a Finding of No Significant Impact.	(3) 1, 2, 3, 4
51) If the answer to 50 is 3 or 4, enter the date that Local Notice was provided (mm/dd/yyyy).	Date: 04/11/2024

Certification Statements

- 1) The applicant certifies that all statements made in this application and in the exhibits, attachments, or documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.
- 2) The applicant certifies that neither the applicant nor any other party to the application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862, because of a conviction for possession or distribution of a controlled substance. See Section 1.2002(b) of the rules, 47 CFR § 1.2002(b), for the definition of "party to the application" as used in this certification.

Signature (Typed or Printed Name of Party Authorized to Sign) (For OC Applications, to be completed by Assignee)

52) First Name: Alyse	MI:	Last Name: Brussard	Suffix:
53) Title: Specialist			
54) Signature: Alyse Brussard			55) Date: May 28, 2024

Signature (Typed or Printed Name of Party Authorized to Sign) (For OC Applications, to be completed by Assignor)

56) First Name:	MI:	Last Name:	Suffix:
57) Title:			
58) Signature:			59) Date:

**NEPA Environmental
Site Assessment Report**

**STRELO WOODBURY COUNTY - 108
ATC Site # 211984
2593 Barker Avenue
Salix, IA 51052**

Prepared for

American Towers LLC
10 Presidential Way
Woburn, MA 01801

Prepared by

Trileaf
8600 LaSalle Road, Suite 301
Towson, MD 21286

Job Number: 739770
May 27, 2024

Powered By PARCEL

1.0 Introduction.....	2
1.1 Scope of Services.....	2
1.2 Site Location/Project Description.....	2
2.0 NEPA Summary.....	2
2.1 Wilderness Area.....	2
2.2 Wildlife Preserves.....	2
2.3 National and Scenic Historic Trails.....	2
2.4 Threatened and Endangered Species.....	2
2.5 Migratory Birds.....	3
2.6 Historical and Cultural Concerns.....	4
2.7 Indian Religious Sites.....	4
2.8 Floodplains.....	5
2.9 Significant Changes in Surface Features.....	5
2.10 High Intensity White Lights.....	6
2.11 Radio Frequency Radiation.....	6
3.0 Limitations.....	6
4.0 Certification.....	6
Tribal Chart.....	7
Appendix	
1. Maps.....	10
2. FEMA MAP.....	23
3. IBA.....	25
4. Wetlands Permitting.....	150
5.1 SHPO Concurrence Letter.....	185
5.2 SHPO Documentation.....	189
6. CLG and ITC letters.....	366
7. Public Notice.....	373
8. Native American Tribes.....	375
9. Database Report.....	434
10. Bibliography.....	477
11. Other.....	479

American Tower Corporation FCC NEPA CHECKLIST
(47 CFR Subpart 1, Chapter 1, Sections 1.1301-1.1319)

Site Name: STRELO WOODBURY COUNTY - 108 **Site Number:** 211984
Site Address: 2593 Barker Avenue

Category	Special Interest Item	Potential Effect		
		Yes	No	N/A
1	Is the antenna structure located in an officially designated wilderness area?		X	
2	Is the antenna structure located in an officially designated wildlife preserve?		X	
3	Is the proposed facility located within one mile of a National Scenic Trail?		X	
4	Will the antenna structure likely affect threatened or endangered species or designated critical habitats? (Ref. 50 CFR Part 402)		X	
5	Will the antenna structure likely impact migratory birds? (Ref. Draft Programmatic Environmental Assessment of the Antenna Structure Registration Program 08/26/11)		X	
6	Will the antenna structure affect districts, sites, buildings, structures, or objects significant in American history, architecture, archeology, engineering, or culture that are listed, or potentially eligible for listing in the National Register of Historic Places (NRHP)? (Ref. 36CFR Part 800 regulations implementing Section 106 of the National Historic Preservation Act)		X	
7	Will the antenna structure affect Indian religious site(s)?		X	
8	Will the antenna structure be located in a flood plain? (Ref. Executive Order 11988 and 40 CFR Part 6, Appendix A)		X	
9	Will construction of the antenna structure involve significant change in surface features (e.g. wetlands, deforestation, or water diversion)? (Ref. Executive Order 11990 and 40 CFR Part 6, Appendix A)		X	
10	Is the antenna structure located in a residential neighborhood and required to be equipped with high intensity white lights?		X	
11	Will the antenna structure equal or exceed total power (of all channels) of 2000 Watts ERP (3280 Watts EIRP) and have antenna located less than 10 meters above ground level?			X
12	Will the roof-top antenna project equal or exceed total power (of all channels)?			X

If any of the above responses is 'yes', an Environmental Assessment must be prepared and filed with FCC Form 854. Construction can not start until the FCC issues a 'Finding of No Significant Impact' (FONSI)

Preparer's Signature: John Lawhon Date: May 27, 2024

Printed Name and Title: John Lawhon, Assistant Project Manager
Company Name: Trileaf

1.0 Introduction

1.1 Scope of Services

The purpose of a NEPA Land Use Screening is to comply with the National Environmental Policy Act of 1969 (NEPA). Trileaf performs extensive research and review to provide our clients with a full NEPA document. The following is a summary of the scope of work Trileaf performs to complete a NEPA/Section 106 Review.

1.2 Site Location/Project Description

American Towers, LLC proposes to construct a 250-foot (260-foot overall) self-support telecommunications tower and associated equipment compound within a 75-foot by 75-foot (5,625-square-foot) lease area. In addition, a 30-foot-wide access/utility easement is proposed to extend approximately 217.5 feet south towards 260th Street. Additionally, a 30-foot buffer surrounding the proposed expansion area and the perimeter of the fenced compound will be evaluated. The site is currently agricultural land.

The address listed in this report and throughout the attachments is the best approximation of this project's address at the time environmental services were ordered. It should be noted that the address may change once the E-911 address is established by the local municipality. Despite any change in address, the site has not changed position and the correct site location was reviewed in this report.

2.0 NEPA Summary

There are no noted concerns for this project. The following sections describe the results of the research for each of the NEPA requirements.

2.1 Wilderness Area

Is the antenna structure located in an officially designated wilderness area? No

2.2 Wildlife Preserves

Is the antenna structure or facility located in an officially designated wildlife preserve? No

2.3 National and Scenic Historic Trails

Is the proposed facility located within one mile of a National Scenic Trail? No

Trileaf Corporation reviewed the topographic map as well as the National Trails System map provided by the National Park Service to determine the proximity of the project location to a National Scenic Trail. Trileaf determined that the proposed tower is not located within one mile of a National Scenic Trail.

2.4 Threatened and Endangered Species

Will the antenna structure or facility likely affect threatened or endangered species or designated critical habitats? No

Trileaf reviewed topographic maps for designated wilderness or wildlife areas at or near the project location. On March 5, 2024, a staff scientist took photographs and performed a visual survey of the property during a site visit. Trileaf reviewed both state and federally listed threatened or endangered species. The state list is broken down by county. Currently, the proposed lease area and surrounding 30-foot buffer area consists of an area that is existing agricultural land. The access easement is currently a agricultural land. The Project site is not located within an aquatic or riparian habitat, and the lease area is an existing heavily disturbed agricultural area, therefore any obligate aquatic, riparian, or plant species should not be impacted by this proposed project.

The 260-foot self-support tower will be built within a 75-foot by 75-foot lease area and will include a proposed 30-foot-wide, 217.5-foot-long access easement and utility easement (collectively known as the project area). Upon our site investigation, it was determined that the project area is not located in a waterway, wildlife refuge, national wilderness area, native grassland or forest area, ridge-line, mountain top, coastline or area commonly known to have high incidences of fog or low clouds, where migratory birds may be found. In addition, the nearest NWI mapped wetland is located at the terminus of the proposed access/utility easement and the nearest body of water is greater than 1/4 mile away from the project site. Therefore, based upon these findings, the probability that migratory birds will be found within the project area is minimal; however, the presence of migratory birds cannot be ruled out.

Per the interim guidelines of the FCC Programmatic Environmental Assessment of the Antenna Structure Registration Program (FCC PEA), implemented on June 18, 2012, towers over 450 feet in height require additional environmental review for potential migratory bird concerns. This tower will be 260 feet, which is below the FCC PEA height threshold. The area surrounding the project location is currently agricultural development. If the tower is required to be lit, to the extent FAA regulations allow, American Tower will use the most preferred lighting system possible outlined in the FCC PEA. Furthermore, this tower will be constructed to accept future collocations, thus reducing the need to build additional towers within the immediate project area, and will not be constructed with guy wires. The findings in the above paragraphs suggest that measures for minimizing impacts to migratory birds have been incorporated into this proposed undertaking.

The findings in the above paragraphs suggest that measures for minimizing impacts to migratory birds have been incorporated into this proposed undertaking. Based on the current data made available, and the interim FCC PEA, we have concluded that there is minimal potential for the proposed project to have a significant effect on migratory bird species, and that this project adheres to the guidelines set forth in the United States Fish & Wildlife Service's "Service Interim Guidelines For Recommendations On Communications Tower Siting, Construction, Operation, and Decommissioning."

FEDERAL

Trileaf reviewed a list of federally-listed species provided by the USFWS — Illinois & Iowa Ecological Services Field Office. After a review of the information, none of the listed species above were observed on the site or within 30 feet surrounding the proposed lease area or easements. In addition, no mapped critical habitat was identified. Therefore, it is expected that there will be no effect to listed species or their habitat.

STATE

Trileaf reviewed a list of state-listed species through the Iowa Department of Natural Resources (IDNR). After a review of the information, none of the listed species above were observed on the site or within 30 feet surrounding the proposed lease area or easements. In addition, no mapped critical habitat was identified. Therefore, it is expected that there will be no effect to listed species or their habitat.

On April 10, 2024, Trileaf reviewed the Section 7 Consultation guidance set forth by the USFWS — Illinois & Iowa Ecological Services Field Office. According to guidance obtained on April 10, 2024, "consultation with the Service is not mandatory if an action agency determines that an action will have no effect on species." Agency concurrence with a no effect determination is not required under the Endangered Species Act and will not be provided by the Illinois & Iowa Ecological Services Field Office. Therefore, as Trileaf determined the project would have no effect on listed or proposed threatened or endangered species or critical habitats, no further consultation with the USFWS was required.

On April 10, 2024, Trileaf initiated consultation with the IDNR regarding the proposed project. On May 13, 2024, the IDNR responded that "No land or water under the jurisdiction of the State of Iowa is involved in the project area; therefore, a Sovereign Lands Construction Permit pursuant to Chapter 461A of the Iowa Code will not be required for this project. If the construction plans change, the Department should be contacted for another review".

2.5 Migratory Birds

This 260-foot self-support tower will be built within a 75-foot by 75-foot lease area and will include a proposed 30-foot-wide, 217.5-foot-long access easement and utility easement (collectively known as the project area). Upon our site investigation, it was determined that the project area is not located in a waterway, wildlife refuge, national wilderness area, native grassland or forest area, ridge-line, mountain top, coastline or area commonly known to have high incidences of fog or low clouds, where migratory birds may

be found. In addition, the nearest NWI mapped wetland is located at the terminus of the proposed access/utility easement and the nearest body of water is greater than 1/4 mile away from the project site. Therefore, based upon these findings, the probability that migratory birds will be found within the project area is minimal; however, the presence of migratory birds cannot be ruled out.

Per the interim guidelines of the FCC Programmatic Environmental Assessment of the Antenna Structure Registration Program (FCC PEA), implemented on June 18, 2012, towers over 450 feet in height require additional environmental review for potential migratory bird concerns. This tower will be 260 feet, which is below the FCC PEA height threshold. The area surrounding the project location is currently agricultural development. If the tower is required to be lit, to the extent FAA regulations allow, American Tower will use the most preferred lighting system possible outlined in the FCC PEA. Furthermore, this tower will be constructed to accept future collocations, thus reducing the need to build additional towers within the immediate project area, and will not be constructed with guy wires. The findings in the above paragraphs suggest that measures for minimizing impacts to migratory birds have been incorporated into this proposed undertaking.

Based on the efforts undertaken during this IBA, as well as the project specifications, the current data made available, and the interim FCC PEA, we have concluded that there is minimal potential for the proposed project to have a significant effect on migratory bird species, and that this project adheres to the guidelines set forth in the United States Fish & Wildlife Service's "Service Interim Guidelines For Recommendations On Communications Tower Siting, Construction, Operation, and Decommissioning."

2.6 Historical and Cultural Concerns

Will the antenna structure or facility affect districts, sites, buildings, structures, or objects significant in American history, architecture, archeology, engineering, or culture that are listed, or potentially eligible for listing in the National Register of Historic Places (NRHP)? No

Trileaf performed a NEPA Review in accordance with the *Nationwide Programmatic Agreement for Review of Effects on historic Properties for Certain Undertakings Approved by the Federal Communications Commission* dated September 2004. Our investigation includes determining if the site is contained in, on, or within the viewshed of a building, site, district, structure, or object, significant in American history, architecture, archaeology, engineering, or culture, that is listed, or eligible for listing on the State or National Registers of Historic Places, or located in or on an Indian Religious Site.

A Cultural Resource Evaluation was conducted by Abraham Ledezma of In Situ Archaeological Consulting, LLC. The records and literature search determined that there are two (2) listed or eligible National Register of Historic Places (NRHP) identified within the Direct Area of Potential Effects (APE) or within the Visual APE. No archaeological sites or other cultural resources were identified within the direct APE or near the subject property. On April 3, 2024, Trileaf submitted the Form 620, with a "No Effect" finding, to the Iowa SHPO. The State Historic Preservation concurred on April 29, 2024, that there will be no historic properties affected.

Trileaf submitted information with regards to this project to the Woodbury County Community & Economic Development and the Rural Woodbury County Historical Society on March 12, 2024. No responses have been received in regards to this project as of the date of this report. Further, public involvement was solicited through the *Sioux City Journal*, in which a public notice was published on March 28th and April 4th, 2024. No comments were received from the public to Trileaf's knowledge as of the date of this report.

2.7 Indian Religious Sites

Will the antenna structure or facility affect Indian religious site(s)? No

Trileaf referred to the Section 106 review to determine if the property is located in or on a Native American Religious Site. Also, in compliance with the Federal Communications Commission (FCC) regulations, Trileaf contacted all federally recognized Native American Tribes as specified by Section IV.G of the Nationwide Programmatic Agreement (NPA). On February 26, 2024, Trileaf submitted project information through the Tower Construction Notification System (TCNS) to the FCC who initiated contact with the tribes on March 1, 2024. As of May 31, 2024, all tribes have confirmed clearance either directly or by default via the FCC referral process. Trileaf determined that the subject Property is not located on or near a Native American Religious or Sacred Site.

2.8 Floodplains

Will the antenna structure or facility be located in a floodplain? No

Trileaf reviewed the USGS topographic map and the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Panel No. 19193C0400D, dated September 29, 2011, to determine if the project was located within the 100-year flood plain. The Property is mapped in Zone X, a zone known to be outside the 100- and 500-year floodplain. Based on this review, Trileaf determined that the property is not in a 100-year floodplain.

2.9 Significant Changes in Surface Features

Will construction of the antenna structure or facility involve significant change in surface features (e.g. wetlands, deforestation, or surface water diversion)? No

Trileaf performed a field visit and identified all surface water bodies in the action area. Using local maps in combination with an area reconnaissance, Trileaf determined that there were no bodies of water found within the action area. Based on examination of the topographic map, groundwater flow in the area is generally south. The closest body of water is Browns Lake located approximately 2,200 feet south from the proposed tower location.

According to the U.S. Soil Conservation Service Soil Survey of Woodbury County, Iowa, the Property is underlain by Salix silt loam, Albaton silty clay, and Onawa-Albaton complex with 0 to 2 percent slopes, rarely flooded.

Salix soils consist of moderately well drained soils that are formed from alluvium and are found in floodplains. A typical profile of a Salix soil consists of a surface layer of silty clay loam extending from 0 to 7 inches, two distinct layers of silty clay loam extending from 7 to 15 inches and 15 to 25 inches, and followed by two distinct layers of silty loam extending from 25 to 40 inches and 40 to 60 inches. The depth to the most restrictive feature is more than 80 inches. The depth to water table is about 48 to 72 inches. Salix soils do not typically flood or pond.

Albaton soils consist of poorly drained soils that are formed from calcareous clayey alluvium and are found in floodplains. A typical profile of an Albaton soil consists of a surface layer of silty clay extending from 0 to 7 inches followed by a subsurface layer of silty clay extending from 7 to 60 inches. The depth to the most restrictive feature is more than 80 inches. The depth to water table is about 0 to 12 inches. Albaton soils rarely flood and have no frequency of ponding.

Onawa rarely flooded soils consist of somewhat poorly drained soils that are formed from clayey alluvium over silty alluvium and are found in floodplains. A typical profile of an Onawa rarely flooded soils consists of a surface layer of silty clay extending from 0 to 9 inches followed by a subsurface layer of silty clay extending from 9 to 36 inches, and silt loam extending from 36 to 80 inches. The depth to the most restrictive feature is more than 80 inches. The depth to water table is about 12 to 42 inches. Onawa soils rarely flood and have no frequency of ponding.

Salix silt loam and Onawa-Albaton complex with 0 to 2 percent slopes, rarely flooded are not considered hydric soils, however, Albaton silty clay with 0 to 2 percent slopes, rarely flooded is considered a hydric soil.

Trileaf has reviewed the USGS topographic map, soil composition and survey drawings, as well as the National Wetlands Inventory (NWI) Map to determine if the proposed lease area and easements, and the area encompassing an additional 30 foot surrounding this site would have an impact on any wetlands or required significant amounts of fill or grading. On May 7, 2024, AquAeTer, Inc. performed a wetland delineation of the project site. It was determined that the proposed lease area compound is not located within a recognized national wetland area. However, a recognized national wetland area was identified south of the proposed compound south of the proposed lease area, located at the terminus of the proposed access/utility easement. AquAeTer, Inc. determined that less than 0.1 acres of this recognized national wetland area is to be impacted by the proposed site development. Additionally, the United States Army Corp of Engineers (USACE) has confirmed the boundaries of this wetland and that the impacted wetland area is less than 0.1 acres. Since the impacted wetland area has been confirmed by the USACE to be less than 0.1 acres, Trileaf has determined that the proposed project development will not have a significant impact on wetlands or other surface features.

2.10 High Intensity White Lights

Is the antenna structure or facility located in a residential neighborhood and required to be equipped with high intensity white lights? No

High intensity white lights are required by FAA for aviation avoidance marking on towers over 499 feet above ground surface. Towers less than 499 feet are not equipped with high intensity white lights.

2.11 Radio Frequency Radiation

Will the antenna structure equal or exceed total power (of all channels) of 2000 Watts ERP (3280 Watts EIRP) and have antenna located less than 10 meters above ground level? N/A

This category applies to FCC licensees and not antenna structure owners. Antenna structures (towers) do not emit radio frequency radiation. FCC licensees transmitting from antennas mounted on American Tower-owned antenna structures are required to comply with radio frequency exposure standards.

3.0 Limitations

Trileaf noted no limiting conditions with this assessment.

4.0 Certification

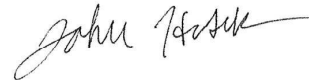
A NEPA Review was prepared for STRELO WOODBURY COUNTY - 108, IA, located at 2593 Barker Avenue, Salix, Iowa 51052, by Trileaf Corporation.

Report Writer

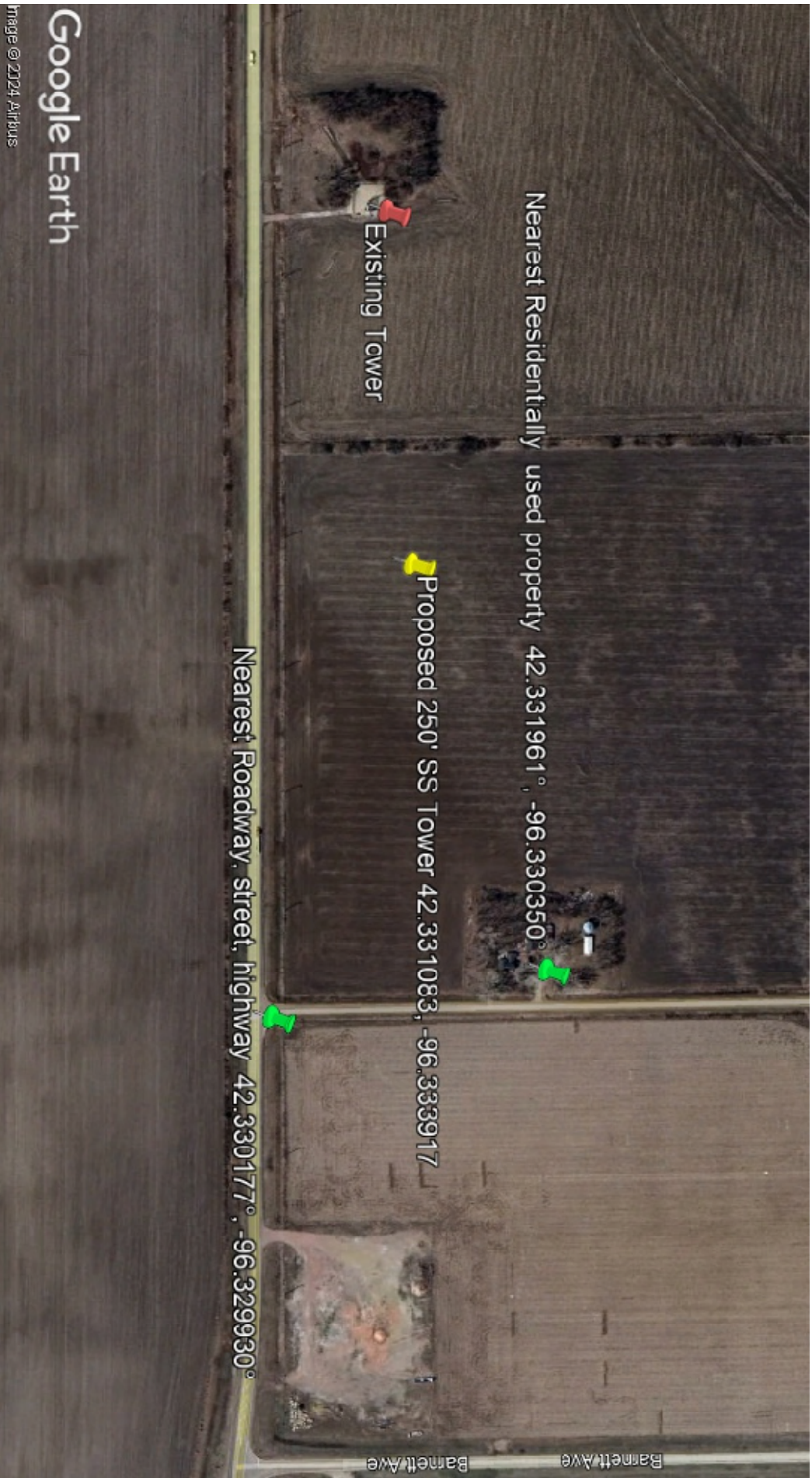



John Lawhon
Assistant Project Manager

Senior Reviewer




John Hosek
Project Manager





EXISTING

**EXISTING TOWER
TO BE DEMO**



PROPOSED

PROPOSED 250' TOWER

PROPOSED ANTENNAS

REVISIONS

REV. DATE	DESCRIPTION	INITIALS

LVB

40150 Pomona Lane, Suite 100
Wyomn, Michigan 48382
PHONE: (248) 712-9212

AMERICAN TOWER

SITE DESIGN
3000 W. PLYMOUTH AVENUE, SUITE 100
TROY, MI 48068-2048

ATC SITE NUMBER:
271984
STRELO WOODBURY
COUNTY - 108

SHEET TITLE

PHOTOSIM 1

SHEET NUMBER

P1



EXISTING

PROPOSED

PROPOSED 250' TOWER
 PROPOSED ANTENNAS

AMERICAN TOWER
 SITE DESIGN
 48000 Forbues Trail, Suite 100
 Wixom, Michigan 48393
 PHONE: (248) 705-8912

LAB

REV.	DATE	DESCRIPTION	INITIALS
P1	9/12/24	ISSUED FOR REVIEW	PL

ATC SITE NUMBER:
 211984
 STRELO WOODBURY
 COUNTY - 108

PHOTOSIM 2

SHEET NUMBER
P1



WOODBURY COUNTY, IOWA
APPLICATION FOR BUILDING PERMIT



For Office Use: Case No. 7015
Zoning District GI Date Approved Denied By
Floodplain District Map # 380E Fee 500 Ck/Rct # 6069
GIS # 874720400004 Mail [checked] Pick up

In accordance with the Woodbury County Zoning Ordinance, the undersigned hereby applies for a building permit: abobrytzke@smj-llc.com

Landowner's name: Andrew Bobrytzke obo Brad Kobold and American Tower LLC Phone: 507-327-2361

Mailing Address: 10 Presidential Way City: Woburn Zip: 01801

Structure will be built at (address): xxx 260th Street, Salix, IA Parcel 874720400004

Occupied by: American Tower LLC

Quarter/quarter Section 20 Civil Township 87-47 SESE Liberty

Subdivision Block Lot(s)

Name of Contractor: TBD Phone:

Address of Contractor:

Anticipated start date of construction: (month/day/year): TBD pending approvals

Type of structure: Communications Tower Will this be used for business purposes? YES

Structure's Value: \$250,000.00 Size of parcel in acres: 36.9

Remarks: This is a replacement Cell Tower

PLEASE READ CAREFULLY.

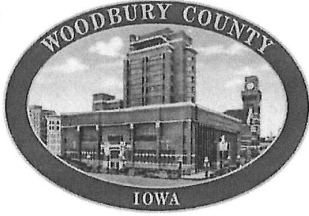
I, the undersigned, hereby understand and state that the land and building listed herein SHALL NOT BE OCCUPIED OR USED in whole or in part for any purpose whatsoever until the structure has been completed and reported as such to the County Office of Planning and Zoning; and to do so constitutes a violation of the Woodbury County Zoning Ordinance subject to misdemeanor charges. I further state that I have read the foregoing application and attachments and know the contents therein, and the facts contained are true and accurate.

Signature

This day of , 20

Notary Public in and for Woodbury County, Iowa

AFTER THE APPLICATION HAS BEEN APPROVED AND THE PERMIT ISSUED, THE PERMIT BECOMES NULL AND VOID IF CONSTRUCTION HAS NOT COMMENCED WITHIN 120 DAYS AND IN ANY EVENT ONE YEAR.



WOODBURY COUNTY

Floodplain Development Permit Application

Date: 08/23/2024

TO THE ADMINISTRATOR: The undersigned hereby makes application for a Permit to develop in a flood plain. The work to be performed, including flood protection works, is as described below and in attachments hereto. The undersigned agrees that all such work shall be done in accordance with the requirements of the Woodbury County Flood Plain Management Ordinance and with all other applicable county ordinances and the laws and regulations of the State of Iowa.

Andrew Bobrytzke
(Owner or Agent)
49030 Pontiac Trail, Ste 100 Wixom, MI 48393
(Address) 507-327-2361
Telephone # _____

American Tower LLC
(Builder)
10 Presidential Way, Woburn, MN 01801
(Address) _____
Telephone # 20-87-47

1. Location: _____ ¼ _____ ¼, Section _____, Township _____
Street Address: TBD 260th Street, Salix, IA
GIS # 874720400004

GI *Liberty*
SESE

2. Type of Development: Communications Tower
Filling _____ Grading _____ Excavation _____ Routine Maintenance _____
Minor Improvement _____ Substantial Improvement _____ New Construction X

3. Description of Development: Build new communications tower w access driveway

4. Premises: Size of site: 75 ft. x 75 ft. Area of Site: 5625 sq. ft. Estimated cost: 250,000.00
Principal Use: Communications Tower
Accessory Uses (Storage, parking, etc.): Base Station equipment in fences tower compound

5. Addition or modification to non-conforming use? Yes _____ No _____ Assessed value of structure \$ _____

6. Is property located in a designated Floodway (FW District)? Yes _____ No X

IF ANSWERED YES, CERTIFICATION MUST BE PROVIDED PRIOR TO THE ISSUANCE OF A PERMIT TO DEVELOP, THAT THE PROPOSED DEVELOPMENT WILL RESULT IN NO INCREASE IN THE 100 YEAR (BASE) FLOOD ELEVATION.

7. Property located in a designated Floodway District (FW), Floodway Fringe (FF) General Flood Plain District (FP), Shallow Flooding District (SF), or Dam Failure Inundation District (DI)?
Yes _____ No X If so, indicate which one: _____
a. Elevation of the 100 year (Base) flood (identify source if other than FIRM): _____
b. Elevation of the proposed development site (natural ground): _____ MSL/NGVD
c. Required elevation/flood-proofing level for lowest floor: _____ MSL/NGVD

- d. Proposed elevation/flood-proofing level for lowest floor (including basement): _____ MSL/NGVD
 - e. Other flood plain information (identify and describe source)
-

THIS PERMIT IS ISSUED WITH THE CONDITION THAT THE LOWEST FLOOR (INCLUDING BASEMENT) OF ANY NEW OR SUBSTANTIALLY IMPROVED RESIDENTIAL BUILDING WILL BE ELEVATED AT LEAST 1.0 FOOT ABOVE THE 100 YR. (BASE) FLOOD ELEVATION. IF THE PROPOSED DEVELOPMENT IS A NON-RESIDENTIAL BUILDING, THIS PERMIT IS ISSUED WITH THE CONDITION THAT THE LOWEST FLOOR (INCLUDING BASEMENT) OF A NEW OR SUBSTANTIALLY IMPROVED NON-RESIDENTIAL BUILDING WILL BE ELEVATED OR FLOOD-PROOFED TO AT LEAST 1.0 FOOT ABOVE THE 100 YR. (BASE) FLOOD ELEVATION.

8. Other permits required?

Iowa Department of Natural Resources: Yes _____ No If yes, permit # _____
Date Received: _____

Corps of Engineers: Yes _____ No If yes, permit # _____
Date Received: _____

Other: _____

All provisions of the County of Woodbury Flood Plain Management Ordinance (Ordinance # : _____) shall be complied with.

THIS PERMIT IS ISSUED WITH THE CONDITION THAT THE DEVELOPER/OWNER WILL PROVIDE CERTIFICATION BY A REGISTERED ENGINEER, ARCHITECT, OR LAND SURVEYOR OF THE "AS-BUILT" LOWEST FLOOR (INCLUDING BASEMENT) ELEVATION OF ANY NEW OR SUBSTANTIALLY IMPROVED BUILDING COVERED BY THIS PERMIT.

Plans and Specifications Approved this _____ Day of _____, 20 ____ .

Andrew J. Bobrytzke
(Signature of Developer/Owner)

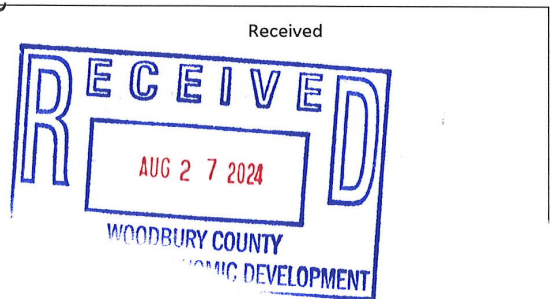
(Authorizing Official)

Cc: Water Resources Section
Iowa Department of Natural Resources
Wallace State Office Building
East 9th and Grand
Des Moines, IA 50319

Date: _____

For Office Use Only

FPDP #: <u>7014</u>	Fee: <u>\$110</u> pd <u>8-27-24</u>
Approved: _____	Denied: _____
Check #: <u>6070</u>	Receipt #: _____
Map Panel #: <u>380E</u>	SFHA: _____



LEGAL NOTIFICATION

To be published in Sioux City Journal on September 21, 2024 for the Board of Adjustment's public hearing.

NOTICE OF PUBLIC HEARINGS BEFORE THE WOODBURY COUNTY BOARD OF ADJUSTMENT

The Woodbury County Board of Adjustment will hold public hearings on the following items on September 20, 2024, at 6:00 PM at its soon thereafter at the location indicated. Said hearings will be held in accordance with the provisions of the Iowa Code, Chapter 476, and the Board of Adjustment's Rules and Regulations. The Board of Adjustment is authorized to receive and consider applications for the following items:

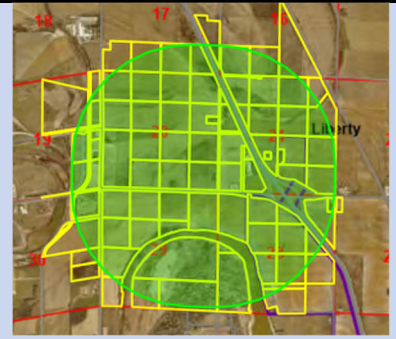
1. Conditional Use Permit for the installation and use of a 250' cell tower on the south side of Highway 168, IA within the Agricultural Preservation (AP) Zoning District and Special Use Ordinance (S.U.O.) 2014 of the Woodbury County Zoning Ordinance. Applicant: L & K Table Holdings, LLC d/b/a Table. The property is located in Section 35 of the Code of Iowa, Township 113 North, Range 126 West, Meridian 126 West. The property is located in the Agricultural Preservation (AP) Zoning District and Special Use Ordinance (S.U.O.) 2014 of the Woodbury County Zoning Ordinance. Applicant: L & K Table Holdings, LLC d/b/a Table. The property is located in Section 35 of the Code of Iowa, Township 113 North, Range 126 West, Meridian 126 West.

2. Conditional Use Permit for the installation and use of a 250' cell tower on the south side of Highway 168, IA within the Agricultural Preservation (AP) Zoning District and Special Use Ordinance (S.U.O.) 2014 of the Woodbury County Zoning Ordinance. Applicant: L & K Table Holdings, LLC d/b/a Table. The property is located in Section 35 of the Code of Iowa, Township 113 North, Range 126 West, Meridian 126 West.

3. Conditional Use Permit for the installation and use of a 250' cell tower on the south side of Highway 168, IA within the Agricultural Preservation (AP) Zoning District and Special Use Ordinance (S.U.O.) 2014 of the Woodbury County Zoning Ordinance. Applicant: L & K Table Holdings, LLC d/b/a Table. The property is located in Section 35 of the Code of Iowa, Township 113 North, Range 126 West, Meridian 126 West.

PROPERTY OWNER(S) NOTIFICATION

Total Property Owners within one (1) mile via Certified Abstractor's Listing:	35 Deed Holders/Owners of 180 Properties
Notification Letter Date:	September 18, 2024
Public Hearing Board:	Board of Adjustment
Public Hearing Date:	October 7, 2024
Phone Inquiries:	0
Written Inquiries:	0
The names of the property owners are listed below.	
When more comments are received after the printing of this packet, they will be provided at the meeting.	



PROPERTY OWNER(S)	MAILING ADDRESS	COMMENTS
SENT TO "CURRENT PROPERTY OWNERS" OR TO THE FOLLOWING:		
Fred L. & Margaret A. Godfredson Revocable Trust	2403 Barker Ave. Sergeant Bluff IA 51054-8037	No comments received.
George & Jodi Nelson	2514 Buchanan Ave. Salix IA 51052	No comments received.
CF Industries Nitrogen, LLC	4 Parkway North Suite 400 Deerfield IL 60015	No comments received.
Lindgren-Baker Farm LC	PO Box 6 Algona IA 50511	No comments received.
Three Bee's LC	2201 East 4th St. Sioux City IA 51101	No comments received.
MidAmerican Energy Co.	PO Box 657 Des Moines IA 50303-0657	No comments received.
Larry Eisenhauser Trust	1801 Glen Ellen Rd. Sioux City IA 51106	No comments received.
Barbara D. Wiggs	409 Beall St. PO Box 121 Sloan IA 51055	No comments received.
Barbara D. Wiggs	PO Box 121 Sloan IA 51055	No comments received.
C & NW RR Co	400 W Madison St. Chicago IL 60606	No comments received.
Chicago Northwestern R R Co	400 W Madison St. Chicago IL 60606	No comments received.
Michael Lee & Vicki Jo Smith Christine & Matthew Cappetta	2575 Barker Ave. Sergeant Bluff IA 51054-8084	No comments received.
Bradley J. Kobold Trust	211 7th St. Sergeant Bluff IA 51054	No comments received.
United States of America Real Estate Division Omaha District	106 S. 15th St. Omaha NE 68102-1618	No comments received.
Irwin A. Grau Revocable Trust, Wilma C. Grau Revocable Trust	433 E Maple Lawton IA 51030	No comments received.
A & A Cattle Company Inc	PO Box 767 Sergeant Bluff IA 51054-0767	No comments received.
Richard John Glen Patterson	2708 Benton Ave. Salix IA 51052-8039	No comments received.
Dennis Brouillette	605 Aspen St. Salix IA 51052-8060	No comments received.
Randall T. Beck Revocable Trust	201 1st St. Sergeant Bluff IA 51054	No comments received.
Randall T. Beck Revocable Trust	PO Box 845 Sergeant Bluff IA 51054-0845	No comments received.
Richard J. G. Patterson	PO Box 108 Salix IA 51052-0108	No comments received.
Dennis Brouillette & Andrew J. & Katherine L. Brouillette	101 Liberty LN Salix IA 51052-8060	No comments received.

Andrew J. & Katherine L. Brouillette	101 Liberty LN	Salix	IA	51052-8060	No comments received.
PNW, LLC c/o Daniel G. Lee	2568 Barnett Ave.	Salix	IA	51052	No comments received.
Barbara Oeherking Revocable Trust	Box 168	Sergeant Bluff	IA	51054	No comments received.
Carlye Erika Diana Patterson	PO Box 108	Salix	IA	51052	No comments received.
Michael L. Patterson	1866 Highway 141, Box 44	Sloan	IA	51055-0044	No comments received.
Michael L. Patterson	Box 44	Sloan	IA	51055-0044	No comments received.
Michael T. & Patricia J. Ping	2550 Benton Ave.	Salix	IA	51052-8037	No comments received.
Daniel G. & Barbara J. Lee	1405 260th St.	Salix	IA	51052	No comments received.
Daniel Gordon Lee	1405 260th St.	Salix	IA	51052	No comments received.
William J. Smith	5309 Hwy 75 North Lot 44	Sioux City	IA	51108	No comments received.
State of Iowa Property Management Section	800 Lincoln Way	Ames	IA	50010	No comments received.
Nora Reynolds Lerer	415 Sherman St.	Healdsburg	CA	95448	No comments received.
D & H Himmel Farms LLC & ML Kimmel Farms LLC: Kriener Farm Management ATTN: Dan Kriener	4110 Floyd Blvd	Sioux City	IA	51108	No comments received.
Iowa State Conservation	800 Lincoln Way	Ames	IA	50010	No comments received.
Northern Natural Gas	PO Box 3330	Omaha	NE	68103-0330	No comments received.
Kimmel Family Farms, LLC & Kent W. Ivener Living Trust	111 Doral Lane	Dakota Dunes	SD	57049	No comments received.
Mark W. Maupin c/o Bob Cook	705 Winfield Cir	Sergeant Bluff	IA	51054	No comments received.
Union Pacific Railroad	1400 Douglas Stop 1640	Omaha	NE	68179-1640	No comments received.

STAKEHOLDER COMMENTS

911 COMMUNICATIONS CENTER:	No comments received.
FIBERCOMM:	No comments received.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments received.
IOWA DEPARTMENT OF TRANSPORTATION (IDOT):	No comments received.
LOESS HILLS NATIONAL SCENIC BYWAY:	No comments received.
LOESS HILLS PROGRAM:	No comments received.
LONGLINES:	No comments received.
LUMEN:	No comments received.
MAGELLAN PIPELINE:	No sir. No issues from us here. We don't have any assets on that property. A mile or so east and west we do, but not there. Thank you for following up. – Bryan Ferguson, 9/18/24.
MIDAMERICAN ENERGY COMPANY (Electrical Division):	I have reviewed the attached rezoning application for MEC electric and we have, No conflicts. – Casey Meinen, 9/4/24.
MIDAMERICAN ENERGY COMPANY (Gas Division):	No comments received.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS):	No comments received.
NORTHERN NATURAL GAS:	No comments received.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	Have reviewed this zoning request. NIPCO has no issues with this request. – Jeff Zettel, 9/10/24
NUSTAR PIPELINE:	No comments received.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	No comments received.
WIATEL:	No comments received.
WINNEBAGO TRIBE:	No comments received.
WOODBURY COUNTY ASSESSOR:	No comments received.
WOODBURY COUNTY CONSERVATION:	None at this time. – Daniel Heissel, 9/3/24
WOODBURY COUNTY EMERGENCY MANAGEMENT:	No comments received.
WOODBURY COUNTY EMERGENCY SERVICES:	No comments received.
WOODBURY COUNTY ENGINEER:	I have reviewed the site and have an approved driveway permit for access to the new tower. The fall zone for the tower lies outside of the right of way. I have no concerns with the proposed land use at this location. – Mark Nagra, 9/11/24
WOODBURY COUNTY RECORDER:	No comments. Thank you. – Diane Swoboda Peterson, 9/3/24
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No comments received.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT:	The WCSWCD has no comments regarding this project. – Neil Stockfleth, 9/5/24
WOODBURY COUNTY TREASURER:	No comments received.

PICTOMETRY



Woodbury County, IA / Sioux City

Summary

Parcel ID: 872720400004
 Alternate ID: 7603190
 Property Address: 5413 S. HAGER AVE
 SAU: 0A.5192
 Sec/Plat/Blk: 20-07-47
 Brief Description: SECE 20-87-47
 Date/Book/Page: 08/21/11 81/2/223
 Gross Acres: 36.90
 Net Acres: 36.90
 Adjusted CSR Pct: 2433.12
 Zone: Q1 - GENERAL INDUSTRIAL
 School District: WESTWOOD COMM
 Neighborhood: N/A



Owner

Deed Holder: [KONOLD, RONALD E & J TRUST](#)
 Contract Holder: SERGEANT BLUFF IA 31054
 Mailing Address: 2117TH ST
 SERGEANT BLUFF IA 51054

Land

Lot Area: 36.90 Acres: 1,607,364 SF

Residential Dwellings

Residential Dwelling: Single-Family / Owner Occupied
 Construction Style: 1 1/2 Story Frame
 Architectural Style: N/A
 Year Built: 1875
 Condition: Normal
 Floor: Asphalt/Gravel
 Flooring: Bk
 Foundation: Viny
 Exterior Material: Pks
 Interior Material: Pks
 Total Gross Living Area: 1,696 SF
 Main Area Square Feet: 668
 Alike Type: None
 Number of Rooms: 3
 Number of Bathrooms: 1/2
 Basement Area Type: 3/4
 Basement Area: 334
 Basement Finished Area: 1 Standard Bath - 3FR
 Appliances: Central Air
 Heat: Yes
 Prepaces: Wood/Deck
 Decks: 1 Story Frame (36x05FT)
 Additions: 4x6 SF - Det Frame (Bk/Ln 1901)
 Garages: 0

Agricultural Buildings

Par #	Type	Description	Width	Length	Year Built	Building Count
0	Sheet Utility Building		20	40	1966	1
0	Sheet Utility Building		21	40	1977	1
0	Bk - Grain Storage (Bldg)		0	0	1960	1

Sales

Date	Seller	Buyer	Recording	Sub-Condition	NUTC	Type	Mktl Parcel	Amount
8/2/2022	KONOLD BRADLEY J	KONOLD BRADLEY J TRUST	2022-09-19	Quit Claim Deed		Deed		\$0.00

Valuation

Show: There are other parcels involved in one or more of the above sales.

Class	2024	2023	2022	2021	2020
Class: cation	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture
* Assesed Land Value	\$79,280	\$79,280	\$61,590	\$61,590	\$61,200
* Assesed Building Value	\$2,930	\$2,930	\$2,080	\$2,160	\$2,000
* Assesed Dwelling Value	\$89,540	\$89,160	\$65,740	\$65,740	\$59,900
* Gross Assesed Value	\$171,970	\$171,290	\$129,410	\$129,490	\$120,100
* Exempt Value	\$0	\$0	\$0	\$0	\$0
* Net Assesed Value	\$171,970	\$171,290	\$129,410	\$129,490	\$120,100

Sioux City Special Assessments and Fees

[Click here to view special assessment information by category.](#)

Woodbury County Tax Credit Applications

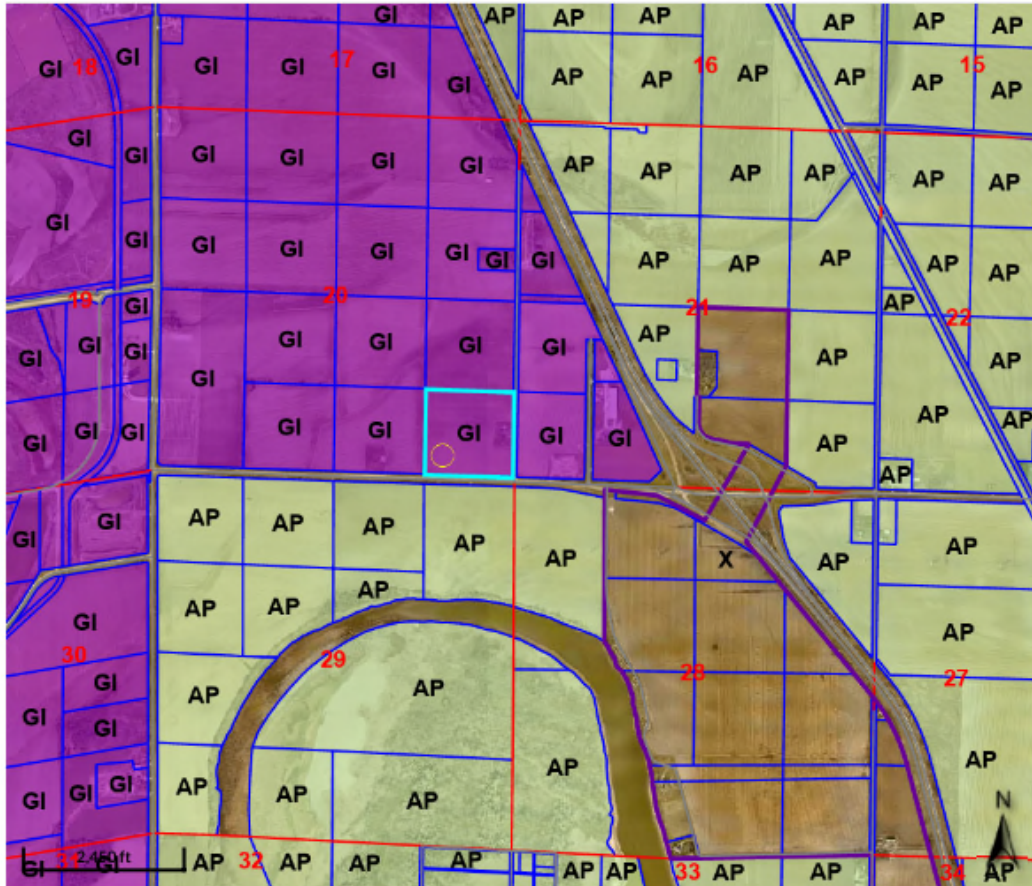
Apply for Homestead, Military or Business Property Tax Credits

Photos

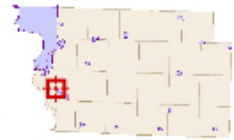


Sketches

BeaconTM Woodbury County, IA / Sioux City



Overview



Legend

- Roads
- Corp Boundaries
- Townships
- Sections
- Parcels
- County Zoning**
- AE
- AP
- GC
- GC-PD
- GI
- LI
- LI-PD
- SR
- WR

Parcel ID	874720400004	Alternate ID	760380	Owner Address	KOBOLD BRADLEY J TRUST
Sec/Twp/Rng	20-87-47	Class	A		211 7TH ST
Property Address	2593 BARKER AVE	Acreage	36.9		SERGEANT BLUFF, IA 51054
	SALIX				
District	0043				
Brief Tax Description	SESE 20-87-47				
	(Note: Not to be used on legal documents)				

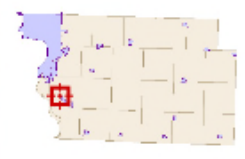
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 GEOSPATIAL

SPECIAL FLOOD HAZARD AREA (SFHA) MAP



Overview



Legend

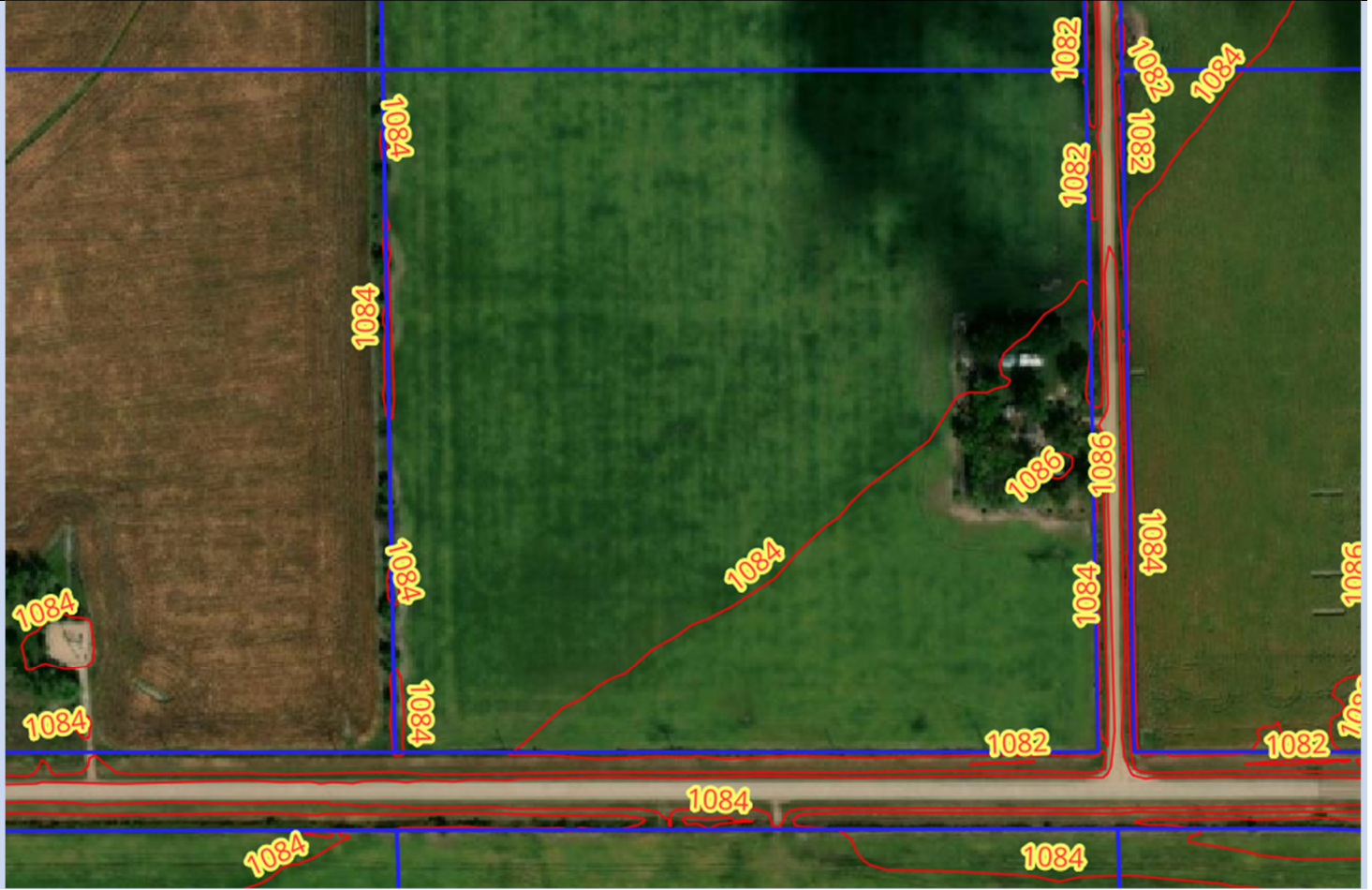
-  Roads
-  Corp Boundaries
-  Townships
-  Parcels

Parcel ID	874720400004	Alternate ID	760380	Owner Address	KOBOLD BRADLEY J TRUST
Sec/Twp/Rng	20-87-47	Class	A		211 7TH ST
Property Address	2593 BARKER AVE	Acres	36.9		SERGEANT BLUFF, IA 51054
	SALIX				
District	0043				
Brief Tax Description	SESE 20-87-47				
	(Note: Not to be used on legal documents)				

Date created: 8/31/2024
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Developed by 

ELEVATION MAP



SOIL REPORT(S)

Woodbury County, IA / Sioux City

Summary

Parcel ID	874720400004
Gross Acres	36.90
ROW Acres	0.00
Gross Taxable Acres	36.90
Exempt Acres	0.00
Net Taxable Acres	36.90
Average Unadjusted CSR2	68.55
	(Gross Taxable Acres - Exempt Land)
	(2529.5 CSR2 Points / 36.9 Gross Taxable Acres)

Agland Active Con g 2017 CSR2

Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	34.70	67.19	2,331.34	2,331.34
Non-Crop	2.20	90.07	198.16	101.98
Total	36.90		2,529.50	2,433.32

Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	36	SALIX SILT LOAM, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	94.00	8.85	831.90	831.90
100% Value	3146	ONAWA-ALBATON COMPLEX, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	72.00	0.01	0.72	0.72
100% Value	156	ALBATON SILTY CLAY, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	58.00	25.84	1,498.72	1,498.72
Non-Crop	36	SALIX SILT LOAM, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	94.00	1.96	184.24	92.86
Non-Crop	156	ALBATON SILTY CLAY, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	58.00	0.24	13.92	9.12
Total				36.90	2,529.50	2,433.32

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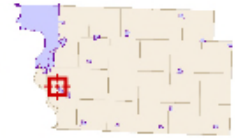
Contact Us



BeaconTM Woodbury County, IA / Sioux City



Overview



Legend

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

Parcel ID	874720400004	Alternate ID	760380	Owner Address	KOBOLD BRADLEY J TRUST
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WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM

Date: 8/16/2024

Weekly Agenda Date: 8/27/2024

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

WORDING FOR AGENDA ITEM:

Direction for Planning and Zoning Director to Work with Planning and Zoning, the Board of Adjustment Commission, and Legal Counsel in Order to Make a Recommendation Contemplating Decommissioning Requirements as a Part of a New Ordinance Regarding Carbon Pipelines

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

When something as powerful as eminent domain is used and emplacement of a new carbon pipeline is completed, a key question must be asked: after these new technologies have reaped the benefit of federal tax credits and the subsidiary energy used, what is to become of the land? This something that we have engaged in dozens of times regarding the alternative energies of wind and solar. Woodbury County adopted at our urging an energy resolution and has urged officials to look at new technologies that do not degrade farmland for future generations, respect private property rights, and leave the land in the spirit of stewardship better than we found out.

If the Summit plan to expand carbon pipeline through 300 miles that were abandoned by Navigator's C02 pipeline maintains IUB commission approval by approvals in South and North Dakota and survives any lawsuit (if parties so file), then it is incumbent upon us to ask a key question: what decommissioning will be required to leave the land as outside companies found it?

While publicly elected officials to include seven other Iowa counties have appropriately focused mainly on setback distances and the use of eminent domain, this approach has an integral and reasonable, "If...then..." measure to protect our land for future generations.

BACKGROUND:

Decommissioning refers to the process of taking a line out of service safely and permanently. We are currently exploring changes to decommissioning with wind energy. Why? Because federal policy can dramatically change the viability of alternative energies. We realize the "shelf life" of such technologies may vacillate with financial viability. Afterwards with solar, wind, and carbon pipeline, there is a dramatic effect on the land with in the amount of concrete, pipe, metal over thousands of acres of land. Lest 100 years from now Iowa becomes a spotted terrain of a patchwork not just of corn and soybeans but of once lucrative abandoned energy projects, we must demand a fair process to restore the land to how it was found, a key principle of who we are as a people.

Decommissioning can include leaving piping in place or removal, disconnecting the line from systems and segmenting where necessary, cleaning the line, addressing stability and soil/slope disturbance, contracting or obligating the monitoring responsibility of the decommissioned line. A key consideration in the decommissioning process is to minimize disturbance to farmlands, roadways, wetlands, green spaces, livestock operations, and residences. This would also entail the responsibility for looking after the line by maintaining protection from corrosion, right of way monitoring and maintenance, signage and contact info, maintaining profile and survey information for "call before dig" areas. In some cases a bond or other financial obligation is required as part of a decommissioning process.

The hoped for agenda item asks the Planning and Zoning Director to work collaboratively with P&Z, the BoA, our county attorney's office, and even outside legal counsel that we have already engaged in order to make sure that this process is well-detailed, legal, reasonable, and fair.

While setbacks for safety and eminent domain for private property rights have understandably and in many ways (rightly) dominated the debate, we want to move the discussion to a process wherein we are asked as a county, "If we are to build pipeline through hundreds of miles of farmland, near neighborhoods, under right of way and roads, what do you all require us to do in order to make things right for future generations?" Should a carbon pipeline be implemented, our answer to that will not only be to the major corporations who seek to use the land but will be realized by our children and Iowans for generations to come.

FINANCIAL IMPACT:

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

Yes No

RECOMMENDATION:

Direction for Planning and Zoning Director to Work with Planning and Zoning, the Board of Adjustment Commission, and Legal Counsel in Order to Make a Recommendation Contemplating Decommissioning Requirements as a Part of a New Ordinance Regarding Carbon Pipelines

ACTION REQUIRED / PROPOSED MOTION:

Direction for Planning and Zoning Director to Work with Planning and Zoning, the Board of Adjustment Commission, and Legal Counsel in Order to Make a Recommendation Contemplating Decommissioning Requirements as a Part of a New Ordinance Regarding Carbon Pipelines