


9c

Instrument #: 2024-04647
 05/24/2024 03:11:18 PM Total Pages: 10
 ORDNC ORDINANCE
 Recording Fee: \$ 0.00
 Patrick F. Gill, Auditor/Recorder, Woodbury County Iowa



Cover Sheet

Type of Document: Ordinance

Box Preparer Information: Daniel J. Priestley, MPA - Zoning Coordinator
 (complete name-address-phone number) Woodbury County Community and Economic Development (Planning and Zoning)
and Return to 620 Douglas Street, Sixth Floor
Sioux City, Iowa 51101

Return Document to: _____
 (complete name-address) _____

Taxpayer Information: _____
 (complete name-address) _____

Grantor(s): See next page. 2 _____

Grantee(s): See next page. 2 _____

Legal Description: See next page _____

WOODBURY COUNTY, IOWA

ORDINANCE NO. 76

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

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

Amendment #1 – Section 5.03.1 AA

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

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

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

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

Amendment #2 – Section 5.03.3 B

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

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

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

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

Amendment #3 – Section 5.03.10 B(4)

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

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

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

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

Amendment #4 – Section 5.03.10 C(2)

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

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

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

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

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

Effective Date


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


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

Dated this 7th day of May, 2024.

THE WOODBURY COUNTY BOARD OF SUPERVISORS


Matthew Ung, Chairman

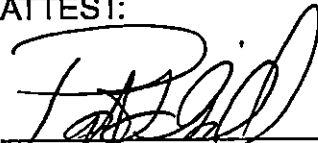

Daniel Bittinger II, Vice-Chairman


Mark Nelson


Keith Radig

Jeremy Taylor

ATTEST:



Patrick F. Gill, Woodbury County Auditor

Adoption Timeline:

Public Hearing and 1 st Reading:	<u>April 23, 2024</u>
Public Hearing and 2 nd Reading:	<u>April 30, 2024</u>
Public Hearing and 3 rd Reading:	<u>May 7, 2024</u>
Adopted:	<u>May 7, 2024</u>
Published:	<u>May 18, 2024</u>
Effective:	<u>July 17, 2024</u>

Sioux City Journal
AFFIDAVIT OF PUBLICATION

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

State of Pennsylvania, County of Lancaster, ss:

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

PUBLICATION DATES:
 May 18, 2024

NOTICE ID: 13hFwlGpBWueeXUe4g2n
PUBLISHER ID: COL-IA-500374
NOTICE NAME: ORD-76
Publication Fee: \$76.79

(Signed) Yuade Moore

VERIFICATION
 State of Pennsylvania
 County of Lancaster

Commonwealth of Pennsylvania - Notary Seal
 Nicole Burkholder, Notary Public
 Lancaster County
 My commission expires March 30, 2027
 Commission Number 1342120

Subscribed in my presence and sworn to before me on this: 05/20/2024

Nicole Burkholder
 Notary Public
 Notarized remotely online using communication technology via Proof.

NOTICE OF ADOPTION AND EFFECTIVE DATE OF ORDINANCE NO. 76 AMENDING PORTIONS OF THE TEXT OF THE WOODBURY COUNTY ZONING ORDINANCE - SECTION 8.03: FLOODPLAIN MANAGEMENT ORDINANCE - EFFECTIVE DATE JULY 17, 2024.
 The Woodbury County Board of Supervisors held public hearings and readings on the following items of business, heretofore announced, on Tuesday, April 23, 2024 at 6:00 PM, Tuesday, April 24, 2024 at 4:00 PM and Tuesday, May 7, 2024 at 4:00 PM.
 The Woodbury County Board of Supervisors passed and adopted Ordinance No. 76 on Tuesday, May 7, 2024. The ordinance becomes effective on July 17, 2024. Said hearings were held at the Woodbury County Courthouse, 600 Douglas Street, Sioux City, Iowa, in the Board of Supervisors meeting room in the basement of the courthouse. The full text of the ordinance may be examined in the Woodbury County Auditor's Office in said Courthouse at 600 Douglas Street, Sioux City, Iowa by any interested persons during regular business hours Monday through Friday from 8:00 AM to 4:30 PM.
ORDINANCE NO. 76: AM ORDINANCE AMENDING THE TEXT OF THE WOODBURY COUNTY ZONING ORDINANCE WITH REVISED LANGUAGE TO MEET THE NATIONAL REQUIREMENTS FOR ACCEPTANCE IN THE NATIONAL FLOOD INSURANCE PROGRAM FOR COUNTIES WHICH HAVE A DETAILED FLOOD INSURANCE STUDY (DFIS) ISSUED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).
ORDINANCE SUMMARY
SUMMARY OF ZONING ORDINANCE TEXT AMENDMENTS
SUMMARY OF ZONING ORDINANCE TEXT AMENDMENTS TO SECTION 8.03: FLOODPLAIN MANAGEMENT ORDINANCE - In the Woodbury County Zoning Ordinance. **SUMMARY:** A proposal to amend the text of the Woodbury County Zoning Ordinance to repeal and replace portions of Section 8.03, Floodplain Management Ordinance. The proposal is to repeal and replace the following sections with updated content: **Amendment 11 -** On page 59, to repeal and replace the text in Section 8.03.1 AA with the following: AA. New Factory Built Home Park or Subdivision - A factory-built home park or subdivision in which the construction of facilities for servicing the lots on which the factory-built homes are to be placed (including a minimum, the installation of utilities, the construction of streets, and other final site grading or the pouring of concrete pads) is completed on or after the effective date of the 2024 ordinance management regulations accepted by the community; **Amendment 12 -** On page 62, to repeal and replace the text in Section 8.03.1 B with the following: B. Establishment of Official Floodplain Zoning Maps. The Flood Insurance Rate Map (FIRM) for Woodbury County and associated Areas, dated 7-17-2024, which was prepared as part of the Flood Insurance Study for Woodbury County, is (and hereby adopted by reference and declared to be the Official Floodplain Zoning Map. The Woodbury County Flood Insurance Study is hereby adopted by reference and is made a part of this ordinance for the purpose of administering floodplain management regulations; **Amendment 13 -** On page 72, to repeal and replace the text in Section 8.03.1 B (1) with the following: (1) In cases where the vertical involves a base level of flood protection for structures then what is ordinarily required by this Ordinance, the applicant shall be asked in writing over the signature of the Administrator that: (a) the issuance of a variance will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (b) such construction increases risks to life and property; **Amendment 14 -** On page 73, to repeal and replace the text in Section 8.03.1 B (2) with the following: (2) Decisions. The Board shall advise at a decision on an appeal or variance within a reasonable time. In proceeding upon an appeal, the Board may, seeking as such action is in conformity with the purpose of this ordinance, reverse or affirm, wholly or in part, or modify the order, requirement, decision, or determination appealed from, and it shall make its decision, in writing, setting forth the findings of fact and the reasons for its decision. In granting a variance, the Board shall consider each factor as contained in this section and all other relevant sections of this ordinance and may prescribe such conditions

as contained in 5.03-10 C(2)(b). The existing or effective enforcement provisions within the codeplain management ordinance remain the same.

EFFECTIVE DATE:

The Ordinance shall be in effect on July 17, 2024.
Passed and adopted by the Woodbury County Board of Supervisors on May 7, 2024. Published in the Sioux City Journal on May 18, 2024. Effective Date: July 17, 2024.
COI-IA-500374

Sioux City Journal
AFFIDAVIT OF PUBLICATION

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

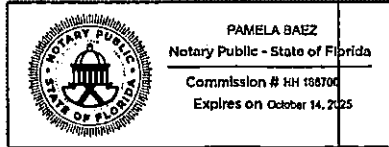
State of Florida, County of Orange, ss:

Yuade Moore, 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 1 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:
 Apr. 18, 2024

NOTICE ID: xmgOvA9KxtGaP1vY9hFB
PUBLISHER ID: COL-IA-500155
NOTICE NAME: BOS PH Notice RE ZO Text Amendments Floodplai
Publication Fee: \$72.52

(Signed) Yuade Moore



VERIFICATION
 State of Florida
 County of Orange

Subscribed in my presence and sworn to before me on this: **04/19/2024**

[Signature]
 Notary Public
 Notarized remotely online using communication technology via Proof.

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

The Woodbury County Board of Supervisors will hold public hearings on the following items of business, hereinafter described in detail, on Tuesday, April 23, 2024 at 6:40 PM, Tuesday, April 30, 2024 at 4:40 PM and Tuesday, May 7, 2024 at 4:40 PM or as soon as possible thereafter as the matter may be considered. Pursuant to Item 0200, Section 201.002, the second and third public hearings may be waived by the Board of Supervisors.

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

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

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

Item One (1)
SUMMARY OF ZONING ORDINANCE TEXT AMENDMENT TO SECTION 5.03: FLOODPLAIN MANAGEMENT ORDINANCE IN THE WOODBURY COUNTY ZONING ORDINANCE. SUMMARY: A proposed to amend the text of the Woodbury County Zoning Ordinance to repeal and replace portions of Section 5.03 Floodplain Management Ordinance. The proposal is to repeal and replace the following sections with updated content: Amendment #1 - On page 59, to repeal and replace the text in Section 5.03.1 A.A with the following: A.A. New Factory-Build Home Park Or Subdivision - Factory-Build Home Park or subdivision for which the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including all amenities, the installation of utilities, the construction of streets, and other final site grading or the pouring of concrete pads) is completed on or after the effective date of the final, complete management regulations adopted by the community; Amendment #2 - On page 60, to repeal and replace the text in Section 5.03.1 B with the following: B. Establishment of Official Floodplain Zoning Map. The Flood Insurance Rate Map (FIRM) by Woodbury County and Incorporated Areas, dated 7-17-2004, which was proposed as part of the Flood Insurance Study for Woodbury County, is hereby adopted by reference and ordered to be the Official Floodplain Zoning Map. The Woodbury County Flood Insurance Study is hereby adopted by reference and is made a part of this ordinance for the purpose of administratively applying management regulations; Amendment #3 - On page 72, to repeal and replace the text in Section 5.03.10 B(4) with the following: (4) in cases where the national involves a lower level of code protection for structures than what is otherwise required by this Ordinance, the applicant shall be notified in writing over the signature of the Administrator that: (i) the issuance of a variance will result in increased premium rates for flood insurance up to amounts as high as 325 for \$100 of insurance coverage and (ii) such construction increases risks to life and property; Amendment #4 - On page 73, to repeal and replace the text in Section 5.03.10 C(2) with the following: (2) Decisions. The Board shall arrive at a decision on an Appeal or Variance within a reasonable time. In passing upon an Appeal, the Board may, so long as such action is in conformity with the provisions of this ordinance, reverse or set aside, wholly or in part, or modify the order, requirement, decision, or determination appealed from, and it shall make its decision, in writing, setting forth both the findings of fact and the reasons for its decision. In granting a Variance, the Board shall consider such factors as contained in this section and all other relevant sections of the ordinance and may prescribe such conditions as contained in 9.05-10 C(2)(b).

EFFECTIVE DATE: This Ordinance shall be in effect after its final passage, approval, and publication as provided by law.
 OCL 44.50015

***** Proof of Publication *****

STATE OF IOWA
COUNTY OF WOODBURY

The undersigned, of said County, being duly sworn, on oath states
the undersigned is an employee of the Sioux City Journal printed and
published by Journal Communications, in Sioux City in said County
and issued daily and Sunday

Woodbury County Community & Economic Development

620 DOUGLAS ST, 6TH FLOOR - DAN PRIESTLEY
SIOUX CITY IA 51101

ORDER NUMBER 69931

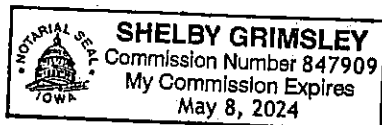
Subscribed and sworn before me in Sioux City, in said County,

this 12 day of March, 2024

Jon M. Hansen

Shelby Grimsley Notary Public

In and for Woodbury County.



Section: Legal

Category: 015 Attorneys & Legals

PUBLISHED ON: 03/12/2024

TOTAL AD COST: 108.71

FILED ON: 3/12/2024