

The Board of Supervisors met on 3/17/26 at 10:00 a.m. in the Story County Administration Building. Linda Murken, and Latifah Faisal, with Murken presiding. Lisa Heddens absent. (all audio of meetings available at storycountyiowa.gov); any resolution is effective upon signature and can be inspected during business hours, Monday-Friday, 8-4:30, at 900 6th Street, Nevada, Iowa)

ADOPTION OF AGENDA: Faisal moved, Murken seconded adopting the agenda as listed. Motion carried unanimously (MCU) on a roll call vote.

EMERGENCY MANAGEMENT QUARTERLY REPORT: Coordinator Melissa Spencer highlighted items from her written report and noted upcoming exercises.

MINUTES: 3/10/26 Minutes and 3/10/26 Canvass Minutes – Faisal moved, Murken seconded approving the Minutes as presented. Roll call vote. (MCU)

PERSONNEL ACTIONS: 1) new hire, effective 3/25/26, for a) Planning and Development for Madison Herlicka @ \$15.00/hr; b) effective 4/6/26, in a) Conservation for Daniel Haug @ \$31.95/hr; 2) pay adjustment, effective 3/22/26, in a) Board of Supervisors for Alissa Riese-Wignall @ \$5,633.37/bw; b) Facilities Management for Wade Eames @ \$28.24/hr; c) Sheriff's Office for Bret Johnson @ \$3,975.20/bw; Brandon Lendt @ \$2,756.80/bw; Adam Luke @ \$3,401.60/bw; Logan Powers @ \$3,239.20/bw; d) Treasurer's Office for Sedaña Siguas @ \$91,142.59/annual. Faisal moved, Murken seconded approving the Personnel Actions as listed. Roll call vote. (MCU)

Faisal moved, Murken seconded approving the Consent Agenda as listed.

1. Fees between Story County and SMTP2GO, Inc. for annual subscription, effective 3/26/26-3/26/27, for \$150.00
2. Supplemental Agreement with Snyder & Associates for paving the Heart of Iowa Nature Trail (HOINT) Phase 3B for \$3,395.00
3. Annual Microsoft License Fees between Story County and Heartland Business Systems, effective 2/1/26-1/31/27, for \$16,784.00
4. Service Agreement between 3SI Security Systems, Inc. and Story County Sheriff's Office for tracking services, effective 4/1/26-3/31/27, for \$600.00
5. New Class C Retail Alcohol License (BW) Application for Center Grove Orchard, Inc., 32835 610th Avenue, Cambridge, Iowa, effective 5/15/26-1/14/27, including outdoor service
6. Renewal License Fees between Story County and CDW Government for Barracuda email security, effective 3/26/26-3/25/27, for \$3,528.00
7. Resolution #26-74, that the Story County Board of Supervisors Consent to the City of Roland Housing Urban Renewal Area to Use Incremental Property Tax Revenues for five additional fiscal years, pursuant to *Code of Iowa* §403.22
8. Utility Permit: #26-8815

Roll call vote. (MCU)

THIRD CONSIDERATION OF ORDINANCE NO. 330, AMENDING CHAPTER 85, GENERAL PROVISIONS AND DEFINITIONS; CHAPTER 86, DISTRICT REQUIREMENTS; CHAPTER 88, GENERAL SITE PLANNING STANDARDS; AND CHAPTER 90, CONDITIONAL USES OF THE STORY COUNTY CODE OF ORDINANCES—LAND DEVELOPMENT REGULATIONS FOR A TEXT AMENDMENT TO ADDRESS USES FOR BATTERY/ENERGY STORAGE SOLUTIONS ON PROPERTIES LOCATED IN UNINCORPORATED STORY

COUNTY: Leanne Harter, Director of Planning and Development, reported this is Third Consideration. She reviewed the modifications made by the Board on First Consideration which were presented in Second Consideration. If approved on Third Consideration, the regulations will be effective upon publication. Murken opened the public hearing at 10:13 a.m., and, hearing none, Murken closed the public hearing at 10:13.m. Faisal moved, Murken seconded approving Third Consideration of Ordinance No. 330, approving Code of Ordinance Text Amendment. Roll call vote. (MCU)

RESOLUTION #26-69, ESTABLISHING A TEMPORARY MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS AND/OR ISSUANCE OF PERMITS FOR DIGITAL ASSET MINING, CRYPTOCURRENCY OPERATIONS, AND/OR DATA PROCESSING CENTERS ON PROPERTIES LOCATED IN UNINCORPORATED STORY COUNTY, PUTTING IN PLACE A TEMPORARY MORATORIUM EXPIRING ON OR BEFORE 3/31/27:

Leanne Harter, Director of Planning and Development, reported the Board directed staff to extend the moratorium while it works with legal counsel on regulations regarding digital asset mining, cryptocurrency operations and data processing centers in unincorporated Story County. The resolution extends the moratorium to 3/31/27. Mike Meetz, Milford Township, supports a moratorium. Susie Petra, Ames, noted the restrictions being enacted by many states. She supports the moratorium. Bruce Antion, Ames, supports the moratorium. Steve Lekwa, Nevada, supports the moratorium. Dean Biechler, Howard Township, supports the moratorium and a ban on data centers. Joli Vollers, Milford Township, supports a permanent ban. Robin McNeely, Milford Township, supports the moratorium and a permanent ban. Steve Veysey, Ames, supports the moratorium. David Fullarton, Ames, supports the moratorium. Brenda Brink, Huxley, supports the moratorium and a permanent ban. Denise Biechler, Howard Township, supports the moratorium. Bob Brant (via Zoom), Franklin Township, supports the moratorium and to extend it to include battery storage. Faisal moved, Murken seconded approving Resolution #26-69, Establishing a Temporary Moratorium on the Acceptance of Applications and/or Issuance of Permits for Digital Asset Mining, Cryptocurrency Operations, and/or Data Processing Centers on properties located in unincorporated Story County, putting in place a Temporary Moratorium expiring on or before 3/31/27. Roll call vote. (MCU)

RESOLUTION #26-64, BROTHERS GROVE RESIDENTIAL PARCEL SUBDIVISION: Leslie Day, Planner, Planning and Development, reported on property owners, location, applicable regulations, and process. The City of Colo waived review. Staff recommend approval as submitted. Discussion took place. Faisal moved, Murken seconded approving Resolution #26-64, Brothers Grove Residential Parcel Subdivision. Roll call vote. (MCU)

UPDATE FOR STORY COUNTY GOVERNMENT OPERATIONS CLIMATE RESILIENCE AND SUSTAINABILITY

PLAN ANNUAL REPORT: Christopher Anderson, Director of Climate Services, EA Engineering, reported on status, priorities, timeline, accomplishments, and next steps. He stated the report will be finalized in late April or early May. Discussion took place.

DIRECTION ON PROPOSED AMENDMENT TO THE AMERICAN RESCUE PLAN ACT (ARPA) AGREEMENT WITH BOYS AND GIRLS CLUB OF STORY COUNTY: Sandra King, Director of External Operations and County Services, stated the Boys and Girls Club of Story County is requesting to transfer ARPA funds totaling \$2,595.00 to information technology (IT) services as the original use of the funds (fiber installation) was covered without cost. Ryan Santi, Chief Executive Officer (CEO), provided additional detail. The Board directed King to develop an amendment request and return to the Board for formal action.

DIRECTION ON PROPOSED AMENDMENT TO THE AMERICAN RESCUE PLAN ACT (ARPA) AGREEMENT NO. 17 WITH UNITED WAY OF STORY COUNTY: Sandra King, Director of External Operations and County Services, stated the United Way of Story County is requesting to reallocate of \$2,867.00 of its ARPA funding within budget lines. Ashley Thompson, President and Chief Executive Officer (CEO), asked for questions. The Board directed King to develop an amendment request and return to the Board for formal action.

UPCOMING AGENDA ITEMS: Faisal stated an artificial intelligence (AI) usage policy will be on an upcoming agenda.

LIAISON ASSIGNMENTS, COMMITTEE MEETINGS UPDATES, AND ANNOUNCEMENTS FROM THE SUPERVISORS: All Board members reported on multiple items.

Faisal moved, Murken seconded to adjourn at 10:56 a.m. Roll call vote. (MCU)

Story County Board of Supervisors
Tentative Agenda
Administration Building,
900 6th St., Nevada, IA
3/17/26

1. SPECIAL NOTE TO THE PUBLIC: - This Meeting Is Also Being Offered Via Zoom. While Joining Via Zoom, If You Have A Question And/Or Comment, You May Raise Your Hand To Speak During Public Forum Or Use The Chat Feature And The Chair Will Ask The Zoom Moderator To Review All Comments During Public Forum.

Members of the public can participate by using the information below:

To join the zoom meeting by computer, tablet, smartphone :

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join.

[HTTPS://US02WEB.ZOOM.US/J/84805508697?](https://us02web.zoom.us/j/84805508697?pwd=2YHCFNMLRKFAX9LBIS8CJK6BETSZNP.1)

[PWD=2YHCFNMLRKFAX9LBIS8CJK6BETSZNP.1](https://us02web.zoom.us/j/84805508697?pwd=2YHCFNMLRKFAX9LBIS8CJK6BETSZNP.1)

Webinar ID: 848 0550 8697

Passcode: 646002

Or One tap mobile:

+13017158592,,84068041164# US (Washington DC)

+13052241968,,84068041164# US

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or

+1 646 931 3860 or +1 929 205 6099 or +1 360 209 5623 or +1 386 347 5053 or +1 507

473 4847 or +1 564 217 2000 or +1 669 444 9171 or +1 669 900 6833 or +1 689 278 1000

or +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799

Webinar ID: 840 6804 1164

2. CALL TO ORDER: 10:00 A.M.

3. PLEDGE OF ALLEGIANCE:

4. ADOPTION OF AGENDA:

5. PUBLIC COMMENT #1:

This comment period is for the public to address topics on today's agenda

6. AGENCY REPORTS:

- I. Emergency Management Quarterly Report - Melissa Spencer

Department Submitting Auditor

Documents:

EMA QTR RPT.PDF

7. CONSIDERATION OF MINUTES:

- I. 3/10/26 Minutes & 3/10/26 Canvass Minutes

Department Submitting Auditor

8. CONSIDERATION OF PERSONNEL ACTIONS:

I. Action Forms

1) new hire, effective 3/25/26, for a) Planning and Development for Madison Herlicka @ \$15.00/hr; b) effective 4/6/26, in a) Conservation for Daniel Haug @ \$31.95/hr; 2) pay adjustment, effective 3/22/26, in a) Board of Supervisors for Alissa Riese-Wignall @ \$5,633.37/bw; b) Facilities Management for Wade Eames @ \$28.24/hr; c) Sheriff's Office for Bret Johnson @ \$3,975.20/bw; Brandon Lendt @ \$2,756.80/bw; Adam Luke @ \$3,401.60/bw; Logan Powers @ \$3,239.20/bw; d) Treasurer's Office for Sedaña Sigwas @ \$91,142.59/annual

Department Submitting Auditor

Documents:

ACTION FORM.PDF

9. CONSENT AGENDA:

(All items listed under the consent agenda will be enacted by one motion. There will be no separate discussion of these items unless a request is made prior to the time the Board votes on the motion.)

I. Consideration Of Fees Between Story County And SMTP2GO For Annual Subscription Effective 3/26/26 - 3/26/27 For \$150.00

Department Submitting Information Technology

Documents:

SMTP2GO ANNUAL.PDF

II. Consideration Of Supplemental Agreement For Additional Services Contract With Snyder & Associates For Efforts Associated With Paving The Heart Of Iowa Nature Trail Phase 3B For \$3,395.00

Department Submitting Conservation

Documents:

HOINT 3B SNYDER AMENDMENT.PDF

III. Consideration Of Annual Microsoft License Fees Between Story County And Heartland Business Systems Effective 2/1/26 - 1/31/27 For \$16,784.00

Department Submitting Information Technology

Documents:

MICROSOFT LICENSE.PDF

IV. Consideration Of Service Agreement Between 3SI Security Systems Inc And Story

County Effective 4/1/26-3/31/27 For \$600.00

Department Submitting Sheriff

Documents:

3SI.PDF

- V. Consideration Of New Class C Retail Alcohol License (BW) Application For Center Grove Orchard Inc, 32835 610th Ave, Cambridge, Ia., Effective 5/15/26-1/14/27 Including Outdoor Service

Department Submitting Auditor

Documents:

CENTER GROVE ORCHARD.PDF

- VI. Consideration Of Renewal License Fees Between Story County And CDW Government For Barracuda Email Security Effective 3/26/26 - 3/25/27 For \$3,528.00

Department Submitting Information Technology

Documents:

CDW BARRACUDA.PDF

- VII. Consideration Of Resolution #26-74, That The Story County Board Of Supervisors Consent That City Of Roland Housing Urban Renewal Area To Use Incremental Property Tax Revenues For Five Additional Fiscal Years

Department Submitting Board of Supervisors

Documents:

RESOLUTION 26 74.PDF

- VIII. Consideration Of Utility Permit: #26-8815

Consent

Department Submitting Engineer

Documents:

UT 26 8815.PDF

10. PUBLIC HEARING ITEMS:

- I. Third Consideration Of Ordinance No. 330, Amending Chapter 85, General Provisions And Definitions; Chapter 86, District Requirements; Chapter 88, General Site Planning Standards; And Chapter 90, Conditional Uses Of The Story County Code Of Ordinances—Land Development Regulations For A Text Amendment To Address Uses

For Battery/Energy Storage Solutions On Properties Located In Unincorporated Story County - Leanne Harter

Department Submitting Planning and Development

Documents:

MEMO FOR 3RD.PDF

11. ADDITIONAL ITEMS:

- I. Discussion And Consideration Of Resolution #26-69, Establishing A Temporary Moratorium On The Acceptance Of Applications And/Or Issuance Of Permits For Digital Asset Mining, Cryptocurrency Operations, And/Or Data Processing Centers On Properties Located In Unincorporated Story County, Putting In Place A Temporary Moratorium Expiring On Or Before March 31, 2027 - Leanne Harter

Department Submitting Planning and Development

Documents:

RES 2669 TEMP MOR.PDF

- II. Discussion And Consideration Of Resolution #26-64, Brothers Grove Residential Parcel Subdivision - Leslie Day

Department Submitting Planning & Development

Documents:

RESOLUTION 2664.PDF
STAFF REPORT.PDF
PLAT.PDF
COLO RESOLUTION.PDF
CONSENT.PDF
MORTGAGEE CONSENT.PDF
TITLE OPINION.PDF
TREASURER CERTIFICATE.PDF

12. DEPARTMENTAL REPORTS:

13. OTHER REPORTS:

- I. Story County Government Operations Climate Resilience And Sustainability Plan Annual Report - Christopher Anderson, Climate Services Director

Department Submitting Auditor

Documents:

PROJECT UPDATE.PDF

- II. Discussion And Direction On Amendment With Boys And Girls Club Of Story County, American Rescue Plan Act (ARPA) Agreement - Sandra King, Director Of External Operations And County Services

Department Submitting Board of Supervisors

Documents:

BGC MEMO.PDF
BGC REALLOCATION REQUEST.PDF
BGC DRAWDOWNS.PDF

III. Discussion And Direction On Amendment With United Way Of Story County, American Rescue Plan Act (ARPA) Agreement No. 17 - Sandra King, Director Of External Operations And County Services

Department Submitting Board of Supervisors

Documents:

UWSC 17 MEMO.PDF
UWSC 17 REALLOCATION REQUEST.PDF
UWSC 17 DRAWDOWNS.PDF

14. UPCOMING AGENDA ITEMS:

15. PUBLIC COMMENT #2:

Comments from the Public on Items not on this Agenda. The Board may not take any Action on the Comments due to the Requirements of the Open Meetings Law, but May Do So In the Future.

16. LIAISON ASSIGNMENTS, COMMITTEE MEETINGS UPDATES, AND ANNOUNCEMENTS FROM THE SUPERVISORS:

17. ADJOURNMENT:

Story County strives to ensure that its programs and activities do not discriminate on the basis of race, color, national origin, sex, age or disability. Persons requiring assistance, auxiliary aids or services, or accommodation because of a disability may contact the county's ADA coordinator at (515) 382-7204.

Story County Board of Supervisors

Agenda

3/17/26

NAME

AGENCY

Melissa Spencer

SCEMA

Josh Handy

SCEMA

Dalton Johnston

City of Roland

Joby Bragden

SCFM

Chris Anderson

EA Engineering

Kema Davis

COLO

Joe Lynch

AME

MICHALETT

NEVADA IA

Bruce Antion

Ames IA citizen

Susan L. Gekwa

citizen Nevada, IA

Stuart Gekwa

citizen Nevada

Janice Gekwa

Ames

Dennis H. Bunker

Ames IA Citizen

Robin McNeely

Story Co Citizen

Brenda Brint

self - citizen

DAVID FULLERTON

SELF

Joli SIDY VOLLERS Vollers, Ames

SELF

Jennifer Wengert-Otto

Ames Alliance

Jan Bucher

Ames Citizen

Hugh Espey

Citizen

Kate Bucher

Self

Steve Vavra

Self

Sandra King

BOS



Melissa Spencer, Coordinator

Board of Supervisors Update

As of March 10, 2026

Response:

December 28 & 29 brought a significant snowstorm that caused a closure of I-35 starting at the Ames exit to the Minnesota border. While this storm didn't bring significant snowfall amounts, extreme wind conditions caused visibility issues for the safe operation of Iowa DOT snowplows. Staff participated in webinars provided by the Iowa DOT to prepare for the closure with coordinated public messaging. Staff worked with county partners identified in the County Closure plan to ensure there was hotel space for stranded motorists and for the influx of semi traffic that will stop in Ames. One local after-action item is to have a discussion with Ames for better semi traffic parking so the Iowa DOT can better direct semis on the best place to stop and not cause traffic issues for Ames.

Facilities Management and EMA Staff assisted with deployment of cots and bedding kits to The Warming Place extreme temperature shelter at the First United Methodist Church in Ames. Staff also continued support to the shelter with additional bedding kits as needed during sheltering operations.

Planning

Spencer assisted "The Warming Place" with planning recommendations and ongoing support through weather monitoring for shelter activation.

Staff spent considerable time this quarter completing emergency support function (ESF) plan updates and developing the new response support function (RSF) for Natural & Cultural Affairs recovery. The agency is required to review 5% of the Emergency Operations Plan and develop Recovery Support Functions annually to be a complaint agency.

Staff continue to work with Story County IT to determine if the TEAMS platform can be leveraged to create a virtual EOC capability. This would allow for increased communication capabilities with the City of Ames and ISU for coordinated events and allow a pathway for EOC staff to conduct EOC operations when they cannot physically respond to the EOC in Nevada. There is a lot of back-end system development and security that must be worked through before deployment of a virtual system.

RAGBRAI is transiting through Story County on July 21st after an overnight stay in Boone and riding to Marshalltown. We have reached out to RAGBRAI officials about the projected travel routes and have been told we will not receive that information until it is released on April 3rd. Internally, we are already having discussions on what coordination could look like and will work to engage partners once the travel path is known.

Preparedness:

PREVENTION PREPAREDNESS RESPONSE RECOVERY MITIGATION

Proudly serving the communities of:

*Ames – Cambridge – Collins – Colo – Gilbert – Huxley – Kelley – McCallsburg – Maxwell- Nevada
Roland – Sheldahl – Slater – Story City – Story County – Zearing*

The Iowa Economic Development Authority grant for creating a solar charging station continues to progress. The charging bases were delivered and PowerFilm Solar is developing the solar panels that will connect to the charging bases. The Memorandum of Agreement has been written, and communities will be required to attend a brief training before the solar panel and base will be deployed to the community. The project allows each community to receive one set of panels and a charging base to allow for a public charging station to keep cell phones, computers and medical devices charged during disaster response and recovery. The ownership of the systems remains with the Commission.

On the Stop The Bleed front, Harding is working with Public Health and the PHEP grant, we have been able to secure individual Stop The Bleed kits for all of the Secondary Roads vehicles. He will work with the department to get training and deliver the kits.

Training

Exercises

Severe Weather Awareness Week is the week of March 23rd with the Statewide Tornado Drill on Wednesday March 25th at 10AM. We will be conducting a countywide drill with Ames PD and Story County Sheriff's Office Dispatch centers to test the internal procedures and outdoor warning sirens. This is an annual drill that ensures that allows for agency review of plans and that outdoor warning sirens are functioning in Story County communities.

On March 26th, we will be hosting a tabletop exercise, facilitated by Iowa Homeland Security and Emergency Management, with a focus on Mass Care and Health and Medical ESFs. We have invited partners from Story County Public Health, Theilen Student Health Center, both hospitals, the Story County Medical Examiner, Story County Sheriff's Office, Story County Secondary Roads and EOC staff to participate. The purpose of the exercise is to use the provided scenario to review and walk through the related Emergency Support Functions from the updates made this year.

Operations

In February, Harding attended a meeting of the Metropolitan Incident Command Radio Network (MICRN) for a discussion about dissolving the organization and associated radio talk groups. This communication channel was established many years ago to facilitate communications with public and private partners to discuss weather related impacts in Polk County. Over the years, the communication channel evolved to be used as a platform to communicate with the National Weather Service in Johnston. After much discussion, it was determined the organization should not be dissolved and new leadership should be elected. Harding was elected as the Emergency Management representative and Chair to the organization. His expertise and understanding of communication systems and pathways will be very valuable as MICRN is updated.

The coordination between the Board of Supervisors and the Commission for the remodel of the Emergency Operations Center (EOC) continues. The Request For Proposal (RFP) was let and 2 bids were received from Communication Innovators and Tr-City Electric Company. The RFP's were evaluated by EMA staff, Story County IT & Facilities Management Directors and RMH Engineering. TriCity Electric scored highest on the evaluation and quoted the project for \$104,530.00. The Commission and Story County Board of Supervisors met at a special meeting on March 5th to review the bids and motion to

approve the contractor. The next steps are to develop a contract and enter into contract negotiations with the selected vendor.

There are two legislative issues in the Ways & Means subcommittee at the state house that could affect how the Commission conducts business and is funded. SF2458 requires local emergency management commissions to take over the current joint 911 service boards' responsibilities, including the maintenance of a 911 service plan, strikes provisions concerning formation of joint 911 service boards, waivers, and alternatives to joint 911 service boards, and makes certain conforming changes to signify this transfer. Currently there are about 1/3rd of the EMA programs that also serve as the 911 Program Manager. This has no financial benefit or cost savings to the Commission as current 911 staff would have to be retained to meet the program requirements. The Iowa Emergency Management Association is in support of the bill, but as the representative of this agency to IEMA, we are not in support of this legislation. There is also a portion of this bill that calls for the consolidation of Public Safety Answering Points (PSAPs). This would require Ames and Story County to consolidate dispatch centers by 2033.

The second piece of legislation is HSB 689 which relates to emergency management agency budgets. This bill only affects those Commissions who choose to use the Special Levy as defined in Iowa Code 29C.17, of which Story County is one. This bill would directly affect 39% of the Commission across the State who use the special levy to fund their budgets.

This bill would require the Board of Supervisors (BOS) to approve the levy set by the Commission. The Commission can choose to change how the budget is funded, but along with that, the Commission By-laws and 28E Agreement will have to be changed. IEMA has registered against this bill and this agency's vote was against this bill as well.

While both bills are still in Committee and there has been no recent action, it is my understanding they are now both funnel proof.

Looking Forward

Spencer will be attending two classes provided by Texas A&M Engineering Extension Service (TEEX), in July and August, that will complete her Infrastructure Protection Certificate program. Completing this program will provide additional knowledge and skills for planning, response and recovery to impacted critical infrastructure from a disaster or emergency. The training also gives Spencer the skills to conduct risk assessments for critical facilities which identifies vulnerabilities and develop plans for reducing or stopping future impacts.

Spencer will be attending the Election Security tabletop exercise provided by the Secretary of State office on March 30th. This is always a great opportunity for election staff to discuss scenarios that could impact elections and the priorities of emergency management if a disaster or emergency would disrupt a voting site or elections in general.



SMTP2GO, Inc
 1710 Keller Parkway #2093
 Keller, Texas 76248
 United States
 Tax Reg # : 37-1950785

INVOICE

Invoice # SMTP2GO-390405
 Invoice Date Mar 06, 2026
 Invoice Amount \$150.00 (USD)
 Customer ID smtp2go_1082778
 PO # 25052061

PAYMENT DUE

BILLED TO
 Joe Wakeman
 Story County
 900 6th Street
 Nevada, Iowa 50201
 United States
 +15153827300

SUBSCRIPTION
 ID smtp2go_1082778
 Billing Period Mar 26, 2026 to Mar 26, 2027
 Next Billing Date Mar 06, 2027

DESCRIPTION	AMOUNT (USD)
Starter 10K annual	\$150.00
Total	\$150.00

Amount Due (USD) **\$150.00**

NOTES

Please click [here](#) to view/download our W9 form if needed

TRANSFER DETAILS

ACH CREDIT TRANSFER DETAILS

ACCOUNT NUMBER
 40630143260861483

BANK NAME
 WELLS FARGO BANK, N.A.

ROUTING NUMBER
 121000248

SWIFT CODE
 WFBIUS6S

APPROVED **DENIED**
 Board Member Initials: g/w
 Meeting Date: 3/17/26
 Follow-up action: _____



Memorandum

To: Story County Board of Supervisors

Through: Michael D. Cox, Director

From: Patrick Shehan, Special Projects Ranger

Date: March 17, 2026

Re: Consideration of Supplemental Agreement for Additional Services Contract with Snyder & Associates for Efforts Associated With Paving the Heart of Iowa Nature Trail Phase 3B for \$3,395.00.

The attached Supplemental Agreement with Snyder & Associates is for the satisfactory completion of an Iowa DOT material audit and a State of Iowa project audit for paving efforts on the Heart of Iowa Nature Trail Phase 3B.

This not-to-exceed \$3,395.00 Supplemental Agreement will be funded through the existing funds.

Staff urges your approval.


Approval

3/17/26
Date

Disapproval

Date



March 9th, 2026

Mr. Pat Shehan, Special Project Ranger
Story County Conservation
56461 180th Street
Ames, IA 50010

RE: HEART OF IOWA NATURE TRAIL – PHASE 3B – ADDITIONAL
CONSTRUCTION ADMINISTRATION SERVICES
S&A PROJECT NO. 122.0237

Dear Pat:

Herein is a supplemental agreement form with a description and fee for the requested additional services used for satisfactory completion of an Iowa DOT material audit and a State of Iowa project audit.

Please review and provide an authorized signature to the supplemental agreement and return a copy. We are grateful for the opportunity to aid the County in the completion of these important trail connections through the heart of Story County.

Sincerely,

SNYDER & ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read 'Spencer Wignall', is written over a light blue horizontal line.

Spencer Wignall P.E.
Civil Engineer

STW/stw

Enc.

cc: Rich Voelker

SUPPLEMENTAL AGREEMENT FOR ADDITIONAL SERVICES

To: Snyder & Associates, Inc.
 2727 SW Snyder Boulevard
 Ankeny, Iowa 50023

Attn: Spencer Wignall
 Phone: 515.964.2020
 Fax: 515.964.7938

This is authorization for Snyder & Associates, Inc. to proceed with the following described additional services.

Client: Story County Conservation	
Project Name: Heart of Iowa Nature Trail, Phase 3B - 610 th to 620 th /S14	
S&A Project Number: 122.0237	Original Agreement Date: 02/15/2022

DESCRIPTION OF ADDITIONAL SERVICES:

Provide additional construction administration to satisfy an additional and separate federal-aid material audit and assistance to satisfy a State of Iowa audit for IEDA Destination Iowa expenditures on HOINT Phase 3B.

Design Engineering 3B - \$26,700
 Construction Engineering 3B- \$31,600
 Supplemental Construction Engineering 3B - \$3,395
 Total Engineering Services 3B - \$61,695

- Lump Sum in the amount of: \$ 3,395
- Hourly in accordance with the original agreement fee schedule, or attached, with not to exceed budget of: \$
- Document attached:

The undersigned, on behalf of the Client, understands and agrees that the services described in this Supplemental are additional service, scope of which is not contained within the original scope of services defined in the original agreement. The Additional Services in this Supplemental are subject to the general conditions contained in the original Professional Services Agreement.

<p><u>STORY Co.</u> (Client) (Type or Print Name above line)</p> <p>By: <u></u> <i>Chair Bd of Suprs</i> (Authorized signature and Title)</p> <p>Date: <u>3/17/26</u></p>	<p>SNYDER & ASSOCIATES, INC. (Professional)</p> <p>By: <u></u> (Authorized signature and Title) Mark A. Land, P.E., CFM, Vice President</p> <p>Date: <u>March 5, 2026</u></p> <p style="font-size: small; text-align: right;">Digitally signed by Mark A. Land Date: 2026.03.06 10:09:39 -06'00'</p>
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Heartland Business Systems, LLC
 PO Box 856846
 Minneapolis, MN 55485-6846
 (920) 788-7720



Date	Invoice
03/05/2026	868192-H
Account Number	
3827300	

Bill To:
 Story County, Iowa
 Attn: Accounts Payable
 900 6th St
 Nevada, IA 50201
 United States

Ship To
 Story County, Iowa
 Attn: Colin Gerst
 900 6th St
 Nevada, IA 50201
 United States

Terms	Due Date	PO Number	Reference
Net 30 days	04/04/2026	26052031	Order #182439

Other Charges	Quantity	Price	Amount
Billable Other Charges			
9EM-00427: OLV WIN SVR STD CORE SA 2LICs DMLIC 1YR AQY1 AP CO	60.00	36.00	2,160.00
7NQ-00127: Microsoft SQL Server Standard Core Edition - Softw	4.00	990.00	3,960.00
KV3-00516: Microsoft Windows Enterprise - Software Assurance	16.00	75.00	1,200.00
Total Other Charges:			7,320.00

<p>Online Payment: https://www.e-billexpress.com/ebpp/HBS/</p> <p>ACH Instructions: Account Title: Heartland Business Systems, LLC Bank: Wells Fargo Bank, N.A. 1900 South Webster Ave, Green Bay, WI 54301 Account #: 4128255502 Bank Routing/ABA #: 121000248 Remittance Email: Remiteft@hbs.net</p> <p>Make checks payable to: Heartland Business Systems, LLC. PO Box 856846 Minneapolis, MN 55485-6846</p> <p>This purchase is governed by HBS' Standard Terms and Conditions ("ST&Cs") located at http://www.hbs.net/standard-terms-and-conditions, which are incorporated herein by reference. The ST&Cs are subject to change. When a new order is placed, the ST&Cs on the above-stated website at that time shall apply. If customer has signed HBS' ST&Cs version 2022.v1.0 or later, or the parties have executed a current master services agreement, the signed agreement shall control over the version on the website.</p>	Invoice Subtotal:	7,320.00
	Sales Tax:	0.00
	Invoice Total:	7,320.00

Thank you for your business!

APPROVED
DENIED

Board Member Initials: *JKM*

Meeting Date: 3/17/26

Follow-up action: _____

Heartland Business Systems, LLC
 PO Box 856846
 Minneapolis, MN 55485-6846
 (920) 788-7720



Date	Invoice
03/05/2026	868193-H
Account Number	
3827300	

Bill To:
Story County, Iowa Attn: Accounts Payable 900 6th St Nevada, IA 50201 United States

Ship To
Story County, Iowa Attn: Colin Gerst 900 6th St Nevada, IA 50201 United States

Terms	Due Date	PO Number	Reference
Net 30 days	04/04/2026	26052032	Order #182440

Other Charges	Quantity	Price	Amount
Billable Other Charges			
R18-02420: Microsoft Windows Server - Software Assurance - 1	268.00	12.00	3,216.00
Total Other Charges:			3,216.00

<p>Online Payment: https://www.e-billexpress.com/ebpp/HBS/</p> <p>ACH Instructions: Account Title: Heartland Business Systems, LLC Bank: Wells Fargo Bank, N.A. 1900 South Webster Ave, Green Bay, WI 54301 Account #: 4128255502 Bank Routing/ABA #: 121000248 Remittance Email: Remiteft@hbs.net</p> <p>Make checks payable to: Heartland Business Systems, LLC. PO Box 856846 Minneapolis, MN 55485-6846</p> <p>This purchase is governed by HBS' Standard Terms and Conditions ("ST&Cs") located at http://www.hbs.net/standard-terms-and-conditions, which are incorporated herein by reference. The ST&Cs are subject to change. When a new order is placed, the ST&Cs on the above-stated website at that time shall apply. If customer has signed HBS' ST&Cs version 2022.v1.0 or later, or the parties have executed a current master services agreement, the signed agreement shall control over the version on the website.</p>	Invoice Subtotal:	3,216.00
	Sales Tax:	0.00
	Invoice Total:	3,216.00

Thank you for your business!



3SI Security Systems Inc
 101 Lindenwood Dr.
 Suite 200
 Malvern PA 19355
 United States

Invoice - PF

#SO990061

Invoice Date: 02/27/2026
 Customer ID: 162492:1
 Parent Customer ID: 162492

Bill To
 Nick Hochberger
 Story CSO - IA
 1315 S B Ave
 Nevada IA 50201-2806
 United States

Ship To
 Nick Hochberger
 Story CSO - IA
 1315 S B Ave
 Nevada IA 50201-2806
 United States

TOTAL

\$600.00

Cycle Month: 00
 Currency: US Dollar
 Memo: April Renewal

Terms
 Net 30

PO/WO #

Shipping Method
 FedEx Ground®

Qty	Item	Start Date	End Date	Term (Months)	Rate	Amount
1	Tracking Service: Stealth Tracking Service: Stealth Renewal Device Admin: Nick Hochberger Device ID: 357812094432702	04/01/2026	03/31/2027	12	600.00	\$600.00

Subtotal	\$600.00
Shipping & Handling	\$0.00
Sales Tax	\$0.00
Total	\$600.00

Remittance Address:

3SI Security Systems, Inc
 P.O. Box 5146
 New York, NY 10087-5146

APPROVED **DENIED**
 Board Member Initials: gmu
 Meeting Date: 3/17/26
 Follow-up action: _____



Name : SHANNON ZEISER

Phone Number : (515) 383-4354

Email : shannon@centergroveorchard.com

ⓘ Application history that predates November of 2022 is not accessible online. Please make a Public Records Request for this information.

Application History

Application ID	Application Type	Stage	Date
0-010-104-204	Special Class "C" Retail A Dramshop Revie		10-Mar-2026
0-010-104-204	Special Class "C" Retail A New		10-Mar-2026

Ownership

Name : BLACK, STEVEN

% of Ownership : 100.0000

Position :

0-010-104-204
Special Class "C" Retail A Dramshop Revie
Special Class "C" Retail A New
10-Mar-2026

CDW Government
75 Remittance Drive
Suite 1515
Chicago, IL 60675-1515



Sales Contact Info

Neal Zolt | (866) 843-0749 | nealzol@cdwg.com

Need Help?



My Account



Support



Call 800.800.4239

[About Us](#) | [Privacy Policy](#) | [Terms and Conditions](#)

This order is subject to CDW's Terms and Conditions of Sales and Service Projects at
<http://www.cdwg.com/content/terms-conditions/product-sales.aspx>

For more information, contact a CDW account manager.

© 2026 CDW•G LLC, 200 N. Milwaukee Avenue, Vernon Hills, IL 60061 | 800.808.4239

**EXHIBIT A
LEGAL DESCRIPTION
2026 ROLAND HOUSING URBAN RENEWAL AREA**

PARCEL "B" A PART OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE NORTHWEST QUARTER (NW $\frac{1}{4}$) OF SECTION TWENTY-THREE (23), TOWNSHIP EIGHTY-FIVE (85) NORTH, RANGE TWENTY-THREE (23) WEST OF THE 5TH P.M., ROLAND, STORY COUNTY, IOWA, AS SHOWN ON THE "PLAT OF SURVEY" FILED IN THE OFFICE OF THE RECORDER OF STORY COUNTY, IOWA, ON MARCH 6, 2000, AS INST. NO. 00-02318, SLIDE 59, PAGE 3.

STORY COUNTY UTILITY PERMIT

To the Board of Supervisors, Story County, Iowa:

The Iowa State University Research Park Company, incorporated under the laws of Iowa, authorize to do business within the State of Iowa, with its principal place of business at 1805 Collaboration Place, Suite 1250, does hereby make application requesting permission to occupy certain portions of public right-of-way and that the County Engineer be directed to establish the location of lines of transmission of Water on secondary route South, from 3800 University Boulevard (City of Ames) to 4140 530th Ave (County), a distance of 0.7 miles.

Agreements: The utility company, corporation, applicant, permittee, or licensee, (hereinafter referred to as the permittee) agrees that the following stipulations shall govern under this permit.

1. The Permittee will file a plat setting out the location of proposed line on the secondary route and that the description of the proposed installation including type, height, and spacing of poles, maximum voltage, lengths of cross arms, minimum clearance and number of wires, type, size and capacity of underground cables, conduits, tile lines, and pipe lines, maximum working pressures for pipe lines carrying gas or flammable petroleum products are described as follows:

8" water main, C905 PVC

2. The installation shall meet the requirements of county, state, and federal laws, franchise rules, and of the Iowa State Commerce Commission Regulations and Directives, Utilities Division, the Iowa State Department of Health, and any other laws or regulations applicable. Utility depth requirements shall meet Iowa Administrative Code 761—115.13(306A).

3. The Permittee shall be fully responsible for any future adjustments of its facilities within the established highway right-of-way caused by highway construction or maintenance operations.

4. Story County assumes no responsibility for damages to the Permittee's property occasioned by any construction or maintenance operations on said highways.

5. The Permittee shall take all reasonable precautions during the construction and maintenance of said installation to protect and safeguard the lives and property of the traveling public and adjacent property owners.

6. The Permittee, and its contractors, shall carry on the construction or repair of the accommodated utility with serious regard to the safety of the public. Traffic protection shall be in accordance with Part VI of the current Iowa Department of Transportation Manual on Uniform Control Devices for Streets and Highways.

7. The Permittee shall be responsible for any damage resulting to said highways because of the construction operation, or maintenance of said utility, and shall reimburse Story County for any expenditure the County may have to make on said highways because of said permittee's utility having been constructed, operated, and maintained thereon.

8. The Permittee shall indemnify and save harmless Story County from any and all causes of action, suits at law or in equity, or losses, damages, claims, or demands, and from any and all liability and expense of whatsoever nature for, on account of or due to the acts or omissions of said Permittee's officers, members, agents, representatives, contractors, employees or assigns arising out of or in connection with its (or their) use or occupancy of the public highway under this permit.

9. Noncompliance with any of the terms of permit, or agreement, may be considered cause for shut down of utility construction operations, or revocation of the permit.

10. The following special requirements, if applicable, shall apply to this permit:

Whenever the route of the proposed cable line runs along a paved secondary highway, the location of said cable shall be constructed in the ditch bottom near the backslope or on top of the backslope near the r.o.w. line.

Whenever the route of the proposed cable line runs along a dirt or gravel surfaced highway, the location of said cable shall be constructed on top of the road surface and as near possible to the shoulder line

Whenever a cross road culvert or bridge is encountered along the route of the proposed cable lines, said cable shall be constructed around the ends of said cross road culvert or bridge even though this looping is not designated on the situation plans attached hereto.

The crossing of the cable line from one side of the highway to the other shall be accomplished at a near right angle rather than diagonally so as to disturb the roadbed of the traveled way as little as possible.

Whenever the route of the proposed cable line is to cross a paved highway, such crossing shall be in a bored hole rather than open cut trench.

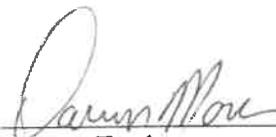
Date 3/9/26

Iowa State University Research Park
Name of Company (Applicant - Permittee)

Rick Sanders 515-296-0735
by Phone no.

Recommended for Approval:

Date 3-10-26

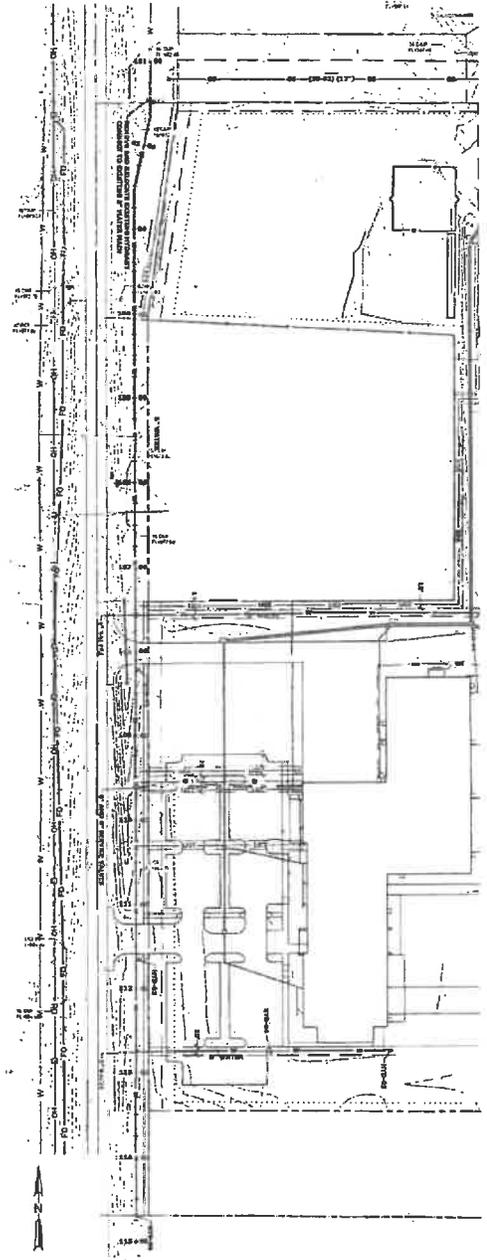
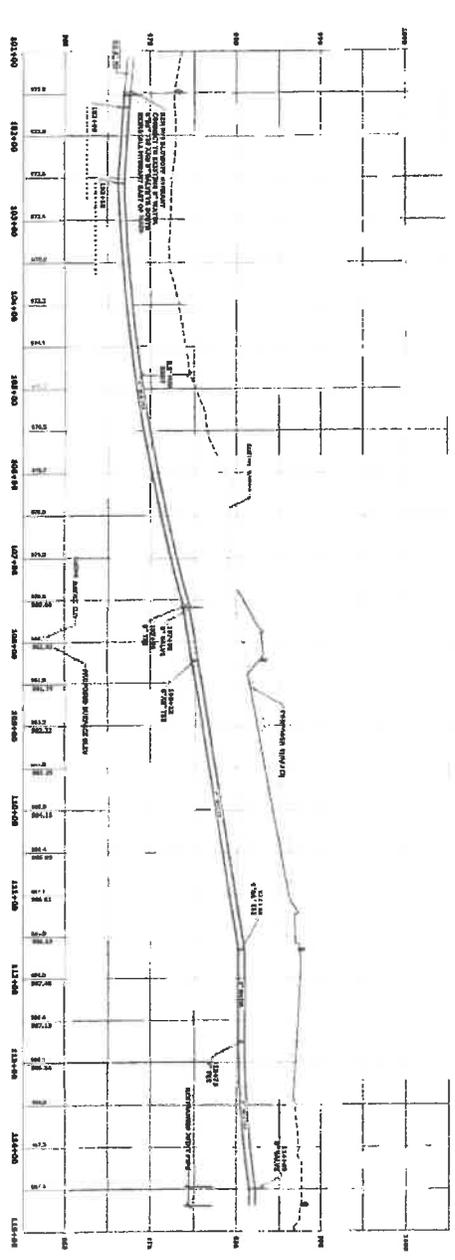
 515-382-7355
County Engineer Phone no.

Approved:

Date 3/17/26


Chair, Board of Supervisors
Story County, Iowa

A plat shall be attached to the copy submitted.



027 DATE: 10/10/2018 DRAWN BY: JAC CHECKED BY: JAC	PROJECT: RESEARCH & DEVELOPMENT CENTER - AMES					
	TITLE: WATER MAIN PLAN AND PROFILE - 1	SCALE: AS SHOWN	DATE: 10/10/2018	DRAWN BY: JAC	CHECKED BY: JAC	PROJECT: RESEARCH & DEVELOPMENT CENTER - AMES

DO NOT WRITE IN THE SPACE ABOVE, RESERVED FOR RECORDER

Prepared By: Leanne Harter, Story County Planning and Development, 900 6th Street, Nevada, IA 50201 (515) 382-7245

Please return to:
Planning & Development

STORY COUNTY IOWA
ORDINANCE NO. 330
AN ORDINANCE AMENDING CHAPTER 85, GENERAL PROVISIONS AND
DEFINITIONS; CHAPTER 86, DISTRICT REQUIREMENTS; CHAPTER 88, GENERAL
SITE PLANNING STANDARDS; AND CHAPTER 90, CONDITIONAL USES OF THE
STORY COUNTY CODE OF ORDINANCES – LAND DEVELOPMENT
REGULATIONS FOR A TEXT AMENDMENT TO ADDRESS BATTERY/ENERGY
STORAGE SOLUTIONS ON PROPERTIES LOCATED IN UNINCORPORATED
STORY COUNTY

BE IT ENACTED by the Board of Supervisors of Story County, Iowa:

Section 1. Purpose. An Ordinance Amending Chapter 85, General Provisions and Definitions; Chapter 86, District Requirements; Chapter 88, General Site Planning Standards; and Chapter 90, Conditional Uses Of The Story County Code of Ordinances— Land Development Regulations For A Text Amendment To Address Battery/Energy Storage Solutions on properties located in unincorporated Story County.

Section 2. Proposed Amendments. The amendments are as shown in Attachment A of this ordinance.

Section 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. Saving Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 5. Effective Date. This ordinance shall be effective after its final passage, approval and publication of the ordinance or a summary thereof, as provided by law.

ADOPTED THIS 17 day of March 26.

Mudabber
Chairperson, Board of Supervisors

Attest: [Signature]
County Auditor

ROLL CALL	Latifah Faisal	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
FOR ALLOWANCE	Lisa Heddens	Yea <input type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input checked="" type="checkbox"/>
	Linda Murken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>

ALLOWED BY VOTE
OF BOARD
Mudabber
CHAIRPERSON

Yea 2 Nay 0 Absent 1
Above tabulation made by [Signature]

Action upon FIRST Consideration: Approved
DATE: March 3, 2026

Moved by: Faisal
Seconded by: Heddens
Voting Aye: Faisal, Heddens, Murken
Voting Nay: None
Not Voting: None
Absent: None

Action upon SECOND Consideration: Approved
DATE: March 10, 2026

Moved by: Faisal
Seconded by: Heddens
Voting Aye: Faisal, Heddens, Murken
Voting Nay: None
Not Voting: None
Absent: None

Action upon THIRD Consideration: Approved
DATE: March 17, 2026

Moved by: Faisal
Seconded by: Murken
Voting Aye: Faisal, Murken
Voting Nay: None
Not Voting: None
Absent: Heddens

ATTACHMENT A

CHAPTER 85

LAND DEVELOPMENT REGULATIONS: GENERAL PROVISIONS AND DEFINITIONS

85.07 EXEMPTIONS.

3. Public Utilities Exempt. No requirement, restriction, or regulation contained in the Ordinance shall be construed to control the type or location of any poles, towers, wires, water or sewer lines, gas mains, cables, or any other similar distributing equipment of a public utility. County, state, and federal road projects for the maintenance and/or construction of public roads and public road right-of-way shall also be considered exempt. Battery Energy Storage Systems are not considered routine utility distribution equipment or essential services for zoning purposes.

85.08 DEFINITIONS.

"Accessory BESS (Co-Located)" means a battery energy storage system that is ancillary to another primary use of the property. Examples include a BESS co-located with a renewable energy generation facility (solar farm or wind farm) to store generated power, batteries that store electricity for on-site use (peak shaving, backup power), or batteries providing electric grid services at an existing substation. An accessory BESS is subordinate in size and purpose to the main use on the site. These are also often referred to as Hybrid BESS.

"Agrivoltaics or Agrivoltaic Projects" means solar sites that combine agricultural uses with generating electricity within the project area to maximize land use and offering mutual production benefits.

"ANSI" means the American National Standards Institute.

"Augmentation" means the process of supplementing or replacing some or all of the system components to maintain the nameplate capacity (measured in megawatts).

"Battery Energy Storage Management System" means an electronic system that protects energy storage systems from operating outside their safe operating parameters and disconnects electrical power to the energy storage system or places it in a safe condition if potentially hazardous temperatures or other conditions are detected.

"Battery Energy Storage System (BESS)" means one or more devices, assembled together, capable of storing and discharging electricity primarily intended to supply electricity to a building or to the electrical grid. This includes, but is not limited to, the following: battery cells; enclosures and dedicated-use buildings; thermal, battery, and energy management system components; inverters; access roads; distribution, collection, and feeder lines; wires and cables; conduit; footings; foundations; towers; poles; crossarms; guy lines and anchors; substations; interconnection or switching facilities; circuit breakers and transformers; overhead and underground control, communications and radio relay systems, and telecommunications equipment; utility lines and installations; and accessory equipment and structures. A BESS does not include a stand-alone 12-volt car battery or an electric motor vehicle. A BESS is classified as a Tier 1 or Tier 2 (Utility Scale) BESS as follows:

a. Tier 1 BESS have an aggregate energy capacity less than or equal to 600kWh and, if in a room or enclosed area, consist only of a single energy store system technology.

b. Tier 2 (Utility Scale) BESS have an aggregate energy capacity greater than 600kWh or are comprised of more than one storage battery technology in a room or enclosed area.

"BESS Dedicated-Use Building" means a building or structure that is only used for BESS components and equipment, is classified as Group F-1 occupancy, as defined in the International Building Code, and complies with the following:

- a. The building's only use is battery energy storage, energy generation, and other electrical grid-related operations.
- b. No other occupancy types are permitted in the building.
- c. Occupants in the rooms and areas containing BESS are limited to personnel that operate, maintain, service, test, and repair the BESS and other energy systems.
- d. Administrative and support personnel are permitted in areas within the buildings that do not contain BESS, provided that these areas do not occupy more than ten (10) percent of the building area of the story in which they are located, and a means of egress is provided from the administrative and support use areas to the public way that does not require occupants to traverse through areas containing BESS or other energy systems equipment.

"BESS Participating Property" means a BESS host property or any real property that is the subject of an agreement that provides for the payment of monetary compensation to the landowner from the BESS owner (or affiliate) regardless of whether any part of a BESS is constructed on the property.

"Commercial Solar Energy System" (C-SES) means a solar energy generation facility, solar collection system, or area of land comprised of a solar energy device, array of devices, or structural design feature, principally used to provide for the generation of energy distributed into the electrical grid and not intended to primarily reduce on-site consumption of utility power with the following scales: Community/Commercial at 15 kW–1 MW and Utility-Scale at >1 MW.

"Commissioning" means a systematic process that provides documented confirmation that installed systems function according to the intended design criteria and comply with applicable code requirements.

"Dedicated-Use Building (BESS)" means a building that is only used for BESS components and equipment, as defined in the NFPA 855 Standards for the Installation of Stationary Energy Storage Systems.

"Energy Storage" means any technology that can absorb electricity, storing the electricity for a period of time, and redelivering that electricity.

"Footcandle" means the amount of light to saturate a one-foot square with one lumen of light.

"NEC" means the National Electric Code.

"NEC" means the National Electrical Safety Code.

"Non-commercial solar energy system (SES)" means a solar collection system consisting of one or more roof- and/or ground-mounted solar collector devices and solar related equipment, and is intended to primarily reduce on-site consumption of utility power. A system is considered a noncommercial solar energy system only if it supplies electrical or thermal power solely for on-

site use at a scale of ≤15 kW, except that when a property upon which the facility is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.

"Non-participating Property" means any property that is not a participating property.

"Non-participating Residence" means any residence that is located on a non-participating property.

"On-site BESS" means a BESS that is intended primarily to serve the electricity needs of the applicant property but may, at times, discharge into the electric grid.

"Off-site BESS" means a BESS for the primary purpose of off-site use through the electric grid.

"Participating Property" means real property that is either owned by an applicant or that is the subject of an agreement that provides for the payment of monetary compensation to the landowner from the BESS owner (or affiliate) regardless of whether any part of the BESS system is constructed on the property.

"Public Utility" means a public utility as defined in the Iowa Code Chapter 476.1 and municipally owned waterworks or wastewater facilities, waterworks having less than two thousand customers, joint water utilities established pursuant to Iowa Code Chapter 389, rural water districts incorporated and organized pursuant to Iowa Code Chapters 357A and 504, cooperative water associations incorporated and organized pursuant to Iowa Code Chapter 499, districts organized pursuant to Iowa Code Chapter 468, or a person furnishing electricity to five or fewer customers either by secondary line or from an alternate energy production facility or small hydro facility, from electricity that is produced primarily for the person's own use. Public utility does not include BESS facilities.

"Repowering" means the process of configuring, supplementing, or replacing some or all of the system components to increase the nameplate capacity (measured in megawatts).

"Sensitive Receptors" means schools; preschools; day care centers; in-home daycares; health facilities including, but not limited to hospitals, clinics, long term care facilities, retirement and nursing homes; community centers; places of worship; playgrounds; parks (excluding trails); campgrounds; prisons; dormitories; or any permitted residence.

"Thermal Runaway" means the rapid, uncontrollable increase in temperature often leading to catastrophic failure in electronic components or, specifically, batteries. It is a self-sustaining cycle where heat generation exceeds heat dissipation, resulting in an escalating temperature rise, potentially leading to fires, explosions, and the release of hazardous materials.

"Utility-Scale Tier 2 BESS (U-BESS)" means facilities that are typically standalone installations that store and dispatch energy to the electric grid (often at substation or transmission voltage level).

CHAPTER 88

LAND DEVELOPMENT REGULATIONS: GENERAL SITE PLANNING STANDARDS

Amend Table 88-5 Parking Ratios by Type to include the following

Land Use	Number of Maximum Spaces
<u>U-BESS</u>	<u>One space for each employee on the largest shift. If there are no shift employees, three spaces are permitted.</u>

CHAPTER 86

LAND DEVELOPMENT REGULATIONS: DISTRICT REQUIREMENTS

Add the following as a Permitted Accessory Use in all zoning districts, except the GB/C district.

Tier 1 Battery Energy Storage Systems

CHAPTER 90

LAND DEVELOPMENT REGULATIONS: CONDITIONAL USES

6. Commercial WECS (C-WECS).

L. Noise. Audible noise due to C-WECS sites operations shall not exceed ~~60~~ 55 dBA for any period of time, when measured at any dwelling, school, hospital, church, or public library existing on the date of approval of any conditional use permit from the property line.

N. Discontinuation and Decommissioning. A C-WECS shall be considered a discontinued use after one year without energy production, unless a plan is developed and submitted to the Director outlining the steps and schedule for returning the C-WECS to service. All C-WECS and accessory facilities shall be removed to four feet below ground level within 180 days of the discontinuation of use. Each C-WECS shall have a decommissioning plan outlining the anticipated means and cost of removing C-WECS at the end of their serviceable life or upon becoming a discontinued use. The cost estimates shall be made by a professional engineer licensed in the State of Iowa. The plan shall also identify the financial resources that will be available to pay for the decommissioning and removal of the C-WECS and accessory facilities. The County reserves the right to verify that adequate decommissioning terms are contained in the landowner easement.

- (1) The applicant shall submit a copy of the decommissioning plan to all property owners within the Conditional Use Permit area. The property owners shall provide the County a signed affidavit stating their awareness and responsibility of decommissioning costs.
- (2) ~~Decommissioning Fund~~ Financial Security. The applicant shall must continuously maintain a financial assurance mechanism in the form of a performance bond and/or other security approved by the County Attorney, for the period of the life of the facility. The required amount of the security shall be 130 percent of the total decommissioning cost identified in the decommissioning plan, excluding any salvage value as amended by the Board of Adjustment. The financial assurance mechanism must ensure that funds will be available upon discontinuation and shall not include the future value, if any, of scrap. If a bond is posted to meet this requirement, the bond-issuing company must be agreed upon by both the applicant and County. All decommissioning, removal and remediation fund requirements shall be fully funded before a zoning permit is issued. The County shall have sole discretion with regard to the determination of the mode of financial assurance.
- (3) Every three (3) years from the first date of operations, or on the written request of the County, the Owner shall review and update the Decommissioning Plan and all appendices and provide the updated plan and appendices to the County on or before the date of each three-year anniversary of the first date of operations. As part of this review process, the Owner shall recalculate the total decommissioning cost and the decommissioning guaranty amount; and the financial assurance required shall be modified accordingly.

Q. Submittal Requirements. In addition to the submittal requirements defined for conditional use permit applications, all applications for C-WECS must submit the following information (as applicable).

(18) Pre-construction interconnection agreements.

8. Commercial – Solar Energy Systems (C-SES).

A. Ground Cover and Buffer Areas. Perennial vegetative ground cover shall be planted on the ground around and under solar arrays and in project site buffer areas, and the ground shall meet the following standards:

- (1) Top soils shall not be removed from the site during development unless the removal is part of a remediation effort pre-defined and approved through the Conditional Use Permit.
- (2) Soils shall be planted and maintained in perennial vegetation in accordance with subparagraph 3 below to prevent erosion, manage run-off, and build soil.
- (3) Seed mixes and maintenance practices must be approved by Story County Conservation prior to action by the Board of Adjustment.
- (4) Solar collectors and racking are not considered impervious cover if underlying ground is pervious vegetation, and the soil is not compacted.
- (5) The applicant shall submit a vegetative management plan prepared by a qualified professional or reviewed and approved by Story County Conservation. The plan shall identify:
 - a. The natural resource professionals consulted or responsible for the plan
 - b. The conservation, habitat, eco-system, or agricultural goals, which may include: providing habitat for pollinators such as bees and monarch butterflies, providing habitat for wildlife such as upland nesting birds and other wildlife, establishing vegetation for livestock grazing, reducing on-site soil erosion, and improving or protecting surface or ground water quality.
 - c. The intended mix of vegetation upon establishment.
 - d. The management methods and schedules for how the vegetation will be managed on an annual basis, with particular attention given to the establishment period of approximately three years.

B. Fencing. Ground-mounted solar energy device or combination of devices comprising a C-SES shall be enclosed by perimeter fencing at a height of eight feet to restrict unauthorized access. Security fences and gates must be maintained in good condition until the site is decommissioned.

- (1) Native/pollinator-friendly vegetation buffers or fencing to screen solar farms from adjacent homes/public roads is required.

L. Discontinuation and Decommissioning. C-SES shall be considered discontinued after one year without energy production, unless a plan is developed and submitted to the Director outlining the steps and schedule for returning the C-SES to service.

(1) Removal Requirements. Any C-SES which has reached the end of its useful life or has been determined to be discontinued pursuant to this section shall be decommissioned and removed within 180 days of the discontinuation of use.

(2) Decommissioning shall consist of:

- a. Physical removal of all large-scale ground-mounted solar photovoltaic installations, structures, equipment, security barriers and transmission lines from the site to four feet below ground level within 180 days of the discontinuation of use.
- b. Disposal of all solid and hazardous waste in accordance with local, State, and federal waste disposal regulations.
- c. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Director may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

(3) Decommissioning Plan and Financial Surety.

- a. C-SES shall have a decommissioning plan outlining the anticipated means and costs of removing the C-SES at the end of its serviceable life or upon becoming discontinued.
- b. The decommissioning plan shall identify financial resources that will be available to pay for decommissioning and removal of C-SES.
- c. The applicant ~~shall~~ must continuously maintain a financial assurance mechanism in the form of a performance bond and/or other security approved by the County Attorney, for the period of the life of the facility. The amount of the security shall be 130 percent of the total decommissioning cost identified in the decommissioning plan, without the salvage value. The financial assurance mechanism must ensure that funds will be available upon discontinuation and shall not include the future value, if any, of scrap. If a bond is posted to meet this requirement, the bond issuing company must be agreed upon by both the applicant and County. All decommissioning, removal and remediation fund requirements shall be fully funded before a zoning permit is issued. The County shall have sole discretion with regard to the determination of the mechanism of financial assurance.
- d. Property Owner Affidavit. The applicant shall submit a copy of the decommissioning plan to all property owners within the boundaries of the Conditional Use Permit area. The property owners shall provide the County a signed affidavit acknowledging receipt of the plan and their responsibility for decommissioning costs.
- e. Every three (3) years from the first date of operations, or on the written request of the County, the Owner shall review and update the Decommissioning Plan and all appendices and provide the updated plan and appendices to the County on or before the date of each three-year anniversary of the first date of operations. As part of this review process, the Owner shall recalculate the total

decommissioning cost and the decommissioning guaranty amount; and the financial assurance required shall be modified accordingly.

M. Monitoring and Maintenance. The owner or operator of C-SES shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Internal circulation drives shall be maintained by the owner or operator to a level acceptable to the applicable fire chief and Story County Emergency Management Agency. The owner or operator shall be solely responsible for the cost of maintaining the C-SES and any internal access roads.

- (1) Agrivoltaics or Agrivoltaic Projects such as pollinator-friendly cover crops/livestock grazing on solar farm sites are permitted and encouraged to continue, to achieve co-benefits of solar energy and agriculture.

O. Submittal Requirements. In addition to the submittal requirements defined for conditional use permit applications, all applications for C-SES must submit the following information (as applicable).

- (22) Vegetative Management Plan.

**CHAPTER 90
LAND DEVELOPMENT REGULATIONS: CONDITIONAL USES**

Amendment to Table 90-1 – Table of Conditional Uses

All subject to supplemental standards, and in the C-LI and HI

- Utility-Scale Battery Energy Storage System (U-BESS) (when such use is proposed conjunction with an application or major modification for a "Commercial Wind Energy Conversion Systems (C-WECS)", "Commercial Solar Energy Systems (C-SES)", or "Any land or building used by a utility service for the purpose of generating or converting power", the U-BESS may be site on property zoned A-1, Agricultural and all supplemental standards for a U-BESS shall apply in addition to supplemental standards for "Commercial Wind Energy Conversion Systems (C-WECS)", "Commercial Solar Energy Systems (C-SES)", or "Any land or building used by a utility service for the purpose of generating or converting power".)

11. Utility-Scale (Tier 2) Battery Energy Storage Systems (U-BESS)

- A. The requirements of the Ordinance shall apply to all U-BESS proposed after the effective date of the Ordinance.
- B. Co-Located with Solar or Wind: When a U-BESS is proposed as part of a new solar farm or wind farm, the U-BESS is processed as a component of the new solar farm or wind farm's conditional use permit rather than requiring a separate conditional use permit. For an existing wind farm or solar farm that was permitted prior to the adoption of the standards for U-BESS wanting to add battery storage, such applications will be processed as a Major Modification to the existing conditional use permit.
- C. Setbacks and Separation Requirements. The following setbacks and separation requirements shall apply to all components of a U-BESS.
 - 1) U-BESS facilities shall comply with all applicable setbacks and separation distances as required by NFPA 855.
 - 2) Sensitive Receptors. Setbacks from the nearest Receptor use shall be 100 feet or greater, as measured from structure to structure. Setbacks shall be established allowing for no greater than 55dB(A) from the U-BESS occurring at an adjacent dwelling.
 - 3) Public Right-of-Way. Setbacks from public right-of-way shall comply with the applicable setbacks as defined by the base zone district.
- D. Screening and Landscaping
 - 1) U-BESS must be visually screened from the public right-of-way and from any Sensitive Receptors located within 100' of the U-BESS.
- E. Parking shall comply with the requirements defined in Section 88.08 Parking and Circulation Standards.
- F. Hazardous Materials and Environmental Protection
 - 1) The U-BESS shall comply with all applicable hazardous materials handling and reporting laws.
 - 2) Batteries shall be recycled or disposed of in accordance with environmental regulations upon decommissioning. The Decommissioning Plan must identify where the batteries will go.
 - 3) U-BESS installations must comply with the County's stormwater and erosion control ordinance.
 - 4) On parcels containing more than 50 percent of the gross acreage as lands identified with areas designated Natural Resource Areas on the Cornerstone to Capstone (C2C) Comprehensive Plan, the conditional use permit shall not be approved unless conditions protecting the identified areas are attached to the request, either split zoned with conservation or conservation easements.
 - 5) U-BESS shall not be located in the Special Flood Hazard Area.
- G. Fencing and Security Measures.
 - 1) A perimeter security fence up to eight (8) feet tall must be installed around the entire U-BESS, including the battery containers and electrical equipment.

- 2) Fencing may not be placed in front of landscaping adjacent to roads. There must be landscaping in front of any fence adjacent to public roads.
 - 3) Security fencing near electrical installations must be grounded and bonded to protect against electrical hazards as per the National Electric Code.
 - 4) For installations over 1,000 volts, a warning sign reading "DANGER – HIGH VOLTAGE – KEEP OUT" is required on locked or monitored enclosures.
 - 5) Warning signage such as high voltage, energy storage facility identification, emergency contact info, must be posted on the fence per the National Electric Code requirements.
 - 6) Security fences and gates must be maintained in good condition until the site is decommissioned.
 - 7) Battery energy storage systems shall also comply with specifications established in NFPA 855 relating to barriers and buffering.
- H. Signage. No signs other than appropriate warning signs, or standard manufacturers', operators', or installers' identification signage, shall be displayed unless permitted in accordance with Chapter 89.
- I. Access and Fire Safety. Battery energy storage systems shall comply with the latest published version of the National Fire Protection Association (NFPA) 855, Standard for Installation of Stationary Energy Storage Systems, at the date of the submission of the application.
- J. Lighting. Exterior lighting, including any security lighting, shall be the minimum necessary for safety and security, downward directed, shielded from adjacent properties, and comply with the requirements of Section 88.09, Site Lighting.
- K. Emergency Response Plan (ERP):
- 1) An ERP is to be prepared and submitted for review prior to the issuance of a zoning permit. At the time a conditional use permit application is submitted, a draft ERP per NFPA 855 shall be included with the application materials. This shall include but not be limited to an evacuation plan, firefighting techniques, and responsibility assignments for each scenario in the ERP.
 - 2) Prior to commencing commercial operations, the applicant shall submit a plan as an appendix to the project permit application for offering site-specific training to the fire service and emergency personnel of all applicable jurisdictions.
 - 3) The ERP shall be reviewed annually by local emergency responders throughout the project's lifespan and modified for best safety practices if necessary.
 - 4) Routine maintenance shall be performed on the U-BESS equipment to ensure proper performance of the technology. The County and local emergency responders are to be contacted if there are concerns of failure to meet any ERP standards in the U-BESS performance.
 - 5) The applicant must conduct and submit documentation of hazard mitigation analyses as required by NFPA 855. An ERP and necessary fire precautions must be in place prior to issuance of any zoning permits.
 - 6) Local first responders are to be trained and equipped to the extent current equipment is insufficient to respond appropriately to the selected battery technology for the U-BESS project, at the Owner's commercially reasonable expense, prior to the commencement of the operation. Refresher training to local first responders shall be required, at the Owner's commercially reasonable expense, at reasonable intervals, at least annually or as requested by the jurisdictional fire chief and Story County Emergency Management throughout the life of the project.
 - 7) Owner shall be responsible for the commercially reasonable costs of local first responders for any emergency event at the facility.

- 8) Owner shall provide confirmation that there will be remote monitoring of the U-BESS 24 hours daily, seven (7) days a week.
- 9) U-BESS operators are required to certify that the system is being maintained per safety standards and coordinate refresher training or drill with the applicable fire department. Annual proof to be provided to Story County Planning and Development no later than February 28 each year. Failure to comply annually with this may result in revocation of the conditional use permit.
- L. Noise Standards: Sound generated from the battery energy storage systems, components, and associated ancillary equipment, measured at the nearest sensitive receptor or a non-participating property shall not exceed 55 dB(A) (1-hour Leq) at the property line.
 - 1) These standards shall not apply to uses established after the U-BESS is permitted/started.
- M. Compliance with Applicable Codes and Certifications.
 - 1) State Building Code. All U-BESS shall meet all requirements of the current State Building Code.
 - 2) National Electric Code (NEC). All U-BESS shall comply with the National Electrical Code, current edition.
 - 3) Certification that all battery units meet national safety standards (e.g. UL 1973 for battery modules, and UL 9540 for the entire storage system). All U-BESS applications shall provide such certification.
- N. Underground Installation of Utilities. Reasonable efforts shall be made to place all utility connections from U-BESS facilities underground, depending on appropriate soil conditions, shape and topography of the site, distance to the connection, or other conditions or requirements. Any above ground utility lines require an engineer's signed statement and explanation as to why buried utilities are not feasible.
- O. All U-BESS shall comply with Iowa Utilities Board rules and any state law requirements. Any required state or federal permits or approvals (such as IUB generator certificates for very large facilities) must be obtained, and copies provided to the County, prior to construction.
- P. Review of Augmentation Plans
 - 1) If augmentation was not considered in the approved permit application, then such augmentation shall be processed as an amendment to the approved conditional use permit.
- Q. Commissioning Plan and Report
 - 1) Prior to issuance of a zoning permit, U-BESS Applicants shall submit a commissioning plan in accordance with NFPA 855 that contains:
 - a. An electrical diagram detailing the battery energy storage system configuration, associated components, and electrical interconnection methods, compliant with applicable state or local electrical codes, including NEC and NESC.
 - b. A preliminary equipment specification sheet that documents the proposed battery energy storage system components, inverters and associated electrical equipment that are to be installed. A final equipment specification datasheet shall be submitted prior to the issuance of the zoning permit.
 - c. Name, address, and contact information of proposed or potential system installer and the owner and/or operator of the U-BESS. Such information of the final system installer shall be submitted prior to the issuance of final zoning permit.

- R. Discontinuation and Decommissioning. U-BESS shall be considered discontinued after it has not stored electrical energy for twelve (12) consecutive months, unless a plan is developed and submitted to the Director outlining the steps and schedule for returning the U-BESS to service.
- 1) Removal Requirements. Any U-BESS which has reached the end of its useful life or has been determined to be discontinued pursuant to this section shall be decommissioned and removed within one-hundred eighty (180) days of the discontinuation of use.
 - 2) Decommissioning shall consist of:
 - a. Physical removal of all above-surface facilities and infrastructure that have no ongoing purpose, from the site. All U-BESS and accessory facilities shall be removed to four (4) feet below ground level within one-hundred eighty (180) days of the discontinuation of use.
 - b. Disposal of all solid and hazardous waste in accordance with local, State, and federal waste disposal regulations.
 - c. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Director may allow the owner or operator to leave landscaping to minimize erosion and disruption to vegetation.
 - 3) Decommissioning Plan and Financial Surety.
 - a. U-BESS shall have a decommissioning plan outlining the anticipated means and costs of removing the U-BESS at the end of its serviceable life or upon becoming discontinued.
 - b. The decommissioning plan shall identify financial resources that will be available to pay for decommissioning and removal of U-BESS.
 - c. The applicant must continuously maintain a financial assurance mechanism in the form of a performance bond and/or other security approved by the County Attorney, for the period of the life of the facility. The required amount of the security shall be 130 percent of the total decommissioning cost identified in the decommissioning plan, excluding any salvage value. The financial assurance mechanism must ensure that funds will be available upon discontinuation and shall not include the future value, if any, of scrap. If a bond is posted to meet this requirement, the bond issuing company must be agreed upon by both the applicant and County. All decommissioning, removal and remediation fund requirements shall be fully funded before a zoning permit is issued. The County shall have sole discretion with regard to the determination of the mechanism of financial assurance.
 - d. Property Owner Affidavit. The applicant shall submit a copy of the decommissioning plan to all property owners within the boundaries of the Conditional Use Permit area. The property owners shall provide the County with a signed affidavit acknowledging receipt of the plan and their responsibility for decommissioning costs.
 - e. Every three (3) years from the first date of operations, or on the written request of the County, the Owner shall review and update the Decommissioning Plan and all appendices and provide the updated plan and appendices to the County on or before the date of each three-year anniversary of the first date of operations. As part of this review process, the Owner shall recalculate the total decommissioning cost and the decommissioning guaranty amount; and the financial assurance required shall be modified accordingly.
- S. Monitoring and Maintenance. The owner or operator of a U-BESS shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Internal circulation drives shall be maintained by

the owner or operator to a level acceptable to the applicable fire chief and Story County Emergency Management Agency. The owner or operator shall be solely responsible for the cost of maintaining the U-BESS and any internal access roads.

- 1) Following the initial completion of the project and the project commissioning, Owner shall notify the County, in writing, of any battery enclosures before being removed or installed at the project. Such notification shall be at least thirty (30) days in advance of the removal or installation, except in cases of emergency, when Owner shall notify the County as soon as practicable. No batteries shall be stored on the premises outside of battery enclosures, with the exception of batteries stored for future use, and any such used for future use shall be stored to NFPA 855 standards.
- T. Ownership Changes. If the owner of the U-BESS changes or the owner of the property changes, the conditional use permit shall remain in effect, provided that the successor owner or operator assumes in writing all of the obligations of the conditional use permit, site plan approval, and decommissioning plan. A new owner or operator of the U-BESS shall notify the Story County Planning and Development Department in writing of such changes in ownership or operations within sixty (60) days of the change.
- 1) The conditional use permit and all other local approvals for the U-BESS may be considered void if a new owner or operator fails to provide written notification to the Story County Planning and Development Department within the required timeframe. Reinstatement of a void conditional use permit will be subject to the same review and approval processes for new conditional use permits.
- U. Third-Party Reviewer
- 1) The County may seek the services of a third-party reviewer with expertise in the U-BESS technology field to assist with the following services (if the conditional use permit is approved by the County).
 - a. Review of the site and architectural plan, battery technology, compliance with NFPA 855, and with other applicable regulatory standards and codes not specifically identified in these regulations.
 - b. Assist with the review of the ERP, completed noise study, decommissioning plan and review of decommissioning financial security agreement.
 - 2) The County shall make their best effort so that the Third-Party Review does not unreasonably delay the project's zoning permitting or construction process. The Owner shall be responsible for reimbursing the County for the commercially reasonable costs incurred for the services of said Third-Party Reviewer. Said costs shall be mutually agreed upon by the County and Owner prior to the County's commencement of plan review for the zoning permit.
- V. Avoidance and Mitigation of Damages to Public Infrastructure.
- 1) Roads. Applicant shall identify all roads to be used for the purpose of transporting components and/or equipment for construction, operation or maintenance of the U-BESS and obtain applicable weight and size permits from the impacted road authority prior to construction.
 - 2) Existing Road Conditions. Applicant shall conduct a pre-construction survey, in coordination with the impacted local road authority to determine existing road conditions. The pre-construction survey shall include photographs and a written agreement to document the condition of the roads and applicable public facilities. The applicant is responsible for on-going road maintenance and dust control measures identified by the Story County Engineer during all phases of construction.
 - 3) Drainage System. The applicant shall be responsible for immediate repair of damage to public drainage systems stemming from construction, operation, or maintenance of the U-BESS.

- 4) Required Financial Security. The applicant shall be responsible for restoring or paying damages as agreed to by the applicable road authority sufficient to restore the roads and bridges to preconstruction conditions. Financial assurance mechanisms in the form of a performance bond and/or other security approved by the Story County Attorney's Office shall be submitted to the Planning and Development Department covering 130 percent of the costs of all required improvements prior to final issuance of the conditional use permit by the Board of Adjustment. This requirement may be waived by the Board of Adjustment upon recommendation from the Story County Engineer.

W. Submittal Requirements. All U-BESS applications must submit the following information in addition to submittal requirements defined for conditional use permit applications.

- 1) The names of the project applicants.
- 2) The names of the project owners.
- 3) The legal description and address of the project.
- 4) The names of the landowners.
- 5) Pre-construction survey and proposed routes.
- 6) Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, and screening vegetation or structures.
- 7) A detailed site plan drawing showing the layout of the U-BESS facility on the property including the battery enclosures/containers, inverters and electrical equipment, transformers, access roads, parking or turnaround areas for maintenance vehicles, proposed fencing and gates, landscape buffers (if any), and setback distances from property lines and existing structures, and identifying any adjacent uses (homes, public roads, etc.), floodplain, rights-of-way and zoning district designations. For co-located U-BESS at a solar/wind farm, the U-BESS components should be clearly identified on the overall project site plan as defined in Section 90.08.6 Commercial WECS (C-WECS) and 90.08.8 Commercial Solar Energy Systems (C-SES).
- 8) Project Narrative and Specification Sheets describing the U-BESS project, including the type of battery technology (e.g. lithium-ion, flow battery, etc.), the nameplate energy capacity (in MW and MWh), the intended charge/discharge regime (e.g. daily cycling, emergency backup), and whether the system is stand-alone or tied to a generation facility. The applicant should provide manufacturer's spec sheets for the battery units and associated equipment, to verify dimensions and compliance with safety standards (such as UL listings).
- 9) Statements of Compliance with Applicable Codes and Certifications.
- 10) Emergency Response Plan.
- 11) Site Safety and Security Plan: A detailed plan outlining on-site safety features such as thermal monitoring systems, ventilation and explosion-proof construction features and describing how the site will be secured against unauthorized access like fencing, locking cabinets, lighting, alarms, etc.
- 12) Project development timeline.
- 13) Existing Resources Inventory as defined in Chapter 85.
- 14) Documentation of actual or prospective access and traffic control of the project site.
- 15) Operation and maintenance plan of the U-BESS, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operation and maintenance of the installation.
- 16) Proof of liability insurance.
- 17) Applicable Fee

- 18) Decommissioning plan without salvage value calculated into the security bond amount.
- 19) Acknowledgement of Third-Party Reviewer process and potential costs.

This is the original Ordinance 330 presented at First Consideration of the Board of Supervisors with the proposed modifications approved by the Board of Supervisors.

DO NOT WRITE IN THE SPACE ABOVE, RESERVED FOR RECORDER
Prepared By: Leanne Harter, Story County Planning and Development, 900 6th Street, Nevada, IA 50201 (515) 382-7245

Please return to:
Planning & Development

**STORY COUNTY IOWA
ORDINANCE NO. 330
AN ORDINANCE AMENDING CHAPTER 85, GENERAL PROVISIONS AND
DEFINITIONS; CHAPTER 86, DISTRICT REQUIREMENTS; CHAPTER 88, GENERAL
SITE PLANNING STANDARDS; AND CHAPTER 90, CONDITIONAL USES OF THE
STORY COUNTY CODE OF ORDINANCES – LAND DEVELOPMENT
REGULATIONS FOR A TEXT AMENDMENT TO ADDRESS ~~USES FOR DIGITAL
ASSET MINING, CRYPTOCURRENCY OPERATIONS, DATA PROCESSING
CENTERS AND/OR~~ BATTERY/ENERGY STORAGE SOLUTIONS ON PROPERTIES
LOCATED IN UNINCORPORATED STORY COUNTY**

BE IT ENACTED by the Board of Supervisors of Story County, Iowa:

Section 1. Purpose. An Ordinance Amending Chapter 85, General Provisions and Definitions; Chapter 86, District Requirements; Chapter 88, General Site Planning Standards; and Chapter 90, Conditional Uses Of The Story County Code of Ordinances— Land Development Regulations For A Text Amendment To Address ~~Uses for Digital Asset Mining, Cryptocurrency Operations, Data Processing Centers and/or~~ Battery/Energy Storage Solutions on properties located in unincorporated Story County.

Section 2. Proposed Amendments. The amendments are as shown in Attachment A of this ordinance.

Section 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. Saving Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 5. Effective Date. This ordinance shall be effective after its final passage, approval and publication of the ordinance or a summary thereof, as provided by law.

Action upon FIRST Consideration: _____
DATE: March 3, 2026

Moved by: _____
Seconded by: _____
Voting Aye: _____
Voting Nay: _____
Not Voting: _____
Absent: _____

Action upon SECOND Consideration: _____
DATE: March 10, 2026

Moved by: _____
Seconded by: _____
Voting Aye: _____
Voting Nay: _____
Not Voting: _____
Absent: _____

Action upon THIRD Consideration: _____
DATE: March 17, 2026

Moved by: _____
Seconded by: _____
Voting Aye: _____
Voting Nay: _____
Not Voting: _____
Absent: _____

ADOPTED THIS ____ day of _____, _____.

Chairperson, Board of Supervisors

Attest:

County Auditor

ROLL CALL	Latifah Faisal	Yea__	Nay__	Absent__
FOR ALLOWANCE	Lisa Heddens	Yea__	Nay__	Absent__
	Linda Murken	Yea__	Nay__	Absent__

ALLOWED BY VOTE OF BOARD	Yea__	Nay__	Absent__
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_____ CHAIRPERSON	Above tabulation made by ____
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ATTACHMENT A

CHAPTER 85

LAND DEVELOPMENT REGULATIONS: GENERAL PROVISIONS AND DEFINITIONS

85.07 EXEMPTIONS.

3. Public Utilities Exempt. No requirement, restriction, or regulation contained in the Ordinance shall be construed to control the type or location of any poles, towers, wires, water or sewer lines, gas mains, cables, or any other similar distributing equipment of a public utility. County, state, and federal road projects for the maintenance and/or construction of public roads and public road right-of-way shall also be considered exempt. Battery Energy Storage Systems are not considered routine utility distribution equipment or essential services for zoning purposes.

85.08 DEFINITIONS.

"Accessory BESS (Co-Located)" means a battery energy storage system that is ancillary to another primary use of the property. Examples include a BESS co-located with a renewable energy generation facility (solar farm or wind farm) to store generated power, batteries that store electricity for on-site use (peak shaving, backup power), or batteries providing electric grid services at an existing substation. An accessory BESS is subordinate in size and purpose to the main use on the site. These are also often referred to as Hybrid BESS.

"Agrivoltaics or Agrivoltaic Projects" means solar sites that combine agricultural uses with generating electricity within the project area to maximize land use and offering mutual production benefits.

"ANSI" means the American National Standards Institute.

"Augmentation" means the process of supplementing or replacing some or all of the system components to maintain the nameplate capacity (measured in megawatts).

"Battery Energy Storage Management System" means an electronic system that protects energy storage systems from operating outside their safe operating parameters and disconnects electrical power to the energy storage system or places it in a safe condition if potentially hazardous temperatures or other conditions are detected.

"Battery Energy Storage System (BESS)" means one or more devices, assembled together, capable of storing and discharging electricity primarily intended to supply electricity to a building or to the electrical grid. This includes, but is not limited to, the following: battery cells; enclosures and dedicated-use buildings; thermal, battery, and energy management system components; inverters; access roads; distribution, collection, and feeder lines; wires and cables; conduit; footings; foundations; towers; poles; crossarms; guy lines and anchors; substations; interconnection or switching facilities; circuit breakers and transformers; overhead and underground control, communications and radio relay systems, and telecommunications equipment; utility lines and installations; and accessory equipment and structures. A BESS does not include a stand-alone 12-volt car battery or an electric motor vehicle. A BESS is classified as a Tier 1 or Tier 2 (Utility Scale) BESS as follows:

a. Tier 1 BESS have an aggregate energy capacity less than or equal to 600kWh and, if in a room or enclosed area, consist only of a single energy store system technology.

b. Tier 2 (Utility Scale) BESS have an aggregate energy capacity greater than 600kWh or are comprised of more than one storage battery technology in a room or enclosed area.

"BESS Dedicated-Use Building" means a building or structure that is only used for BESS components and equipment, is classified as Group F-1 occupancy, as defined in the International Building Code, and complies with the following:

- a. The building's only use is battery energy storage, energy generation, and other electrical grid-related operations.
- b. No other occupancy types are permitted in the building.
- c. Occupants in the rooms and areas containing BESS are limited to personnel that operate, maintain, service, test, and repair the BESS and other energy systems.
- d. Administrative and support personnel are permitted in areas within the buildings that do not contain BESS, provided that these areas do not occupy more than ten (10) percent of the building area of the story in which they are located, and a means of egress is provided from the administrative and support use areas to the public way that does not require occupants to traverse through areas containing BESS or other energy systems equipment.

"BESS Participating Property" means a BESS host property or any real property that is the subject of an agreement that provides for the payment of monetary compensation to the landowner from the BESS owner (or affiliate) regardless of whether any part of a BESS is constructed on the property.

~~"Clean Agent Fire Suppression System" means a system that uses electrically nonconductive gaseous agents that do not leave residue upon evaporation to extinguish fires.~~

~~"Closed-loop Cooling System" means a sealed system where a coolant circulates continuously, absorbing heat from a source, and then transferring that heat to a heat exchanger for removal, without the coolant ever being exposed to the environment. A closed-loop system shall not use evaporative cooling. It may consist of methods including, but not limited to, air cooled (dry) cooling, rear door heat exchanger cooling, hybrid dry economizer cooling, direct to chip cooling, or immersion cooling.~~

~~"Commercial Cryptocurrency Mining" means the commercial process by which cryptocurrency transactions are verified and added to the public ledger, known as the block chain, and the means through which new units of cryptocurrencies are released through the use of server farms. Any equipment requiring a high density load service, for the purposes of operating a cryptocurrency mining server farm, will constitute a commercial cryptocurrency mining operation.~~

"Commercial Solar Energy System" (C-SES) means a solar energy generation facility, solar collection system, or area of land comprised of a solar energy device, array of devices, or structural design feature, principally used to provide for the generation of energy distributed into

the electrical grid and not intended to primarily reduce on-site consumption of utility power with the following scales: Community/Commercial at 15 kW–1 MW and Utility-Scale at >1 MW.

"Commissioning" means a systematic process that provides documented confirmation that installed systems function according to the intended design criteria and comply with applicable code requirements.

"Community Noise Equivalent Level (CNEL)" means the 24-hour A-weighted average sound level from midnight to midnight, obtained after the addition of 5 dB to sound levels occurring in the evening from 7 PM to 10 PM and after the addition of 10 dB to sound levels occurring in the night between 10 PM and 7 AM.

"Cryptocurrency" means a digital currency in which encryption techniques are used to regulate the generation of units of currency and to verify the transfer of funds while operating independently of a central bank.

"Cryptocurrency Data Center (CDC)" means the leased or owned boundaries of floor space devoted to the operating data processing equipment for commercial cryptocurrency mining, excluding spaces for data centers not otherwise engaged in commercial cryptocurrency mining, commercial offices, storage, shipping and receiving, warehousing, or any other space that is not electronic processing.

"Cryptocurrency Mining or Production Installations associated with a Data Center" means a physical facility that uses computing and networking equipment to collect, store and process data, as well as distribute and access resources. It may also include supporting equipment such as batteries, back-up generators and cooling equipment.

"Cryptocurrency Server Farm" means three or more interconnected computers housed together in a single facility either air-cooled or water-cooled, whose primary function is to perform cryptocurrency mining or associated data processing.

"Data Center (DC)" means a facility used primarily for the storage, management, processing, and transmission of digital data, which houses computer or network equipment, systems, servers, appliances and other associated components related to digital data operations. The facility may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support sustained operations at the Data Center.

"Data Center Accessory Use" means the ancillary uses or structures secondary and incidental to a Data Center use, including but not limited to: administrative, logistical, fiber optic, storage, and security buildings or structures; sources of electrical power such as generators used to provide temporary power when the main source of power is interrupted; electrical substations; utility lines, domestic and non-contact cooling water and wastewater treatment facilities; water holding facilities; pump stations; water towers; environmental controls (air conditioning or cooling towers; fire suppression, and related equipment), and security features, provided such Data Center Accessory Uses/structures are located on the same tract or assemblage of adjacent parcels developed as a unified development with a Data Center. The use shall not include

~~energy generation systems used or intended to be used to supply power to the Data Center during normal operations.~~

~~"Data Center Electrical Substation" means a facility used for the transformation or transmission and/or switching of voltages to distribution voltages which switches circuits and distributes usable/consumable electric power, specifically for Data Center users on the same or adjacent site, or on a site immediately across a road right-of-way.~~

~~"Data Center Principal Building" means a building that contains the office and/or data storage functions of a Data Center.~~

~~"Data Mining" means the commercial process by which volumes of data are analyzed to find patterns, discover trends, and gain insight into how the data can be used as a commercial data mining operation.~~

~~"Dedicated-Use Building (BESS)" means a building that is only used for BESS components and equipment, as defined in the NFPA 855 Standards for the Installation of Stationary Energy Storage Systems.~~

~~"Energy Storage" means any technology that can absorb electricity, storing the electricity for a period of time, and redelivering that electricity.~~

~~"Footcandle" means the amount of light to saturate a one-foot square with one lumen of light.~~

~~"High density Load Service" means any individual service at or above 660 amps in which the energy use intensity (EUI) is calculated as greater than 250 kWh/Feet²/year in total for all operating square footage.~~

~~"Liquid Cooling System" means a method of cooling electronic components or other devices by circulating liquid coolant through them, to cool and absorb heat from components and then dissipate heat through a radiator.~~

~~"NEC" means the National Electric Code.~~

~~"NESC" means the National Electrical Safety Code.~~

~~"Non-commercial solar energy system (SES)" means a solar collection system consisting of one or more roof- and/or ground-mounted solar collector devices and solar related equipment, and is intended to primarily reduce on-site consumption of utility power. A system is considered a noncommercial solar energy system only if it supplies electrical or thermal power solely for on-site use at a scale of ≤15 kW, except that when a property upon which the facility is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.~~

~~"Non-participating Property" means any property that is not a participating property.~~

~~"Non-participating Residence" means any residence that is located on a non-participating property.~~

"On-site BESS" means a BESS that is intended primarily to serve the electricity needs of the applicant property but may, at times, discharge into the electric grid.

"Off-site BESS" means a BESS for the primary purpose of off-site use through the electric grid.

"Participating Property" means real property that is either owned by an applicant or that is the subject of an agreement that provides for the payment of monetary compensation to the landowner from the BESS owner (or affiliate) regardless of whether any part of the BESS system is constructed on the property.

"Public Utility" means a public utility as defined in the Iowa Code Chapter 476.1 and municipally owned waterworks or wastewater facilities, waterworks having less than two thousand customers, joint water utilities established pursuant to Iowa Code Chapter 389, rural water districts incorporated and organized pursuant to Iowa Code Chapters 357A and 504, cooperative water associations incorporated and organized pursuant to Iowa Code Chapter 499, districts organized pursuant to Iowa Code Chapter 468, or a person furnishing electricity to five or fewer customers either by secondary line or from an alternate energy production facility or small hydro facility, from electricity that is produced primarily for the person's own use. Public utility does not include BESS facilities.

"Repowering" means the process of configuring, supplementing, or replacing some or all of the system components to increase the nameplate capacity (measured in megawatts).

"Sensitive Receptors" means schools; preschools; day care centers; in-home daycares; health facilities including, but not limited to hospitals, clinics, long term care facilities, retirement and nursing homes; community centers; places of worship; playgrounds; parks (excluding trails); campgrounds; prisons; dormitories; or any permitted residence.

"Thermal Runaway" means the rapid, uncontrollable increase in temperature often leading to catastrophic failure in electronic components or, specifically, batteries. It is a self-sustaining cycle where heat generation exceeds heat dissipation, resulting in an escalating temperature rise, potentially leading to fires, explosions, and the release of hazardous materials.

"Utility-Scale Tier 2 BESS (U-BESS)" means facilities that are typically standalone installations that store and dispatch energy to the electric grid (often at substation or transmission voltage level).

CHAPTER 88

LAND DEVELOPMENT REGULATIONS: GENERAL SITE PLANNING STANDARDS

9. Off-Street Loading Areas. In any district in connection with every building or part thereof hereafter erected having a gross floor area of 6,000 square feet or more, which is to be occupied by manufacturing, storage, warehouse, goods display, retail store, wholesale store, market, hotel, hospital, or other uses similarly requiring the receipt or distribution by vehicles of material or merchandise, there shall be provided and maintained on the same lot with such building at least one off-street loading space, plus one additional such loading space for each 20,000 square feet or major fraction thereof of gross floor area so used in excess of 10,000 square feet.

- A. Each loading stall shall not be less than 12 feet in width and 40 feet in length.
- B. Such space may not occupy all or any part of a required yard or open space. When adjacent to a residential district or residential use, it shall be set back 10 feet and screened from adjacent property by a planting screen not less than 10 feet in width and six feet in height or by a fence, wall, berm, or other comparable means. ~~For CDC and DC uses, applicable setback requirements found in Chapter 90 must be satisfied.~~
- C. ~~For CDC and DC uses, loading spaces/bays are only permitted to be located on one facade of the Data Center Principal Building.~~

Amend Table 88-5 Parking Ratios by Type to include the following

Land Use	Number of Maximum Spaces
U-BESS	<u>One space for each employee on the largest shift. If there are no shift employees, three spaces are permitted.</u>
CDC or DC	One space per employee on the largest shift, plus an additional three visitor spaces.

CHAPTER 86

LAND DEVELOPMENT REGULATIONS: DISTRICT REQUIREMENTS

Add the following as a Permitted Accessory Use in all zoning districts, except the GB/C district.

Tier 1 Battery Energy Storage Systems

CHAPTER 90

LAND DEVELOPMENT REGULATIONS: CONDITIONAL USES

6. Commercial WECS (C-WECS).

L. Noise. Audible noise due to C-WECS sites operations shall not exceed ~~60~~ 55 dBA for any period of time, when measured at any dwelling, school, hospital, church, or public library existing on the date of approval of any conditional use permit from the property line.

N. Discontinuation and Decommissioning. A C-WECS shall be considered a discontinued use after one year without energy production, unless a plan is developed and submitted to the Director outlining the steps and schedule for returning the C-WECS to service. All C-WECS and accessory facilities shall be removed to four feet below ground level within 180 days of the discontinuation of use. Each C-WECS shall have a decommissioning plan outlining the anticipated means and cost of removing C-WECS at the end of their serviceable life or upon becoming a discontinued use. The cost estimates shall be made by a professional engineer licensed in the State of Iowa. The plan shall also identify the financial resources that will be available to pay for the decommissioning and removal of the C-WECS and accessory facilities. The County reserves the right to verify that adequate decommissioning terms are contained in the landowner easement.

- (1) The applicant shall submit a copy of the decommissioning plan to all property owners within the Conditional Use Permit area. The property owners shall provide the County a signed affidavit stating their awareness and responsibility of decommissioning costs.
- (2) ~~Decommissioning Fund~~ Financial Security. The applicant shall must continuously maintain a financial assurance mechanism in the form of a performance bond and/or other security approved by the County Attorney, for the period of the life of the facility. The required amount of the security shall be 130 percent of the total decommissioning cost identified in the decommissioning plan, excluding any salvage value as amended by the Board of Adjustment. The financial assurance mechanism must ensure that funds will be available upon discontinuation and shall not include the future value, if any, of scrap. If a bond is posted to meet this requirement, the bond-issuing company must be agreed upon by both the applicant and County. All decommissioning, removal and remediation fund requirements shall be fully funded before a zoning permit is issued. The County shall have sole discretion with regard to the determination of the mode of financial assurance.
- (3) Every three (3) years from the first date of operations, or on the written request of the County, the Owner shall review and update the Decommissioning Plan and all appendices and provide the updated plan and appendices to the County on or before the date of each three-year anniversary of the first date of operations. As part of this review process, the Owner shall recalculate the total decommissioning cost and the decommissioning guaranty amount; and the financial assurance required shall be modified accordingly.

Q. Submittal Requirements. In addition to the submittal requirements defined for conditional use permit applications, all applications for C-WECS must submit the following information (as applicable).

(18) Pre-construction interconnection agreements.

8. Commercial – Solar Energy Systems (C-SES).

D. Ground Cover and Buffer Areas. Perennial vegetative ground cover shall be planted on the ground around and under solar arrays and in project site buffer areas, and the ground shall meet the following standards:

- (1) Top soils shall not be removed from the site during development unless the removal is part of a remediation effort pre-defined and approved through the Conditional Use Permit.
- (2) Soils shall be planted and maintained in perennial vegetation in accordance with subparagraph 3 below to prevent erosion, manage run-off, and build soil.
- (3) Seed mixes and maintenance practices must be approved by Story County Conservation prior to action by the Board of Adjustment.
- (4) Solar collectors and racking are not considered impervious cover if underlying ground is pervious vegetation, and the soil is not compacted.
- (5) The applicant shall submit a vegetative management plan prepared by a qualified professional or reviewed and approved by Story County Conservation. The plan shall identify:
 - a. The natural resource professionals consulted or responsible for the plan
 - b. The conservation, habitat, eco-system, or agricultural goals, which may include: providing habitat for pollinators such as bees and monarch butterflies, providing habitat for wildlife such as upland nesting birds and other wildlife, establishing vegetation for livestock grazing, reducing on-site soil erosion, and improving or protecting surface or ground water quality.
 - c. The intended mix of vegetation upon establishment.
 - d. The management methods and schedules for how the vegetation will be managed on an annual basis, with particular attention given to the establishment period of approximately three years.

E. Fencing. Ground-mounted solar energy device or combination of devices comprising a C-SES shall be enclosed by perimeter fencing at a height of eight feet to restrict unauthorized access. Security fences and gates must be maintained in good condition until the site is decommissioned.

- (1) Native/pollinator-friendly vegetation buffers or fencing to screen solar farms from adjacent homes/public roads is required.

L. Discontinuation and Decommissioning. C-SES shall be considered discontinued after one year without energy production, unless a plan is developed and submitted to the Director outlining the steps and schedule for returning the C-SES to service.

(1) Removal Requirements. Any C-SES which has reached the end of its useful life or has been determined to be discontinued pursuant to this section shall be decommissioned and removed within 180 days of the discontinuation of use.

(2) Decommissioning shall consist of:

- a. Physical removal of all large-scale ground-mounted solar photovoltaic installations, structures, equipment, security barriers and transmission lines from the site to four feet below ground level within 180 days of the discontinuation of use.
- b. Disposal of all solid and hazardous waste in accordance with local, State, and federal waste disposal regulations.
- c. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Director may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

(3) Decommissioning Plan and Financial Surety.

- a. C-SES shall have a decommissioning plan outlining the anticipated means and costs of removing the C-SES at the end of its serviceable life or upon becoming discontinued.
- b. The decommissioning plan shall identify financial resources that will be available to pay for decommissioning and removal of C-SES.
- c. The applicant ~~shall~~ must continuously maintain a financial assurance mechanism in the form of a performance bond and/or other security approved by the County Attorney, for the period of the life of the facility. The amount of the security shall be 130 percent of the total decommissioning cost identified in the decommissioning plan, without the salvage value. The financial assurance mechanism must ensure that funds will be available upon discontinuation and shall not include the future value, if any, of scrap. If a bond is posted to meet this requirement, the bond issuing company must be agreed upon by both the applicant and County. All decommissioning, removal and remediation fund requirements shall be fully funded before a zoning permit is issued. The County shall have sole discretion with regard to the determination of the mechanism of financial assurance.
- d. Property Owner Affidavit. The applicant shall submit a copy of the decommissioning plan to all property owners within the boundaries of the Conditional Use Permit area. The property owners shall provide the County a signed affidavit acknowledging receipt of the plan and their responsibility for decommissioning costs.
- e. Every three (3) years from the first date of operations, or on the written request of the County, the Owner shall review and update the Decommissioning Plan and all appendices and provide the updated plan and appendices to the County on or before the date of each three-year anniversary of the first date of operations. As part of this review process, the Owner shall recalculate the total

decommissioning cost and the decommissioning guaranty amount; and the financial assurance required shall be modified accordingly.

M. Monitoring and Maintenance. The owner or operator of C-SES shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Internal circulation drives shall be maintained by the owner or operator to a level acceptable to the applicable fire chief and Story County Emergency Management Agency. The owner or operator shall be solely responsible for the cost of maintaining the C-SES and any internal access roads.

- (1) Agrivoltaics or Agrivoltaic Projects such as pollinator-friendly cover crops/livestock grazing on solar farm sites are permitted and encouraged to continue, to achieve co-benefits of solar energy and agriculture.

O. Submittal Requirements. In addition to the submittal requirements defined for conditional use permit applications, all applications for C-SES must submit the following information (as applicable).

- (22) Vegetative Management Plan.

**CHAPTER 90
LAND DEVELOPMENT REGULATIONS: CONDITIONAL USES**

Amendment to Table 90-1 – Table of Conditional Uses

All subject to supplemental standards, and in the C-LI and HI

- Utility-Scale Battery Energy Storage System (U-BESS) (when such use is proposed conjunction with an application or major modification for a "Commercial Wind Energy Conversion Systems (C-WECS)", "Commercial Solar Energy Systems (C-SES)", or "Any land or building used by a utility service for the purpose of generating or converting power", the U-BESS may be site on property zoned A-1, Agricultural and all supplemental standards for a U-BESS shall apply in addition to supplemental standards for "Commercial Wind Energy Conversion Systems (C-WECS)", "Commercial Solar Energy Systems (C-SES)", or "Any land or building used by a utility service for the purpose of generating or converting power".)
- ~~Cryptocurrency Data Center or Cryptocurrency Mining or Production Installations associated with a Data Center (CDC)~~
- ~~Data Center (DC)~~

11. Utility-Scale (Tier 2) Battery Energy Storage Systems (U-BESS)

- A. The requirements of the Ordinance shall apply to all U-BESS proposed after the effective date of the Ordinance.
- B. Co-Located with Solar or Wind: When a U-BESS is proposed as part of a new solar farm or wind farm, the U-BESS is processed as a component of the new solar farm or wind farm's conditional use permit rather than requiring a separate conditional use permit. For an existing wind farm or solar farm that was permitted prior to the adoption of the standards for U-BESS wanting to add battery storage, such applications will be processed as a Major Modification to the existing conditional use permit.
- C. Setbacks and Separation Requirements. The following setbacks and separation requirements shall apply to all components of a U-BESS.
 - 1) U-BESS facilities shall comply with all applicable setbacks and separation distances as required by NFPA 855.
 - 2) Sensitive Receptors. Setbacks from the nearest Receptor use shall be 100 feet or greater, as measured from structure to structure. Setbacks shall be established allowing for no greater than 55dB(A) from the U-BESS occurring at an adjacent dwelling.
 - 3) Public Right-of-Way. Setbacks from public right-of-way shall comply with the applicable setbacks as defined by the base zone district.
- D. Screening and Landscaping
 - 1) U-BESS must be visually screened from the public right-of-way and from any Sensitive Receptors located within 100' of the U-BESS.
- E. Parking shall comply with the requirements defined in Section 88.08 Parking and Circulation Standards.
- F. Hazardous Materials and Environmental Protection
 - 1) The U-BESS shall comply with all applicable hazardous materials handling and reporting laws.
 - 2) Batteries shall be recycled or disposed of in accordance with environmental regulations upon decommissioning. The Decommissioning Plan must identify where the batteries will go.
 - 3) U-BESS installations must comply with the County's stormwater and erosion control ordinance.
 - 4) On parcels containing more than 50 percent of the gross acreage as lands identified with areas designated Natural Resource Areas on the Cornerstone to Capstone (C2C) Comprehensive Plan, the conditional use permit shall not be approved unless conditions protecting the identified areas are attached to the request, either split zoned with conservation or conservation easements.
 - 5) U-BESS shall not be located in the Special Flood Hazard Area.
- G. Fencing and Security Measures.
 - 1) A perimeter security fence up to eight (8) feet tall must be installed around the entire U-BESS, including the battery containers and electrical equipment.

- 2) Fencing may not be placed in front of landscaping adjacent to roads. There must be landscaping in front of any fence adjacent to public roads.
 - 3) Security fencing near electrical installations must be grounded and bonded to protect against electrical hazards as per the National Electric Code.
 - 4) For installations over 1,000 volts, a warning sign reading "DANGER – HIGH VOLTAGE – KEEP OUT" is required on locked or monitored enclosures.
 - 5) Warning signage such as high voltage, energy storage facility identification, emergency contact info, must be posted on the fence per the National Electric Code requirements.
 - 6) Security fences and gates must be maintained in good condition until the site is decommissioned.
 - 7) Battery energy storage systems shall also comply with specifications established in NFPA 855 relating to barriers and buffering.
- H. Signage. No signs other than appropriate warning signs, or standard manufacturers', operators', or installers' identification signage, shall be displayed unless permitted in accordance with Chapter 89.
- I. Access and Fire Safety. Battery energy storage systems shall comply with the latest published version of the National Fire Protection Association (NFPA) 855, Standard for Installation of Stationary Energy Storage Systems, at the date of the submission of the application.
- J. Lighting. Exterior lighting, including any security lighting, shall be the minimum necessary for safety and security, downward directed, shielded from adjacent properties, and comply with the requirements of Section 88.09, Site Lighting.
- K. Emergency Response Plan (ERP):
- 1) An ERP is to be prepared and submitted for review prior to the issuance of a zoning permit. At the time a conditional use permit application is submitted, a draft ERP per NFPA 855 shall be included with the application materials. This shall include but not be limited to an evacuation plan, firefighting techniques, and responsibility assignments for each scenario in the ERP.
 - 2) Prior to commencing commercial operations, the applicant shall submit a plan as an appendix to the project permit application for offering site-specific training to the fire service and emergency personnel of all applicable jurisdictions.
 - 3) The ERP shall be reviewed annually by local emergency responders throughout the project's lifespan and modified for best safety practices if necessary.
 - 4) Routine maintenance shall be performed on the U-BESS equipment to ensure proper performance of the technology. The County and local emergency responders are to be contacted if there are concerns of failure to meet any ERP standards in the U-BESS performance.
 - 5) The applicant must conduct and submit documentation of hazard mitigation analyses as required by NFPA 855. An ERP and necessary fire precautions must be in place prior to issuance of any zoning permits.
 - 6) Local first responders are to be trained and equipped to the extent current equipment is insufficient to respond appropriately to the selected battery technology for the U-BESS project, at the Owner's commercially reasonable expense, prior to the commencement of the operation. Refresher training to local first responders shall be required, at the Owner's commercially reasonable expense, at reasonable intervals, at least annually or as requested by the jurisdictional fire chief and Story County Emergency Management throughout the life of the project.
 - 7) Owner shall be responsible for the commercially reasonable costs of local first responders for any emergency event at the facility.

- 8) Owner shall provide confirmation that there will be remote monitoring of the U-BESS 24 hours daily, seven (7) days a week.
- 9) U-BESS operators are required to certify that the system is being maintained per safety standards and coordinate refresher training or drill with the applicable fire department. Annual proof to be provided to Story County Planning and Development no later than February 28 each year. Failure to comply annually with this may result in revocation of the conditional use permit.
- L. Noise Standards: Sound generated from the battery energy storage systems, components, and associated ancillary equipment, measured at the nearest sensitive receptor or a non-participating property shall not exceed 55 dB(A) (1-hour Leq) at the property line.
 - 1) These standards shall not apply to uses established after the U-BESS is permitted/started.
- M. Compliance with Applicable Codes and Certifications.
 - 1) State Building Code. All U-BESS shall meet all requirements of the current State Building Code.
 - 2) National Electric Code (NEC). All U-BESS shall comply with the National Electrical Code, current edition.
 - 3) Certification that all battery units meet national safety standards (e.g. UL 1973 for battery modules, and UL 9540 for the entire storage system). All U-BESS applications shall provide such certification.
- N. Underground Installation of Utilities. Reasonable efforts shall be made to place all utility connections from U-BESS facilities underground, depending on appropriate soil conditions, shape and topography of the site, distance to the connection, or other conditions or requirements. Any above ground utility lines require an engineer's signed statement and explanation as to why buried utilities are not feasible.
- O. All U-BESS shall comply with Iowa Utilities Board rules and any state law requirements. Any required state or federal permits or approvals (such as IUB generator certificates for very large facilities) must be obtained, and copies provided to the County, prior to construction.
- P. Review of Augmentation Plans
 - 1) If augmentation was not considered in the approved permit application, then such augmentation shall be processed as an amendment to the approved conditional use permit.
- Q. Commissioning Plan and Report
 - 1) Prior to issuance of a zoning permit, U-BESS Applicants shall submit a commissioning plan in accordance with NFPA 855 that contains:
 - a. An electrical diagram detailing the battery energy storage system configuration, associated components, and electrical interconnection methods, compliant with applicable state or local electrical codes, including NEC and NESC.
 - b. A preliminary equipment specification sheet that documents the proposed battery energy storage system components, inverters and associated electrical equipment that are to be installed. A final equipment specification datasheet shall be submitted prior to the issuance of the zoning permit.
 - c. Name, address, and contact information of proposed or potential system installer and the owner and/or operator of the U-BESS. Such information of the final system installer shall be submitted prior to the issuance of final zoning permit.

- R. Discontinuation and Decommissioning. U-BESS shall be considered discontinued after it has not stored electrical energy for twelve (12) consecutive months, unless a plan is developed and submitted to the Director outlining the steps and schedule for returning the U-BESS to service.
- 1) Removal Requirements. Any U-BESS which has reached the end of its useful life or has been determined to be discontinued pursuant to this section shall be decommissioned and removed within one-hundred eighty (180) days of the discontinuation of use.
 - 2) Decommissioning shall consist of:
 - a. Physical removal of all above-surface facilities and infrastructure that have no ongoing purpose, from the site. All U-BESS and accessory facilities shall be removed to four (4) feet below ground level within one-hundred eighty (180) days of the discontinuation of use.
 - b. Disposal of all solid and hazardous waste in accordance with local, State, and federal waste disposal regulations.
 - c. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Director may allow the owner or operator to leave landscaping to minimize erosion and disruption to vegetation.
 - 3) Decommissioning Plan and Financial Surety.
 - a. U-BESS shall have a decommissioning plan outlining the anticipated means and costs of removing the U-BESS at the end of its serviceable life or upon becoming discontinued.
 - b. The decommissioning plan shall identify financial resources that will be available to pay for decommissioning and removal of U-BESS.
 - c. The applicant must continuously maintain a financial assurance mechanism in the form of a performance bond and/or other security approved by the County Attorney, for the period of the life of the facility. The required amount of the security shall be 130 percent of the total decommissioning cost identified in the decommissioning plan, excluding any salvage value. The financial assurance mechanism must ensure that funds will be available upon discontinuation and shall not include the future value, if any, of scrap. If a bond is posted to meet this requirement, the bond issuing company must be agreed upon by both the applicant and County. All decommissioning, removal and remediation fund requirements shall be fully funded before a zoning permit is issued. The County shall have sole discretion with regard to the determination of the mechanism of financial assurance.
 - d. Property Owner Affidavit. The applicant shall submit a copy of the decommissioning plan to all property owners within the boundaries of the Conditional Use Permit area. The property owners shall provide the County with a signed affidavit acknowledging receipt of the plan and their responsibility for decommissioning costs.
 - e. Every three (3) years from the first date of operations, or on the written request of the County, the Owner shall review and update the Decommissioning Plan and all appendices and provide the updated plan and appendices to the County on or before the date of each three-year anniversary of the first date of operations. As part of this review process, the Owner shall recalculate the total decommissioning cost and the decommissioning guaranty amount; and the financial assurance required shall be modified accordingly.
- S. Monitoring and Maintenance. The owner or operator of a U-BESS shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Internal circulation drives shall be maintained by

the owner or operator to a level acceptable to the applicable fire chief and Story County Emergency Management Agency. The owner or operator shall be solely responsible for the cost of maintaining the U-BESS and any internal access roads.

1) Following the initial completion of the project and the project commissioning, Owner shall notify the County, in writing, of any battery enclosures before being removed or installed at the project. Such notification shall be at least thirty (30) days in advance of the removal or installation, except in cases of emergency, when Owner shall notify the County as soon as practicable. No batteries shall be stored on the premises outside of battery enclosures, with the exception of batteries stored for future use, and any such used for future use shall be stored to NFPA 855 standards.

T. Ownership Changes. If the owner of the U-BESS changes or the owner of the property changes, the conditional use permit shall remain in effect, provided that the successor owner or operator assumes in writing all of the obligations of the conditional use permit, site plan approval, and decommissioning plan. A new owner or operator of the U-BESS shall notify the Story County Planning and Development Department in writing of such changes in ownership or operations within sixty (60) days of the change.

1) The conditional use permit and all other local approvals for the U-BESS may be considered void if a new owner or operator fails to provide written notification to the Story County Planning and Development Department within the required timeframe. Reinstatement of a void conditional use permit will be subject to the same review and approval processes for new conditional use permits.

U. Third-Party Reviewer

1) The County may seek the services of a third-party reviewer with expertise in the U-BESS technology field to assist with the following services (if the conditional use permit is approved by the County).
a. Review of the site and architectural plan, battery technology, compliance with NFPA 855, and with other applicable regulatory standards and codes not specifically identified in these regulations.
b. Assist with the review of the ERP, completed noise study, decommissioning plan and review of decommissioning financial security agreement.

2) The County shall make their best effort so that the Third-Party Review does not unreasonably delay the project's zoning permitting or construction process. The Owner shall be responsible for reimbursing the County for the commercially reasonable costs incurred for the services of said Third-Party Reviewer. Said costs shall be mutually agreed upon by the County and Owner prior to the County's commencement of plan review for the zoning permit.

V. Avoidance and Mitigation of Damages to Public Infrastructure.

1) Roads. Applicant shall identify all roads to be used for the purpose of transporting components and/or equipment for construction, operation or maintenance of the U-BESS and obtain applicable weight and size permits from the impacted road authority prior to construction.

2) Existing Road Conditions. Applicant shall conduct a pre-construction survey, in coordination with the impacted local road authority to determine existing road conditions. The pre-construction survey shall include photographs and a written agreement to document the condition of the roads and applicable public facilities. The applicant is responsible for on-going road maintenance and dust control measures identified by the Story County Engineer during all phases of construction.

3) Drainage System. The applicant shall be responsible for immediate repair of damage to public drainage systems stemming from construction, operation, or maintenance of the U-BESS.

- 4) Required Financial Security. The applicant shall be responsible for restoring or paying damages as agreed to by the applicable road authority sufficient to restore the roads and bridges to preconstruction conditions. Financial assurance mechanisms in the form of a performance bond and/or other security approved by the Story County Attorney's Office shall be submitted to the Planning and Development Department covering 130 percent of the costs of all required improvements prior to final issuance of the conditional use permit by the Board of Adjustment. This requirement may be waived by the Board of Adjustment upon recommendation from the Story County Engineer.
- W. Submittal Requirements. All U-BESS applications must submit the following information in addition to submittal requirements defined for conditional use permit applications.
 - 1) The names of the project applicants.
 - 2) The names of the project owners.
 - 3) The legal description and address of the project.
 - 4) The names of the landowners.
 - 5) Pre-construction survey and proposed routes.
 - 6) Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, and screening vegetation or structures.
 - 7) A detailed site plan drawing showing the layout of the U-BESS facility on the property including the battery enclosures/containers, inverters and electrical equipment, transformers, access roads, parking or turnaround areas for maintenance vehicles, proposed fencing and gates, landscape buffers (if any), and setback distances from property lines and existing structures, and identifying any adjacent uses (homes, public roads, etc.), floodplain, rights-of-way and zoning district designations. For co-located U-BESS at a solar/wind farm, the U-BESS components should be clearly identified on the overall project site plan as defined in Section 90.08.6 Commercial WECS (C-WECS) and 90.08.8 Commercial Solar Energy Systems (C-SES).
 - 8) Project Narrative and Specification Sheets describing the U-BESS project, including the type of battery technology (e.g. lithium-ion, flow battery, etc.), the nameplate energy capacity (in MW and MWh), the intended charge/discharge regime (e.g. daily cycling, emergency backup), and whether the system is stand-alone or tied to a generation facility. The applicant should provide manufacturer's spec sheets for the battery units and associated equipment, to verify dimensions and compliance with safety standards (such as UL listings).
 - 9) Statements of Compliance with Applicable Codes and Certifications.
 - 10) Emergency Response Plan.
 - 11) Site Safety and Security Plan: A detailed plan outlining on-site safety features such as thermal monitoring systems, ventilation and explosion-proof construction features and describing how the site will be secured against unauthorized access like fencing, locking cabinets, lighting, alarms, etc.
 - 12) Project development timeline.
 - 13) Existing Resources Inventory as defined in Chapter 85.
 - 14) Documentation of actual or prospective access and traffic control of the project site.
 - 15) Operation and maintenance plan of the U-BESS, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operation and maintenance of the installation.
 - 16) Proof of liability insurance.
 - 17) Applicable Fee

- 18) Decommissioning plan without salvage value calculated into the security bond amount.
- 19) Acknowledgement of Third-Party Reviewer process and potential costs.

~~12 Cryptocurrency Mining or Production Installations Associated with a Data Center (CDC); Data Centers (DC)~~

- ~~A. The requirements of the Ordinance shall apply to all CDC or DC proposed after the effective date of the Ordinance.~~
- ~~B. Maximum Height. Building height shall not exceed forty (40) feet and shall not include any additional rooftop equipment, which may not exceed a maximum height of thirty (30) feet.~~
- ~~1) Any mechanical rooftop equipment, including but not limited to heating, air conditioning, ventilation, generators, and other similar equipment, shall be screened with a parapet wall, false roof, or other building elements that shall provide one hundred (100) percent screening of mechanical equipment from the adjacent roadways, properties, and waterways.~~
 - ~~a. The parapet wall, false roof, or building element shall be constructed of the same materials used in the construction of the principal building or structure and shall be designed to be architecturally integrated with the building's overall design.~~
 - ~~b. No screening shall be required for renewable energy infrastructure equipment, including but not limited to solar energy systems, wind energy systems, and other power generation equipment.~~
 - ~~c. No screening shall be required for any green infrastructure, including but not limited to green roofs, rooftop cisterns, and other bioretention equipment.~~
- ~~C. Setbacks~~
- ~~1) All principal buildings, accessory structures, and Data Center Electric Utility Substations shall be set back at least two hundred (200) feet from all property lines or not exceeding 60dB(A).~~
 - ~~2) If located on the ground, any equipment for cooling, ventilating, or otherwise operating the facility, including any power generator or other power supply equipment, must either be:~~
 - ~~a. Located at least one hundred (100) feet or not exceed 60 dB(A) from the lot line of a property with a residential zoning classification or an existing dwelling; or~~
 - ~~b. Separated from the lot line of a property with a residential zoning classification or an existing dwelling by the principal data center building.~~
- ~~D. Site Layout. Buildings shall be sited and oriented to:~~
- ~~1) Minimize visual impacts of the bulk of the building when examined on a line of sight basis from adjacent public streets and Sensitive Receptor areas.~~
 - ~~2) Provide safe and convenient vehicular access to the site, including sufficient on-site queuing areas at security gates.~~
 - ~~3) Accommodate parking area.~~
 - ~~4) Minimize impacts to natural resources.~~
 - ~~5) Incorporate appropriate stormwater management practices.~~
- ~~E. Utility Connections: Reasonable efforts shall be made to place all utility connections from CDC or DC facilities underground, depending on appropriate soil conditions, shape and topography of the site, distance to the connection, or other conditions or requirements. Any above ground utility lines require an engineer's signed statement and explanation as to why buried utilities are not feasible.~~
- ~~F. Screening~~
- ~~1) Substations, electrical yards, mechanical yards, and any other exposed equipment shall not be located between the building and a publicly accessible road or right-of-way and shall be screened from any adjacent publicly available accessible street, private street, trail, or park.~~

~~2) All cooling, ventilation, and other electrical equipment used to operate the facility shall not be located between the building and publicly accessible rights of way.~~

~~3) CDC or DC must be visually screened from the public right of way and from any Sensitive Receptors located within 100' of the CDC or DC. A landscape buffer is required to be installed and maintained during the life of the operation. The following plant unit percentages apply to each property line where the buffer is required:~~

~~a. A maximum of twenty (20) percent of the required plant units may be a combination of shrubs, ornamental grasses, and perennials.~~

~~b. A minimum of forty (40) percent and a maximum of seventy (70) percent of the required plant units must be evergreen trees that are a minimum of eight (8) feet in height at the time of planting.~~

~~c. A maximum of thirty (30) percent of the required plant units may be small deciduous trees.~~

~~d. A maximum of thirty (30) percent of the required plant units may be large deciduous trees.~~

~~e. Buffer Substitution Using Topography and Vegetation. Use of the natural topography and preservation of non-invasive existing vegetation, supplemented by new vegetation, if needed, may be substituted for the above requirements if determined by the Story County Board of Adjustment to provide screening at the density, depth, and height equivalent to that outlined above.~~

~~G. Signage: Each CDC or DC operation shall provide 24-hour emergency contact signage visible at the access entrance. Signs shall include company name, owner/representative name, telephone number, and corresponding local power company and telephone number. All additional signage must adhere to the requirements in Chapter 89.~~

~~H. Lighting: Exterior lighting, including any security lighting, shall be the minimum necessary for safety and security, downward directed, and shielded from adjacent properties and comply with the requirements of Section 88.09, Site Lighting.~~

~~I. Noise/Vibration~~

~~1) The CNEL at the boundary of the property containing a Sensitive Receptor shall not exceed 55 dB(A) within three hundred (300) feet.~~

~~2) The CNEL at the boundary of any developed property not containing a Sensitive Receptor shall not exceed 70 dB(A).~~

~~3) Sound that is produced for not more than a cumulative period of one (1) minute in any hour may exceed the standards above by up to 10 dB(A).~~

~~4) In the event audible noise operations contains a steady pure tone, such as a whine, screech, or hum, the standards for audible noise set forth shall be reduced by 5 dB(A).~~

~~5) The maximum sound levels listed above do not apply to emergency alerts, emergency work to provide electricity, water, or other public utilities when public health or safety is involved, snow removal, or road repair.~~

~~6) A noise reduction barrier or device may be required at the discretion of the Board of Adjustment when it is inconclusive that noise level tests do not conform to acceptable noise levels.~~

~~7) The limitations of this section shall not apply to any Sensitive Receptor that is established adjacent to the CDC or DC after the date of issuance of a final zoning permit for the applicant's operation.~~

~~8) In the event the noise levels resulting from CDC or DC operations exceed the criteria listed above, a waiver to said levels may be granted by the Board of Adjustment provided that the following has been accomplished:~~

- a. ~~Written waiver from the affected property owners has been obtained stating that they are aware of the CDC or DC and the noise limitations imposed by these Regulations, and that consent is granted to allow noise levels to exceed the maximum limits otherwise allowed; and,~~
 - b. ~~If the applicant wishes the waiver to apply to succeeding owners of the property, a permanent noise impact easement shall be recorded in the Office of the Story County Recorder which describes the burdened properties and which advises all subsequent owners of the burdened property that the noise levels in excess of those permitted by these Regulations may exist on or at the burdened property.~~
 - c. ~~Any generators on the property shall comply with the U.S. Environmental Protection Agency (EPA) New Source Performance Standards (NSPS) of at least Tier 4 emissions. Testing for these generators shall not exceed ten (10) hours per month unless a power outage occurs. Generators shall be enclosed by a sound attenuation for noise reduction and to reduce pollution.~~
 - d. ~~Except for generator testing or commissioning activities, generator use is limited to backup/emergency use only.~~
- J. ~~Foundation. All structures shall have concrete foundations.~~
- 1) ~~Foundations shall not be defective, decayed, or corroded.~~
 - 2) ~~The use of cargo containers, railroad cars, semi-truck trailers, and other similar storage containers for any component of the operation are prohibited.~~
- K. ~~Cooling Systems. CDC or DC shall be required to have a liquid cooling system.~~
- 1) ~~A closed loop cooling system is required.~~
 - 2) ~~The application shall include an estimate of annual water consumption for the site to include an assessment for annual replacement or replenishment of water in the closed loop.~~
 - 3) ~~The application shall include a description of the intended source of water for the development, and documentation from the Iowa Department of Natural Resources along with Story County Environmental Health affirming sufficient water resources exist to serve the site.~~
 - 4) ~~All necessary permits must be obtained from Story County Environmental Health and the Iowa Department of Natural Resources.~~
- L. ~~Equipment. All servers, computers, processors, materials, and equipment must be enclosed within buildings.~~
- M. ~~Electrical Power. The applicant shall provide written verification from the power provider that the applicant has calculated the maximum potential electrical consumption of the proposed use and has verified the utility supply equipment and related electrical infrastructure is sufficiently sized and can safely accommodate the proposed use during the power provider's peak consumption hours.~~
- N. ~~Hazardous Materials and Environmental Protection.~~
- 1) ~~The CDC or DC shall comply with all applicable hazardous materials handling and reporting laws.~~
 - 2) ~~All CDC or DC must comply with the County's stormwater and erosion control ordinance.~~
 - 3) ~~On parcels containing more than 50 percent of the gross acreage as lands identified with areas designated Natural Resource Areas on the Cornerstone to Capstone (C2C) Comprehensive Plan, the conditional use permit shall not be approved unless conditions protecting the identified areas are attached to the request, either split-zoned with conservation or conservation easements.~~
 - 4) ~~CDC or DC shall not be located in the Special Flood Hazard Area.~~

~~O. Ice Mitigation Report: All CDC or DC shall ensure that the amount of heat that is dissipated by the mining activity shall be monitored when the average daily temperature is 40 degrees Fahrenheit or less to ensure that there is no buildup of ice on neighboring properties and roadways.~~

- ~~1) In the instance that condensation and ice occur, there shall be an agreement between the facility's operational contact, owners of neighboring properties (to mitigate ice buildup on dwellings), and the County Engineer to mitigate ice on public right of way.~~

~~P. Safety:~~

- ~~1) The equipment used in any CDC or DC operation shall be housed in a metered, electrically grounded, and pre-engineered metal encased structure with a fire rating designed to resist an internal electrical fire for at least 30 minutes. The containment space shall contain baffles that automatically close in the event of fire, independent of a possible electric system failure.~~
- ~~2) Any CDC or DC using proposed battery storage or any other device or group of devices capable of storing energy in order to supply electrical energy at a later time, whether the energy is stored for use on site or off site, shall demonstrate compliance with NFPA Standard 855, Installation of Stationary Energy Storage Systems, or similar standards and must include fire suppression systems designed specifically for battery storage.~~
- ~~3) A clean agent fire protection system must be provided and maintained in good working order within any structure which contains a server farm. High sensitivity smoke detectors shall be installed and operational in order to activate the clean agent fire suppression system.~~

~~Q. Power Lines and Electric Utility Substations:~~

- ~~1) CDC or DC Electric Utility Substations must include year round opaque landscaping or a screen wall a minimum of eight (8) feet in height to minimize visual impact.~~
- ~~2) Electric Utility Substations on the same property as the CDC or DC they serve must be located on the side or rear of a principal building so they are screened from public view and must not be in a required front yard. On site substations do not require a buffer or screening between the Data Center Principal Building and the substation.~~
- ~~3) Burying power lines serving the property is required. On site power lines of 34.5 kV and below must be buried. Any above ground utility lines require an engineer's signed statement and explanation as to why buried utilities are not feasible.~~
- ~~4) The CDC or DC Electric Utility Substation shall be subject to applicable zoning district setback requirements. Setbacks shall be measured from the edge of the compound containing the substation to the property boundary of the lot it occupies.~~

~~R. Emergency Contact Information:~~

- ~~1) Each CDC or DC operation shall provide 24 hour emergency contact signage visible at the access entrance. Signs shall include the company name (if applicable), the owner/representative's name, the telephone number, and the corresponding local power company's name and telephone number.~~

~~S. Compliance with Applicable Codes and Certifications. Statements of Compliance with Applicable Codes and Certifications below is required at the time of submittal for a conditional use permit.~~

- ~~1) State Building Code. All CDC or DC shall comply with all requirements of the current State Building Code.~~
- ~~2) National Electrical Code (NEC). All CDC or DC shall comply with the National Electrical Code, current edition.~~
- ~~3) Certification that all battery units meet national safety standards (e.g. UL 1973 for battery modules, and UL 9540 for the entire storage system).~~

- ~~T. Commissioning Plan and Report. Prior to issuance of a zoning permit, CDC or DC Applicants shall submit a commissioning plan that demonstrates:~~
- ~~1) An electrical diagram detailing the configuration, associated components, and electrical interconnection methods, compliant with applicable state or local electrical codes, including NEC and NESC.~~
 - ~~2) Name, address, and contact information of proposed or potential system installer and the owner and/or operator of the CDC or DC. Such information of the final system installer shall be submitted prior to the issuance of final zoning permit.~~
- ~~U. Discontinuation and Decommissioning. CDC or DC shall be considered discontinued after twelve (12) months without active and continuous use unless a plan is developed and submitted to the Director outlining the stops and schedule for returning the CDC or DC to service.~~
- ~~1) Removal Requirements. Any CDC or DC which has reached the end of its useful life or has been determined to be discontinued pursuant to this section shall be decommissioned and removed within one hundred eighty (180) days of the discontinuation of use.~~
 - ~~2) Decommissioning shall consist of:
 - ~~a. Physical removal of all above surface facilities and infrastructure that have no ongoing purpose from the site. All CDC and DC and accessory facilities shall be removed to four (4) foot below ground level within one hundred eighty (180) days of the discontinuation of use.~~
 - ~~b. Disposal of all solid and hazardous waste in accordance with local, State, and federal waste disposal regulations.~~
 - ~~c. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Director may allow the owner or operator to leave landscaping or designated below grade foundations in order to minimize erosion and disruption to vegetation.~~~~
 - ~~3) Decommissioning Plan and Financial Surety:
 - ~~a. The CDC or DC shall have a decommissioning plan outlining the anticipated means and costs of removing the CDC or DC at the end of its serviceable life or upon becoming discontinued.~~
 - ~~b. The decommissioning plan shall identify financial resources that will be available to pay for decommissioning and removal of a CDC or DC.~~
 - ~~c. The applicant must continuously maintain a financial assurance mechanism in the form of a performance bond and/or other security approved by the County Attorney, for the period of the life of the facility. The required amount of the security shall be 130 percent of the total decommissioning cost identified in the decommissioning plan, excluding any salvage value. The financial assurance mechanism must ensure that funds will be available upon discontinuation and shall not include the future value, if any, of scrap. If a bond is posted to moot this requirement, the bond issuing company must be agreed upon by both the applicant and County. All decommissioning, removal and remediation fund requirements shall be fully funded before a zoning permit is issued. The County shall have sole discretion with regard to the determination of the mechanism of financial assurance.~~
 - ~~d. Property Owner Affidavit. The applicant shall submit a copy of the decommissioning plan to all property owners within the boundaries of the Conditional Use Permit area. The property owners shall provide the County with a signed affidavit acknowledging receipt of the plan and their responsibility for decommissioning costs.~~~~

~~e. Every three (3) years from the first date of operations, or on the written request of the County, the Owner shall review and update the Decommissioning Plan and all appendices and provide the updated plan and appendices to the County on or before the date of each three-year anniversary of the first date of operations. As part of this review process, the Owner shall recalculate the total decommissioning cost and the decommissioning guaranty amount, and the financial assurance required shall be modified accordingly.~~

~~V. Monitoring and Maintenance. The owner or operator of a CDC or DC shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Internal circulation drives shall be maintained by the owner or operator to a level acceptable to the applicable fire chief and Story County Emergency Management Agency. The owner or operator shall be solely responsible for the cost of maintaining the CDC or DC and any internal access roads.~~

~~W. Ownership Changes. If the owner of the CDC or DC changes or the owner of the property changes, the conditional use permit shall remain in effect, provided that the successor owner or operator assumes in writing all of the obligations of the conditional use permit, site plan approval, and decommissioning plan. A new owner or operator of the CDC or DC shall notify the Story County Planning and Development Department in writing of such changes in ownership or operations within sixty (60) days of the change.~~

~~1) The conditional use permit and all other local approvals for the CDC or DC may be considered void if a new owner or operator fails to provide written notification to the Story County Planning and Development Department within the required timeframe. Reinstatement of a void conditional use permit will be subject to the same review and approval processes for new conditional use permits.~~

~~X. Third Party Reviewer.~~

~~1) The County may seek the services of a third party reviewer with expertise in the CDC or DC field to assist with the following services (if the conditional use permit is approved by the County):~~

- ~~a. Review of the site and architectural plan, battery technology, compliance with state and federal regulations, and with other applicable regulatory standards and codes not specifically identified in these regulations.~~
- ~~b. Assist with the review of the ERP, completed noise study, decommissioning plan and review of decommissioning financial security agreement.~~

~~2) The County shall make their best effort that the Third Party Review does not unreasonably delay the project's zoning permitting or construction process. The Owner shall be responsible for reimbursing the County for the commercially reasonable costs incurred for the services of said Third Party Reviewer. Said costs shall be mutually agreed upon by the County and Owner prior to the County's commencement of plan review for the zoning permit.~~

~~Y. Avoidance and Mitigation of Damages to Public Infrastructure.~~

~~1) Roads. Applicants shall identify all roads to be used for the purpose of transporting components and/or equipment for construction, operation or maintenance of the CDC or DC and obtain applicable weight and size permits from the impacted road authority prior to construction.~~

~~2) Existing Road Conditions. Applicant shall conduct a pre-construction survey, in coordination with the impacted local road authority to determine existing road conditions. The pre-construction survey shall include photographs and a written agreement to document the condition of the roads and applicable public facilities. The applicant is responsible for on-going road maintenance and dust control measures identified by the Story County Engineer during all phases of construction.~~

- ~~3) Drainage System. The applicant shall be responsible for immediate repair of damage to public drainage systems stemming from construction, operation, or maintenance of the CDC or DC.~~
- ~~4) Required Financial Security. The applicant shall be responsible for restoring or paying damages as agreed to by the applicable road authority sufficient to restore the roads and bridges to preconstruction conditions. Financial assurance mechanisms in the form of a performance bond and/or other security approved by the Story County Attorney's Office shall be submitted to the Planning and Development Department covering 130 percent of the costs of all required improvements prior to final issuance of the conditional use permit by the Board of Adjustment. This requirement may be waived by the Board of Adjustment upon recommendation from the Story County Engineer.~~
- ~~Z. Submittal Requirements. All CDC or DC applications must submit the following information in addition to submittal requirements defined for conditional use permit applications:
 - ~~1) The names of the project applicants.~~
 - ~~2) The names of the project owners.~~
 - ~~3) The legal description and address of the project.~~
 - ~~4) The names of the landowners.~~
 - ~~5) Pre-construction survey and proposed routes.~~
 - ~~6) Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, and screening vegetation or structures.~~
 - ~~7) A detailed site plan drawing showing the layout of the CDC or DC on the property including structures, access roads, parking or turnaround areas for maintenance vehicles, proposed fencing and gates, landscape buffers (if any), and setback distances from property lines and existing structures, also identification of any adjacent uses (homes, public roads, etc.).~~
 - ~~8) Project Narrative and Specification Sheets describing the CDC or DC project.~~
 - ~~9) Statements of Compliance with Applicable Codes and Certifications.~~
 - ~~10) Emergency Response Plan.~~
 - ~~11) Site Safety and Security Plan: A detailed plan outlining on-site safety features such as thermal monitoring systems, ventilation and explosion proof construction features and describing how the site will be secured against unauthorized access like fencing, locking cabinets, lighting, alarms, etc.~~
 - ~~12) Project development timeline.~~
 - ~~13) Existing Resources Inventory as defined in Chapter 85.~~
 - ~~14) Documentation of actual or prospective access and traffic control of the project site.~~
 - ~~15) Operation and maintenance plan of the CDC or DC, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operation and maintenance of the installation.~~
 - ~~16) Proof of liability insurance.~~
 - ~~17) Application Fee.~~
 - ~~18) Decommissioning plan without salvage value calculated into the security bond amount.~~
 - ~~19) Acknowledgment of Third-Party Reviewer process and potential costs.~~
 - ~~20) Landscaping plan to be approved by Story County Conservation.~~~~



Story County Planning and Development
Administration Building
900 6th Street, Nevada, Iowa 50201

Ph. 515-382-7245
www.storycountyiowa.gov

MEMORANDUM

TO: Story County Board of Supervisors
FROM: Leanne Harter, Director
RE: Third Consideration Of Ordinance No. 330, Amending Chapter 85, General Provisions And Definitions; Chapter 86, District Requirements; Chapter 88, General Site Planning Standards; And Chapter 90, Conditional Uses Of The Story County Code Of Ordinances— Land Development Regulations For A Text Amendment To Address Uses For Battery/Energy Storage Solutions On Properties Located In Unincorporated Story County
MEETING: March 17, 2026

The request is to amend Chapter 85, General Provisions and Definitions; Chapter 86, District Requirements; Chapter 88, General Site Planning Standards; and Chapter 90, Conditional Uses Of The Story County Code of Ordinances—Land Development Regulations For A Text Amendment To Address Uses for Battery/Energy Storage Solutions on properties located in unincorporated Story County as permitted in Section 92.07 Amending the Text of the Land Development Regulations of the Story County Code of Ordinances.

Upon first consideration on March 3, 2026, the Board of Supervisors approved Ordinance 330 to approving the Code of Ordinance Text Amendment as put forth in case TA26-000002, as presented by staff and recommended by the Planning and Zoning Commission and further modified by the Board of Supervisors to remove proposed supplemental standards related to data centers. The Board set second consideration for March 10, 2026, for the staff to bring forward the modified Ordinance 330. On March 10, 2026, the Board approved the modified Ordinance 330 and set Third and final consideration for Tuesday, March 17, 2026.

Public comments raising concerns specifically regarding data centers and impacts were received at the Planning and Zoning Commission meeting and the Board of Supervisors' two considerations to date.

A copy of the revised Ordinance 330 is posted to the agenda center in addition to this memo, along with the original staff report from the March 3rd Board meeting and a copy of Ordinance 330 showing highlights and strikeouts the language relating to data centers to not include in the text amendment.

Staff recommends that the Story County Board of Supervisors approves Ordinance 330 approving the Code of Ordinance Text Amendment as put forth in case TA26-000002, as presented by staff, recommended by the Planning and Zoning Commission, and modified following First Consideration as acted upon by the Board of Supervisors and approved on March 10, 2026.

- 1) **The Story County Board of Supervisors approves Ordinance 330, approving the Code of Ordinance Text Amendment, as put forth in case TA26-000002 on third consideration.**
- 2) The Story County Board of Supervisors approves Ordinance 330, approving the Code of Ordinance Text Amendment as put forth in case TA26-000002, as presented by staff and recommended by the Planning and Zoning Commission, as modified by the Board of Supervisors on third consideration.



- 3) The Story County Board of Supervisors denies the Code of Ordinance Text Amendment, as put forth in case TA26-000002 on third consideration.
- 4) The Story County Board of Supervisors defers action on the third consideration of Ordinance 330 approving the Code of Ordinance Text Amendment, as put forth in case TA26-000002, and requests the applicant to further review and/or modify the application, and directs staff to place this item on a future Board of Supervisors meeting.

PLEASE RECYCLE



Staff Report

Story County Board of Supervisors



Date of Meeting: March 3, 2026

Staff Project Manager: Leanne Harter

Case Number: TA26-000002*

Name of Text Amendment Case: Text Amendment to Address Uses for Digital Asset Mining, Cryptocurrency Operations, Data Processing Centers and/or Battery/Energy Storage Solutions on properties located in unincorporated Story County.

Applicant(s): Story County Planning and Development

REQUESTED ACTION

The request is to amend Chapter 85, General Provisions and Definitions; Chapter 86, District Requirements; Chapter 88, General Site Planning Standards; and Chapter 90, Conditional Uses Of The Story County Code of Ordinances—Land Development Regulations For A Text Amendment To Address Uses for Digital Asset Mining, Cryptocurrency Operations, Data Processing Centers and/or Battery/Energy Storage Solutions on properties located in unincorporated Story County as permitted in Section 92.07 Amending the Text of the Land Development Regulations of the *Story County Code of Ordinances*.

RECOMMENDATION

All requirements for a Text Amendment request are met. Planning and Development staff recommend approval. The Story County Planning and Zoning Commission reviewed the proposed text amendment on Wednesday, February 25, 2026, and voted 4-0 to recommend approval of the proposed text amendment to the Story County Board of Supervisors.

Background

Description of Proposed Text Amendment

The application is to Amend Chapter 85, General Provisions and Definitions; Chapter 86, District Requirements; Chapter 88, General Site Planning Standards; and Chapter 90, Conditional Uses Of The Story County Code of Ordinances—Land Development Regulations For A Text Amendment To Address Uses for Digital Asset Mining, Cryptocurrency Operations, Data Processing Centers and/or Battery/Energy Storage Solutions on properties located in unincorporated Story County.

On June 17, 2025, the Story County Board of Supervisors passed Resolution #25-97, Establishing a Temporary Moratorium on the Acceptance of Applications and/or Issuance of Permits for Digital Asset Mining, Cryptocurrency Operations, Data Processing Centers and/or Battery/Energy Storage Solutions on properties located in unincorporated Story County, putting in place a temporary moratorium expiring on or before December 31, 2025. Resolution #25-97 included the ability of the Story County Board of Supervisors to adopt a resolution extending the moratorium until March 31, 2026, if more time was needed by the Story County Planning and Development Department to



complete their review and make a recommendation to the Story County Planning and Zoning Commission and Story County Board of Supervisors. Resolution #26-36 adopted by the Story

County Board of Supervisors on November 25, 2025, authorized this one-time extension. To develop the proposed regulations, County staff received technical assistance from the Great Plains Institute and participated in NACo’s Rural Energy Academy Peer Exchange.

Proposed Modifications to the Code of Ordinances of Story County, Iowa - Land Development Regulations include amendments to the following Chapters:

CHAPTER 85: GENERAL PROVISIONS AND DEFINITIONS

CHAPTER 86: DISTRICT REQUIREMENTS

CHAPTER 88: GENERAL SITE PLANNING STANDARDS

CHAPTER 90: CONDITIONAL USES - Revisions to existing regulations for Commercial Wind Energy Conversion Systems (C-WECS) and Commercial Solar Energy Systems (C-SES) and the addition of regulations for Utility-Scale Battery Energy Storage System (UBESS), Cryptocurrency Data Center or Cryptocurrency Mining or Production Installations associated with a Data Center (CDC), and Data Center (DC)

The applicable requirements are outlined below.

Staff recommends a modification to the proposed Table of Conditional Uses section to clarify when U-BESS operations are proposed in conjunction with one of the following uses identified in the Table of Conditional Uses: “Commercial Wind Energy Conversion Systems (C-WECS)”, “Commercial Solar Energy Systems (C-SES)”, or “Any land or building used by a utility service for the purpose of generating or converting power”.

- Utility-Scale Battery Energy Storage System (U-BESS) (when such use is proposed conjunction with an application or major modification for a “Commercial Wind Energy Conversion Systems (C-WECS)”, “Commercial Solar Energy Systems (C-SES)”, or “Any land or building used by a utility service for the purpose of generating or converting power”, the U-BESS may be site on property zoned A-1, Agricultural and all supplemental standards for a U-BESS shall apply in addition to supplemental standards for “Commercial Wind Energy Conversion Systems (C-WECS)”, “Commercial Solar Energy Systems (C-SES)”, or “Any land or building used by a utility service for the purpose of generating or converting power”.)

Analysis

92.07(2) Standards for Approval. All applications for text amendments shall satisfy the following standards for such requested action to be approved.

- A. The proposed amendment shall conform to the Story County Cornerstone to Capstone Plan (C2C Plan).**
- B. The proposed amendment shall conform to the scope and purpose of the Ordinance.**

The proposed text amendment is consistent with the criteria outlined in Section 92.07 of the *Story County Code of Ordinances* as noted below:

- All requirements are satisfied. Not all requirements are satisfied and those exceptions are noted below:

*TA26-000002- Story County is currently transitioning application platforms. At some point in the future, this case number may be revised to reflect the new numbering sequence, as applicable.



The proposed Text Amendments are attached to this staff report.

Commentary

The following comments are part of the official record of the proposed text amendment, Case No. TA26-000002* If necessary, conditions of approval may be formulated based on these comments.

Comments from the General Public

The proposed regulations were posted on the County’s website on February 12, 2026. In addition, the proposed regulations were distributed to identified stakeholders on February 12th.

At the time this staff report was prepared, the following comment had been received. Any additional public comments received will be shared at the Planning and Zoning Commission meeting.

Hi team, Thanks you for the email. In the interest in having and continuing a good working relationship with Story County, we are here to help with any requested solar needs.

We understand that Digital Asset Mining, Cryptocurrency Operations, and Data Processing Centers can strain utility and infrastructure capabilities. We would be happy to continue working with Story County in any capacity that helps local issues in our communities.

It is understandable that the Story County does not want to limit resources to a community by turning away possible new companies or enterprises due to resource constraints. However, resources are readily available with solar to offset and mitigate the high demand from the utility.

Supplementing solar is a solution for the utility's demands to supply the community. Installing solar power in these high-electrical-usage areas has proven effective in operations.

In closing, we are here to help Story County and our community by offering proven alternatives.

Thank you

--

Design/Engineering

1 Source Solar

nathan@1sourcesolar.com

Notice of the proposed text amendment was published in the three Story County newspapers on February 19, 2026.

Comments from the Planning and Zoning Commission Meeting on February 25, 2026

Thirteen individuals addressed the Planning and Zoning Commission, and the full audio to that meeting is available on Story County’s website at <https://www.storycountyiowa.gov/Archive.aspx?ADID=11743>.

In summary, most concerns expressed were in opposition to the proposed data center regulations and such uses specifically, noting impacts including, but not limited to, water resources and electrical consumption rates, and requesting an extension of the moratorium for the data center uses. In addition,

*TA26-000002- Story County is currently transitioning application platforms. At some point in the future, this case number may be revised to reflect the new numbering sequence, as applicable.



representatives of NextEra noted potential changes they would recommend be made to the proposed regulations.

Alternatives

Planning and Zoning Commission recommended approval of the text amendment.

Planning and Development Staff recommended approval of the text amendment with modifications as presented at the Board of Supervisors meeting.

The Story County Board of Supervisors may consider the following alternatives for the text amendment request:

1. The Story County Board of Supervisors approves the Code of Ordinances Text Amendment, Ordinance 329, as put forth in case TA26-000002* and sets second consideration for Tuesday, March 10, 2026.
 2. **The Story County Board of Supervisors approves the Code of Ordinances Text Amendment, Ordinance 329, as put forth in case TA26-000002* as modified and sets second consideration for Tuesday, March 10, 2026.**
 3. The Story County Board of Supervisors denies the Code of Ordinances Text Amendment, Ordinance 329, as put forth in case TA26-000002* and sets second consideration for Tuesday, March 10, 2026.
 4. The Story County Board of Supervisors defers action on the Code of Ordinances Text Amendment, as put forth in case TA26-000002*, and requests staff to further review and/or modify the application and directs staff to place this item on a future Board of Supervisors Agenda.
-



Attachments to the Staff Report

- Submitted application, narrative and plans
- Public Comments
- Written responses from applicants to comments (if applicable)
- Legal Description
- Other **Attachment A - Draft regulations**



ATTACHMENT A

CHAPTER 85

LAND DEVELOPMENT REGULATIONS: GENERAL PROVISIONS AND DEFINITIONS

85.07 EXEMPTIONS.

3. Public Utilities Exempt. No requirement, restriction, or regulation contained in the Ordinance shall be construed to control the type or location of any poles, towers, wires, water or sewer lines, gas mains, cables, or any other similar distributing equipment of a public utility. County, state, and federal road projects for the maintenance and/or construction of public roads and public road right-of-way shall also be considered exempt. Battery Energy Storage Systems are not considered routine utility distribution equipment or essential services for zoning purposes.

85.08 DEFINITIONS.

"Accessory BESS (Co-Located)" means a battery energy storage system that is ancillary to another primary use of the property. Examples include a BESS co-located with a renewable energy generation facility (solar farm or wind farm) to store generated power, batteries that store electricity for on-site use (peak shaving, backup power), or batteries providing electric grid services at an existing substation. An accessory BESS is subordinate in size and purpose to the main use on the site. These are also often referred to as Hybrid BESS.

"Agrivoltaics or Agrivoltaic Projects" means solar sites that combine agricultural uses with generating electricity within the project area to maximize land use and offering mutual production benefits.

"ANSI" means the American National Standards Institute.

"Augmentation" means the process of supplementing or replacing some or all of the system components to maintain the nameplate capacity (measured in megawatts).

"Battery Energy Storage Management System" means an electronic system that protects energy storage systems from operating outside their safe operating parameters and disconnects electrical power to the energy storage system or places it in a safe condition if potentially hazardous temperatures or other conditions are detected.

"Battery Energy Storage System (BESS)" means one or more devices, assembled together, capable of storing and discharging electricity primarily intended to supply electricity to a building or to the electrical grid. This includes, but is not limited to, the following: battery cells; enclosures and dedicated-use buildings; thermal, battery, and energy management system components; inverters; access roads; distribution, collection, and feeder lines; wires and cables; conduit; footings; foundations; towers; poles; crossarms; guy lines and anchors; substations; interconnection or switching facilities; circuit breakers and transformers; overhead and underground control, communications and radio relay systems, and telecommunications equipment; utility lines and installations; and accessory equipment and structures. A BESS does not include a stand-alone 12-volt car battery or an electric motor vehicle. A BESS is classified as a Tier 1 or Tier 2 (Utility Scale) BESS as follows:

a. Tier 1 BESS have an aggregate energy capacity less than or equal to 600kWh and, if in a room or enclosed area, consist only of a single energy store system technology.

b. Tier 2 (Utility Scale) BESS have an aggregate energy capacity greater than 600kWh or are comprised of more than one storage battery technology in a room or enclosed area.

"BESS Dedicated-Use Building" means a building or structure that is only used for BESS components and equipment, is classified as Group F-1 occupancy, as defined in the International Building Code, and complies with the following:

- a. The building's only use is battery energy storage, energy generation, and other electrical grid-related operations.
- b. No other occupancy types are permitted in the building.
- c. Occupants in the rooms and areas containing BESS are limited to personnel that operate, maintain, service, test, and repair the BESS and other energy systems.
- d. Administrative and support personnel are permitted in areas within the buildings that do not contain BESS, provided that these areas do not occupy more than ten (10) percent of the building area of the story in which they are located, and a means of egress is provided from the administrative and support use areas to the public way that does not require occupants to traverse through areas containing BESS or other energy systems equipment.

"BESS Participating Property" means a BESS host property or any real property that is the subject of an agreement that provides for the payment of monetary compensation to the landowner from the BESS owner (or affiliate) regardless of whether any part of a BESS is constructed on the property.

"Clean Agent Fire Suppression System" means a system that uses electrically nonconductive gaseous agents that do not leave residue upon evaporation to extinguish fires.

"Closed-loop Cooling System" means a sealed system where a coolant circulates continuously, absorbing heat from a source, and then transferring that heat to a heat exchanger for removal, without the coolant ever being exposed to the environment. A closed-loop system shall not use evaporative cooling. It may consist of methods including, but not limited to, air-cooled (dry) cooling, rear-door heat exchanger cooling, hybrid dry economizer cooling, direct-to-chip cooling, or immersion cooling.

"Commercial Cryptocurrency Mining" means the commercial process by which cryptocurrency transactions are verified and added to the public ledger, known as the block chain, and the means through which new units of cryptocurrencies are released through the use of server farms. Any equipment requiring a high-density load service, for the purposes of operating a cryptocurrency mining server farm, will constitute a commercial cryptocurrency mining operation.

"Commercial Solar Energy System" (C-SES) means a solar energy generation facility, solar collection system, or area of land comprised of a solar energy device, array of devices, or structural design feature, principally used to provide for the generation of energy distributed into

the electrical grid and not intended to primarily reduce on-site consumption of utility power with the following scales: Community/Commercial at 15 kW–1 MW and Utility-Scale at >1 MW.

"Commissioning" means a systematic process that provides documented confirmation that installed systems function according to the intended design criteria and comply with applicable code requirements.

"Community Noise Equivalent Level (CNEL)" means the 24-hour A-weighted average sound level from midnight to midnight, obtained after the addition of 5 dB to sound levels occurring in the evening from 7 PM to 10 PM and after the addition of 10 dB to sound levels occurring in the night between 10 PM and 7 AM.

"Cryptocurrency" means a digital currency in which encryption techniques are used to regulate the generation of units of currency and to verify the transfer of funds while operating independently of a central bank.

"Cryptocurrency Data Center (CDC)" means the leased or owned boundaries of floor space devoted to the operating data processing equipment for commercial cryptocurrency mining, excluding spaces for data centers not otherwise engaged in commercial cryptocurrency mining, commercial offices, storage, shipping and receiving, warehousing, or any other space that is not electronic processing.

"Cryptocurrency Mining or Production Installations associated with a Data Center" means a physical facility that uses computing and networking equipment to collect, store and process data, as well as distribute and access resources. It may also include supporting equipment such as batteries, back-up generators and cooling equipment.

"Cryptocurrency Server Farm" means three or more interconnected computers housed together in a single facility either air-cooled or water cooled, whose primary function is to perform cryptocurrency mining or associated data processing.

"Data Center (DC)" means a facility used primarily for the storage, management, processing, and transmission of digital data, which houses computer or network equipment, systems, servers, appliances and other associated components related to digital data operations. The facility may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support sustained operations at the Data Center.

"Data Center Accessory Use" means the ancillary uses or structures secondary and incidental to a Data Center use, including but not limited to: administrative, logistical, fiber optic, storage, and security buildings or structures; sources of electrical power such as generators used to provide temporary power when the main source of power is interrupted; electrical substations; utility lines, domestic and non-contact cooling water and wastewater treatment facilities; water holding facilities; pump stations; water towers; environmental controls (air conditioning or cooling towers; fire suppression, and related equipment), and security features, provided such Data Center Accessory Uses/structures are located on the same tract or assemblage of adjacent parcels developed as a unified development with a Data Center. The use shall not include

energy generation systems used or intended to be used to supply power to the Data Center during normal operations.

"Data Center Electrical Substation" means a facility used for the transformation or transmission and/or switching of voltages to distribution voltages which switches circuits and distributes usable/consumable electric power, specifically for Data Center users on the same or adjacent site, or on a site immediately across a road right-of-way.

"Data Center Principal Building" means a building that contains the office and/or data storage functions of a Data Center.

"Data Mining" means the commercial process by which volumes of data are analyzed to find patterns, discover trends, and gain insight into how the data can be used as a commercial data mining operation.

"Dedicated-Use Building (BESS)" means a building that is only used for BESS components and equipment, as defined in the NFPA 855 Standards for the Installation of Stationary Energy Storage Systems.

"Energy Storage" means any technology that can absorb electricity, storing the electricity for a period of time, and redelivering that electricity.

"Footcandle" means the amount of light to saturate a one-foot square with one lumen of light.

"High-density Load Service" means any individual service at or above 660 amps in which the energy use intensity (EUI) is calculated as greater than 250 kWh/Feet²/year in total for all operating square footage.

"Liquid Cooling System" means a method of cooling electronic components or other devices by circulating liquid coolant through them, to cool and absorb heat from components and then dissipate heat through a radiator.

"NEC" means the National Electric Code.

"NESC" means the National Electrical Safety Code.

"Non-commercial solar energy system (SES)" means a solar collection system consisting of one or more roof- and/or ground-mounted solar collector devices and solar related equipment, and is intended to primarily reduce on-site consumption of utility power. A system is considered a noncommercial solar energy system only if it supplies electrical or thermal power solely for on-site use at a scale of ≤15 kW, except that when a property upon which the facility is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.

"Non-participating Property" means any property that is not a participating property.

"Non-participating Residence" means any residence that is located on a non-participating property.

"On-site BESS" means a BESS that is intended primarily to serve the electricity needs of the applicant property but may, at times, discharge into the electric grid.

"Off-site BESS" means a BESS for the primary purpose of off-site use through the electric grid.

"Participating Property" means real property that is either owned by an applicant or that is the subject of an agreement that provides for the payment of monetary compensation to the landowner from the BESS owner (or affiliate) regardless of whether any part of the BESS system is constructed on the property.

"Public Utility" means a public utility as defined in the Iowa Code Chapter 476.1 and municipally owned waterworks or wastewater facilities, waterworks having less than two thousand customers, joint water utilities established pursuant to Iowa Code Chapter 389, rural water districts incorporated and organized pursuant to Iowa Code Chapters 357A and 504, cooperative water associations incorporated and organized pursuant to Iowa Code Chapter 499, districts organized pursuant to Iowa Code Chapter 468, or a person furnishing electricity to five or fewer customers either by secondary line or from an alternate energy production facility or small hydro facility, from electricity that is produced primarily for the person's own use. Public utility does not include BESS facilities.

"Repowering" means the process of configuring, supplementing, or replacing some or all of the system components to increase the nameplate capacity (measured in megawatts).

"Sensitive Receptors" means schools; preschools; day care centers; in-home daycares; health facilities including, but not limited to hospitals, clinics, long term care facilities, retirement and nursing homes; community centers; places of worship; playgrounds; parks (excluding trails); campgrounds; prisons; dormitories; or any permitted residence.

"Thermal Runaway" means the rapid, uncontrollable increase in temperature often leading to catastrophic failure in electronic components or, specifically, batteries. It is a self-sustaining cycle where heat generation exceeds heat dissipation, resulting in an escalating temperature rise, potentially leading to fires, explosions, and the release of hazardous materials.

"Utility-Scale Tier 2 BESS (U-BESS)" means facilities that are typically standalone installations that store and dispatch energy to the electric grid (often at substation or transmission voltage level).

CHAPTER 88

LAND DEVELOPMENT REGULATIONS: GENERAL SITE PLANNING STANDARDS

9. Off-Street Loading Areas. In any district in connection with every building or part thereof hereafter erected having a gross floor area of 6,000 square feet or more, which is to be occupied by manufacturing, storage, warehouse, goods display, retail store, wholesale store, market, hotel, hospital, or other uses similarly requiring the receipt or distribution by vehicles of material or merchandise, there shall be provided and maintained on the same lot with such building at least one off-street loading space, plus one additional such loading space for each 20,000 square feet or major fraction thereof of gross floor area so used in excess of 10,000 square feet.

- A. Each loading stall shall not be less than 12 feet in width and 40 feet in length.
- B. Such space may not occupy all or any part of a required yard or open space. When adjacent to a residential district or residential use, it shall be set back 10 feet and screened from adjacent property by a planting screen not less than 10 feet in width and six feet in height or by a fence, wall, berm, or other comparable means. For CDC and DC uses, applicable setback requirements found in Chapter 90 must be satisfied.
- C. For CDC and DC uses, loading spaces/bays are only permitted to be located on one façade of the Data Center Principal Building.

Amend Table 88-5 Parking Ratios by Type to include the following

Land Use	Number of Maximum Spaces
<u>U-BESS</u>	<u>One space for each employee on the largest shift. If there are no shift employees, three spaces are permitted.</u>
<u>CDC or DC</u>	<u>One space per employee on the largest shift, plus an additional three visitor spaces.</u>

CHAPTER 86

LAND DEVELOPMENT REGULATIONS: DISTRICT REQUIREMENTS

Add the following as a Permitted Accessory Use in all zoning districts, except the GB/C district.

Tier 1 Battery Energy Storage Systems

CHAPTER 90

LAND DEVELOPMENT REGULATIONS: CONDITIONAL USES

6. Commercial WECS (C-WECS).

L. Noise. Audible noise due to C-WECS sites operations shall not exceed ~~60~~ 55 dBA for any period of time, when measured at any dwelling, school, hospital, church, or public library existing on the date of approval of any conditional use permit from the property line.

N. Discontinuation and Decommissioning. A C-WECS shall be considered a discontinued use after one year without energy production, unless a plan is developed and submitted to the Director outlining the steps and schedule for returning the C-WECS to service. All C-WECS and accessory facilities shall be removed to four feet below ground level within 180 days of the discontinuation of use. Each C-WECS shall have a decommissioning plan outlining the anticipated means and cost of removing C-WECS at the end of their serviceable life or upon becoming a discontinued use. The cost estimates shall be made by a professional engineer licensed in the State of Iowa. The plan shall also identify the financial resources that will be available to pay for the decommissioning and removal of the C-WECS and accessory facilities. The County reserves the right to verify that adequate decommissioning terms are contained in the landowner easement.

- (1) The applicant shall submit a copy of the decommissioning plan to all property owners within the Conditional Use Permit area. The property owners shall provide the County a signed affidavit stating their awareness and responsibility of decommissioning costs.
- (2) Decommissioning Fund Financial Security. The applicant ~~shall~~ must continuously maintain a financial assurance mechanism in the form of a performance bond and/or other security approved by the County Attorney, for the period of the life of the facility. The required amount of the security shall be 130 percent of the total decommissioning cost identified in the decommissioning plan, excluding any salvage value as amended by the Board of Adjustment. The financial assurance mechanism must ensure that funds will be available upon discontinuation and shall not include the future value, if any, of scrap. If a bond is posted to meet this requirement, the bond-issuing company must be agreed upon by both the applicant and County. All decommissioning, removal and remediation fund requirements shall be fully funded before a zoning permit is issued. The County shall have sole discretion with regard to the determination of the mode of financial assurance.
- (3) Every three (3) years from the first date of operations, or on the written request of the County, the Owner shall review and update the Decommissioning Plan and all appendices and provide the updated plan and appendices to the County on or before the date of each three-year anniversary of the first date of operations. As part of this review process, the Owner shall recalculate the total decommissioning cost and the decommissioning guaranty amount; and the financial assurance required shall be modified accordingly.

Q. Submittal Requirements. In addition to the submittal requirements defined for conditional use permit applications, all applications for C-WECS must submit the following information (as applicable).

(18) Pre-construction interconnection agreements.

8. Commercial – Solar Energy Systems (C-SES).

D. Ground Cover and Buffer Areas. Perennial vegetative ground cover shall be planted on the ground around and under solar arrays and in project site buffer areas, and the ground shall meet the following standards:

- (1) Top soils shall not be removed from the site during development unless the removal is part of a remediation effort pre-defined and approved through the Conditional Use Permit.
- (2) Soils shall be planted and maintained in perennial vegetation in accordance with subparagraph 3 below to prevent erosion, manage run-off, and build soil.
- (3) Seed mixes and maintenance practices must be approved by Story County Conservation prior to action by the Board of Adjustment.
- (4) Solar collectors and racking are not considered impervious cover if underlying ground is pervious vegetation, and the soil is not compacted.
- (5) The applicant shall submit a vegetative management plan prepared by a qualified professional or reviewed and approved by Story County Conservation. The plan shall identify:
 - a. The natural resource professionals consulted or responsible for the plan
 - b. The conservation, habitat, eco-system, or agricultural goals, which may include: providing habitat for pollinators such as bees and monarch butterflies, providing habitat for wildlife such as upland nesting birds and other wildlife, establishing vegetation for livestock grazing, reducing on-site soil erosion, and improving or protecting surface or ground water quality.
 - c. The intended mix of vegetation upon establishment.
 - d. The management methods and schedules for how the vegetation will be managed on an annual basis, with particular attention given to the establishment period of approximately three years.

E. Fencing. Ground-mounted solar energy device or combination of devices comprising a C-SES shall be enclosed by perimeter fencing at a height of eight feet to restrict unauthorized access. Security fences and gates must be maintained in good condition until the site is decommissioned.

- (1) Native/pollinator-friendly vegetation buffers or fencing to screen solar farms from adjacent homes/public roads is required.

L. Discontinuation and Decommissioning. C-SES shall be considered discontinued after one year without energy production, unless a plan is developed and submitted to the Director outlining the steps and schedule for returning the C-SES to service.

(1) Removal Requirements. Any C-SES which has reached the end of its useful life or has been determined to be discontinued pursuant to this section shall be decommissioned and removed within 180 days of the discontinuation of use.

(2) Decommissioning shall consist of:

- a. Physical removal of all large-scale ground-mounted solar photovoltaic installations, structures, equipment, security barriers and transmission lines from the site to four feet below ground level within 180 days of the discontinuation of use.
- b. Disposal of all solid and hazardous waste in accordance with local, State, and federal waste disposal regulations.
- c. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Director may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

(3) Decommissioning Plan and Financial Surety.

- a. C-SES shall have a decommissioning plan outlining the anticipated means and costs of removing the C-SES at the end of its serviceable life or upon becoming discontinued.
- b. The decommissioning plan shall identify financial resources that will be available to pay for decommissioning and removal of C-SES.
- c. The applicant ~~shall~~ **must** continuously maintain a financial assurance mechanism in the form of a performance bond and/or other security approved by the County Attorney, for the period of the life of the facility. The amount of the security shall be 130 percent of the total decommissioning cost identified in the decommissioning plan, without the salvage value. The financial assurance mechanism must ensure that funds will be available upon discontinuation and shall not include the future value, if any, of scrap. If a bond is posted to meet this requirement, the bond issuing company must be agreed upon by both the applicant and County. All decommissioning, removal and remediation fund requirements shall be fully funded before a zoning permit is issued. The County shall have sole discretion with regard to the determination of the mechanism of financial assurance.
- d. Property Owner Affidavit. The applicant shall submit a copy of the decommissioning plan to all property owners within the boundaries of the Conditional Use Permit area. The property owners shall provide the County a signed affidavit acknowledging receipt of the plan and their responsibility for decommissioning costs.
- e. Every three (3) years from the first date of operations, or on the written request of the County, the Owner shall review and update the Decommissioning Plan and all appendices and provide the updated plan and appendices to the County on or before the date of each three-year anniversary of the first date of operations. As part of this review process, the Owner shall recalculate the total

decommissioning cost and the decommissioning guaranty amount; and the financial assurance required shall be modified accordingly.

M. Monitoring and Maintenance. The owner or operator of C-SES shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Internal circulation drives shall be maintained by the owner or operator to a level acceptable to the applicable fire chief and Story County Emergency Management Agency. The owner or operator shall be solely responsible for the cost of maintaining the C-SES and any internal access roads.

- (1) Agrivoltaics or Agrivoltaic Projects such as pollinator-friendly cover crops/livestock grazing on solar farm sites are permitted and encouraged to continue, to achieve co-benefits of solar energy and agriculture.

O. Submittal Requirements. In addition to the submittal requirements defined for conditional use permit applications, all applications for C-SES must submit the following information (as applicable).

- (22) Vegetative Management Plan.

**CHAPTER 90
LAND DEVELOPMENT REGULATIONS: CONDITIONAL USES**

Amendment to Table 90-1 – Table of Conditional Uses

All subject to supplemental standards, and in the C-LI and HI

- Utility-Scale Battery Energy Storage System (U-BESS) (when such use is proposed conjunction with an application or major modification for a "Commercial Wind Energy Conversion Systems (C-WECS)", "Commercial Solar Energy Systems (C-SES)", or "Any land or building used by a utility service for the purpose of generating or converting power", the U-BESS may be site on property zoned A-1, Agricultural and all supplemental standards for a U-BESS shall apply in addition to supplemental standards for "Commercial Wind Energy Conversion Systems (C-WECS)", "Commercial Solar Energy Systems (C-SES)", or "Any land or building used by a utility service for the purpose of generating or converting power".)
- Cryptocurrency Data Center or Cryptocurrency Mining or Production Installations associated with a Data Center (CDC)
- Data Center (DC)

**This page through
the end of the
packet contains
proposed new
regulation.**

11. Utility-Scale (Tier 2) Battery Energy Storage Systems (U-BESS)

- A. The requirements of the Ordinance shall apply to all U-BESS proposed after the effective date of the Ordinance.
- B. Co-Located with Solar or Wind: When a U-BESS is proposed as part of a new solar farm or wind farm, the U-BESS is processed as a component of the new solar farm or wind farm's conditional use permit rather than requiring a separate conditional use permit. For an existing wind farm or solar farm that was permitted prior to the adoption of the standards for U-BESS wanting to add battery storage, such applications will be processed as a Major Modification to the existing conditional use permit.
- C. Setbacks and Separation Requirements. The following setbacks and separation requirements shall apply to all components of a U-BESS.
 - 1) U-BESS facilities shall comply with all applicable setbacks and separation distances as required by NFPA 855.
 - 2) Sensitive Receptors. Setbacks from the nearest Receptor use shall be 100 feet or greater, as measured from structure to structure. Setbacks shall be established allowing for no greater than 55dB(A) from the U-BESS occurring at an adjacent dwelling.
 - 3) Public Right-of-Way. Setbacks from public right-of-way shall comply with the applicable setbacks as defined by the base zone district.
- D. Screening and Landscaping
 - 1) U-BESS must be visually screened from the public right-of-way and from any Sensitive Receptors located within 100' of the U-BESS.
- E. Parking shall comply with the requirements defined in Section 88.08 Parking and Circulation Standards.
- F. Hazardous Materials and Environmental Protection
 - 1) The U-BESS shall comply with all applicable hazardous materials handling and reporting laws.
 - 2) Batteries shall be recycled or disposed of in accordance with environmental regulations upon decommissioning. The Decommissioning Plan must identify where the batteries will go.
 - 3) U-BESS installations must comply with the County's stormwater and erosion control ordinance.
 - 4) On parcels containing more than 50 percent of the gross acreage as lands identified with areas designated Natural Resource Areas on the Cornerstone to Capstone (C2C) Comprehensive Plan, the conditional use permit shall not be approved unless conditions protecting the identified areas are attached to the request, either split zoned with conservation or conservation easements.
 - 5) U-BESS shall not be located in the Special Flood Hazard Area.
- G. Fencing and Security Measures.
 - 1) A perimeter security fence up to eight (8) feet tall must be installed around the entire U-BESS, including the battery containers and electrical equipment.

- 2) Fencing may not be placed in front of landscaping adjacent to roads. There must be landscaping in front of any fence adjacent to public roads.
 - 3) Security fencing near electrical installations must be grounded and bonded to protect against electrical hazards as per the National Electric Code.
 - 4) For installations over 1,000 volts, a warning sign reading "DANGER – HIGH VOLTAGE – KEEP OUT" is required on locked or monitored enclosures.
 - 5) Warning signage such as high voltage, energy storage facility identification, emergency contact info, must be posted on the fence per the National Electric Code requirements.
 - 6) Security fences and gates must be maintained in good condition until the site is decommissioned.
 - 7) Battery energy storage systems shall also comply with specifications established in NFPA 855 relating to barriers and buffering.
- H. Signage. No signs other than appropriate warning signs, or standard manufacturers', operators', or installers' identification signage, shall be displayed unless permitted in accordance with Chapter 89.
- I. Access and Fire Safety. Battery energy storage systems shall comply with the latest published version of the National Fire Protection Association (NFPA) 855, Standard for Installation of Stationary Energy Storage Systems, at the date of the submission of the application.
- J. Lighting. Exterior lighting, including any security lighting, shall be the minimum necessary for safety and security, downward directed, shielded from adjacent properties, and comply with the requirements of Section 88.09, Site Lighting.
- K. Emergency Response Plan (ERP):
- 1) An ERP is to be prepared and submitted for review prior to the issuance of a zoning permit. At the time a conditional use permit application is submitted, a draft ERP per NFPA 855 ~~Section 4.3.2.1.4(4)~~ shall be included with the application materials. This shall include but not be limited to an evacuation plan, firefighting techniques, and responsibility assignments for each scenario in the ERP.
 - 2) Prior to commencing commercial operations, the applicant shall submit a plan as an appendix to the project permit application for offering site-specific training to the fire service and emergency personnel of all applicable jurisdictions.
 - 3) The ERP shall be reviewed annually by local emergency responders throughout the project's lifespan and modified for best safety practices if necessary.
 - 4) Routine maintenance shall be performed on the U-BESS equipment to ensure proper performance of the technology. The County and local emergency responders are to be contacted if there are concerns of failure to meet any ERP standards in the U-BESS performance.
 - 5) The applicant must conduct and submit documentation of hazard mitigation analyses as required by NFPA 855. An ERP and necessary fire precautions must be in place prior to issuance of any zoning permits.
 - 6) Local first responders are to be trained and equipped to the extent current equipment is insufficient to respond appropriately to the selected battery technology for the U-BESS project, at the Owner's commercially reasonable expense, prior to the commencement of the operation. Refresher training to local first responders shall be required, at the Owner's commercially reasonable expense, at reasonable intervals, at least annually or as requested by the jurisdictional fire chief and Story County Emergency Management throughout the life of the project.
 - 7) Owner shall be responsible for the commercially reasonable costs of local first responders for any emergency event at the facility.

- 8) Owner shall provide confirmation that there will be remote monitoring of the U-BESS 24 hours daily, seven (7) days a week.
 - 9) U-BESS operators are required to certify that the system is being maintained per safety standards and coordinate refresher training or drill with the applicable fire department. Annual proof to be provided to Story County Planning and Development no later than February 28 each year. Failure to comply annually with this may result in revocation of the conditional use permit.
- L. Noise Standards: Sound generated from the battery energy storage systems, components, and associated ancillary equipment, measured at the nearest sensitive receptor or a non-participating property shall not exceed 55 dB(A) (1-hour Leq) at the property line.
- 1) These standards shall not apply to uses established after the U-BESS is permitted/started.
- M. Compliance with Applicable Codes and Certifications.
- 1) State Building Code. All U-BESS shall meet all requirements of the current State Building Code.
 - 2) National Electric Code (NEC). All U-BESS shall comply with the National Electrical Code, current edition.
 - 3) Certification that all battery units meet national safety standards (e.g. UL 1973 for battery modules, and UL 9540 for the entire storage system). All U-BESS applications shall provide such certification.
- ~~N. Lighting. Exterior lighting at a U-BESS site shall be the minimum necessary for safety and security, downward directed, and shielded from adjacent properties and comply with the requirements of Section 88.09.~~
- N. Underground Installation of Utilities. Reasonable efforts shall be made to place all utility connections from ~~CDC or DC~~ U-BESS facilities underground, depending on appropriate soil conditions, shape and topography of the site, distance to the connection, or other conditions or requirements. Any above ground utility lines require an engineer's signed statement and explanation as to why buried utilities are not feasible.
- O. All U-BESS shall comply with Iowa Utilities Board rules and any state law requirements. Any required state or federal permits or approvals (such as IUB generator certificates for very large facilities) must be obtained, and copies provided to the County, prior to construction.
- P. Review of Augmentation Plans
- 1) If augmentation was not considered in the approved permit application, then such augmentation shall be processed as an amendment to the approved conditional use permit.
- Q. Commissioning Plan and Report
- 2) Prior to issuance of a zoning permit, U-BESS Applicants shall submit a commissioning plan in accordance with NFPA 855 that contains:
 - a. An electrical diagram detailing the battery energy storage system configuration, associated components, and electrical interconnection methods, compliant with applicable state or local electrical codes, including NEC and NESC.
 - b. A preliminary equipment specification sheet that documents the proposed battery energy storage system components, inverters and associated electrical equipment that are to be installed. A final equipment specification datasheet shall be submitted prior to the issuance of the zoning permit.
 - c. Name, address, and contact information of proposed or potential system installer and the owner and/or operator of the U-BESS. Such information of the final system installer shall be submitted prior to the issuance of final zoning permit.

- R. Discontinuation and Decommissioning. U-BESS shall be considered discontinued after it has not stored electrical energy for twelve (12) consecutive months, unless a plan is developed and submitted to the Director outlining the steps and schedule for returning the U-BESS to service.
- 3) Removal Requirements. Any U-BESS which has reached the end of its useful life or has been determined to be discontinued pursuant to this section shall be decommissioned and removed within one-hundred eighty (180) days of the discontinuation of use.
 - 4) Decommissioning shall consist of:
 - a. Physical removal of all above-surface facilities and infrastructure that have no ongoing purpose, from the site. All U-BESS and accessory facilities shall be removed to four (4) feet below ground level within one-hundred eighty (180) days of the discontinuation of use.
 - b. Disposal of all solid and hazardous waste in accordance with local, State, and federal waste disposal regulations.
 - c. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Director may allow the owner or operator to leave landscaping to minimize erosion and disruption to vegetation.
 - 5) Decommissioning Plan and Financial Surety.
 - a. U-BESS shall have a decommissioning plan outlining the anticipated means and costs of removing the U-BESS at the end of its serviceable life or upon becoming discontinued.
 - b. The decommissioning plan shall identify financial resources that will be available to pay for decommissioning and removal of U-BESS.
 - c. The applicant must continuously maintain a financial assurance mechanism in the form of a performance bond and/or other security approved by the County Attorney, for the period of the life of the facility. The required amount of the security shall be 130 percent of the total decommissioning cost identified in the decommissioning plan, excluding any salvage value. The financial assurance mechanism must ensure that funds will be available upon discontinuation and shall not include the future value, if any, of scrap. If a bond is posted to meet this requirement, the bond issuing company must be agreed upon by both the applicant and County. All decommissioning, removal and remediation fund requirements shall be fully funded before a zoning permit is issued. The County shall have sole discretion with regard to the determination of the mechanism of financial assurance.
 - d. Property Owner Affidavit. The applicant shall submit a copy of the decommissioning plan to all property owners within the boundaries of the Conditional Use Permit area. The property owners shall provide the County with a signed affidavit acknowledging receipt of the plan and their responsibility for decommissioning costs.
 - e. Every three (3) years from the first date of operations, or on the written request of the County, the Owner shall review and update the Decommissioning Plan and all appendices and provide the updated plan and appendices to the County on or before the date of each three-year anniversary of the first date of operations. As part of this review process, the Owner shall recalculate the total decommissioning cost and the decommissioning guaranty amount; and the financial assurance required shall be modified accordingly.
- S. Monitoring and Maintenance. The owner or operator of a U-BESS shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Internal circulation drives shall be maintained by

the owner or operator to a level acceptable to the applicable fire chief and Story County Emergency Management Agency. The owner or operator shall be solely responsible for the cost of maintaining the U-BESS and any internal access roads.

- 6) Following the initial completion of the project and the project commissioning, Owner shall notify the County, in writing, of any battery enclosures before being removed or installed at the project. Such notification shall be at least thirty (30) days in advance of the removal or installation, except in cases of emergency, when Owner shall notify the County as soon as practicable. No batteries shall be stored on the premises outside of battery enclosures, with the exception of batteries stored for future use, and any such used for future use shall be stored to NFPA 855 standards.

T. Ownership Changes. If the owner of the U-BESS changes or the owner of the property changes, the conditional use permit shall remain in effect, provided that the successor owner or operator assumes in writing all of the obligations of the conditional use permit, site plan approval, and decommissioning plan. A new owner or operator of the U-BESS shall notify the Story County Planning and Development Department in writing of such changes in ownership or operations within sixty (60) days of the change.

- 7) The conditional use permit and all other local approvals for the U-BESS may be considered void if a new owner or operator fails to provide written notification to the Story County Planning and Development Department within the required timeframe. Reinstatement of a void conditional use permit will be subject to the same review and approval processes for new conditional use permits.

U. Third-Party Reviewer

- 8) The County may seek the services of a third-party reviewer with expertise in the U-BESS technology field to assist with the following services (if the conditional use permit is approved by the County).

- a. Review of the site and architectural plan, battery technology, compliance with NFPA 855, and with other applicable regulatory standards and codes not specifically identified in these regulations.
- b. Assist with the review of the ERP, completed noise study, decommissioning plan and review of decommissioning financial security agreement.

- 9) The County shall make their best effort so that the Third-Party Review does not unreasonably delay the project's zoning permitting or construction process. The Owner shall be responsible for reimbursing the County for the commercially reasonable costs incurred for the services of said Third-Party Reviewer. Said costs shall be mutually agreed upon by the County and Owner prior to the County's commencement of plan review for the zoning permit.

V. Avoidance and Mitigation of Damages to Public Infrastructure.

- 10) Roads. Applicant shall identify all roads to be used for the purpose of transporting components and/or equipment for construction, operation or maintenance of the U-BESS and obtain applicable weight and size permits from the impacted road authority prior to construction.
- 11) Existing Road Conditions. Applicant shall conduct a pre-construction survey, in coordination with the impacted local road authority to determine existing road conditions. The pre-construction survey shall include photographs and a written agreement to document the condition of the roads and applicable public facilities. The applicant is responsible for on-going road maintenance and dust control measures identified by the Story County Engineer during all phases of construction.
- 12) Drainage System. The applicant shall be responsible for immediate repair of damage to public drainage systems stemming from construction, operation, or maintenance of the U-BESS.

- 13) Required Financial Security. The applicant shall be responsible for restoring or paying damages as agreed to by the applicable road authority sufficient to restore the roads and bridges to preconstruction conditions. Financial assurance mechanisms in the form of a performance bond and/or other security approved by the Story County Attorney's Office shall be submitted to the Planning and Development Department covering 130 percent of the costs of all required improvements prior to final issuance of the conditional use permit by the Board of Adjustment. This requirement may be waived by the Board of Adjustment upon recommendation from the Story County Engineer.

W. Submittal Requirements. All U-BESS applications must submit the following information in addition to submittal requirements defined for conditional use permit applications.

- 1) The names of the project applicants.
- 2) The names of the project owners.
- 3) The legal description and address of the project.
- 4) The names of the landowners.
- 5) Pre-construction survey and proposed routes.
- 6) Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, and screening vegetation or structures.
- 7) A detailed site plan drawing showing the layout of the U-BESS facility on the property including the battery enclosures/containers, inverters and electrical equipment, transformers, access roads, parking or turnaround areas for maintenance vehicles, proposed fencing and gates, landscape buffers (if any), and setback distances from property lines and existing structures, and identifying any adjacent uses (homes, public roads, etc.), floodplain, rights-of-way and zoning district designations. For co-located U-BESS at a solar/wind farm, the U-BESS components should be clearly identified on the overall project site plan as defined in Section 90.08.6 Commercial WECS (C-WECS) and 90.08.8 Commercial Solar Energy Systems (C-SES).
- 8) Project Narrative and Specification Sheets describing the U-BESS project, including the type of battery technology (e.g. lithium-ion, flow battery, etc.), the nameplate energy capacity (in MW and MWh), the intended charge/discharge regime (e.g. daily cycling, emergency backup), and whether the system is stand-alone or tied to a generation facility. The applicant should provide manufacturer's spec sheets for the battery units and associated equipment, to verify dimensions and compliance with safety standards (such as UL listings).
- 9) Statements of Compliance with Applicable Codes and Certifications.
- 10) Emergency Response Plan.
- 11) Site Safety and Security Plan: A detailed plan outlining on-site safety features such as thermal monitoring systems, ventilation and explosion-proof construction features and describing how the site will be secured against unauthorized access like fencing, locking cabinets, lighting, alarms, etc.
- 12) Project development timeline.
- 13) Existing Resources Inventory as defined in Chapter 85.
- 14) Documentation of actual or prospective access and traffic control of the project site.
- 15) Operation and maintenance plan of the U-BESS, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operation and maintenance of the installation.
- 16) Proof of liability insurance.
- 17) Applicable Fee

- 18) Decommissioning plan without salvage value calculated into the security bond amount.
- 19) Acknowledgement of Third-Party Reviewer process and potential costs.

12 Cryptocurrency Mining or Production Installations Associated with a Data Center (CDC); Data Centers (DC)

- A. The requirements of the Ordinance shall apply to all CDC or DC proposed after the effective date of the Ordinance.
- B. Maximum Height. Building height shall not exceed forty (40) feet and shall not include any additional rooftop equipment, which may not exceed a maximum height of thirty (30) feet.
 - 1) Any mechanical rooftop equipment, including but not limited to heating, air conditioning, ventilation, generators, and other similar equipment, shall be screened with a parapet wall, false roof, or other building elements that shall provide one hundred (100) percent screening of mechanical equipment from the adjacent roadways, properties, and waterways.
 - a. The parapet wall, false roof, or building element shall be constructed of the same materials used in the construction of the principal building or structure and shall be designed to be architecturally integrated with the building's overall design.
 - b. No screening shall be required for renewable energy infrastructure equipment, including but not limited to solar energy systems, wind energy systems, and other power generation equipment.
 - c. No screening shall be required for any green infrastructure, including but not limited to green roofs, rooftop cisterns, and other bioretention equipment.
- C. Setbacks
 - 1) All principal buildings, accessory structures, and Data Center Electric Utility Substations shall be set back at least two hundred (200) feet from all property lines or not exceeding 60dB(A).
 - 2) If located on the ground, any equipment for cooling, ventilating, or otherwise operating the facility, including any power generator or other power supply equipment, must either be:
 - a. Located at least one hundred (100) feet or not exceed 60 dB(A) from the lot line of a property with a residential zoning classification or an existing dwelling; or
 - b. Separated from the lot line of a property with a residential zoning classification or an existing dwelling by the principal data center building.
- D. Site Layout. Buildings shall be sited and oriented to:
 - 1) Minimize visual impacts of the bulk of the building when examined on a line-of-sight basis from adjacent public streets and Sensitive Receptor areas.
 - 2) Provide safe and convenient vehicular access to the site, including sufficient on-site queuing areas at security gates.
 - 3) Accommodate parking area.
 - 4) Minimize impacts to natural resources.
 - 5) Incorporate appropriate stormwater management practices.
- E. Utility Connections: Reasonable efforts shall be made to place all utility connections from CDC or DC facilities underground, depending on appropriate soil conditions, shape and topography of the site, distance to the connection, or other conditions or requirements. Any above ground utility lines require an engineer's signed statement and explanation as to why buried utilities are not feasible.
- F. Screening
 - 1) Substations, electrical yards, mechanical yards, and any other exposed equipment shall not be located between the building and a publicly accessible road or right-of-way and shall be screened from any adjacent publicly available accessible street, private street, trail, or park.

- 2) All cooling, ventilation, and other electrical equipment used to operate the facility shall not be located between the building and publicly accessible rights-of-way.
- 3) CDC or DC must be visually screened from the public right-of-way and from any Sensitive Receptors located within 100' of the CDC or DC. A landscape buffer is required to be installed and maintained during the life of the operation. The following plant unit percentages apply to each property line where the buffer is required:
 - a. A maximum of twenty (20) percent of the required plant units may be a combination of shrubs, ornamental grasses, and perennials.
 - b. A minimum of forty (40) percent and a maximum of seventy (70) percent of the required plant units must be evergreen trees that are a minimum of eight (8) feet in height at the time of planting.
 - c. A maximum of thirty (30) percent of the required plant units may be small deciduous trees.
 - d. A maximum of thirty (30) percent of the required plant units may be large deciduous trees.
 - e. Buffer Substitution Using Topography and Vegetation. Use of the natural topography and preservation of non-invasive existing vegetation, supplemented by new vegetation, if needed, may be substituted for the above requirements if determined by the Story County Board of Adjustment to provide screening at the density, depth, and height equivalent to that outlined above.
- G. Signage: Each CDC or DC operation shall provide 24-hour emergency contact signage visible at the access entrance. Signs shall include company name, owner/representative name, telephone number, and corresponding local power company and telephone number. All additional signage must adhere to the requirements in Chapter 89.
- H. Lighting: Exterior lighting, including any security lighting, shall be the minimum necessary for safety and security, downward directed, and shielded from adjacent properties and comply with the requirements of Section 88.09, Site Lighting.
- I. Noise/Vibration
 - 1) The CNEL at the boundary of the property containing a Sensitive Receptor shall not exceed 55 dB(A) within three hundred (300) feet.
 - 2) The CNEL at the boundary of any developed property not containing a Sensitive Receptor shall not exceed 70 dB(A).
 - 3) Sound that is produced for not more than a cumulative period of one (1) minute in any hour may exceed the standards above by up to 10 dB(A).
 - 4) In the event audible noise operations contains a steady pure tone, such as a whine, screech, or hum, the standards for audible noise set forth shall be reduced by 5 dB(A).
 - 5) The maximum sound levels listed above do not apply to emergency alerts, emergency work to provide electricity, water, or other public utilities when public health or safety is involved, snow removal, or road repair.
 - 6) A noise reduction barrier or device may be required at the discretion of the Board of Adjustment when it is inconclusive that noise level tests do not conform to acceptable noise levels.
 - 7) The limitations of this section shall not apply to any Sensitive Receptor that is established adjacent to the CDC or DC after the date of issuance of a final zoning permit for the applicant's operation.
 - 8) In the event the noise levels resulting from CDC or DC operations exceed the criteria listed above, a waiver to said levels may be granted by the Board of Adjustment provided that the following has been accomplished.

- a. Written waiver from the affected property owners has been obtained stating that they are aware of the CDC or DC and the noise limitations imposed by these Regulations, and that consent is granted to allow noise levels to exceed the maximum limits otherwise allowed; and,
 - b. If the applicant wishes the waiver to apply to succeeding owners of the property, a permanent noise impact easement shall be recorded in the Office of the Story County Recorder which describes the burdened properties and which advises all subsequent owners of the burdened property that the noise levels in excess of those permitted by these Regulations may exist on or at the burdened property.
 - c. Any generators on the property shall comply with the U.S. Environmental Protection Agency (EPA) New Source Performance Standards (NSPS) of at least Tier 4 emissions. Testing for these generators shall not exceed ten (10) hours per month unless a power outage occurs. Generators shall be enclosed by a sound attenuation for noise reduction and to reduce pollution.
 - d. Except for generator testing or commissioning activities, generator use is limited to backup/emergency use only.
- J. Foundation. All structures shall have concrete foundations.
- 1) Foundations shall not be defective, decayed, or corroded.
 - 2) The use of cargo containers, railroad cars, semi-truck trailers, and other similar storage containers for any component of the operation are prohibited.
- K. Cooling Systems. CDC or DC shall be required to have a liquid cooling system.
- 1) A closed loop cooling system is required.
 - 2) The application shall include an estimate of annual water consumption for the site to include an assessment for annual replacement or replenishment of water in the closed loop.
 - 3) The application shall include a description of the intended source of water for the development, and documentation from the Iowa Department of Natural Resources along with Story County Environmental Health affirming sufficient water resources exist to serve the site.
 - 4) All necessary permits must be obtained from Story County Environmental Health and the Iowa Department of Natural Resources.
- L. Equipment. All servers, computers, processors, materials, and equipment must be enclosed within buildings.
- M. Electrical Power. The applicant shall provide written verification from the power provider that the applicant has calculated the maximum potential electrical consumption of the proposed use and has verified the utility supply equipment and related electrical infrastructure is sufficiently sized and can safely accommodate the proposed use during the power provider's peak consumption hours.
- N. Hazardous Materials and Environmental Protection.
- 1) The CDC or DC shall comply with all applicable hazardous materials handling and reporting laws.
 - 2) All CDC or DC must comply with the County's stormwater and erosion control ordinance.
 - 3) On parcels containing more than 50 percent of the gross acreage as lands identified with areas designated Natural Resource Areas on the Cornerstone to Capstone (C2C) Comprehensive Plan, the conditional use permit shall not be approved unless conditions protecting the identified areas are attached to the request, either split zoned with conservation or conservation easements.
 - 4) CDC or DC shall not be located in the Special Flood Hazard Area.

- O. Ice Mitigation Report: All CDC or DC shall ensure that the amount of heat that is dissipated by the mining activity shall be monitored when the average daily temperature is 40 degrees Fahrenheit or less to ensure that there is no buildup of ice on neighboring properties and roadways.
- 1) In the instance that condensation and ice occur, there shall be an agreement between the facility's operational contact, owners of neighboring properties (to mitigate ice buildup on dwellings), and the County Engineer to mitigate ice on public right of way.
- P. Safety.
- 1) The equipment used in any CDC or DC operation shall be housed in a metered, electrically grounded, and pre-engineered metal-encased structure with a fire rating designed to resist an internal electrical fire for at least 30 minutes. The containment space shall contain baffles that automatically close in the event of fire, independent of a possible electric system failure.
 - 2) Any CDC or DC using ~~proposing~~ proposed battery storage or any other device or group of devices capable of storing energy in order to supply electrical energy at a later time, whether the energy is stored for use on-site or off-site, shall demonstrate compliance with NFPA Standard 855, Installation of Stationary Energy Storage Systems, or similar standards and must include fire suppression systems designed specifically for battery storage.
 - 3) A clean agent fire protection system must be provided and maintained in good working order within any structure which contains a server farm. High sensitivity smoke detectors shall be installed and operational in order to activate the clean agent fire suppression system.
- Q. Power Lines and Electric Utility Substations.
- 1) CDC or DC Electric Utility Substations must include year-round opaque landscaping or a screen wall a minimum of eight (8) feet in height to minimize visual impact.
 - 2) Electric Utility Substations on the same property as the CDC or DC they serve must be located on the side or rear of a principal building so they are screened from public view and must not be in a required front yard. On-site substations do not require a buffer or screening between the Data Center Principal Building and the substation.
 - 3) Burying power lines serving the property is required. On-site power lines of 34.5 kV and below must be buried. Any above ground utility lines require an engineer's signed statement and explanation as to why buried utilities are not feasible.
 - 4) The CDC or DC Electric Utility Substation shall be subject to applicable zoning district setback requirements. Setbacks shall be measured from the edge of the compound containing the substation to the property boundary of the lot it occupies.
- R. Emergency Contact Information.
- 1) Each CDC or DC operation shall provide 24-hour emergency contact signage visible at the access entrance. Signs shall include the company name (if applicable), the owner/representative's name, the telephone number, and the corresponding local power company's name and telephone number.
- S. Compliance with Applicable Codes and Certifications. Statements of Compliance with Applicable Codes and Certifications below is are required at the time of submittal for a conditional use permit.
- 1) State Building Code. All CDC or DC shall comply with all requirements of the current State Building Code.
 - 2) National Electrical Code (NEC). All CDC or DC shall comply with the National Electrical Code, current edition.
 - 3) Certification that all battery units meet national safety standards (e.g. UL 1973 for battery modules, and UL 9540 for the entire storage system).

- T. Commissioning Plan and Report. Prior to issuance of a zoning permit, CDC or DC Applicants shall submit a commissioning plan that demonstrates:
- 1) An electrical diagram detailing the configuration, associated components, and electrical interconnection methods, compliant with applicable state or local electrical codes, including NEC and NESC.
 - 2) Name, address, and contact information of proposed or potential system installer and the owner and/or operator of the CDC or DC. Such information of the final system installer shall be submitted prior to the issuance of final zoning permit.
- U. Discontinuation and Decommissioning. CDC or DC shall be considered discontinued after twelve (12) months without active and continuous use unless a plan is developed and submitted to the Director outlining the steps and schedule for returning the CDC or DC to service.
- 1) Removal Requirements. Any CDC or DC which has reached the end of its useful life or has been determined to be discontinued pursuant to this section shall be decommissioned and removed within one-hundred eighty (180) days of the discontinuation of use.
 - 2) Decommissioning shall consist of:
 - a. Physical removal of all above-surface facilities and infrastructure that have no ongoing purpose from the site. All CDC and DC and accessory facilities shall be removed to four (4) feet below ground level within one-hundred eighty (180) days of the discontinuation of use.
 - b. Disposal of all solid and hazardous waste in accordance with local, State, and federal waste disposal regulations.
 - c. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Director may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.
 - 3) Decommissioning Plan and Financial Surety.
 - a. The CDC or DC shall have a decommissioning plan outlining the anticipated means and costs of removing the CDC or DC at the end of its serviceable life or upon becoming discontinued.
 - b. The decommissioning plan shall identify financial resources that will be available to pay for decommissioning and removal of a CDC or DC.
 - c. The applicant must continuously maintain a financial assurance mechanism in the form of a performance bond and/or other security approved by the County Attorney, for the period of the life of the facility. The required amount of the security shall be 130 percent of the total decommissioning cost identified in the decommissioning plan, excluding any salvage value. The financial assurance mechanism must ensure that funds will be available upon discontinuation and shall not include the future value, if any, of scrap. If a bond is posted to meet this requirement, the bond issuing company must be agreed upon by both the applicant and County. All decommissioning, removal and remediation fund requirements shall be fully funded before a zoning permit is issued. The County shall have sole discretion with regard to the determination of the mechanism of financial assurance.
 - d. Property Owner Affidavit. The applicant shall submit a copy of the decommissioning plan to all property owners within the boundaries of the Conditional Use Permit area. The property owners shall provide the County with a signed affidavit acknowledging receipt of the plan and their responsibility for decommissioning costs.

- e. Every three (3) years from the first date of operations, or on the written request of the County, the Owner shall review and update the Decommissioning Plan and all appendices and provide the updated plan and appendices to the County on or before the date of each three-year anniversary of the first date of operations. As part of this review process, the Owner shall recalculate the total decommissioning cost and the decommissioning guaranty amount; and the financial assurance required shall be modified accordingly.
- V. Monitoring and Maintenance. The owner or operator of a CDC or DC shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Internal circulation drives shall be maintained by the owner or operator to a level acceptable to the applicable fire chief and Story County Emergency Management Agency. The owner or operator shall be solely responsible for the cost of maintaining the CDC or DC and any internal access roads.
- W. Ownership Changes. If the owner of the CDC or DC changes or the owner of the property changes, the conditional use permit shall remain in effect, provided that the successor owner or operator assumes in writing all of the obligations of the conditional use permit, site plan approval, and decommissioning plan. A new owner or operator of the CDC or DC shall notify the Story County Planning and Development Department in writing of such changes in ownership or operations within sixty (60) days of the change.
 - 1) The conditional use permit and all other local approvals for the CDC or DC may be considered void if a new owner or operator fails to provide written notification to the Story County Planning and Development Department within the required timeframe. Reinstatement of a void conditional use permit will be subject to the same review and approval processes for new conditional use permits.
- X. Third-Party Reviewer.
 - 1) The County may seek the services of a third-party reviewer with expertise in the CDC or DC field to assist with the following services (if the conditional use permit is approved by the County).
 - a. Review of the site and architectural plan, battery technology, compliance with state and federal regulations, and with other applicable regulatory standards and codes not specifically identified in these regulations.
 - b. Assist with the review of the ERP, completed noise study, decommissioning plan and review of decommissioning financial security agreement.
 - 2) The County shall make their best effort that the Third-Party Review does not unreasonably delay the project's zoning permitting or construction process. The Owner shall be responsible for reimbursing the County for the commercially reasonable costs incurred for the services of said Third-Party Reviewer. Said costs shall be mutually agreed upon by the County and Owner prior to the County's commencement of plan review for the zoning permit.
- Y. Avoidance and Mitigation of Damages to Public Infrastructure.
 - 1) Roads. Applicants shall identify all roads to be used for the purpose of transporting components and/or equipment for construction, operation or maintenance of the CDC or DC and obtain applicable weight and size permits from the impacted road authority prior to construction.
 - 2) Existing Road Conditions. Applicant shall conduct a pre-construction survey, in coordination with the impacted local road authority to determine existing road conditions. The pre-construction survey shall include photographs and a written agreement to document the condition of the roads and applicable public facilities. The applicant is responsible for on-going road maintenance and dust control measures identified by the Story County Engineer during all phases of construction.

- 3) Drainage System. The applicant shall be responsible for immediate repair of damage to public drainage systems stemming from construction, operation, or maintenance of the CDC or DC.
 - 4) Required Financial Security. The applicant shall be responsible for restoring or paying damages as agreed to by the applicable road authority sufficient to restore the roads and bridges to preconstruction conditions. Financial assurance mechanisms in the form of a performance bond and/or other security approved by the Story County Attorney's Office shall be submitted to the Planning and Development Department covering 130 percent of the costs of all required improvements prior to final issuance of the conditional use permit by the Board of Adjustment. This requirement may be waived by the Board of Adjustment upon recommendation from the Story County Engineer.
- Z. Submittal Requirements. All CDC or DC applications must submit the following information in addition to submittal requirements defined for conditional use permit applications.
- 1) The names of the project applicants.
 - 2) The names of the project owners.
 - 3) The legal description and address of the project.
 - 4) The names of the landowners.
 - 5) Pre-construction survey and proposed routes.
 - 6) Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, and screening vegetation or structures.
 - 7) A detailed site plan drawing showing the layout of the CDC or DC on the property including structures, access roads, parking or turnaround areas for maintenance vehicles, proposed fencing and gates, landscape buffers (if any), and setback distances from property lines and existing structures, also identification of any adjacent uses (homes, public roads, etc.).
 - 8) Project Narrative and Specification Sheets describing the CDC or DC project.
 - 9) Statements of Compliance with Applicable Codes and Certifications.
 - 10) Emergency Response Plan.
 - 11) Site Safety and Security Plan: A detailed plan outlining on-site safety features such as thermal monitoring systems, ventilation and explosion-proof construction features and describing how the site will be secured against unauthorized access like fencing, locking cabinets, lighting, alarms, etc.
 - 12) Project development timeline.
 - 13) Existing Resources Inventory as defined in [Chapter 85](#).
 - 14) Documentation of actual or prospective access and traffic control of the project site.
 - 15) Operation and maintenance plan of the CDC or DC, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operation and maintenance of the installation.
 - 16) Proof of liability insurance.
 - 17) Application Fee.
 - 18) Decommissioning plan without salvage value calculated into the security bond amount.
 - 19) Acknowledgement of Third-Party Reviewer process and potential costs.
 - 20) Landscaping plan to be approved by Story County Conservation.

DO NOT WRITE IN THE SPACE ABOVE. RESERVED FOR RECORDER

Prepared By: Leanne Harter, Story County Planning and Development, 900 6th Street, Nevada, IA 50201 (515) 382-7245.
Please Return to the Story County Planning and Development Department

**STORY COUNTY IOWA
RESOLUTION OF THE BOARD OF SUPERVISORS
RESOLUTION NUMBER #26-69**

Establishing a Temporary Moratorium on the Acceptance of Applications and/or Issuance of Permits for Digital Asset Mining, Cryptocurrency Operations, and/or Data Processing Centers on properties located in unincorporated Story County, putting in place a temporary moratorium expiring on or before March 31, 2027

WHEREAS, Iowa Code Chapter 335 grants counties the ability to adopt Zoning Ordinances to regulate land use within its jurisdictional boundaries; and,

WHEREAS, on September 2, 1958, Zoning Ordinance #1 was adopted by the Story County Board of Supervisors and has been periodically amended to regulate land use within the county's boundaries; and,

WHEREAS, current regulations adopted and enforced by Story County pursuant to Iowa Code Chapter 335 are referred to as the "Land Development Regulations" in the Story County Code of Ordinances, specifically identified as Chapters 85 through 93; and

WHEREAS, the County Comprehensive Plan known as the Cornerstone to Capstone (C2C) Plan contains vision, goals, objectives, and policy statements to provide a foundation for subsequent County amendments to the County's Land Development Regulations, with the ability to meet the following goals from the C2C Plan potentially adversely affected related to uses subject to this temporary moratorium:

- AR1: Protect agricultural practices in areas with prime soils and viable agricultural interests.
- AR2: Minimize conflicts between agricultural and non-agricultural land uses.
- AR3: Preserve farmland and the rural landscape as a viable foundation for a strong and growing agricultural economy.
- Natural Resource and Recreation Goal 1 Preserve, protect, restore, and enhance the quality of Story County's ground water and surface water; and

WHEREAS, On June 17, 2025, the Story County Board of Supervisors passed Resolution #25-97, Establishing a Temporary Moratorium on the Acceptance of Applications and/or Issuance of Permits for Digital Asset Mining, Cryptocurrency Operations, Data Processing Centers and/or Battery/Energy Storage Solutions on properties located in unincorporated Story County, putting in place a temporary moratorium expiring on or before December 31, 2025; and

WHEREAS, Resolution #25-97 included the ability of the Story County Board of Supervisors to adopt a resolution extending the moratorium until March 31, 2026, if more time was needed by the Story County Planning and Development Department to complete their review and make a recommendation to the Story County Planning and Zoning Commission and Story County Board of Supervisors. Resolution #26-36 adopted by the Story County Board of Supervisors on November 25, 2025, authorizing this one-time extension; and

WHEREAS, proposed regulations specific to Digital Asset Mining, Cryptocurrency Operations, Data Processing Centers and/or Battery/Energy Storage Solutions were developed by the Story County Planning and Development Department, recommended for approval by the Story County Planning and Zoning Commission on February 25, 2026, and the Story County Board of Supervisors reviewed First Consideration of Ordinance No. 330 on Tuesday, March 3, 2026; and

WHEREAS, on Tuesday, March 3, 2026, the Story County Board of Supervisors approved Ordinance No. 330 on First Consideration, with modifications to remove language related to Digital Asset Mining, Cryptocurrency Operations, and Data Processing Centers uses and directed the Story County Planning and Development Department to modify Ordinance No. 330, accordingly; and approved Second Consideration on Tuesday, March 10, 2026, with such changes, setting the Third and Final Consideration for Tuesday, March 17, 2026; and

WHEREAS, on Tuesday, March 3, 2026, the Story County Board of Supervisors directed the Story County Planning and Development Department in consultation with the Story County Attorney's Office to develop and bring forward for consideration by the Story County Board of Supervisors a temporary moratorium applicable only to Digital Asset Mining, Cryptocurrency Operations, and Data Processing Centers uses; and

WHEREAS, uses related to Digital Asset Mining, Cryptocurrency Operations, and/or Data Processing Centers reportedly pose a threat to the public's health, safety, and general welfare due to potential environmental impacts related to significant amounts of potable water usage, air and water pollution, excessive noise impacts, and electronic waste.

WHEREAS, from time to time, it is necessary and prudent to review and study said Code of Ordinances for necessary updates to ensure proper regulation;

AND WHEREAS, based on public comments received at the Story County Planning and Zoning Commission and Story County Board of Supervisors public hearings, the Story County Board of Supervisors requires additional time to further study, consult experts, and conduct the revision process to complete amendments to the Land Development Regulations for those uses related to Digital Asset Mining, Cryptocurrency Operations, and/or Data Processing Centers.

NOW, BE IT THEREFORE RESOLVED by the Board of Supervisors of Story County, Iowa:

SECTION 1. INSTITUTION OF MORATORIUM Upon the effective date of this Resolution, no applications shall be accepted nor permits granted by Story County specifically for Digital Asset Mining, Cryptocurrency Operations, and/or Data Processing Centers on properties located in unincorporated Story County.

SECTION 2. PERIOD OF TIME EFFECTIVE This Resolution shall be effective for a period from adoption of said Resolution through March 31, 2027.

SECTION 3. SEVERABILITY CAUSE If any section, provision, or part of this Resolution shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 4. EFFECTIVE DATE This Resolution shall be in effect from the day it is passed and approved by the Board. Passed and approved this 17th day of March 2026.

IT IS FURTHER RESOLVED that the Chair of the Board of Supervisors and the County Auditor are authorized and they are hereby directed to certify a copy of this Resolution 26-69 to be recorded upon its approval by the Board of Supervisors.

Dated this 17 day of March, 2026

[Signature]
Chairperson, Board of Supervisors

Attest:
[Signature]
County Auditor

<u>ROLL CALL</u>	<u>Latifah Faisal</u>	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
<u>FOR ALLOWANCE</u>	<u>Lisa Heddens</u>	Yea <input type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input checked="" type="checkbox"/>
	<u>Linda Murken</u>	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>

ALLOWED BY VOTE
OF BOARD Yea 2 Nay 0 Absent 1

[Signature]
CHAIRPERSON Above tabulation made by [Signature]

DO NOT WRITE IN THE SPACE ABOVE. RESERVED FOR RECORDER

Prepared By: Leslie Day, Story County Planning and Development, 900 6th Street, Nevada, IA 50201 (515) 382-7245
Please Return to the Story County Planning & Development Department

**STORY COUNTY IOWA
RESOLUTION OF THE BOARD OF SUPERVISORS
RESOLUTION # 26-64**

WHEREAS, there has been submitted to the Board of Supervisors of Story County, Iowa, an application to subdivide real estate from Michael & Kema L. Davis, 69438 260th St. Colo, IA 50056, involving real estate located at 69438 260th St. Colo, IA 50056, in Section 29 of New Albany Township, identified as Parcel #12-29-100-210 and hereinafter described on Attachment A and shown on Attachment B, and

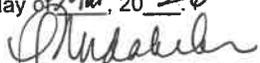
WHEREAS, MICHAEL & KEMA L. DAVIS, 69438 260TH ST. COLO, IA 50056, are the legal titleholders of said real estate, and

WHEREAS, it appears that all conditions and requirements prescribed by Chapter 354 and Chapter 355, *Code of Iowa*, and as prescribed by the *Story County C2C Plan* and the *Code of Ordinances of Story County, Iowa*, have been complied with and met,

AND WHEREAS, it is the opinion of the Board of Supervisors of Story County, Iowa, that it is advisable and in the best interests of Story County, Iowa, and all persons concerned, that said Plat be approved and accepted.

NOW, THEREFORE, BE IT RESOLVED that the Residential Parcel Subdivision Plat of the Brothers Grove Residential Parcel Subdivision involving real estate hereinafter described on Attachment A and shown on Attachment B being the same, is hereby approved and accepted, and all acts and deeds of the said owners and grantors in the premises are hereby confirmed and approved, and the real estate hereinafter described on Attachment A and shown on Attachment B shall hereinafter be known as Brothers Grove Residential Parcel Subdivision.

IT IS FURTHER RESOLVED that the Chair of the Board of Supervisors and the County Auditor are authorized and they are hereby directed to certify a copy of this Resolution #26-64 to be affixed to said Final Plat upon its approval by the Board of Supervisors.

Dated this 17 day of Mar, 2026

Chairperson, Board of Supervisors

Attest: 
County Auditor

ROLL CALL
FOR ALLOWANCE

<u>Latifah Faisal</u>	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
<u>Lisa Heddens</u>	Yea <input type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input checked="" type="checkbox"/>
<u>Linda Murken</u>	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>

ALLOWED BY VOTE
OF BOARD

Yea 2 Nay 0 Absent 1


CHAIRPERSON

Above tabulation made by B

ATTACHMENT A

Survey Description:

LEGAL DESCRIPTION (LOT 1 OF PARCEL "C"):

LOT 1 OF PARCEL "C" IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 83 NORTH, RANGE 21 WEST, OF THE 5TH P.M., STORY COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 29; THENCE S89°55'56W 180.06 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29; THENCE S00°18'34"W, 383.82 FEET; THENCE S80°28'40"W, 176.12 FEET; THENCE N87°59'10"W, 87.42 FEET TO THE POINT OF BEGINNING; THENCE N00°05'02"E, 409.57 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29; THENCE S00°03'32"E, 393.18 FEET; THENCE S89°16'53"E, 588.51 FEET; THENCE S87°59'10"E, 228.50 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION (LOT 2 OF PARCEL "C"):

LOT 2 OF PARCEL "C" IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 83 NORTH, RANGE 21 WEST, OF THE 5TH P.M., STORY COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 29; THENCE S89°55'56W 180.06 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29; THENCE S00°18'34"W, 383.82 FEET; THENCE S80°28'40"W, 176.12 FEET; THENCE N87°59'10"W, 87.42 FEET TO THE POINT OF BEGINNING; THENCE N00°05'02"E, 409.57 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29; THENCE N89°55'56"E, 262.54 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29 TO THE POINT OF BEGINNING.

ATTACHMENT B

Staff Report

Story County Board of Supervisors



Date of Meeting: March 17, 2026

Staff Project Manager: Leslie Day

Case Number: SUB26-000042

Name of Subdivision: Brothers Grove Residential Parcel Subdivision

Resolution No. 26-64

REQUESTED ACTION

The request is for a Residential Parcel Subdivision Plat to create one lot which contains the existing dwelling (Lot 2), and a second buildable lot (Lot 1) as permitted in Section 87.07 Residential Parcel Subdivision Plats of the *Story County Code of Ordinances*.

RECOMMENDATION

All requirements for a Residential Parcel Subdivision Plat are met. Planning and Development staff recommend approval of the subdivision as submitted.

APPLICANT(S): Michael Davis

PARCEL IDENTIFICATION NUMBER(S)

12-29-100-210

DISTRICTS

A-1 Agricultural

Colo-Nesco Community School District

SIZE OF PARCEL/AREA

Gross Acres 9.92

Net Acres 9.10

PROPERTY OWNER(S):

Michael Davis & Kema L. Davis

GENERAL PROPERTY LOCATION

69438 260th St. Colo, IA 50056-8592 Section:29

Township:83 Range:21 NE of the NW

LAND USE FRAMEWORK DESIGNATION

The subject property is designated as Agricultural Conservation Area on the Cornerstone to Capstone (C2C) Plan.

CURRENT LAND USE

The site is assessed as an Agriculture use by the Story County Assessor's Office.

CITIES WITHIN TWO MILES OF PROPOSED SUBDIVISION REQUEST

The proposed subdivision lies within two miles of the city of Colo. On February 2, 2026, the Colo City Council waived their right to review the Brothers Grove Residential Parcel Subdivision with Resolution #26-2-1 fiscal year, and they are in favor of the subdivision of the property.



Background

Description of Proposed Subdivision

The request is for a Residential Parcel Subdivision Plat to create one lot which contains the existing dwelling (Lot 2), and a second buildable lot (Lot 1) as permitted in Section 87.07 Residential Parcel Subdivision Plats of the *Story County Code of Ordinances*. The applicable requirements are outlined below.

Applicable Regulations - Story County Land Development Regulations

87.07 RESIDENTIAL PARCEL SUBDIVISION PLAT

A Residential Parcel Subdivision Plat application shall be submitted to the Planning and Development Department.

(1) A Subdivision may be submitted for review and approval as a Residential Parcel Subdivision Plat when all of the following are true:

- a. The development lots created by the subdivision are intended to be used for residential purposes.
- b. Only two development lots may be created.
- c. The Assessment Property Record Card for the property shall show a single-family dwelling and/or farmstead, as defined in Section 85.08, in existence.
- d. The subdivision includes no land set apart for new streets, alleys, parks, dedicated open space, school property, or public use.
- e. The subdivision lies wholly within the A-1 District.
- f. Both development lots (created by the Residential Parcel Subdivision Plat) shall contain a minimum of one acre (net) each. All side and rear yard setback requirements must be met.
- g. All resulting development lots shall have access to an adjoining public roadway by actual road frontage or easement.
- h. No variances from subdivision or zoning standards shall be granted in order to accomplish the Residential Parcel Subdivision Plat.
- i. The existing parcel shall not have been created through a previously approved Residential Parcel Subdivision Plat.

Property History

This parcel (Parcel Identification Number 12-29-100-210) was created on August 26, 2024, when the northeast quarter of the northwest quarter of Section 29, Township 83, Range 21, was divided to break off the homestead from the agricultural ground, creating Parcel C. The division was established by Plat of Survey recorded as Instrument No. 2024-06115. Currently, the parcel contains a Single-Family Dwelling built in 2015 (Zoning Permit No. 8307), which replaced the existing dwelling.



Current and Future Land Use

The current parcel is 9.10 net-acres and zoned A-1 Agricultural. All proposed lots will retain this zoning. At present, the existing parcel contains a single-family dwelling.

The future intent is for proposed Lot 1 to be a buildable lot, and Lot 2 to remain in use for the existing dwelling.

The property is designated as Agricultural Conservation on the Cornerstone to Capstone (C2C) Future Land Use Map. Principles for the Agricultural Conservation designation include to:

Principle 1:

Conserving agricultural land, as well as agricultural practices, is a fundamental principle in Story County. Areas are identified, conserved, and enhanced within the county for farming practices and agricultural production.

Principle 2:

Continue to work towards strategies that promote alternative agricultural methods that work in harmony with conventional operations. A variety of farm types is a good thing.

Principle 3:

Encourage high-value agricultural lands to remain as agricultural and discourage non-agricultural development of such lands. Direct future non-agricultural development toward the designated Urban Expansion, Rural Residential, Rural Village, and Commercial-Industrial Area designations on the Future Land Use Map.

Principle 4:

Design areas identified for development to limit conflicts between agricultural uses and rural residences and other types of land uses. Through development practices preserve and protect prime agricultural lands and the ability to engage in agricultural activities.

Principle 5:

Promote the continued health of agriculture through an ongoing planning process to identify partnerships and develop voluntary, incentive-based programs and strategies.

Current Surrounding Land Use

The property is in the Northeast Quarter of the Northwest Quarter of Section 29 of New Albany Township. Adjacent properties include:

North

A 39 net-acre parcel in the A-1 Agricultural Zoning district. This parcel is owned by Jeffrey L. & Robin L. Collins Trust and is used for Agricultural purposes.

South

A 29.91 net-acre parcel in the A-1 Agricultural Zoning district. This parcel is owned by Brandon D. & Jacqueline A. Wilson and is used for Agricultural purposes. This property also wraps around the East and West of the subject property.

East

Past the Wilson property, a 15.43 net-acre parcel in the A-1 Agricultural Zoning district. This parcel is owned by John R. & Linda L. Hemping Trust and is used for Agricultural purposes.

West

Past the Wilson property, a 38 net-acre parcel in the A-1 Agricultural Zoning district. This parcel is owned by Dean M. Ammerman Trust ½ and Steven Hohn & Ute Anna Ammerman ½ and is used for Agricultural purposes.



Analysis

The proposed subdivision is consistent with the criteria outlined above in Section 87.07 Residential Parcel Subdivision Plat of the *Story County Code of Ordinances* as noted below:

- All requirements are satisfied. Not all requirements are satisfied, and those exceptions are noted below:

Erosion control requirements in Section 88.05 will apply to any development of the lots. The requirements include a construction buffer from sensitive natural areas and other requirements for temporarily stabilization of disturbed soils on a site.

Points to consider in evaluating the applicant’s request to divide property through a Residential Parcel Subdivision Plat process to create one lot which contains the existing dwelling, and one buildable lot:

1. All requirements for a Residential Parcel Subdivision Plat in Section 87.07 of the Story County Land Development Regulations have been met.

Commentary

The following comments are part of the official record of the proposed Brothers Grove Residential Parcel Subdivision, Case No. SUB26-000042. If necessary, conditions of approval may be formulated based on these comments.

Comments from the Interagency Review Team

The proposal underwent the usual Interagency Review, and the following comments were provided:

Story County Planning and Development Questions and Comments

The following comments include items that need to be corrected or added, as well as questions requiring clarification:

- The type of subdivision needs to be shown on the face of the Plat. For example, it could state: “Brothers Grove Residential Subdivision” or “Brothers Grove Residential Parcel Subdivision.”
- As a suggestion, the text “This area is in Zone X (Area of Minimal Flood Hazard), according to the FEMA National Flood Hazard Map” could be removed to avoid confusion. Again, this is only a suggestion.
- Is there a development currently planned for Lot 1? What is the intent of the subdivision?
- A 300-foot access separation distance between driveways and 500 feet of sight distance in each direction is required. Please let us know where the proposed entrance for Lot 1 would be located.

Story County Auditor’s Office Comments

There are no comments on the plat itself. It looks good. One of the accompanying documents is a separate page with the legal descriptions of the two lots. Both descriptions contain identical typographical errors in the second paragraph. There is a period after the first bearing – this should



be a comma. Following that bearing the descriptions read, "...180.06 feet along the north line of the northeast quarter..." Northeast should be northeast.

Story County Environmental Health Comments

I don't see any issues. The septic is right around the house, and all wells have been plugged.

Story County Engineer's Office

Lot 1 has a drainage district tile running through the middle of it that should not be disturbed.

Story County Assessor's Office

No comments.

Story County Conservation

No comments.

The surveyor has addressed all review comments and submitted a corrected subdivision plat.

Comments from the General Public

Letters were mailed to surrounding property owners on Tuesday, March 3, 2026, regarding the Board of Supervisors' meeting on the request. No public commentary was received or recorded at the time this report was published.

Alternatives

Story County Planning and Development Staff recommend alternative one below regarding the Brothers Grove Residential Parcel Subdivision, as submitted.

1. **The Story County Board of Supervisors approves Resolution #26-64, Brothers Grove Subdivision, a Residential Parcel Subdivision Plat, as submitted.**
2. The Story County Board of Supervisors approves Resolution #26-64, the Brothers Grove Subdivision, a Residential Parcel Subdivision Plat, with conditions.
3. The Story County Board of Supervisors denies Resolution #26-64, Brothers Grove Subdivision, a Residential Parcel Subdivision Plat, as submitted.
4. The Story County Board of Supervisors tables the decision on Resolution #26-64, the Brothers Grove Subdivision, a Residential Parcel Subdivision Plat, and directs the applicant to address specific areas for additional information, review and/or modifications, and to work with staff to place the subdivision plat back on the Board of Supervisors' agenda.

Attachments to the Staff Report

- Submitted application and plans
- Public Comments
- Written responses from applicants to comments
- Legal Description
- Resolution from city within two miles (if applicable)
- Other

BROTHERS GROVE RESIDENTIAL PARCEL SUBDIVISION

PARCEL "C" IN THE NE1/4-NW1/4 OF SECTION 29, TOWNSHIP 83 NORTH, RANGE 21 WEST, STORY COUNTY, IOWA

INDEX LEGEND	
LOCATION:	PARCEL "C" IN THE NE1/4-NW1/4 OF SECTION 29, T83N, R21W OF THE 5TH P.M., STORY COUNTY, IOWA
REQUESTOR:	MICHAEL DAVIS
PROPRIETOR:	MICHAEL DAVIS & KEMA L. DAVIS
SURVEYOR:	JESSE W.L. VAN DALEN, P.L.S. #29583
SURVEYOR COMPANY:	BOLTON & MENK, INC.
RETURN TO:	JESSE W.L. VAN DALEN, BOLTON & MENK, INC. 1519 BALTIMORE DR, AMES, IA 50010 (515)-233-6100

EXISTING RURAL E911 ADDRESSES:

- ALL NEW LOTS SHALL REQUIRE AN E911 ADDRESS FOR INHABITED STRUCTURES, INCLUDING RESIDENCES AND BUSINESSES.
- TELECOMMUNICATIONS TOWERS AND FACILITIES, AND FOR ANY PUBLIC ASSEMBLY AREA INCLUDING OPEN-AIR, OUTDOOR ACTIVITIES. E911 ADDRESSES SHALL BE ASSIGNED BY STORY COUNTY AT THE REQUEST OF THE PROPERTY OWNER.

- DISTRICTS:**
- SCHOOL DISTRICT: COLO-NESCO COMMUNITY SCHOOL DISTRICT
 - ZONING DISTRICT: A-1, AGRICULTURAL
 - DRAINAGE DISTRICT: NEW ALBANY NUMBER 75
 - EMERGENCY SERVICES DISTRICT: STORY COUNTY EMS AND COLO FIRE AND RESCUE

- BUILDING SETBACK REQUIREMENTS:**
- FRONT YARD SETBACK (MIN.): 50 FEET
 - SIDE YARD SETBACK (MIN.): 10 FEET
 - REAR YARD SETBACK (MIN.): 40 FEET
- OWNER NAME AND ADDRESS:**
- MICHAEL DAVIS AND KEMA L. DAVIS
 - 69438 260TH ST, COLO, IOWA, 50056

- FLOOD ZONE:**
- THIS AREA IS IN ZONE X (AREA OF MINIMAL FLOOD HAZARD), ACCORDING TO THE FEMA NATIONAL FLOOD HAZARD MAP.
- PLANNED DEVELOPMENT:**
- SINGLE-FAMILY DWELLING.

- NOTES:**
- THIS PLAT IS SUBJECT TO ALL EASEMENTS APPARENT OR OF RECORD
 - BEARINGS AND DISTANCES SHOWN ARE IOWA REGIONAL COORDINATE SYSTEM ZONE B, U.S. SURVEY FOOT
 - SURVEY FIELDWORK WAS COMPLETED ON 11-04-2025
 - RECORD BEARINGS AND DISTANCES FROM PLAT OF SURVEY OF PARCEL "C" RECORDED ON INSTRUMENT NUMBER 2024-06115
 - SITE ADDRESS IS 69438 260TH ST, COLO, IOWA, 50056
 - LOCATION OF UTILITY CONNECTIONS ON HOUSE
 - RECORDED RIGHT OF WAY IS 66 FEET IN OVERALL WIDTH. THE FOUND MONUMENT AT NORTHEAST CORNER OF PARCEL "C" IS 34.00 FEET SOUTH OF SECTION LINE, MAKING THE MONUMENT 1.00 FEET SOUTH OF THE SOUTH RIGHT OF WAY LINE OF 260TH ST.
 - PLAT OF SURVEY FOR PARCEL "C" ON INSTRUMENT NUMBER 2024-06115 STATES "SET MARKED WITH A LATH, PINK PAINT, AND RIBBON. 1 DUG AROUND THE 15'X15' CONCRETE POST, BUT WAS UNABLE TO DIG MORE THAN 3 INCHES AS THERE WAS A CONCRETE FOOTING AROUND THE POST. WHILE SEARCHING FOR THE "1/2" IR" FOUND A BOLT IN CONCRETE POST ATTACHED TO THE CONCRETE POST NEAR THE BASE AND SURFACE OF THE GROUND. READING THE LATH THAT WAS LEFT WITH THE CONCRETE POST. IT STATED BOLT WITH RECORDED DIMENSIONS. I USED SAID BOLT TO MATCHED THE "1/2" IR" BOLT. THE SUBSURFACE UTILITY INFORMATION FOR THE DRAINAGE DISTRICT TILE IS UTILITY. THE QUALITY LEVEL OF THIS UTILITY QUALITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF CL/PACE 38-02, ENTITLED "STANDARD GUIDELINES FOR THE COLLECTION AND Delineation OF EXISTING SURFACE UTILITY DATA".

FOR RECORDER USE ONLY

LEGAL DESCRIPTION (LOT 1 OF PARCEL "C"):

LOT 1 OF PARCEL "C" IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 83 NORTH, RANGE 21 WEST, OF THE 5TH P.M., STORY COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 29; THENCE S89°55'56"W, 180.06 FEET ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29; THENCE S07°18'34"W, 383.82 FEET; THENCE S80°28'40"W, 176.12 FEET; THENCE N87°59'10"W, 87.42 FEET TO THE POINT OF BEGINNING; THENCE N00°05'02"E, 409.57 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29; THENCE S89°55'56"W, 817.82 FEET ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29; THENCE S00°03'32"E, 393.18 FEET; THENCE S89°16'53"E, 588.51 FEET; THENCE S87°59'10"E, 228.50 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION (LOT 2 OF PARCEL "C"):

LOT 2 OF PARCEL "C" IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 83 NORTH, RANGE 21 WEST, OF THE 5TH P.M., STORY COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

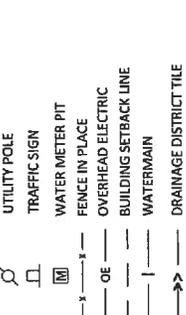
COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 29; THENCE S89°55'56"W, 180.06 FEET ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29 TO THE POINT OF BEGINNING; THENCE S00°18'34"W, 383.82 FEET; THENCE S80°28'40"W, 176.12 FEET; THENCE N87°59'10"W, 87.42 FEET; THENCE N00°05'02"E, 409.57 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29; THENCE N89°55'56"E, 262.54 FEET ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29 TO THE POINT OF BEGINNING.

EXISTING BUILDING DIMENSIONS:

- 35.1' X 20.1' BUILDING IS 3.3' EAST OF THE WEST LINE OF LOT 2 AND 35.3' NORTH OF THE SOUTH LINE OF LOT 2 FROM NEAREST CORNERS.
- 30.1' X 60.2' BUILDING IS 43.7' EAST OF THE WEST LINE OF LOT 2 AND 67.4' NORTH OF THE SOUTH LINE OF LOT 2 FROM NEAREST CORNERS.
- 34.8' X 44.5' BUILDING IS 91.7' WEST OF THE EAST LINE OF LOT 2 AND 18.9' NORTH OF THE SOUTH LINE OF LOT 2 FROM NEAREST CORNERS.
- 24.3' X 35.2' BUILDING IS 104.0' EAST OF THE WEST LINE OF LOT 2 AND 111.6' NORTH OF THE SOUTH LINE OF LOT 2 FROM NEAREST CORNERS.
- 60.2' X 65.1' BUILDING IS 48.0' EAST OF THE WEST LINE OF LOT 2 AND 154.6' NORTH OF THE SOUTH LINE OF LOT 2 FROM NEAREST CORNERS.
- 13.2' X 47.2' MOBILE HOME IS ON THE WEST LINE OF LOT 2 AND 103.1' NORTH OF THE SOUTH LINE OF LOT 1 FROM NEAREST CORNERS.
- 24.9' X 16.3' BUILDING IS 55.6' WEST OF THE EAST LINE OF LOT 2 AND 138.9' NORTH OF THE SOUTH LINE OF LOT 2 FROM NEAREST CORNERS.
- 16.0' RADIUS BUILDING IS 66.7' WEST OF THE EAST LINE OF LOT 2 AND 125.6' NORTH OF THE SOUTH LINE OF LOT 2 FROM NEAREST CORNERS.
- 18.2' X 12.6' BUILDING IS 53.1' WEST OF THE EAST LINE OF LOT 2 AND 80.6' NORTH OF THE SOUTH LINE OF LOT 2 FROM NEAREST CORNERS.
- 27.9' X 42.0' BUILDING IS 97.7' EAST OF THE WEST LINE OF LOT 2 AND 93.8' SOUTH OF THE NORTH LINE OF LOT 2 FROM NEAREST CORNERS.
- 13.8' X 18.0' BUILDING IS 15.4' EAST OF THE WEST LINE OF LOT 2 AND 98.4' SOUTH OF THE NORTH LINE OF LOT 2 FROM NEAREST CORNERS.

- LEGEND:**
- FOUND 1/2 REBAR WITH ORANGE PLASTIC CAP #13286 (OR AS NOTED)
 - SET 1/2"X24" REBAR WITH PINK PLASTIC CAP #29583
 - ▲ FOUND SECTION CORNER
 - △ SECTION CORNER SET
 - ∇ YARD HYDRANT
 - ⊗ VALVE
 - ⊙ CLEAN OUT
 - ⊕ SEPTIC SYSTEM MANHOLE
 - ⊖ COMMUNICATION PEDSTAL
 - ⊘ UTILITY POLE
 - ⊙ TRAFFIC SIGN
 - ⊙ WATER METER PIT
 - ⊙ FENCE IN PLACE
 - ⊙ OVERHEAD ELECTRIC
 - ⊙ BUILDING SETBACK LINE
 - ⊙ WATERMAIN
 - ⊙ DRAINAGE DISTRICT TILE
 - ⊙ TREE DRIPLINE

- BUILDINGS TO REMAIN STATED BY PROPERTY OWNER MICHAEL DAVIS
- BUILDINGS TO BE REMOVED STATED BY PROPERTY OWNER MICHAEL DAVIS
- CONCRETE PAD



1519 BALTIMORE DRIVE
AMES, IA 50010
(515) 233-6100

BOLTON & MENK

PARCEL "C" IN THE NE1/4-NW1/4 OF SECTION 29-T83N-R21W, STORY COUNTY, IOWA

SHEET
1
OF
2

RESOLUTION 26-2-1

A RESOLUTION WAIVING THE RIGHT TO REVIEW SUBDIVISION

BE IT RESOLVED by a majority vote of the members of the City Council of the City of Colo, Story County, Iowa, that the City of Colo hereby waives its right to review the subdivision and waives the requirements of any of its standards or conditions for approval of subdivisions, pursuant to Iowa Code 354.9(2), Michael and Kema Davis legally described as follows:

SECTION:29 TOWNSHIP:83 RANGE:21 NE NW PARCEL C 24-06115

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

The City waives the subdivision requirement and will allow the land owned by Michael and Kema Davis in SECTION:29 TOWNSHIP:83 RANGE:21 NE NW PARCEL C 24-06115 to be split with a plat of survey.

BY: _____



City of Colo

Mayor

ATTEST: _____



City Clerk

STATEMENT AND CONSENT OF MORTGAGE HOLDER

I, the undersigned, being an officer authorized to acknowledge deeds on behalf of VisionBank of Iowa, the mortgagee in the following mortgage:

A mortgage from Michael Davis and Kema L. Davis, a married couple, to VisionBank of Iowa dated September 19, 2025, recorded September 22, 2025, as document number 25-07745, in the office of the Story County, Iowa, recorder, for an original consideration of \$324,000.00 with interest thereon;

The said mortgage pertaining to real estate legally described as follows:

Parcel "C" in the Northeast Quarter of the Northwest Quarter of Section 29, Township 83 North, Range 21 West of the 5th P.M., Story County, Iowa, as shown on the Plat of Survey recorded on August 26, 2024 as Ins. No. 24-06115.

To be platted into
Brothers Grove Subdivision

Hereby state the mortgagee remains the owner and holder of said mortgage, and Brothers Grove Subdivision was prepared with the mortgagee's free consent and in accordance with its desire. This acknowledgment has been prepared pursuant to Iowa Code section 354.11 (1).

West Gate Bank Mortgage

By:

Craig Smith, Customer Service Manager

On 01/16/2026, 2026, before me, a Notary Public, personally appeared Craig

Smith to me personally known, who being by me duly sworn or affirmed did say he is the Customer Service Manager of said corporation and that said instrument was signed on behalf of the said corporation, and he acknowledged the execution of said instrument to be the voluntary act and deed of said corporation by it and by his voluntarily executed.

Elizabeth Schessler
Notary Public

State of Nebraska - General Notary
ELIZABETH SCHESSLER
My Commission Expires
February 28, 2027



Hitchins & Thronson PLC
Attorneys At Law

102 EAST CHURCH STREET
P.O. BOX 776
MARSHALLTOWN, IA 50158-0776
PHONE: (641) 752-4507
FAX: (641) 752-5179

KEVIN R. HITCHINS
JOEL R. THRONSON

JEFFREY P. HAZEN

Of Counsel
ROGER R. SCHOELL

Retired
MAX H. BUCK

Deceased
LEONARD L. GRIMES
GENE L. BEACH

December 11, 2025

Michael Davis and Kema L. Davis
69438 260th St.
Colo, IA 50056

RE: Title Opinion
Property – Rural Story County-Brothers Grove Subdivision
H&T Abstract #25-241
Abstract & Title Services Story County Abstract #2508201491FI

Dear Michael and Kema:

I have carefully examined the abstract of title in one part, beginning with the root of title and certified to September 22, 2025, at 2:20 p.m., through entry 32, covering the following described real estate, to-wit:

Parcel "C" a part of the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of Section Twenty-nine (29), Township Eighty-three (83) North, Range Twenty-one (21) West of the 5th P.M., Story County, Iowa, as shown on the Plat of Survey recorded on August 26, 2024, as Inst. No. 24-06115.

I am of the opinion the abstract complies with the Iowa Forty Year Marketable Title Act and find good title to the real estate to be in Michael Davis and Kema L. Davis, a married couple as Joint Tenants with full rights of survivorship and not as tenants in common, grantees named in a Warranty Deed dated September 9 & 16, 2025, and recorded September 22, 2025, at Instrument No. 25-07718, of the records of the Recorder's Office, Story County, Iowa. Title is subject to the following:

1. A purchase money mortgage from Michael Davis and Kema L. Davis, a married couple, to MERS as nominee for VisionBank of Iowa dated September 19, 2025, and recorded September 22, 2025, at Instrument No. 25-07745 of the records of the Recorder's Office, Story, Iowa, given to secure an indebtedness of \$324,000. You should require said mortgage be released prior to or at the time of closing.

Michael Davis and Kema L. Davis

December 11, 2025

Page 2

2. Real estate taxes were not yet certified as of the date of abstract continuation. Tax Parcel No. 12-29-100-210.

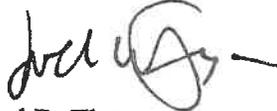
3. A Plat of Survey dated August 26, 2024, and recorded August 26, 2024, at Instrument No. 24-06115 of the records of the Recorder's Office, Story County, Iowa. A copy of the survey, as it appears in the abstract, is attached to this opinion.

This opinion is limited to those items that appear in the abstract.

Please do not hesitate to contact the undersigned, if you have questions regarding this opinion.

Very truly yours,

HITCHINS & THRONSON PLC

A handwritten signature in black ink, appearing to read "Joel R. Thronson", with a horizontal line extending to the right.

Joel R. Thronson
Title Guaranty No. 10849

JRT/pbs

Enclosure

TREASURER'S CERTIFICATE

STATE OF IOWA, COUNTY OF STORY, ss:

I, Ted Rasmusson, being Treasurer of Story County, Iowa, do by these presents hereby certify that land on which Brother's Grove Subdivision is laid out and platted as shown by the annexed plat is free from taxes. It covers the following described real estate:

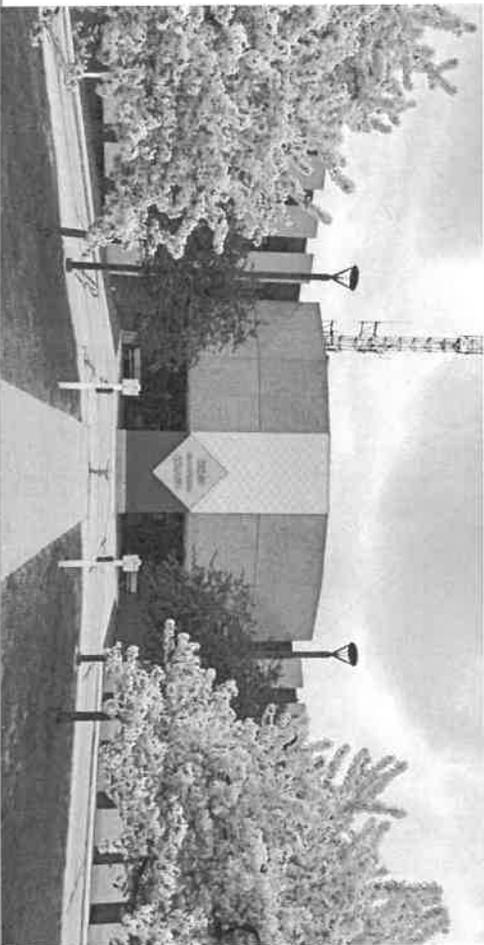
Parcel "C" in the Northeast Quarter of the Northwest Quarter of Section 29, Township 83 North, Range 21 West of the 5th P.M., Story County, Iowa, as shown on the Plat of Survey recorded on August 26, 2024 as Ins. No. 24-06115. Parcel 12-29-100-210.

WITNESS MY HAND AND SEAL this 26 day of January 2026.



Ted Rasmusson, Treasurer
Story County, Iowa

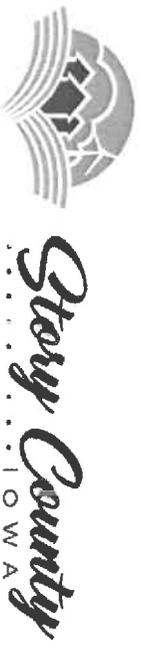




Annual Project Update

Story County Government Operations Climate Resilience and Sustainability Plan

Prepared for:



Prepared by:



17 March 2026

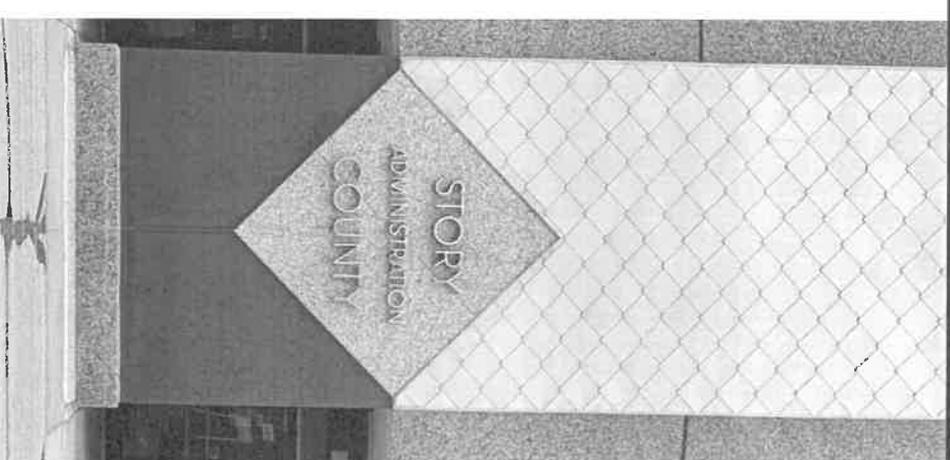
Story County Government Climate Resilience and Sustainability Plan

Story County Government Climate Resilience and Sustainability Plan addresses the following priorities requested by Story County.

1. Assess the County's GHG footprint through 2050.
2. Describe climate actions the County is committing to.
3. Offer additional information to further reduce its footprint.
4. Assess and explain climate change risks that the County may face.
5. Provide recommendations for climate-resilient strategies that the County can take.

EA will address the 5 items above with the following deliverables.

1. Visual, comprehensible, and accessible report with prioritized actions and timeline for implementation.
 1. Resilience actions to improve reliability.
 2. Sustainability actions to reduce environmental impacts.
 3. Public input.
2. Technical report.
3. GHG calculation tools.
4. Communication templates.



Key Staff - Expertise and Roles



Chris Anderson, PhD

- 25 years of experience in climate science, assessment, analytics, and modeling.
- Experience includes climate resilience pilot projects with several agencies, climate action plans and climate vulnerability assessments.

Role

- Technical direction of all tasks and deliverables
- Periodic and final technical review of all deliverables
- Technical report writing
- Project presentation and development and delivery



Rodney Verhoeff, PMP, CSM, CSPO, SPC (SAFe)

- 27 years of experience in natural resources, environmental, agricultural, and conservation projects, programs, and organizations.
- Certified Project Management Professional (PMP) and experienced project manager.

Role

- Day-to-day key staff management
- Project scope, schedule, and budget tracking
- Support for planning deliverables and final report review



Amy Lambert, CPSM

- 37 years of experience in communications, marketing, and media/public relations experience.
- Communications campaign development experience includes in-person and virtual public meetings, web, intranet, social media, collateral, surveys, webinars, newsletters, and video.

Role

- Communication plan development
- Direction of layout, design, and content development for education, outreach, and presentation materials
- Plan document and annual report layout and accessibility

Status and Timeline

Feb 21, 2025

Mar 28

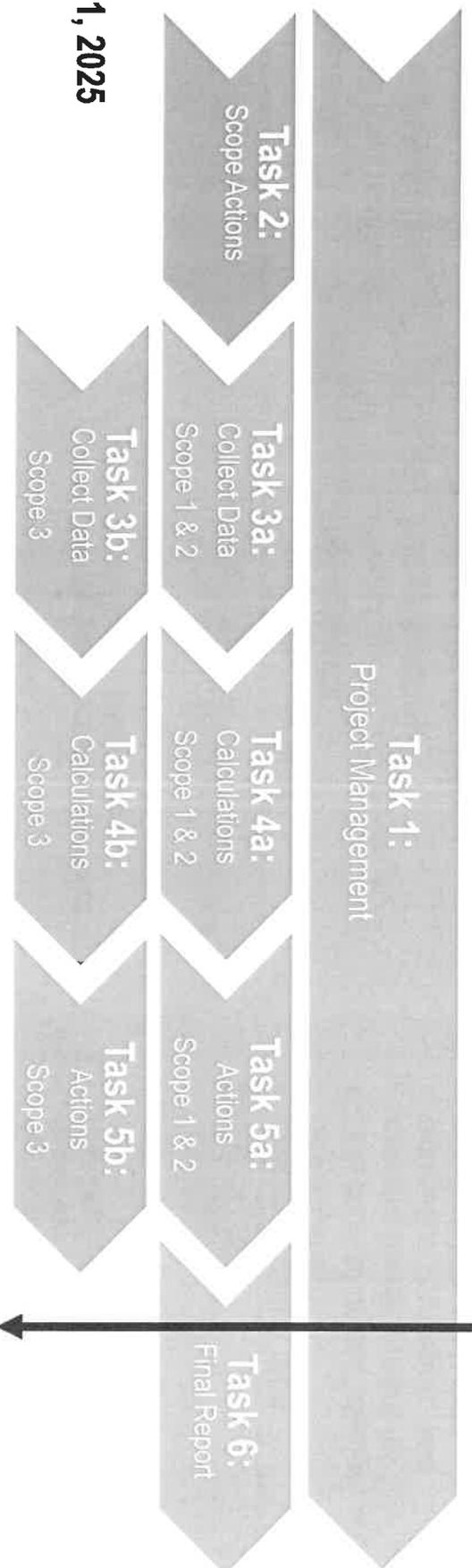
May 16

Aug 29

Nov 21

Today

April 2026



Feb 21, 2025

Output:
Communication Plan

Output:
3 Public In-Person Meetings
2 Public Virtual Meetings
2 Staff Virtual Meetings
Feedback Analysis

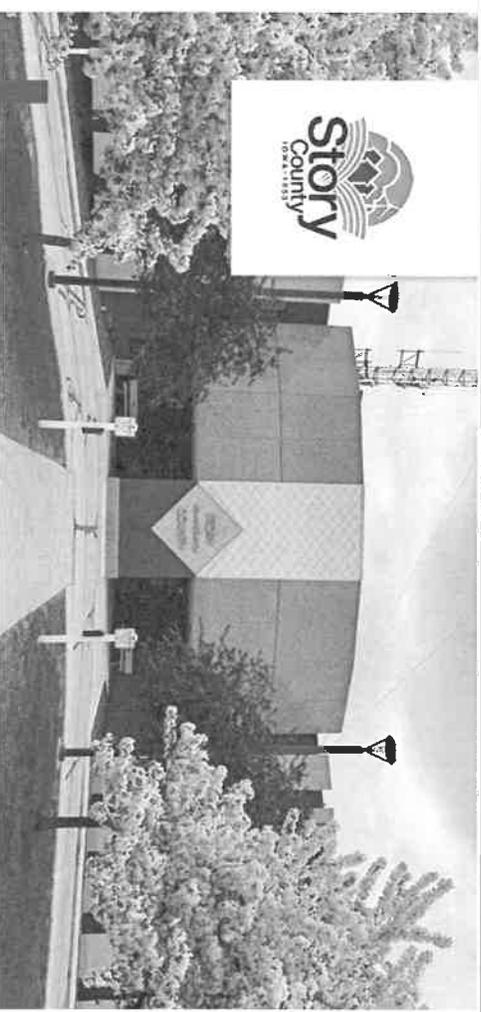
Output:
Accessible Report
Communication Tools
Public Launch
Staff Launch

Accomplishments

- Assessments
 - ◆ Expected weather changes through 2050.
 - ◆ Actions already committed in other plans.
 - ◆ GHG inventory quality assurance.
 - ◆ Prioritized actions
 - ◆ Implementation timeline
- GHG projection to 2050 with target GHG reduction in 2030 and 2050.
 - ◆ Story County staff target setting meeting.
- Public meetings including a recorded, online meeting.
 - ◆ Feedback questionnaire for public and staff.
- Regular Story County staff and Go Green Team updates.
- Draft technical and accessible report.

Next Steps

- Submit draft for review, March 20.
- Finalize communication plan and templates.
- Deliver GHG calculation tools.
- Present final report for acceptance by Board of Supervisors, late April or early May.
- Support report launch.

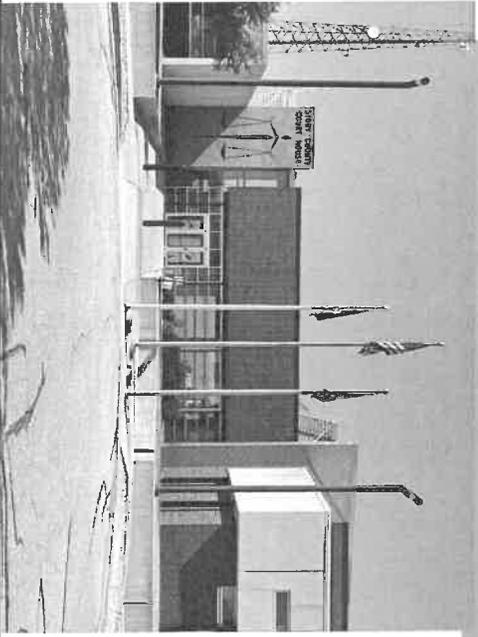


**STORY COUNTY
GOVERNMENT OPERATIONS
CLIMATE RESILIENCE AND
SUSTAINABILITY PLAN**

PREPARED FOR
Story County
901 6th Street
Newada, Iowa 50010

PREPARED BY
EA Engineering, P.C. and its Affiliate
EA Science and Technology
225 Schilling Circle, Suite 400
Hunt Valley, Maryland 21031

ADDITIONAL DISCUSSION - Q&A





STORY COUNTY BOARD OF SUPERVISORS

900 6th Street • Nevada, IA 50201
Phone: 515-382-7200 • Fax: 515-382-7206
Website: <https://www.storycountyiowa.gov>

~~APPROVED~~ ^{Direction} ~~DENIED~~

Board Member Initials: SKM
Meeting Date: 3/17/26
Follow-up action: and amendment to agenda

March 10, 2026

MEMORANDUM

TO: Story County Board of Supervisors
FROM: Sandra King, Director of External Operations and County Services
RE: Discussion and Direction on Amendment with Boys and Girls Clubs of Story County, American Rescue Plan Act (ARPA), #3
DATE: March 9, 2026

Boys & Girls Club of Story County has requested to transfer funds from 2.0 Nevada Club Fiber Installation to 3.0 IT Services. Since they were able to get the fiber installation completed at no cost to the Nevada Club and expect to have a balance remaining, they want to transfer funds to IT services as they have a \$0 balance there now and can use funds to cover IT services for an additional 60 days.

Revised Budget Request Submitted by Boys and Girls Clubs of Story County

- Reallocation of \$2,595 from 2.0 Nevada Club Fiber Installation to 3.0 IT Services.

Attached is the formal request from Boys & Girls Clubs. If approved, the next step will be to direct staff to move forward with the amendment.

Please let me know if you have any questions.

Attachments

1. Letter from Boys & Girls Clubs
2. ARPA Budget - Boys & Girls Clubs



BOYS & GIRLS CLUBS
OF STORY COUNTY

210 South 5th Street | Ames, Iowa 50010 | 515.388.2025 | www.bgcstory.org | theclub@bgcstory.org

February 23, 2026

Story County Board of Supervisors,

In 2022 we received \$275,000 in American Rescue Plan Act funds. A part of these funds, \$5,000, were to help us install fiber internet at our Ames Club. After we were able to get Ames's installation done at no cost, in March of 2023 the BOS approved those funds shifting to Nevada Club fiber installation and covering the monthly internet bills for the Nevada Club. As work was completed, we were also able to get the Nevada fiber installation done at no charge to us.

There are now 10 months remaining in the life of this grant. If we continue to be reimbursed \$65/month for our Nevada Club fiber internet bills there will be \$2,595 unspent at the end of the grant cycle.

We would like to request permission to shift the remaining \$2,595 to help us cover our IT services. At the current pace, IT service support will run out in March. The \$2,595 would help us cover those services for about 60 more days.

Please let me know if you have any questions. Thank you for your consideration!

Ryan Santi
Chief Executive Officer
Boys and Girls Clubs of Story County



STORY COUNTY BOARD OF SUPERVISORS

900 6th Street • Nevada, IA 50201
Phone: 515-382-7200 • Fax: 515-382-7206
Website: <https://www.storycountyiowa.gov>

~~APPROVED~~ *Direction* ~~DENIED~~

Board Member Initials: gm

Meeting Date: 3/17/26

Follow-up action: _____

and a mendiment to agenda

March 10, 2026

MEMORANDUM

TO: Story County Board of Supervisors
FROM: Sandra King, Director of External Operations & County Services
RE: Discussion and Direction on Amendment with United Way of Story County American Rescue Plan Act (ARPA) #17
DATE: March 10, 2026

United Way of Story County is requesting the Board of Supervisors consider modifying the approved project funded with ARPA funds as outlined by the Subrecipient in the information below. Based on the direction given by the Board to staff, the next steps would be to direct staff to develop an amendment to the agreement or list the request as a future agenda item on which to take formal action to deny.

Revised Budget Request Submitted by United Way of Story County, 17, ARPA

- Reallocation of \$2,867 from 4.0, 211 Marketing (Print Costs) to 3.0, 211 Marketing (Buses)

Attached is the formal request from United Way of Story County and their ARPA budget.

Please let me know if you have any questions.

Attachments

1. Letter from United Way of Story County (UWSC) w/Advertising Contract/Invoice
2. UWSC ARPA Budget



UNITED WAY
Story County

March 9, 2026

Story County Board of Supervisors
Attention: Linda Murken, Chair
900 6th Street
Nevada, IA 50201

Supervisor Murken,

I am writing to request an amendment to our American Rescue Plan Act (ARPA) Contract #17 to reallocate funds between budget categories.

Requested Amendment:

Reallocation of \$2,867.00 from 4.0, 211 Marketing (Print Costs) to 3.0, 211 Marketing (Buses). This amendment would allow us to extend our 211 CyRide bus ads through May 2026.

Justification for Request:

As noted in our June 2025 request for reallocation of funds from Marketing (Print Costs) to Marketing (Buses) that was approved, we have already expended all allocated ARPA dollars for our 211 CyRide bus advertisements as of 2024. Given that we have until December 31, 2026, to expend all ARPA funds, we continue to anticipate it may be more challenging to fully utilize our remaining 211 printed material budget before the deadline.

While we continue to actively provide 211 printed materials to nonprofit and community organizations and businesses, and our 211 materials request website remains fully operational, the demand for printed materials has declined significantly from the first two years of ARPA Contract #17 implementation. As community awareness of 211 has grown and digital engagement has expanded, partner organizations are requesting fewer printed items than anticipated. This reduction in demand has contributed to underspending in the 211 printed materials category and reinforces the need to reallocate funds to sustain our higher-impact 211 CyRide bus advertising efforts.

Our current 211 CyRide bus advertisements have continued to serve as an important marketing and communications tool for our community. The proposed reallocation would allow us to continue this effective outreach strategy while ensuring full utilization of our ARPA funding.

Please let me know if you need any additional information or documentation to process this amendment request. We appreciate your assistance with this request.

Sincerely,

Ashley Thompson, MPH
President & CEO, United Way of Story County

