

**SUMMARY AND NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT TO COUNTY
ORDINANCE NO. 1**

Title of Proposed amendment to County Ordinance No. 1:

An amendment to Zoning Ordinance No. 1 establishing Data Center Regulations.

Summary of Proposed Changes to County Ordinance No. 1

NEW ARTICLE XVI-C - DATA CENTER REGULATIONS

Purpose of proposed amendment to County Ordinance #1: To establish regulations for the operation of a Data Center in the unincorporated portions of Sioux County, and to more specifically set forth the requirements pertaining to the zoning regulations governing this type of facility.

SECTION IX- DEFINITIONS (the following definitions are added to this section):

DATA CENTER - A facility of one or more buildings used primarily for the storage, management, processing, and transmission of digital data, not to include crypto-currency mining and blockchain-validation facilities.

RECEPTOR - The nearest occupied dwelling or place of public assembly, and the point at which the noise and light limits are measured.

DESIGN CAPACITY - The maximum planned electrical load at full build-out.

Notice of Public Hearing on Proposed Amendment to County Ordinance No. 1:

A public hearing is scheduled for 9:00 AM on October 27, 2026, in the Board of Supervisors' Room, Sioux County Court House, 210 Central Ave SW, Orange City, Iowa.

Meetings of Board of Supervisors at which proposed revisions to County Ordinance No. 1 will be considered:

The Sioux County Board of Supervisors will consider passage of the proposed amendment to County Ordinance No. 1 at its October 27, 2026, meeting, following the public hearing scheduled for the same time and place. If approved, the amendment will be adopted as Resolution No. 2026-41. Upon approval of the amendment, the Board will consider Resolution No. 2026-42 to rescind the moratorium on data centers. If approved, Resolutions No. 2026-41 and No. 2026-42 will be published and will become effective upon publication.

RESOLUTION NO. 2026-41

AN AMENDMENT TO ORDINANCE NO. 1 ("Zoning Ordinance") OF THE EXISTING COUNTY CODE, SIOUX COUNTY, IOWA.

WHEREAS, acting pursuant to Iowa Code Section 331.302/ Sioux County previously adopted a Zoning Ordinance in 2008;

WHEREAS, Iowa Code Section 331.302(1) further provides that the Board of Supervisors may amend a previously adopted ordinance;

WHEREAS, the Board of Supervisors of Sioux County, Iowa, has heretofore, in Article 27.14 of the Zoning Ordinance, provided for Supplemental Standards for Conditional Uses which has not addressed the rules and regulations regarding Data Centers in Sioux County, Iowa.

WHEREAS, the following enactment of Article XXVII Section 14.9 is necessary to ensure provision of uniform and comprehensive standards for the installation and the operation of Data Centers as a Heavy Industrial Use. The intent of these regulations is to protect the public health, safety and community welfare, while preserving agricultural parcels for agricultural uses and not unduly restricting the development of Data Centers, preserving agricultural parcels for agricultural uses. Additionally, amendments will be made to Article III: Definitions/Use Classifications; Article V: AG-Agricultural District, Section 5.4 Conditional Uses; and Article XIV: HI-Heavy Industrial District, Section 14.3. Conditional Uses and Structures.

WHEREAS, the Board of Supervisors wishes to adopt additional development criteria and to amend various sections of the Zoning Ordinance for the purpose of regulating and restricting the use of land in the county for Data Centers.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF SIOUX COUNTY, IOWA, THAT:

Ordinance #1 shall be amended by adding the following new section:

Article XXVII, Section 14.9 Supplemental Standards, Data Centers:

Summary of Proposed County Ordinance No. 1 amendment: The proposed amendment will add language regarding Data Centers to Article XXVII, Supplemental Standards for Conditional Uses, Section 14.9 "**Data Centers**" to include: Purpose and Statement of Intent, Definitions, Accessory Use, Special Requirements and Building Permit, Conditional Use Permit, Criteria for placement in an Agricultural and Heavy Industrial District, Sound, Water and Utility Independent Study Requirements, Certification, Safety, Repowering, Roads, Community Betterment Fund, Decommissioning and Reclamation Plan, Indemnification and Liability, Cessation of Operations, Violations and Penalties, Related Rules and Regulations, Severability and Conditional Use Permit Fees.

SECTION 2:

Code of Ordinances: Copies of the Code as adopted herein shall be on file and available for public inspection in the office of the Sioux County Auditor.

SECTION 3:

When Effective: This amendment shall be effective after its final passage, approval, and publication as provided by law.

Passed and adopted this 27th day of October 2026.

Jerry Muilenburg, Chairman
Sioux County Board of Supervisors

ATTEST:

Joe Van Tol, Sioux County Auditor

RESOLUTION NO. 2026-42

A RESOLUTION RESCINDING RESOLUTION NO. 2026-32 REGARDING A MORATORIUM ON DATA CENTERS AND BESS IN THE UNINCORPORATED PORTIONS OF SIOUX COUNTY, IOWA

WHEREAS, the Sioux County Board of Supervisors previously adopted Resolution No. 2026-32 on the 16th day of June 2026, which authorized a one-year moratorium on Data Centers and Battery Energy Storage Systems (BESS) installed or being developed in Sioux County, Iowa;

WHEREAS the Sioux County Board of Supervisors has adopted an amendment to the Zoning Ordinance No. 1 addressing rules and regulations for the operation of Data Centers and battery energy storage systems in Sioux County; and

WHEREAS the actions authorized under Resolution No. 2026-32 are no longer needed; and

WHEREAS, the Board of Supervisors now deems it in the best public interest of Sioux County to rescind Resolution No. 2026-32.

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

1. **RESCISSION:** Resolution No. 2026-32, adopted on June 16, 2026, is hereby rescinded, repealed, and declared null and void in its entirety.
2. **EFFECTIVE DATE:** This Resolution shall become effective immediately upon its passage and approval by the Board.

PASSED AND APPROVED on this 27th day of October 2026.

Chairperson, Board of Supervisors
Sioux County, Iowa

ATTEST:

Sioux County Auditor