Marshall County Zoning Commission Meeting 10/20/2026 Minutes

Meeting type: Regular Meeting
Location: Meeting Room 1, Marshall County Courthouse, Marshalltown (Iowa)
Presiding: Bill Hobson, Chair
Other Zoning Commission Members Present: Pat VonAhnen, William Wears
Staff present: Tyler Kelley, Zoning Administrator; James (staff, IT)
Applicant representative: Bill Delo; appeared online on behalf of Lumen)
Other participants: Nan Benson (online); 10 members of the public

1. Call to Order

The Chair called the meeting to order at 9:00 am on Tuesday, October 20, 2026.

2. Approval of Agenda

- **Motion:** Approve the agenda. Moved and seconded.
- **Vote:** Voice vote, all in favor. **Motion carried.**

3. Approval of Minutes

- **Motion:** Approve the September 29, 2026 meeting minutes as written. Moved and seconded.
- **Vote:** Voice vote, all in favor. **Motion carried.**

4. Conditional Use Permit Request 2026-CUP-6039

Applicant: Bill Delo, on behalf of the legal owners of the property
Parcel: 8318-16-200-004 (approx. 2 acres, zoned A1 Agricultural, accessed from Iowa Avenue)
Request: Conditional use permit in an A1 zone for an unmanned telecommunications facility of six modular fiber huts with backup generators.

Staff Report (Zoning Administrator)

- If approved the review would go to the Board of Adjustment on Friday, October 23rd 2026 at 9:00 a.m.
- The use is allowed in A1 as a special permitted use; no rezoning is needed.
- Staff found no added traffic, parking, signage, lighting, environmental hazard, or fire/flood risk, and no conflict with the intent of the zoning ordinance.
- **Unresolved:** Staff could not establish whether the permit would affect adjoining property values, as no comparable Marshall County data exists.

Applicant Presentation

- Six huts: four in the southeast corner and two in the northwest corner, served by a single driveway off Iowa Avenue.
- Facility is part of Lumen's nationwide fiber network and helps maintain data transmission speeds.

- Each hut is roughly 24 ft x 36 ft and 11 ft tall; combined floor area is under 5,000 sq ft.
- Unmanned; one staff visit about once a month (typically one pickup truck).
- Each hut has a diesel backup generator (fuel contained in the unit, no storage tanks) and an air conditioning unit. No water use.
- Perimeter 8-ft chain link fence with barbed or security wire on top.
- Generator noise spec: 76 dB at 25 ft (the loudest model used). Testing occurs once or twice a year for 10-15 minutes, plus during power outages.
- Power consumption: about 1 to 1.5 megawatts for the whole site.
- Construction takes 3 to 6 months; timing is uncertain, likely within about a year. Building permits are valid for one year from issuance.
- Applicant concurred with the staff recommendation for approval.

Commission Questions and Discussion

- Commissioners asked about the facility's purpose, fuel source, generator run time, noise, and construction timeline.
- **Fencing:** The county has no restrictions on barbed wire. The 8-ft maximum fence height may be waived by the Board of Adjustment for security purposes.
- **Distance to neighbors:** Using the county map, staff and the applicant estimated the closest generator at roughly 75 ft from the neighboring property line and 130-145 ft from the nearest residence. Applicant noted the fence could be adjusted along the northwest property line to preserve trees.

Public Comment

- **Resident (cryptocurrency mining facility neighbor):** Described ongoing noise from a nearby crypto facility with liquid cooling (eight homes within 3,000 ft affected) and asked what regulations will address noise. Zoning Administrator noted that sound studies were submitted for the county's two existing crypto facilities (near St. Anthony and Underwood), one complaint had been received regarding the St. Anthony site and that complaints stopped after one facility switched to liquid cooling. He had no record of recent complaints and requested contact information for those present with complaints.
- **Brenda Shaden (adjacent owner to project):** Asked why the site must be next to homes, and raised concerns about wildlife, noise from all six generators running at once, and property values. Applicant said site selection follows the fiber line and is handled by Lumen; the cumulative decibel level was not known.
- **Adjacent property owner (name not stated):** Expressed displeasure as a taxpayer, stating generator noise and the change in appearance would harm the area.

Commissioner Concerns

Commissioners expressed reservations about the proximity to residences, requested information on alternative locations, and requested noise data.

Action

- **Motion:** Table the recommendation to the Board of Adjustment pending further information. Moved and seconded.
- **Vote:** Voice vote, all in favor. **Motion carried (tabled).**

Information Requested from the Applicant

1. Cumulative decibel reading for the site with all generators running.
2. Day-to-day noise output of the units (non-generator operation).
3. Whether the facility can be sited in a different location or shifted away from adjoining residences.

5. Data Center Ordinance Discussion and Work Session

Background: The Zoning Administrator stated no developer has contacted the county about a data center in the unincorporated area.

Staff Recommendations and Information

- Adopt the data center ordinance as a **standalone regulation**, with related ordinances updated as needed, similar to the county's approach to renewable energy. Dubuque County was cited as a model.
- Consider making data centers (all sizes) a **special permitted use in the C2 heavy industrial district**, since current permitted uses there do not adequately cover them.
- Linn County uses a mid- to large-scale zoning classification; Marshalltown has definitions based on energy use, water use, and site size. Commission would need to define size thresholds if a new classification were created.
- **Water:** The county lacks the water infrastructure the city is building. Developers would need rural water hookups or wells, subject to state regulation. Some counties require a regional aquifer study. About 300 known rural household wells exist, plus an estimated 300 unrecorded ones.
- **Wastewater:** A standalone wastewater system would likely be needed; the county has no experience with this. Kelley will reach out to IDNR for guidance.
- **Setbacks:** No standard figure found; consider setbacks to participating landowners, public buildings, and parks, as with renewable energy.
- **Farmland protection:** Some draft ordinances restrict rezoning of high-productivity farmland based on land evaluation (CSR2) scores. Marshall County's lower scores are mostly in floodplain areas.
- **Legal:** Staff is consulting the county attorney (Jordan); some provisions are untested in court.
- **Resources:** Staff is reviewing draft ordinances from other counties and has contacted nonprofit and for-profit groups that help counties draft such ordinances. Iowa State Extension is developing guidance (possibly this winter), and a regional rural counties organization has offered support.

Public Comment

- **Brenda Shaden:** Urged consideration of environmental and health impacts, including water and waste.
- **Nan Benson (online):** Raised fire protection as a key concern, since rural areas rely on volunteer fire departments with limited daytime staffing.

Commission Discussion

- Noise (including low-level hum) and setbacks from residential areas are priorities.
- Alternative cooling methods (e.g., glycol) should be examined, including disposal and environmental concerns.
- Members agreed more information is needed.
- Concern that overly restrictive county rules could push projects into the city (e.g., Linn County's experience with a Google data center); staff noted infrastructure costs will differ between county and city regardless.
- Tyler has not started drafting. He will continue collecting information and asked members to forward points of interest. He aims to find two or three counties with similar language as a baseline.

6. Public Comments and Complaints

- Noise or environmental complaints should be submitted to the Zoning Administrator's office to create a county record. Some matters fall under IDNR environmental office authority.

7. Housekeeping and Scheduling

- The previously planned November 17 renewable energy work session was rescheduled.
- **New date: Monday, November 30, 9:00 a.m.**, continuing the renewable energy ordinance work session.
- Data center discussion returns at the December meeting, currently set for **December 15**, which may move; to be resolved offline.

8. Adjournment

- **Motion:** Adjourn. Moved and seconded.
- **Vote:** Voice vote, all in favor. **Meeting adjourned.**

Action Items

Item	Responsible
Provide cumulative decibel data (generators and daily operation)	Applicant
Evaluate alternate site locations or shifting the facility	Applicant

Item	Responsible
Research next-closest similar facility in the county for site visit	Applicant
Continue reviewing draft data center ordinances; seek two or three counties with similar language	Zoning Administrator
Consult county attorney on legal issues	Zoning Administrator
Forward information and priorities to staff	Commission members
Confirm December meeting date	Zoning Administrator and Commission

Minutes submitted by: Tyler Kelley, 10/27/2026 *Approved: _____*