

Minutes - Woodbury County Zoning Commission – July 22, 2024

The Zoning Commission (ZC) meeting convened on the 22nd of July, at 5:00 PM in the Board of Supervisors' meeting room in the Basement of the Woodbury County Courthouse, 620 Douglas Street, Sioux City, IA. The meeting was also made available via teleconference.

Meeting Audio:

For specific content of this meeting, refer to the recorded video on the Woodbury County Zoning Commission "Committee Page" on the Woodbury County website:

- County Website Link:
 - o https://www.woodburycountyiowa.gov/committees/zoning_commission/
- YouTube Direct Link:
 - o <https://www.youtube.com/watch?v=6Qu3SXAs-io>

ZC Members Present:

Barb Parker, Jeff Hanson, Corey Meister, Chris Zant

County Staff Present:

Dan Priestley, Dawn Norton

Public Present:

Jeremy Lane, Jared Barnes, Sandy Heilman, Huey Heilman

CALL TO ORDER:

Chair Chris Zellmer Zant called the meeting to order at 5:00 p.m. Tom Bride was absent.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA:

None

APPROVAL OF MINUTES: June 24, 2024 minutes – Motion by Hanson to approve. Second by Paker. Zellmer Zant abstained. Approved 3-0.

PUBLIC HEARING (ACTION ITEM) FOR PROPOSED MINOR SUBDIVISION – SANDPORT ADDITION.

Priestley read the preliminary staff report into the record. Sandra J. Heilman has filed for a one (1) lot minor subdivision on the property identified as Parcel #874730400007. This subdivision is being completed to establish a lot for the potential use as a contractor yard. The property is presently zoned General Industrial (GI) which allows for construction contractor yards. This minor subdivision proposal has been properly noticed in the Sioux City Journal legals section on July 11, 2024. The neighbors within 1000 FT have been duly notified via a July 8, 2024 letter about the July 22, 2024 Zoning Commission public hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. Priestley requested for the commission to receive the Woodbury County Engineer's review memo into the record. Motion to receive: Parker. Second: Hanson. Carried: 4-0. (Memo available in the Appendix.) The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lot(s) have adequate access. The property owner should contact the County Engineer's office to obtain a permit for a future driveway. As noted, this property is located in the General Industrial (GI) Zoning District and portions were located in the Zone X 0.2 percent floodplain but were removed on July 17, 2024 when the new Flood Insurance Rate Map (FIRM) went into effect. The City of Salix waived their extraterritorial review authority with the approval of Resolution No. 2024-05. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets appropriate criteria for approval. No questions or comments from public or board members. Motion to close public hearing: Meister. Second: Hanson. Carried 4-0. Motion to recommend approval of the Sandport Addition to the Woodbury County Board of Supervisors: Hanson. Second: Meister. Carried 4-0.

REVIEW OF CONDITIONAL USE PERMIT APPLIATION FOR A DATA PROCESSING BUSINESS ON PARCEL #884403400009 (ACTION ITEM).

Priestley read the preliminary staff report into the record. AUR Correctionville LLC (Applicant) and property owners Ashley Acres Family Limited Partnership have filed for a Conditional Use Permit application "to place a demand response load resource next to the substation in conjunction with local electric utility to support grid resiliency" for the proposed use to operate a data processing business. The proposed site is on Parcel #884403400009. The parcel is located in the Agricultural Preservation (AP) Zoning District and is not located in the floodplain. The Land Use Summary Table (Section 3.03.4) of the Woodbury County Zoning Ordinance does not reference data processing or this specific request by the applicant. However, this can be interpreted under Section 3.03.3 of the Woodbury County Zoning Ordinance as a comparable utility use or comparable to the industrial use of research and development laboratories in the sense of data analysis. Therefore, for the purposes of this request, data processing can be interpreted as a conditional use under section 3.03.3 in the Agricultural Preservation (AP) Zoning District. Hence, based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal could meet the appropriate criteria for approval. Priestley stated a precedence

was set with the approval of a data processing center last year along Calhoun Avenue. He reminded the board this was a review session to look at criteria and make a recommendation to the Board of Adjustment for their August 5th meeting. Jeremy Lane from AUR Correctionville LLC submitted a slide presentation to be added to the record. Motion to accept: Parker. Second: Hanson. Carried: 4-0. Lane gave a brief overview of project. Board members expressed concerns of noise affecting neighboring homeowners. Lane stated noise emitted from a site is approximately 45 decibels, less than conversational decibels, which are around 60 decibels. The site would be air cooled, noise emitted comes from cooling fans. Newer sites can have water cooling with less noise. There would be 2 on-site employees Monday thru Friday. Lane stated local contractors will be used to complete project. The landowners contributed to the design of this site plan to allow planter access. Zellmer Zant asked who the customers are for this type of project. Lane stated anyone who is wanting to invest. Hanson asked if it was Cryptocurrency mining? Lane answered yes. Hanson asked if there are any plans to use wind or solar to power site? Lane stated those resources are used in other counties but wouldn't be used in Woodbury County. He also explained the system is similar to a battery. It uses and gives back power. There is the ability to lower power during peak energy usage to prevent drain on grid. Mesiter brought up concerns of taking ag land out of production for sites, which was one of the reasons the public was against wind and solar. Hanson asked if there have been any complaints regarding site approved last year? Lane stated no. Staff recommends the applicants and property owners provide for the mitigation of any noise generated by the facility that could adversely impact the neighboring properties. Staff also recommends security fencing and lighting. Motion to recommend approval to the Board of Adjustment with the condition that the applicants and property owners mitigate noise generated from the facility and provide adequate security for the facility including the use of fencing and lighting by Parker. Second: Hanson. Carried: 4-0.

NUCLEAR ENERGY DIRECTION FROM THE BOARD OF SUPERVISORS (INFORMATION / DISCUSSION ITEM) SUMMARY:

The Woodbury County Board of Supervisors at their meeting on July 2, 2024 voted to direct the Zoning Commission to begin the process of exploring nuclear energy as a potential energy option in Woodbury County. This information item is only preliminary discussion on how to proceed with future work sessions and public hearings. Supervisor Radig stated wind and solar sources have been explored and would like research for nuclear as an option for the County. Priestley stated nuclear is heavily regulated by the federal government and if it were to be an option, it would be several years of planning and permitting by the developer(s) before it would even be built. Priestley stated permitting could be similar to current communication tower permitting, the federal government would be the main agency involved. Woodbury County's Land Use Summary Table line items would need to be reviewed by the Zoning Commission and Board of Adjustment to decide where and how nuclear could be placed. If a site were to be considered, it would most likely be located near a water source and in a General Industrial (GI) Zoning District. After communicating with other Iowa counties, Priestley found a conditional use permit could be required, but that could be the extent of permitting the county would be involved in. It would be imperative to have input from county citizens, the City of Sioux City, MidAmerican Energy, and other stakeholders. Zellmer Zant suggested an informational work session in August for board members to bring information and comments gathered from public and stakeholders.

HOME OCCUPATION SIGNS ZONING REGULATIONS REVIEW (INFORMATION / DISCUSSION ITEM) SUMMARY:

This information item is for a preliminary discussion on how to proceed with addressing the permitting of home occupation signs. The Zoning Ordinance allows for one home occupation sign that is 25 square foot or less. This initial discussion will look at potential ways to address the permitting of different types of signs and sizes for home occupation purposes. Consideration might entail a potential conditional use permit process for signs that exceed 25 SF. For example, if a property owner operates a home occupation business out in a rural area and wishes to have a sign greater than 25 SF, a process could be considered to enable the Zoning Commission and Board of Adjustment to evaluate whether a sign greater than the allowed maximum size could fit with the neighborhood. The ordinance could possibly include a range such as 25 SF or below is allowed outright and 26 to 100 SF requires Zoning Commission review and Board of Adjustment approval. Consideration could also be given to the types of signs including free-standing signs and building signs. Hanson is open to look at changes to ordinance, but not just for one person. Zellmer Zant researched other Iowa counties, most have more restrictive size specifications.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA:

None.

Staff Update:

Priestley spoke of the flood recovery efforts and procedures moving forward. Before repairs can begin, a floodplain development permit must be applied for, and damage must be assessed. Property owners must present a damage estimate if the repairs are estimated over 50% or more of the structures pre-flood market value. Structures will then need to be flood-proofed or elevated to reduce potential future flood damage. Woodbury County has received a Presidential declaration making some potential federal funds available to landowners to help with the flood recovery efforts. Woodbury County Emergency Management Coordinator, Michael Montino has done a great job coordinating efforts.

Commissioner Comment or Inquiry

Parker appreciates the mention of consideration of agriculture land being used for data centers and suggests limits on the number of data centers. Meister also suggested limits as data centers may have a negative effect for possible housing sites.

Motion to Adjourn:

Meister. Second: Hanson. Carried 4-0. Meeting ended 6:26 PM.



Woodbury County Secondary Roads Department

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SECRETARY
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To: Dan Priestley, Woodbury County Zoning Coordinator
From: Mark J. Nahra, County Engineer
Date: July 17, 2024
Subject: Sandpoint Addition – a minor subdivision application

The Secondary Road Department has reviewed the information provided for the above referenced subdivision forwarded with your memo dated July 3, 2024.

I am offering the following comments for your consideration.

- We checked the closure on the plat and found it in compliance with the requirements for the full subdivision of 1 in 10,000 and 1 in 5,000 for lot 2 as required by Section 355.8 of the Code of Iowa.
- There is no driveway accessing the proposed Lot 1 exclusively. It appears the driveway at the SE corner of the lot is shared with the neighbor and may be on the neighboring property. There is good sight distance on the road and a driveway serving Lot 1 would be easy to site. The landowner should contact my office to obtain a permit for a driveway.
- I have no other concerns or issues with this minor subdivision application.

If there are any more questions or issues that arise later, please contact this office.

Cc: File



Aurum Capital Ventures Data Processing Facility



About Aurum Capital Ventures Inc.

Aurum has been operating in Iowa since 2019 and has 25MW of active operations across.

Grundy Center REC: 6.5MW developed in 2019 and 6.6MW in the pipeline for 2024

Consumers Energy: 5MW developed in 2022 and 2.5MW in the pipeline for 2024

Osceola County REC: 5MW developed in 2022

Woodbury County REC: 4.8MW developed in 2023

Midland Cooperative: 8MW developed in 2024 and 8MW in the pipeline for 2024

What if local electric grids could....



Increase revenue



Upgrade Infrastructure without CapX



Lower rates



Use more renewable energy



Add high paying tech jobs

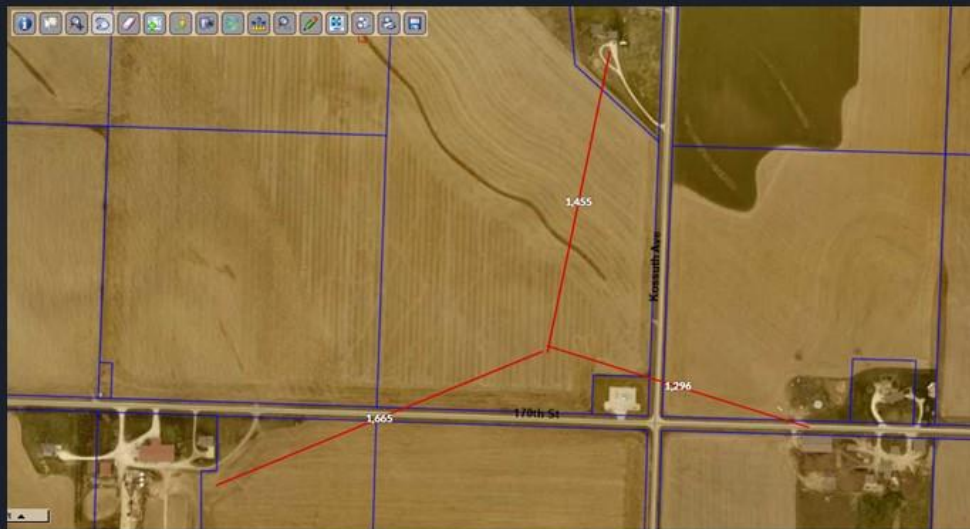
Existing Air Cooled Data Processing Facilities



Site Layout 1.5 Acres of Land



Closest Home is 1,296 FT away



Site Sound Readings

From only 370 Feet on the opposite side of the exhaust fans the noise emitted was less than 45 decibels. Facilities have similar sound profiles to grain elevators.



Topography



Project Lifespan: Minimum of 10 Years

The project will operate for a minimum of ten years in this location, increasing utilization of previously built electrical infrastructure.

With the potential to decrease cost of service for all cooperative members while increasing patronage payments to members.

High Efficiency and Energy Saving

- PUE as low as 1.03
- Optional heating components can provide heat recovery
- Variable frequency fan control
- This Reduces
 - Water consumption
 - Energy consumption
 - Noise

Safe and Reliable

- The entire system has passed UL (cTUVus) certification and can be used in the United States and Canada.
- The container body has passed CCS classification society certification
- Condensation and leakage detection/alarm
- Cooling tower cage ladder and guardrail meet OSHA standards
- 3D face recognition access Control panel
- Panic bars with latches or bolts
- Remote video monitoring
- GPS positioning
- One button emergency stop
- Electric cabinet interlock design

Impact on the Community

New Local Employees

- This site will support two full time technicians making an average of \$27 per hour.
- Technicians receive health care benefits, gym memberships and company housing

Contractors

- We invest in the community by using local contractors to help build and maintain the site.

County Sales Tax on Energy 1%

- Most counties charge a 1% sales tax on energy around 12k a year.

Demand Side Management (DSM)



Energy Effectiveness (EE)



Electrification



Account Management (Consultation)



Low/Med. Income (LMI) Assistance Programs



Distributed Energy Resources (DER)



Demand Response (DR)



GHG Emissions



Tax Exemption Review



Energy Code Inspections



Energy Use Analysis

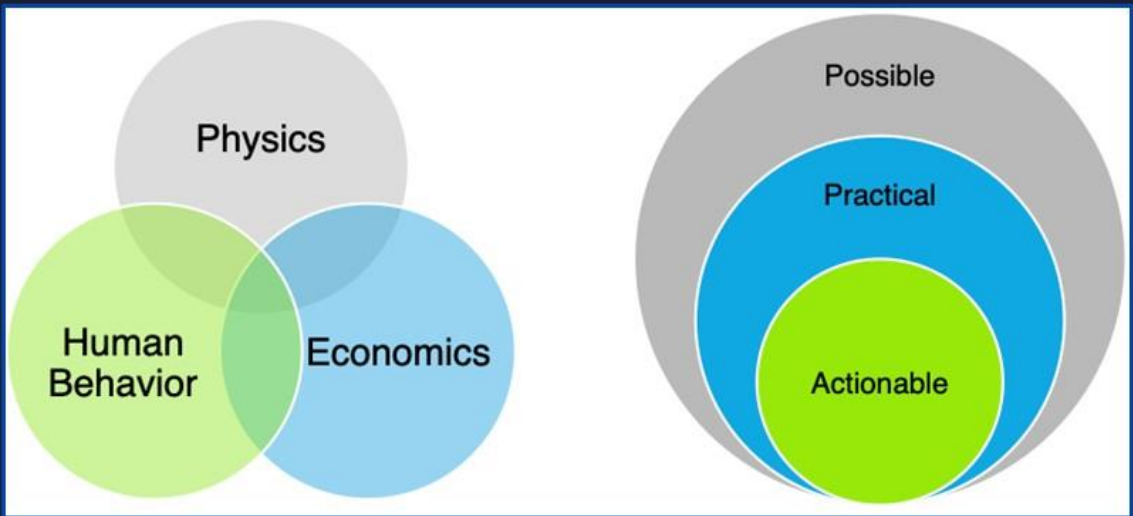


TREES



Analysis & Metering

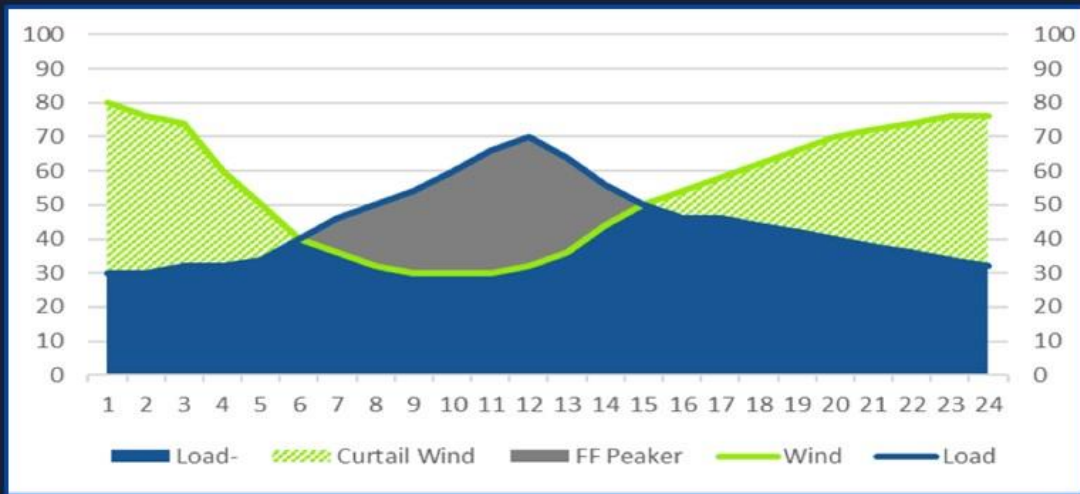
Program Considerations



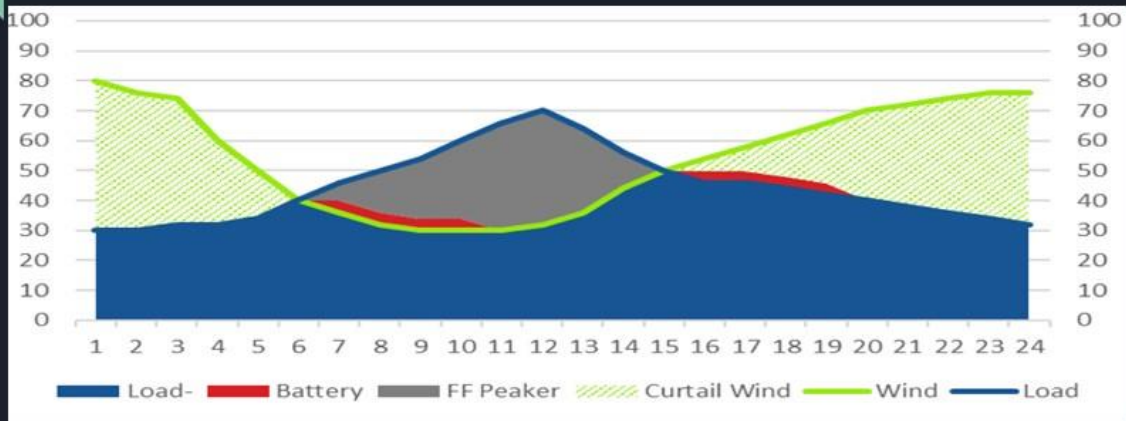
Grid Electric Consumption



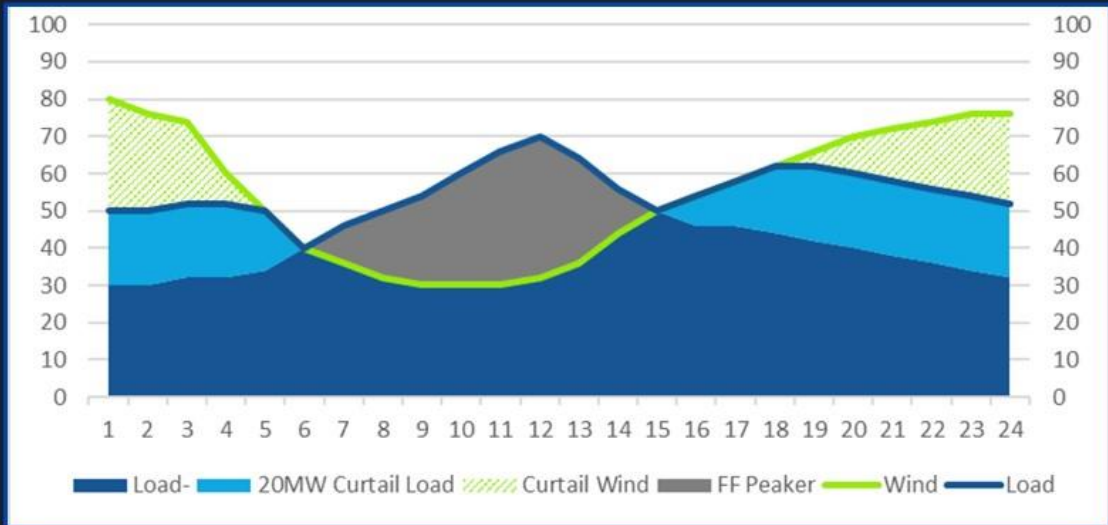
Firm Load, FF Peaker, Renewable Curtailment



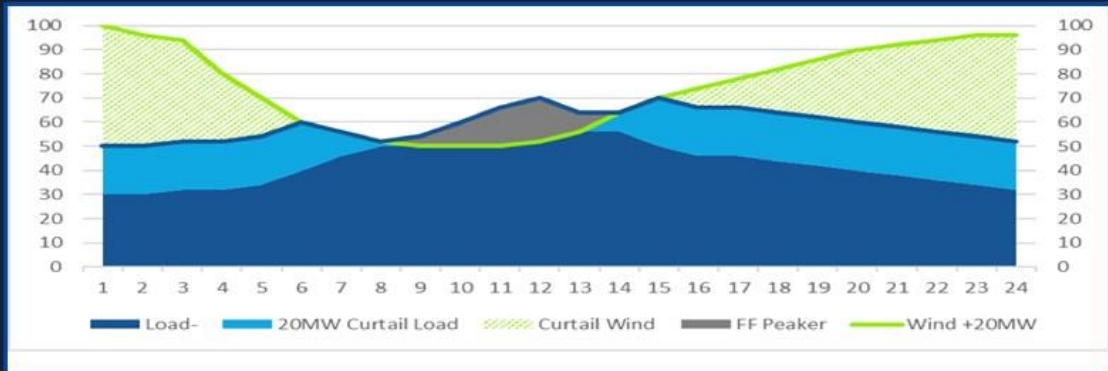
Add Expensive Battery Storage



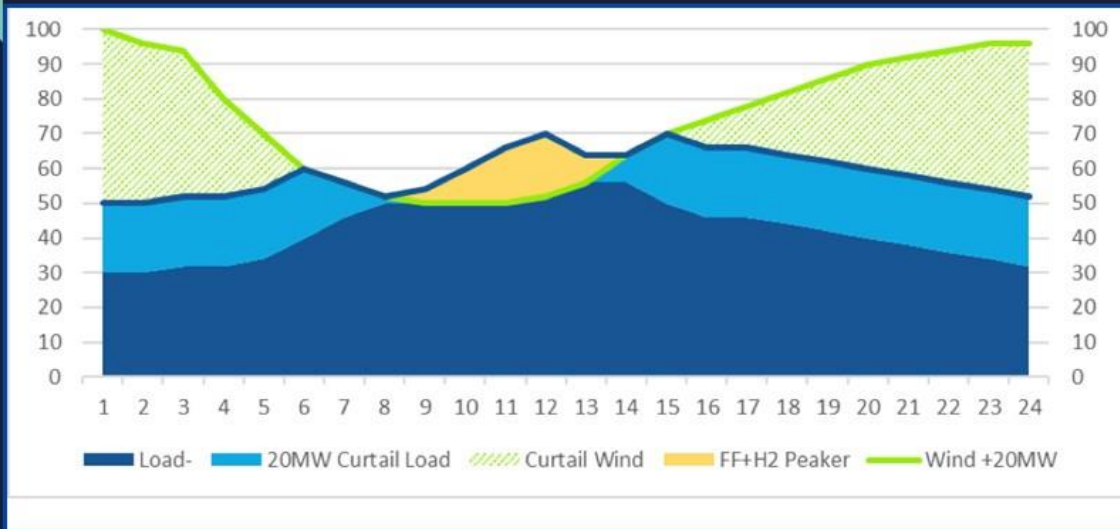
Add Fast- Acting Flexible Load



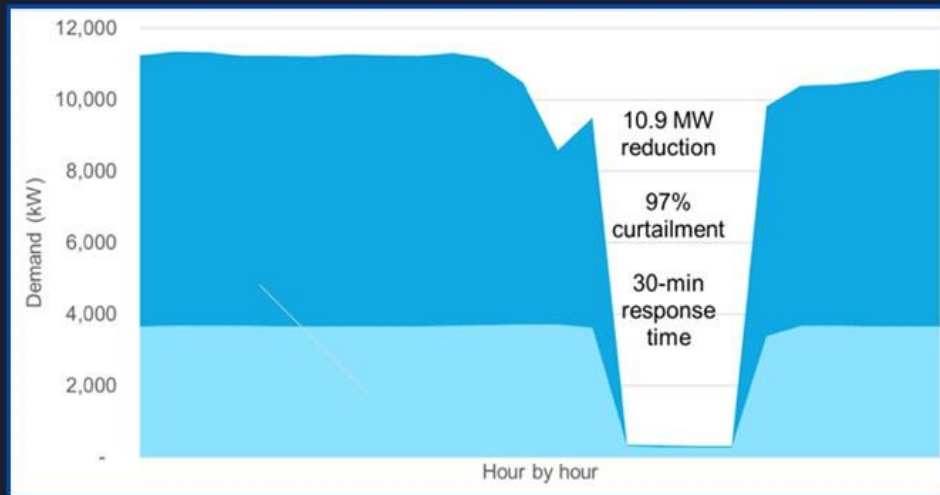
Increase Renewable Energy Capacity



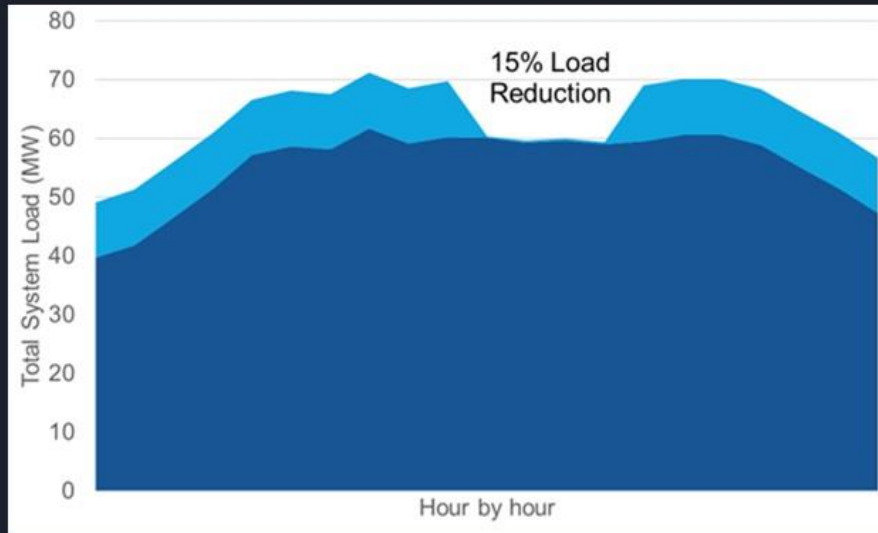
Transition to Sustainable Peaking Plants



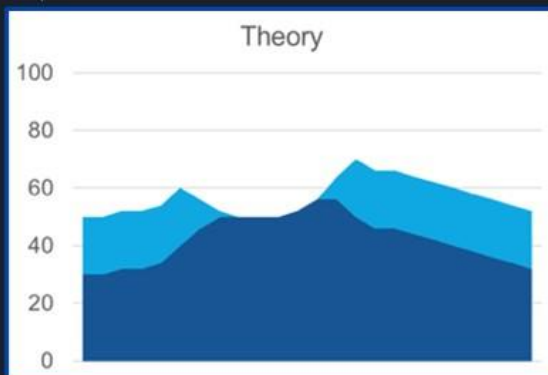
Curtailment Example



Curtailment Example



2021 Theory vs 2022 Reality



Thank You for you interest in working with us.

