



# WOODBURY COUNTY ZONING COMMISSION

**Monday, January 27, 2025 at 5:00 PM**

The Zoning Commission will hold a public meeting on **Monday, January 27, 2025 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. Please use the 7<sup>th</sup> St. entrance. Public access to the conversation of the meeting will also be made available during the meeting by telephone. Persons wanting to participate in the public meeting and public hearings on the agenda may attend in person or call: **(712) 454-1133** and enter the **Conference ID: 638 086 537#** during the meeting to listen or comment. It is recommended to attend in person as there is the possibility for technical difficulties with phone and computer systems.

## AGENDA

<b>1</b>	<b>CALL TO ORDER</b>
<b>2</b>	<b>ROLL CALL</b>
<b>3</b>	<b>ELECTION OF CHAIR OF THE ZONING COMMISSION FOR 2025 (ACTION ITEM)</b>
<b>4</b>	<b>ELECTION OF VICE-CHAIR OF THE ZONING COMMISSION FOR 2025 (ACTION ITEM)</b>
<b>5</b>	<b>PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA (INFORMATION)</b>
<b>6</b>	<b>APPROVAL OF MINUTES FROM PREVIOUS MEETINGS: 8/26/24 &amp; 11/25/24 (ACTION ITEM)</b>
<b>7</b>	<b>ITEM(S) OF BUSINESS</b>
»	<b>PUBLIC HEARING (ACTION ITEM): FOR THE CONSIDERATION OF NUCLEAR ENERGY FACILITIES TO BE INCLUDED AS PART OF THE WOODBURY COUNTY ZONING ORDINANCE. SUMMARY:</b> The Woodbury County Zoning Commission will hold a public hearing to discuss the potential inclusion of Nuclear Energy Facilities as a land use option in the Woodbury County Zoning Ordinance. The hearing will address various aspects of permitting nuclear energy facilities, including but not limited to nuclear energy generation, modular nuclear energy systems, and other nuclear technologies. The Commission will consider options such as amending the Land Use Summary Table of Allowed Uses (Section 3.03.4) to designate Nuclear Energy Facilities as either an allowed or conditional use in all or specific zoning districts within Woodbury County. Additionally, discussions may include amendments to add new sections related to nuclear energy facilities, update definitions, and renumber and/or reorganize the content of the Zoning Ordinance as necessary.
»	<b>PUBLIC HEARING (ACTION ITEM) – PROPOSED ZONING ORDINANCE TEXT AMENDMENT (DIMENSIONAL SIZE FOR SINGLE-FAMILY DWELLINGS):</b> The Woodbury County Zoning Commission will hold a public hearing to discuss potential changes to Section 4.11: Single-Family Detached Dwellings in the Woodbury County Zoning Ordinance. The hearing aims to gather input from the public on revising dimensional requirements for single-family dwellings, including but not limited to the regulations in Section 4.11. The review will consider whether to amend or remove Section 4.11.1, which currently states: "The main body shall have a minimum dimension of not less than 23 feet." Potential revisions may involve eliminating, reducing, modifying, or adding to the minimum dimension requirement, as well as other changes to the contents of Section 4.11 and its subsections. Amendments may also be discussed pertaining to the addition of new sections pertaining to single-family dwellings, definitions, the renumbering, and reorganization of content within the Woodbury County Zoning Ordinance.

»	<p><b>REVIEW OF THE ZONING COMMISSION'S RULES OF PROCEDURES FOR ANY POTENTIAL CHANGES NOT LIMITED TO MEETING LOCATION (ACTION ITEM).</b> The Woodbury County Zoning Commission follows rules of procedure approved by both the Commission and the Board of Supervisors. This agenda item provides an opportunity for the Commission to review the current rules of procedure and propose any changes for consideration by the Board of Supervisors. Additionally, this item includes a proposal to change the meeting location to the Board of Supervisors' meeting room in the basement of the Woodbury County Courthouse for better clarity and accessibility. The Zoning Commission and Board of Adjustment currently hold meetings in this location with the Chairman of the Board of Supervisors' permission.</p>
8	<p><b>PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA (INFORMATION)</b></p>
9	<p><b>STAFF UPDATE (INFORMATION)</b></p>
10	<p><b>COMMISSIONER COMMENT OR INQUIRY (INFORMATION)</b></p>
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## Minutes - Woodbury County Zoning Commission – August 26, 2024

The Zoning Commission (ZC) meeting was called to order on August 26, 2024, at 5:00 PM in the Board of Supervisors' meeting room, located in the basement of the Woodbury County Courthouse, 620 Douglas Street, Sioux City, IA. The meeting was also available via teleconference.

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### Meeting Audio:

For a detailed account of this meeting, refer to the recorded video on the Woodbury County Zoning Commission's "Committee Page" on the Woodbury County website:

- County Website: [https://www.woodburycountyiowa.gov/committees/zoning\\_commission/](https://www.woodburycountyiowa.gov/committees/zoning_commission/)
- YouTube Direct Link: <https://www.youtube.com/watch?v=gqkPberPnWE>

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**Members Present:** Barb Parker, Corey Meister, Chris Zant

**Staff Present:** Dan Priestley, Dawn Norton

**Public Attendees:** Michael Montino, Dan Bittinger

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### CALL TO ORDER:

Chair Chris Zant called the meeting to order at 5:02 PM. Tom Bride and Jeff Hanson were absent.

### PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA:

None

### APPROVAL OF MINUTES:

Motion by Meister to approve the July 22 minutes. Seconded by Parker. Approved 3-0.

### DISCUSSION AND PLANNING PROCESS FOR NUCLEAR ENERGY TO BE CONSIDERED FOR ADDITION TO WOODBURY COUNTY ZONING ORDINANCE (INFORMATION /

**DISCUSSION ITEM) SUMMARY:** The Woodbury County Board of Supervisors, at their July 2, 2024 meeting, directed the Zoning Commission to explore the possibility of nuclear energy in the county. This discussion focused on the next steps for work sessions and public hearings. Dan Priestley outlined that establishing a nuclear power plant is a highly regulated process, with extensive site studies required to determine suitability. Michael Montino from Woodbury County Emergency Management, who studied nuclear energy at Georgetown University, shared his knowledge of nuclear power plants. He explained that these plants generally operate using pressurized boiling water to generate steam, and proximity to a water source is crucial to maintain cooling levels and prevent core meltdowns. Montino discussed the importance of considering factors such as drought, flooding, and earthquakes when selecting a site. An Emergency Planning Zone extending 50 miles around the plant would be necessary, affecting neighboring counties. Although nuclear energy could take up to 30 years to fully implement, it is essential to plan for future energy needs as older coal plants are retired. Repurposing these sites for nuclear power could reduce the need for eminent domain. Priestley emphasized that this is an exploratory phase, and the county has not yet received significant public feedback. He suggested that establishing a conditional use permit could demonstrate the county's openness to nuclear energy development. Future work sessions, public hearings could be scheduled to explore the issue further.

### INFORMATION AND DISCUSSION ITEM ABOUT THE BOARD OF SUPERVISORS' CONSIDERATION OF CHANGES TO THE COMMERCIAL WIND ENERGY CONVERSION SYSTEMS (C-WECS) (INFORMATION / DISCUSSION ITEM) SUMMARY:

Following a petition from the public at the 2024 Woodbury County Fair, the Board of Supervisors, on August 6, 2024, directed staff to review and potentially revise Ordinance #56, which governs commercial wind energy systems. This discussion provided information on the upcoming review process. Dan Priestley reported that the County Attorney's Office is currently reviewing revisions to the ordinance, particularly concerning setbacks between participating and non-participating properties, decommissioning requirements, and setback waivers. These revisions aim to address safety concerns, such as lightning and fire risks. Public hearings will be held to gather input from the community.

**HOME OCCUPATION SIGNS ZONING REGULATIONS REVIEW (INFORMATION / DISCUSSION ITEM) SUMMARY:** The Zoning Commission reviewed home occupation sign regulations to determine if any changes are needed. Research shows that Woodbury County's policies are consistent with those of other Iowa counties, with a few counties allowing slightly larger signs.

**PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA**

None

**STAFF UPDATE**

At the August 27 Board of Supervisors meeting, the Supervisors are expected to direct the Planning & Zoning Director to collaborate with the Board of Adjustment, Zoning Commission, and legal counsel to recommend decommissioning requirements as part of a new ordinance regarding carbon pipelines. Additionally, the Board of Adjustment has deferred its decision on a conditional use application for a data center/bitcoin mining facility for 35 days. The applicant is expected to provide additional information at the rescheduled September 4 meeting.

**COMMISSIONER COMMENT OR INQUIRY**

None

**Motion to Adjourn:**

Motion by Meister to adjourn. Seconded by Parker. Motion carried 3-0. The meeting adjourned at 5:53 PM.

## Minutes - Woodbury County Zoning Commission – November 25, 2024

The Zoning Commission (ZC) meeting convened on the 25th of November 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.

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### 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/](https://www.woodburycountyiowa.gov/committees/zoning_commission/)
- YouTube Direct Link:
  - o <https://www.youtube.com/watch?v=DXqp6jPtBtl>

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ZC Members Present:

Corey Meister, Chris Zant, Tom Bride, Jeff Hanson

County Staff Present:

Dan Priestley, Dawn Norton

Public Present:

Gene Collins, Jadin Collins, J.W. Voigt

### CALL TO ORDER

The meeting of the Woodbury County Zoning Commission was called to order at 5:02 PM by Chair Chris Zellmer Zant. Commissioner Barb Parker was absent.

### PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

There were no public comments.

### APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

The approval of the minutes from the previous meeting on August 26 was deferred due to Barb Parker's absence. However, the minutes from the September 23 meeting were presented. Tom Bride made a motion to approve these minutes, which was seconded by Jeff Hanson. The motion passed unanimously with a vote of 4-0.

### PUBLIC HEARING (ACTION ITEM) - PROPOSED OAKRIDGE ADDITION MINOR SUBDIVISION (Parcel #864407400003)

The Commission held a public hearing regarding the Oakridge Addition, a proposed two-lot minor subdivision located on a 10.26-acre parcel in Little Sioux Township, approximately 4.2 miles northwest of Smithland. The property is situated in the Agricultural Preservation (AP) Zoning District and is owned by Oakridge Livestock Company, Inc. The owners intend to remodel and sell the existing house while using the remaining land for alfalfa cultivation. An easement agreement was presented. Corey Meister moved to receive and Jeff Hanson seconded the motion, which carried 4-0 (available in appendix). Hanson commented about the wording of the easement to reflect its intended purpose. Jeff Hanson moved to close the hearing, and Tom Bride seconded the motion, which carried 4-0. Hanson then made a motion to recommend approval to the Board of Supervisors with the condition that the easement be executed as presented, which was seconded by Corey Meister. This motion also passed unanimously with a vote of 4-0.

### PUBLIC HEARING (ACTION ITEM) - PROPOSED JW COLLINS HOMESTEAD MINOR SUBDIVISION (Parcel #894428100005)

The Commission conducted a public hearing for the JW Collins Homestead, a proposed one-lot minor subdivision on a 2.20-acre parcel in Arlington Township, located approximately half a mile northeast of Merville. This property is also in the Agricultural Preservation (AP) Zoning District, with portions falling within designated flood hazard areas. Tom Bride moved to close the hearing, and Jeff Hanson seconded the motion, which passed 4-0. Bride then made a motion to recommend approval of the final plat to the Board of Supervisors, seconded by Meister. The motion carried unanimously with a vote of 4-0.

### PUBLIC HEARING (ACTION ITEM) – PROPOSED ZONING ORDINANCE TEXT AMENDMENT (DIMENSIONAL SIZE FOR SINGLE-FAMILY DWELLINGS)

The Commission conducted a public hearing to consider potential amendments to Section 4.11 of the Woodbury County Zoning Ordinance, which pertains to the dimensional size for single-family dwellings. Dan Priestley noted that the current ordinance has been in effect since 2008 and has not generated significant controversy or public

input. He emphasized that the ordinance aligns with state and federal laws. Jeff Hanson expressed that the existing ordinance does not appear to be problematic and suggested that no further time should be spent on it.

**INFORMATION ITEM: DISCUSSION AND PLANNING PROCESS FOR NUCLEAR ENERGY TO BE CONSIDERED FOR ADDITION TO WOODBURY COUNTY ZONING ORDINANCE: SUMMARY:** At their July 2, 2024, meeting, the Woodbury County Board of Supervisors directed the Zoning Commission to explore the feasibility of nuclear energy as a potential energy option for the county. It is important to note that no proposals from companies to provide nuclear energy have been submitted. Tom Bride expressed interest in receiving input from MidAmerican Energy regarding potential future power sources. Priestley highlighted the pros and cons of both large and small nuclear power plants, suggesting that nuclear energy might be regulated as a conditional use. However, he emphasized that state and federal agencies retain primary control over most aspects of nuclear energy development. Public input on this issue has been limited so far. To address this, the Commission will schedule future public hearings to gather feedback and determine the best path forward for potentially including nuclear energy as an option in Woodbury County.

**INFORMATION ITEM: DISCUSSION AND PLANNING PROCESS FOR A RECOMMENDATION CONTEMPLATING DEMOMISSIONING REQUIREMENTS AS PART OF A NEW ORDINANCE REGARDING CARBON PIPELINES:** Priestley read a summary into the record. The Woodbury County Board of Supervisors, at their August 27, 2024 meeting, directed the Planning and Zoning Director to collaborate with the Planning and Zoning Commission, the Board of Adjustment, and legal counsel to develop a recommendation for incorporating decommissioning requirements into a new ordinance regarding carbon pipelines. Priestley emphasized that decommissioning procedures are primarily regulated by federal and state governments. Staff is reviewing regulations from other counties and states to determine if any local standards exist. The Commission might consider adopting local standards, provided they do not conflict with federal guidelines. Bride inquired whether the county could require pipeline companies to file a permit. Priestley explained the conditional use permit process outlined in the zoning ordinance. Bride also noted that pipeline easements often remain in place even when the area is no longer in use. Research to develop potential recommendations will continue.

**PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA**

No public comments were made.

**STAFF UPDATE**

Priestley informed the Commission about a communication from Rural REC regarding grain bin safety. It was also noted that open seats are available on the Zoning Commission and Board of Adjustment, with applications currently being accepted.

**COMMISSIONER COMMENT OR INQUIRY**

No comments or inquiries were made by commissioners.

**ADJOURNMENT**

The meeting adjourned at 6:02 PM following a motion by Corey Meister, seconded by Jeff Hanson. The motion carried unanimously, 4-0.

## APPENDIX

Jay P. Phipps      P. O. Box 442      Merville, IA 51039      (712) 873-3210

### EASEMENT

For the consideration of One and no/100 Dollar (\$1.00) and other valuable consideration, Ivener Farms, LLC, an Iowa Limited Liability Company, does hereby grant to Oakridge Livestock Company, Inc., an Iowa Corporation, their heirs, successors, and assigns, an Easement over the following described real estate, to-wit:

Part of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section Seven (7) Township Eighty-six (86) North, Range Forty-four (44) West of the 5th Principal Meridian, Woodbury County, Iowa. Said parcel being more particularly described as follows:

Commencing at the NW Corner of said NW1/4SW1/4; thence southerly along the westerly line of the NW1/4SW1/4 on an assumed bearing of S00°00'47"E (with all subsequent bearings referenced therefrom) for a distance of 1,181.67 feet to the easement Point of Beginning; thence continuing along said westerly line S00°00'47"E for a distance of 40.00 feet; thence N89°59'13"E along for a distance of 9.86 feet to the westerly right-of-way line of Jasper Ave.; thence N02°08'24"E along said right-of-way line for a distance of 5.61 feet to the road right-of-way curve; thence northeasterly along a curve to the left, concave northwesterly, having a radius of 3,801.30 feet, curve length of 34.41 feet and a central angle of 00°31'07" along the chord of said curve on a bearing of N01°52'50"E for a distance of 34.41 feet; thence S89°59'13"W for a distance of 11.20 feet to a point on the westerly line of said quarter-quarter and the Point of Beginning.

Said described parcel of land contains 0.01 acres and is subject to all easements and right-of-ways of record.



The aforesaid Easement shall be exclusively for ingress and egress. Oakridge Livestock Company, Inc., and their heirs, successors, and assigns shall be responsible for all maintenance and repair of the easement area. This Easement shall run with the land.

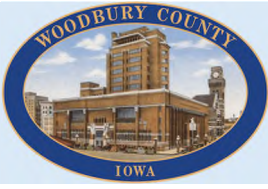
Dated this \_\_\_\_\_ day of November, 2024.

\_\_\_\_\_  
Kent Ivener, Manager, Ivener Farms LLC

STATE OF IOWA                    )  
  ) ss:  
COUNTY OF WOODBURY)

On this \_\_\_\_\_ day of November, 2024, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Kent Ivener, Manager of Ivener Farms LLC, to me known to be the identical persons named in and who executed the within and foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

\_\_\_\_\_  
Notary Public in and for said State.



# **WOODBURY COUNTY PLANNING & ZONING**

620 Douglas Street, Sixth Floor, Sioux City, Iowa 51101

712.279.6609 – 712.279.6530 (Fax)

Daniel J. Priestley, MPA – Zoning Coordinator  
dpriestley@woodburycountyiowa.gov

Dawn Norton – Senior Clerk  
dnorton@woodburycountyiowa.gov

## **PRELIMINARY REPORT**

### **NUCLEAR ENERGY FACILITIES**

#### **SUMMARY:**

##### Nuclear Power Plant –

- A nuclear power plant is a thermal power station that harnesses energy from nuclear fuel fission. Here's how it works: the heat released during fission boils water, producing steam. This steam drives a turbine connected to a generator, ultimately producing electricity.

##### Small Modular Reactors (SMR) –

- Type of advanced nuclear reactor designed to be smaller in size and capacity compared to traditional nuclear reactors.
- Characteristics:
  - o Small Size. SMRs have a power capacity of up to 30 MW per unit, which is about one-third of the capacity of conventional nuclear reactors.
  - o Modular Construction. These reactors are designed to be factory-assembled and transported to the site for installation.
  - o Flexibility. SMRs can be deployed in single or multiple modules, making them suitable for a variety of application, including industrial use and remote areas with limited grid capacity.
  - o Safety. Many SMR designs incorporate passive safety features, which rely on natural physical processes rather than active controls to ensure safety.

#### **INFORMATIONAL MEETINGS AND PUBLIC HEARINGS**

- Zoning Commission, Information Item – August 26, 2024
- Board of Adjustment, Information Item – September 4, 2024
- Zoning Commission, Public Hearing – September 23, 2024
- Board of Adjustment, Information Item – October 7, 2024
- Zoning Commission, Information Item – November 25, 2024
- Zoning Commission, Public Hearing – January 27, 2025 (Upcoming)

#### **BACKGROUND**

Presently, under Section 3.03.3 of the Zoning Ordinance, nuclear energy generation could be administratively interpreted as a utility use that is eligible for conditional use permit consideration by the Zoning Commission and Board of Adjustment in the General Industrial (GI) Zoning District. However, as the same section reads “the table in subsection 3.03.4 may be updated pursuant to the procedure outlined in Section 2.03 from time to time to reflect legislative acceptance or rejection of the interpretations of the zoning director.” (p. 31).

As nuclear and modular nuclear technological systems are evolving, Woodbury County is in a position to legislatively address the county's nuclear policy for clarification. At this time, in terms of county zoning the question is, do the citizens of Woodbury County view nuclear as a viable alternative energy option for the future? If so, are there areas within the county that would be most appropriate for nuclear power generation? Depending on the input from the public stakeholders and the industry, the Woodbury County Zoning Ordinance could potentially be updated to clearly clarify the permitting of future nuclear projects.

Based on the regulations as presented by the NRC and the State of Iowa including the Iowa Utilities Board, the county could choose to add “Nuclear Energy Facilities” or “Nuclear Energy Generation” as a land use in

Section 3.03.4 (Land Use Summary Table of Allowed Uses...) under the “Utilities” category as either a “Conditional Use” or a “Principal Allowed Use” in the General Industrial (GI) Zoning District in the Woodbury County Zoning Ordinance. Regardless of either a conditional use or a principal allowed use, the applicants must go through a rigorous permitting process through other levels of government.

It is apparent that nuclear energy is significant, complex, and consequential. As directed by the Board of Supervisors, the work of the Zoning Commission is to examine nuclear energy as an option for zoning. Hence, a Zoning Commission public hearing process can be employed to seek public comments and consider potential recommendations including possibly legislatively adding “nuclear energy generation” formally as an option to the Zoning Ordinance’s land use summary table.

## **NUCLEAR PROCESS**

Nuclear energy power plants including their establishment is primarily governed by the United States Nuclear Regulatory Commission (NRC). The NRC has a significant amount of control over the permitting and operation of such plants. Companies who wish to get involved in nuclear must directly work with the NRC through the process of obtaining an “Early site permit (ESP).” An example of this process can be found at the following NRC website: <https://www.nrc.gov/reactors/new-reactors/large-lwr/esp/north-anna.html>

This website illustrates the process for the North Anna Site that was submitted by Dominion Nuclear North Anna, LLC. It includes application information, a review schedule, a safety evaluation report, a final environmental impact statement, the North Anna Early Site Permit, and contacts. There is also a “combined license process” which includes construction and operation approvals. The applicants must provide detailed plans for the plant’s design, construction, and operation as well as safety measures. It is the duty of the NRC to thoroughly review the submissions. The following website includes a list of combined license applications for new reactors: <https://www.nrc.gov/reactors/new-reactors/large-lwr/col.html>

An example of a combined license can be found at this link for the North Anna, Unit 3 site: <https://www.nrc.gov/reactors/new-reactors/large-lwr/col/north-anna.html>. The application materials include: referenced documents; application information; review schedule; safety evaluations; early site permit; final supplemental environmental impact statement; combined licenses; related application information; and contacts. In the combined license process, the application is reviewed and includes a public participation process, safety and environmental reviews and compliance with the National Environmental Policy Act (NEPA). The NRC also is involved in design certification, construction and operation, and post-license oversight.

It appears at this time that the permitting process for nuclear power plants including modular is a multi-governmental complex process largely governed by the NRC. The Iowa legislature appears to have considered two study bills (House Study Bill 555 and Senate Study Bill 3075) which would designate modular nuclear as an alternative energy production facility in Iowa. For more information, there is a January 25, 2024 article written by Wally Taylor entitled “Iowa Utilities bill includes a good idea – and a lost cause” <https://www.bleedingheartland.com/2024/01/25/iowa-utilities-board-bill-includes-a-good-idea-and-a-lost-cause/>

## **ANNOTATED BIBLIOGRAPHY**

Baranwal, R. (2019, October 16). New DOE and NRC Agreement Will Lead to Faster Deployment and Licensing of U.S. Nuclear. U.S. Department of Energy. Retrieved from <https://www.energy.gov/ne/articles/new-doe-and-nrc-agreement-will-lead-faster-deployment-and-licensing-us-nuclear>

- The U.S. Department of Energy and the NRC are collaborating to accelerate the deployment of advanced nuclear technologies. This partnership will streamline the licensing process, provide information sharing, and enable faster commercialization of these technologies.

Endesa. (2022, January 18). Nuclear Power. Endesa. Retrieved from <https://www.endesa.com/en/the-e-face/power-plants/nuclear-power>

- The article aims to clarify nuclear energy, its generation, and its role in energy production, particularly in Spain. It seeks to provide an informative overview for understanding nuclear energy's implications, especially in land use planning for county zoning ordinances.

Galindo, Andrea. (2022, November 15). What is Nuclear Energy? The Science of Nuclear Power. International Atomic Energy Agency. Retrieved from <https://www.iaea.org/newscenter/news/what-is-nuclear-energy-the-science-of-nuclear-power>

- Nuclear energy, derived from nuclear fission, is harnessed in power plants to generate electricity. The process involves splitting uranium atoms, managing radioactive waste, and adhering to international safety standards set by the IAEA.

Iginia, Martina. (2023, January 28). The Advantages and Disadvantages of Nuclear Energy. Earth.org. Retrieved from <https://earth.org/the-advantages-and-disadvantages-of-nuclear-energy/>

- Educates readers on nuclear energy's environmental, economic, and safety implications. This information is crucial for zoning and land use policies.

Just Energy. (2023, August 17). Pros and Cons of Nuclear Energy: Safety, Cost, Efficiency. Retrieved from <https://justenergy.com/blog/pros-and-cons-of-nuclear-energy-safety-cost-efficiency/>

- Nuclear energy offers carbon-neutral power and significant energy output, but risks include accidents, waste disposal, and limited resources. Technological advancements are crucial for improving safety and efficiency.

Kanost, Taylor & Lawrence, Brandon. (2024, January 12). Nuclear Energy in Iowa: Future Developments with MidAmerican. We Are Iowa. Retrieved from <https://www.weareiowa.com/article/tech/science/climate-change/nuclear-energy-in-iowa-future-developments-midamerican/524-aaed2ac4-7c3b-406a-a84b-c6e356b181ee>

- MidAmerican Energy's Wind PRIME project explores nuclear energy, specifically small modular reactors (SMRs), to achieve net-zero emissions. While SMRs offer potential benefits, safety, cost, and waste management concerns remain.

Let's Talk Science. (2019, January 23). What Are the Pros and Cons of Nuclear Energy?. Retrieved from <https://letstalkscience.ca/educational-resources/stem-in-context/what-are-pros-and-cons-nuclear-energy>

- Nuclear energy has both advantages and disadvantages. While it offers safety and reduces air pollution, concerns remain about nuclear weapons proliferation, waste management, and potential accidents.

Liou, Joanne. (2023, September 13). What are Small Modular Reactors (SMRs)? International Atomic Energy Agency. Retrieved from <https://www.iaea.org/newscenter/news/what-are-small-modular-reactors-smrs>

- Small Modular Reactors (SMRs) are compact, factory-built nuclear reactors with a power capacity of up to 300 MW(e). They offer advantages like flexible siting, cost-effectiveness, and enhanced safety, making them suitable for various applications and locations.

Lumley, Graham. (2024, September). Pros and Cons of Nuclear Energy. BKV Energy Retrieved from <https://bkvenergy.com/learning-center/nuclear-energy-pros-and-cons/>

- Nuclear energy offers low emissions and high efficiency but faces challenges like accidents, waste management, and high costs. While it can reduce fossil fuel dependency, safety, proliferation, and long-term viability concerns remain.

Mathis, Joel. (2023, May 3). The Pros and Cons of Nuclear Power. The Week. Retrieved from <https://theweek.com/climate-change/1013907/the-pros-and-cons-of-nuclear-power>

- Nuclear power is a double-edged sword, offering emissions-free energy and energy security but posing challenges like waste management, high costs, and safety risks.

Moses, Marta. (2020, July 28). What are the Advantages of Nuclear Energy? EDF Energy. Retrieved from <https://www.edfenergy.com/energywise/what-are-advantages-nuclear-energy>

- Nuclear energy is a low-carbon, reliable, and efficient solution. It provides a stable power supply, is highly efficient, and has a long operational life.

National Geographic. (2020, May 15). Nuclear Energy. Retrieved from <https://education.nationalgeographic.org/resource/nuclear-energy/>

- Nuclear energy, derived from splitting atoms, is harnessed in reactors to generate electricity. While clean and renewable, it requires careful handling of radioactive waste.

Nuclear Regulatory Commission. (n.d.). Backgrounder on Nuclear Power Plant Licensing Process. Retrieved from <https://www.nrc.gov/reading-rm/doc-collections/fact-sheets/licensing-process-fs.html>

- The Nuclear Regulatory Commission (NRC) oversees the licensing process for nuclear power plants in the United States, which involves a two-step process, combined license, early site permits, and design certification. The NRC ensures compliance with regulations for public health, safety, and environmental protection throughout the plant's lifetime.

Nuclear Regulatory Commission. (n.d.). Office of Nuclear Material Safety and Safeguards. Retrieved from <https://scp.nrc.gov/>

- The Office of Nuclear Material Safety and Safeguards (NMSS) within the Nuclear Regulatory Commission (NRC) manages communication and relationships with various government entities. NMSS also oversees key programs like the Agreement State Program and Tribal Liaison Program, providing resources and support.

Rhodes, Richard. (2018, July 19). Why Nuclear Power Must Be Part of the Energy Solution: Environmentalists and Climate. Yale Environment 360. Retrieved from <https://e360.yale.edu/features/why-nuclear-power-must-be-part-of-the-energy-solution-environmentalists-climate>

- Nuclear power, with its low carbon emissions and high capacity factor, is a valuable solution to climate change, despite concerns about accidents and waste.

Smith, Jaime. (n.d.). Nuclear Energy Pros and Cons. Solar Reviews. Edited by Catherine Lane. Retrieved from <https://www.solarreviews.com/blog/nuclear-energy-pros-and-cons>

- Nuclear energy offers low-cost, reliable power with zero-carbon emissions, but it comes with environmental concerns, water usage, and the risk of accidents.

The Conversation. (2021, December 21). How to Make Up Your Mind About the Pros and Cons of Nuclear Power. Retrieved from <https://theconversation.com/how-to-make-up-your-mind-about-the-pros-and-cons-of-nuclear-power-172474>

- Nuclear power offers low carbon emissions and reliable energy, but concerns remain about accidents, waste disposal, and high initial costs.

Unwin, Jack. (2019, May 28). Nuclear Power: Pros and Cons. Power Technology. Retrieved from <https://www.power-technology.com/features/nuclear-power-pros-cons/>

- Nuclear power offers low carbon emissions and reliable energy, but risks nuclear accidents and waste disposal. High initial costs and long-term storage challenges must be considered.

U.S. Department of Energy. (2024, June 11). Advantages and Challenges of Nuclear Energy. Retrieved from <https://www.energy.gov/ne/articles/advantages-and-challenges-nuclear-energy>

- Nuclear energy is a clean and reliable source of power, but faces challenges such as public perception, used fuel management, and high construction and operating costs.

U.S. Department of Energy. (2024, July 10). Newly Signed Bill Will Boost Nuclear Reactor Deployment in the United States. Retrieved from <https://www.energy.gov/ne/articles/newly-signed-bill-will-boost-nuclear-reactor-deployment-united-states#:~:text=President%20Biden%20signed%20the%20Fire,t%20seen%20since%20the%201970s.>

- The ADVANCE Act, part of the Fire Grants and Safety Act, aims to revitalize the U.S. nuclear power sector by accelerating reactor deployment, supporting innovation, and ensuring a secure, clean energy future.

U.S. Department of Energy. (n.d). What are Small Modular Reactors (SMRs)?. Retrieved from <https://www.energy.gov/ne/advanced-small-modular-reactors-smrs>

- Advanced Small Modular Reactors (SMRs) offer versatility, safety, and economic benefits, with government support and funding opportunities for their development.

U.S. Department of Energy. (2024, December 3). What is High Assay Low Enriched Uranium (HALEU)?. Retrieved from <https://www.energy.gov/ne/articles/what-high-assay-low-enriched-uranium-haleu>

- High-Assay Low-Enriched Uranium (HALEU) is essential for advanced nuclear reactors, and the DOE is exploring production methods to meet the growing domestic demand. The Piketon Demonstration Project and HALEU Availability Program aim to ensure a domestic supply chain for HALEU.

U.S. Department of Energy. (2024, May 23). NRC Dockets Construction Permit Application for TerraPower's Sodium Reactor. Retrieved from <https://www.energy.gov/ne/articles/nrc-dockets-construction-permit-application-terrapowers-sodium-reactor>

- The NRC accepted TerraPower's application for a sodium-cooled fast reactor in Wyoming, marking the first time in over 40 years. The project aims to demonstrate advanced reactor technology and support clean energy.

U.S. Energy Information Administration. (n.d.). Nuclear explained. Nuclear power and the environment. U.S. Energy Information Administration. Retrieved from <https://www.eia.gov/energyexplained/nuclear/nuclear-power-and-the-environment.php>

- Nuclear power plants in the U.S. have robust safety measures and containment structures. While nuclear power generation is low-emission, it produces radioactive waste requiring strict management and disposal.

U.S. Energy Information Administration. (2022, November 22). Nuclear Power and the Environment. Retrieved from <https://www.eia.gov/energyexplained/nuclear/nuclear-power-and-the-environment.php>

- Nuclear power plants in the U.S. have safety measures and produce low carbon emissions, but concerns remain about radioactive waste and the lack of a permanent disposal facility.

White House. (2024, May 29). Fact Sheet: Biden-Harris Administration Announces New Steps to Bolster Domestic Nuclear Industry and Advance America's Clean Energy Future. Retrieved from <https://www.whitehouse.gov/briefing-room/statements-releases/2024/05/29/fact-sheet-biden-harris-administration-announces-new-steps-to-bolster-domestic-nuclear-industry-and-advance-americas-clean-energy-future/>

- The Biden-Harris Administration announced initiatives to strengthen the domestic nuclear industry, reduce reliance on Russian uranium, and advance clean energy. These efforts aim to support a carbon-free electricity sector by 2035.

World Nuclear Association. (2021, March 16). Economics of Nuclear Power. Retrieved from <https://world-nuclear.org/information-library/economic-aspects/economics-of-nuclear-power>


- Nuclear power is cost-competitive, especially with low fuel costs and long-term operation, despite high capital costs. Government support is crucial for financing nuclear power projects in deregulated markets.

X-Energy. (2023, July 10). The Advantages of Nuclear Energy. Retrieved from <https://x-energy.com/blog-all/investing-in-our-planet-earth-day-and-beyond-2sz9p>

- Nuclear energy is highlighted as a clean, safe, and reliable solution. Advanced nuclear technologies, like small modular reactors, offer benefits such as reduced water usage, enhanced safety, and cost-effectiveness.

# STAKEHOLDER COMMENTS

Stakeholders including other jurisdictions, government agencies, utilities, and organizations have been contacted and have been requested to comment on July 26, 2024, December 4, 2024, and January 3, 2025. The comments received are provided for review below.

 **WOODBURY COUNTY COMMUNITY & ECONOMIC DEVELOPMENT**  
 620 Douglas St. Sixth Floor, Sioux City, IA 51101 • Phone: 712.279.6609 • Fax: 712.279.6530 • Web: woodburycountyia.gov  
 Daniel J. Priestley, MPA - Zoning Coordinator • dpriestley@woodburycountyia.gov  
 Dawn Norton - Senior Clerk • dnorton@woodburycountyia.gov

July 26, 2024

Dear Woodbury County Stakeholder(s):

The Woodbury County Zoning Commission has been tasked to explore the addition of nuclear energy including modular nuclear facilities as a potential land use to the Woodbury County Zoning Ordinance.

Currently, we are requesting your insights, perspective, and input on this matter. Your participation will play a crucial role in shaping the future zoning regulations pertaining to the potential siting of nuclear energy plants in our community. Specifically, we are seeking your comments and recommendations regarding the following aspects:

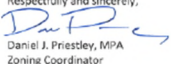
- Appropriate Locations / Zoning District Designations(s):**
  - Where do you believe nuclear energy facilities, including modular nuclear reactors, could be appropriately sited within the unincorporated areas of Woodbury County?
  - Which zoning districts do you think would be most suitable for accommodating nuclear energy facilities (General Industrial, Agricultural Preservation, etc.)? See map included.
  - Are there any specific considerations or criteria we should prioritize in these areas?
- Impact Assessment:**
  - What potential impacts (economic, environmental, social) do you foresee with the introduction of nuclear energy facilities in our community?
- Regulatory Framework:**
  - Are there any specific regulatory frameworks or best practices from other jurisdictions that you believe we should consider when updating our zoning ordinance to include nuclear energy?

Your perspective is highly valued in helping us make informed decisions that reflect the interests and concerns of all Woodbury County stakeholders involved. We aim to ensure that any changes to our zoning ordinance are comprehensive, inclusive, and aligned with both community needs and regulatory standards.

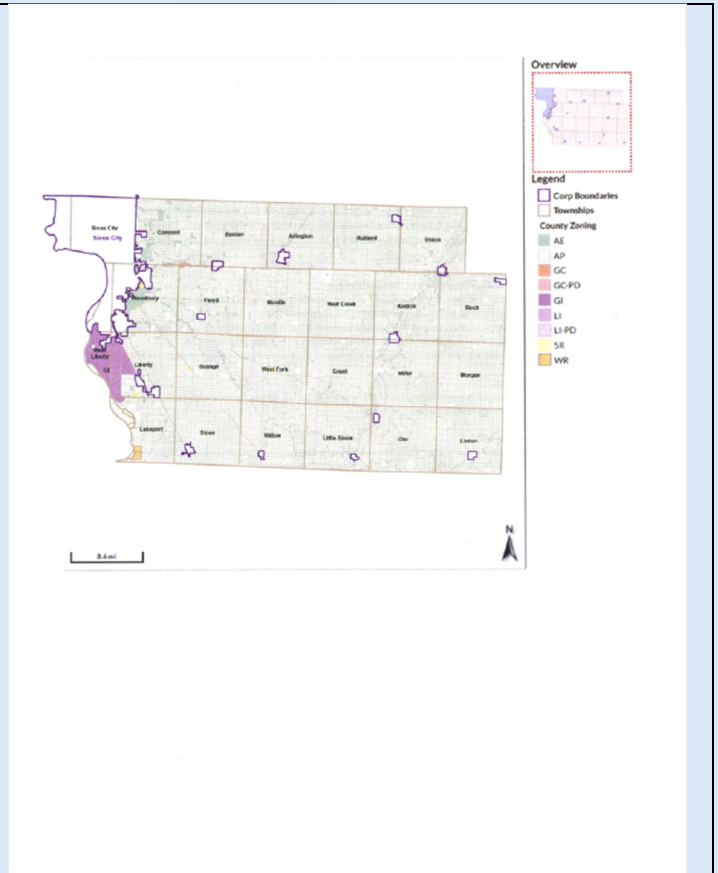
Please provide your initial feedback by **August 23, 2024 before 10:00 AM**. You can send your response to [dpriestley@woodburycountyia.gov](mailto:dpriestley@woodburycountyia.gov), **Woodbury County Planning and Zoning, 620 Douglas St., Sixth Floor, Sioux City, IA 51101** or call **712-279-6609** to discuss this matter further.


The Woodbury County Zoning Commission is in the introductory stage of this process. There will be an information / discussion agenda item at the next public meeting on **Monday, August 26 at 5:00 PM** at the Woodbury County Courthouse, 620 Douglas Street, Sioux City, IA, basement meeting area. Subsequently, public hearings and work sessions will be scheduled and announced at a future date.

Thank you in advance for your time and contribution to this important investigation. We look forward to hearing from you.

Respectfully and sincerely,  
  
 Daniel J. Priestley, MPA  
 Zoning Coordinator

Enclosure: Woodbury County Zoning Map



 **WOODBURY COUNTY COMMUNITY & ECONOMIC DEVELOPMENT**  
 620 Douglas St. Sixth Floor, Sioux City, IA 51101 • Phone: 712.279.6609 • Fax: 712.279.6530 • Web: woodburycountyia.gov  
 Daniel J. Priestley, MPA - Zoning Coordinator • dpriestley@woodburycountyia.gov  
 Dawn Norton - Senior Clerk • dnorton@woodburycountyia.gov

December 4, 2024

Dear Woodbury County Stakeholder(s):

The Woodbury County Zoning Commission continues its study of potentially adding nuclear energy facilities, including modular nuclear technology, as potential land uses in the Woodbury County Zoning Ordinance.

As part of this ongoing effort, we are again seeking your insights, perspectives, and input on this matter. Your involvement remains vital to shaping zoning regulations that thoughtfully consider the potential siting of nuclear energy facilities within our community. Specifically, we welcome your comments and recommendations regarding the following:

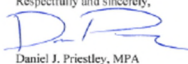
- Appropriate Locations / Zoning District Designations (see enclosed map)**
  - Where do you believe nuclear energy facilities, including modular nuclear reactors, could be appropriately located within the unincorporated areas of Woodbury County?
  - Which zoning districts (e.g., General Industrial, Agricultural Preservation) would you consider most suitable for such facilities? Please reference the enclosed map.
  - Are there particular considerations or criteria we should prioritize for these areas?
- Impact Assessment**
  - What economic, environmental, or social impacts do you anticipate with the introduction of nuclear energy facilities in our community?
- Regulatory Framework**
  - Are there regulatory frameworks, examples, or best practices from other jurisdictions you believe we should examine when updating our zoning ordinance?

We highly value your input and seek to ensure any changes to our zoning ordinance are inclusive, comprehensive, and aligned with community needs and regulatory requirements.

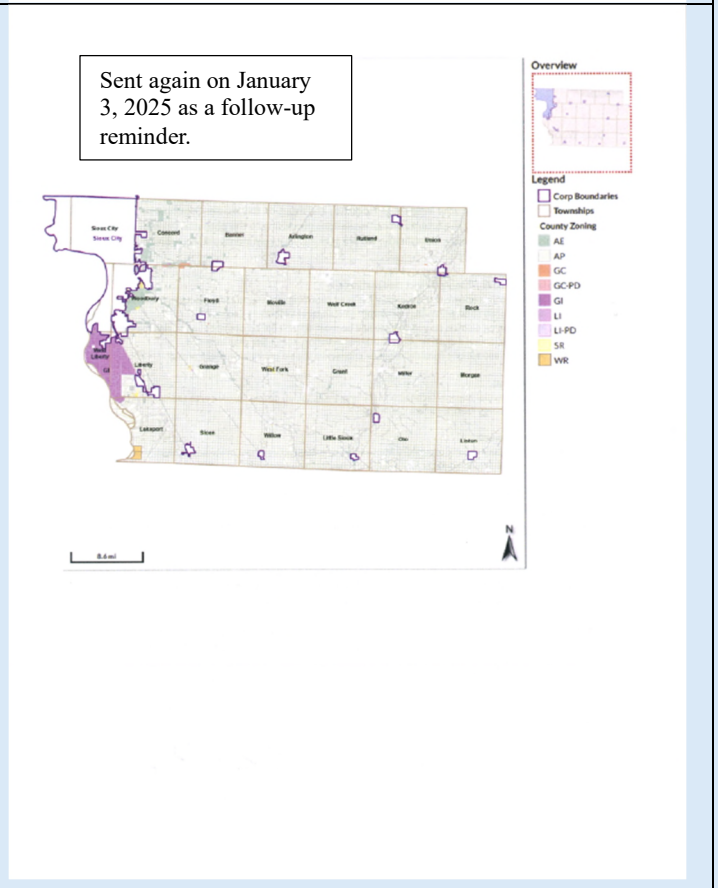
Please provide your feedback by **January 20, 2025, at 10:00 AM**. You may send your response via email to [dpriestley@woodburycountyia.gov](mailto:dpriestley@woodburycountyia.gov), by mail to **Woodbury County Planning and Zoning, 620 Douglas St., Sixth Floor, Sioux City, IA 51101**, or call **712-279-6609** to discuss this matter further.

The Zoning Commission will continue this exploration at public hearings starting on **January 27, 2025, at 5:00 PM** in the **basement of the Woodbury County Courthouse, 620 Douglas Street, Sioux City, IA**.

Thank you for your continued engagement in this important matter. We look forward to hearing from you and incorporating your perspectives into this decision-making process.

Respectfully and sincerely,  
  
 Daniel J. Priestley, MPA  
 Zoning Coordinator

Enclosure





## PUBLIC COMMENTS

**From:** Wendi Hess  
**Sent:** Wednesday, August 7, 2024 9:22 AM  
**To:** Daniel Priestley  
**Subject:** RE: Comments Requested Nuclear Energy in Woodbury County, Iowa

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dan: In regards to the 911 Dispatch Center- having this type of facility in our response area would potentially create a need for additional training for our staff members along with participating in regular exercises and training related to potential emergencies at the facility. For us that would become a budgetary item needing to add training funds to our annual budget for overtime, etc related to the additional training activity that would be necessary. I am not sure if there are any specific certifications that would be required by our staff.

Thanks,  
Wendi

Wendi Hess  
Communications Center Director/Accreditation Manager  
Woodbury County Communications  
PO Box 447  
Sioux City, IA 51102  
Office: 712-279-6268  
[whess@sioux-city.org](mailto:whess@sioux-city.org)

Aug 6 2024  
Woodbury Co. Planning & Zoning

I would like to say NO  
to Any Nuclear facilities in  
Woodbury County. Nuclear Waste  
And Malfunctions can be Catastrophic

Thank You

Jerry Holder  
105 D Street  
Sergeant Bluff IA 51054



**From:** Bob Scott  
**Sent:** Monday, July 29, 2024 9:44 AM  
**To:** Daniel Priestley  
**Subject:** RE: Comments Requested Nuclear Energy in Woodbury County, Iowa

I am all for a nuke plant in the area south of town. I am also for wind energy and solar farms. The construction of a nuclear plant would be a boon to our local economy. Nuclear plants are so highly regulated that we should not have to do much locally.

**From:** Mark Nahra  
**Sent:** Friday, July 26, 2024 4:11 PM  
**To:** Daniel Priestley  
**Subject:** RE: Comments Requested Nuclear Energy in Woodbury County, Iowa

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dan,

I gave this some thought, but reserve the opportunity to add to these comments at a later date. See my preliminary thoughts in **red**.

Mark J. Nahra, P.E.  
Woodbury County Engineer  
759 E. Frontage Road  
Moyville, IA 51039  
Phone: 712-873-3215 or 712-279-6484  
Fax: 712-873-3235  
Email: mnahra@woodburycountyia.gov

**From:** Daniel Priestley <dpriestley@woodburycountyia.gov>  
**Sent:** Friday, July 26, 2024 10:16 AM  
**To:** Daniel Priestley <dpriestley@woodburycountyia.gov>  
**Subject:** Comments Requested Nuclear Energy in Woodbury County, Iowa  
**Importance:** High

Dear Woodbury County Stakeholder(s):

The Woodbury County Zoning Commission has been tasked to explore the addition of nuclear energy including modular nuclear technology as a potential land use to the Woodbury County Zoning Ordinance.

Currently, we are requesting your insights, perspective, and input on this matter. Your participation will play a crucial role in shaping the future zoning regulations pertaining to the potential siting of nuclear energy plants in our community. Specifically, we are seeking your comments and recommendations regarding the following aspects:

**Appropriate Locations / Zoning District Designation(s):**

- Where do you believe nuclear energy facilities, including modular nuclear reactors, could be appropriately sited within the unincorporated areas of Woodbury County? **I think the General industrial zoning areas are the best for these facilities with the exception of allowing such a facility to be located within a city's two mile jurisdictional area. Communities desiring to control their own power generation should be able to expand into the rural area from their current boundaries to their two mile jurisdictional limits. When we lived in Tipton, IA, we lived in a community with its own electric generation capacity. I don't feel the county ordinance should interfere with communities' efforts to be energy self-sufficient.**

- Which zoning districts do you think would be most suitable for accommodating nuclear energy facilities (General Industrial, Agricultural Preservation, etc.)? See map included. **General industrial plus portions of districts bordering cities as noted above.**
- Are there any specific considerations or criteria we should prioritize in these areas? **On site security should be a priority to prevent sabotage to nuclear generation plants. I am not sure what this looks like as I sit here today, but feel it should be noted as a consideration in developing site selection standards. Additional concerns may include items like standoff from existing/future housing, distances from water or wastewater treatment facilities, land drainage characteristics, offsets from highways and public properties.**

**Impact Assessment:**

- What potential impacts (economic, environmental, social) do you foresee with the introduction of nuclear energy facilities in our community? **Less costly, clean energy for county residents and our city dwellers. I don't see a downside to allowing nuclear to develop within the county. I think public perception of the safety of such plants will be a huge issue for entities seeking to develop nuclear power generation.**

**Regulatory Framework:**

- Are there any specific regulatory frameworks or best practices from other jurisdictions that you believe we should consider when updating our zoning ordinance to include nuclear energy? **Depending upon the size of the reactor and its construction needs, the county should require a Road agreement to assure restoration of county roads damaged by nuclear plant construction. The road agreement for wind generation can, and should be utilized, for nuclear plant construction to assure taxpayers aren't left holding the bag for energy plant construction.**

**From:** Meinen, Casey (MidAmerican) <Casey.Meinen@midamerican.com>  
**Sent:** Friday, July 26, 2024 10:33 AM  
**To:** Daniel Priestley  
**Subject:** RE: [INTERNET] Comments Requested Nuclear Energy in Woodbury County, Iowa

**CAUTION:** This email originated from **OUTSIDE** of the organization. Please verify the sender and use caution if the message contains any attachments, links, or requests for information as this person may NOT be who they claim. **If you are asked for your username and password, please call WCICC and DO NOT ENTER any data.**

Daniel,

I have forwarded this to company Management for their input.

Have a great weekend.

**Casey Meinen**

**Lead, Electric Distribution Engineering**

[Casey.meinen@midamerican.com](mailto:Casey.meinen@midamerican.com)

**Phone (712-233-4831)**



**From:** Bob Scott  
**Sent:** Wednesday, December 4, 2024 4:04 PM  
**To:** Daniel Priestley  
**Subject:** RE: Comments Requested Nuclear Energy in Woodbury County, Iowa

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I am speaking for myself but I am in favor of a small nuke plant in the area around Neal power plants. I think the investment and the long term affect on rates is worth the risk for these low level type plants. And I have a question if we annex land into the city, your zoning laws regarding solar farms cannot apply to land in the city can they?

**From:** Bob Scott  
**Sent:** Friday, January 3, 2025 10:47 AM  
**To:** Daniel Priestley  
**Subject:** RE: Comments Requested Nuclear Energy in Woodbury County, Iowa

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Not that the county will care what my opinion is but I would be supportive of a small nuke plant.

**From:** Diane Swoboda Peterson  
**Sent:** Monday, January 6, 2025 9:12 AM  
**To:** Daniel Priestley  
**Subject:** RE: Comments Requested Nuclear Energy in Woodbury County, Iowa

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

No comments

Diane Swoboda Peterson  
Woodbury County Real Estate/Recorder Deputy  
620 Douglas Street; Room 106  
Sioux City, Iowa 51101  
(712)279-6528

**From:** Kyle Gates  
**Sent:** Thursday, January 16, 2025 3:33 PM  
**To:** Daniel Priestley  
**Subject:** RE: Comments Requested Nuclear Energy in Woodbury County, Iowa

I fully support Nuclear Energy in Woodbury County and would feel quite safe with a modern reactor next door.

Items that come to mind:

- Setbacks for perimeter security
- Returning land to previous state after future decommissioning
- Possible collocation with industries for use of low cost/free waste heat (fertilizer production for example)
- Grid resilience/redundancy via distributed locations near end users providing baseload power
- If a lower cost per kwh is attainable, there is a potential for economic development

**ORDINANCE NO. \_\_\_\_\_**

**WOODBURY COUNTY, IOWA**

**AN ORDINANCE AMENDING THE TEXT OF THE WOODBURY COUNTY ZONING ORDINANCE TO INCLUDE THE USE OF NUCLEAR ENERGY FACILITIES AS AN ENERGY OPTION IN WOODBURY COUNTY AND TO ALLOW FOR THE ESTABLISHMENT OF SUCH FACILITIES IN INDUSTRIAL ZONING AREAS.**

**WHEREAS, WOODBURY COUNTY IS COMMITTED TO SUPPORTING SUSTAINABLE AND RELIABLE ENERGY SOLUTIONS THAT ENSURE LONG-TERM ENVIRONMENTAL AND ECONOMIC BENEFITS FOR ITS RESIDENTS AND BUSINESSES; AND**

**WHEREAS, NUCLEAR ENERGY IS RECOGNIZED AS A EFFECTIVE METHOD OF PRODUCING BASELOAD ENERGY THAT IS CARBON-FREE AND CAPABLE OF MEETING THE GROWING DEMAND FOR CLEAN ENERGY IN BOTH RESIDENTIAL AND INDUSTRIAL SECTORS; AND**

**WHEREAS, ADVANCEMENTS IN NUCLEAR TECHNOLOGY, INCLUDING SMALL MODULAR REACTORS (SMRS) AND OTHER INNOVATIVE DESIGNS, PROVIDE A SAFER, MORE EFFICIENT, AND MORE FLEXIBLE OPTION FOR ENERGY GENERATION COMPARED TO TRADITIONAL NUCLEAR PLANTS, MAKING THEM A VIABLE ADDITION TO THE COUNTY'S ENERGY PORTFOLIO; AND**

**WHEREAS, THE COUNTY ACKNOWLEDGES THE POTENTIAL FOR ECONOMIC GROWTH THROUGH THE DEVELOPMENT OF NUCLEAR ENERGY FACILITIES, INCLUDING JOB CREATION, INCREASED INVESTMENT IN LOCAL INFRASTRUCTURE, AND A BROADENED TAX BASE; AND**

**WHEREAS, WOODBURY COUNTY SEEKS TO DIVERSIFY ITS ENERGY RESOURCES TO PROMOTE RESILIENCE, ENERGY INDEPENDENCE, AND STABILITY IN ENERGY PRICING FOR ITS RESIDENTS AND INDUSTRIES; AND**

**WHEREAS, THE SITING OF NUCLEAR ENERGY FACILITIES IN GENERAL INDUSTRIAL ZONING AREAS WILL ALLOW FOR BETTER LAND USE PLANNING BY UTILIZING SPACES ALREADY DESIGNATED FOR LARGE-SCALE INDUSTRIAL OPERATIONS, MINIMIZING POTENTIAL CONFLICTS WITH RESIDENTIAL OR AGRICULTURAL AREAS, AND ENSURING THE AVAILABILITY OF APPROPRIATE INFRASTRUCTURE TO SUPPORT SUCH FACILITIES; AND**

**WHEREAS, THE COUNTY IS COMMITTED TO ENSURING THAT ANY NUCLEAR ENERGY FACILITIES COMPLY WITH FEDERAL AND STATE SAFETY STANDARDS, AS WELL AS LOCAL REGULATIONS, TO PROTECT THE HEALTH, SAFETY, AND WELFARE OF THE PUBLIC AND THE ENVIRONMENT; AND**

**WHEREAS, THE PASSAGE OF THIS ORDINANCE WILL PROVIDE THE FRAMEWORK FOR THE REVIEW AND APPROVAL OF CONDITIONAL USE PERMITS FOR NUCLEAR ENERGY FACILITIES WITHIN INDUSTRIAL ZONES, ENSURING THAT EACH PROJECT IS CONSIDERED ON A CASE-BY-CASE BASIS WITH INPUT FROM THE COMMUNITY, REGULATORY BODIES, AND EXPERTS;**

**NOW, THEREFORE, BE IT RESOLVED BY THE WOODBURY COUNTY BOARD OF SUPERVISORS:**

**SUPPORT FOR NUCLEAR ENERGY:** WOODBURY COUNTY AFFIRMS ITS SUPPORT FOR THE DEVELOPMENT OF NUCLEAR ENERGY FACILITIES AS PART OF ITS LONG-TERM ENERGY STRATEGY TO MEET CLEAN ENERGY GOALS AND FOSTER ECONOMIC GROWTH.

**DESIGNATION OF GENERAL AND LIMITED INDUSTRIAL ZONES:** THE COUNTY APPROVES THE AMENDMENT TO ITS ZONING ORDINANCE TO ALLOW NUCLEAR ENERGY FACILITIES AS A CONDITIONAL USE IN GENERAL AND LIMITED INDUSTRIAL ZONES, ENSURING THAT SUCH FACILITIES ARE APPROPRIATELY LOCATED WITHIN AREAS DESIGNED FOR INDUSTRIAL ACTIVITIES.

**CONDITIONAL USE PERMIT PROCESS:** THE COUNTY WILL ESTABLISH A TRANSPARENT AND RIGOROUS PROCESS FOR THE EVALUATION OF CONDITIONAL USE PERMITS FOR NUCLEAR ENERGY FACILITIES, WHICH WILL INCLUDE ENVIRONMENTAL ASSESSMENTS, SAFETY REVIEWS, AND PUBLIC HEARINGS TO ADDRESS ANY CONCERNS.

**COMMITMENT TO SAFETY AND COMPLIANCE:** THE COUNTY WILL ENSURE THAT ALL NUCLEAR ENERGY FACILITIES COMPLY WITH APPLICABLE FEDERAL, STATE, AND LOCAL REGULATIONS, PARTICULARLY REGARDING SAFETY, ENVIRONMENTAL PROTECTION, AND EMERGENCY PREPAREDNESS.

**PUBLIC ENGAGEMENT AND EDUCATION:** THE COUNTY WILL WORK TO INFORM AND ENGAGE THE PUBLIC ON THE BENEFITS AND SAFETY MEASURES ASSOCIATED WITH NUCLEAR ENERGY, PROVIDING OPPORTUNITIES FOR COMMUNITY INPUT THROUGHOUT THE PROCESS.

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

**Amendment #1:**

On page 39: To add the following line-item use language within zoning ordinance Section 3.03.4 *Land Use Summary Table of Allowed Uses in each Zoning District* under the “Utilities” category:

“Nuclear Energy Facilities”. With placement of the letter “C” within the (Limited Industrial), and GI (General Industrial) zoning districts columns on the table related to this line-item use.

On page 104: To add the following definition, “Nuclear Facility” as definition 112 to Article 6. Definitions. Section 6.02: Definitions as “112. Nuclear Energy Facility” includes any facility designed for the generation of electricity or power through nuclear fission or fusion, as well as any associated storage or handling of nuclear materials and waste in compliance with federal and state regulatory requirements.”

**THE WOODBURY COUNTY BOARD OF SUPERVISORS**

\_\_\_\_\_  
Daniel Bittinger II, Chairman

\_\_\_\_\_  
Mark Nelson, Vice-Chairman

\_\_\_\_\_  
Kent Carper

Attest:

\_\_\_\_\_  
David Dietrich

\_\_\_\_\_  
Michelle Skaff, Woodbury County Auditor    \_\_\_\_\_  
Matthew Ung

Adoption Timeline:  
Date of Public Hearing and First Reading \_\_\_\_\_  
Date of Public Hearing and Second Reading \_\_\_\_\_  
Date of Public Hearing and Third Reading \_\_\_\_\_  
Date of Adoption \_\_\_\_\_  
Published/Effective Date \_\_\_\_\_

**POTENTIAL CONCEPT 2**

**ORDINANCE NO. \_\_\_\_\_**

**WOODBURY COUNTY, IOWA**

**AN ORDINANCE AMENDING THE TEXT OF THE WOODBURY COUNTY ZONING ORDINANCE TO INCLUDE THE USE OF NUCLEAR ENERGY FACILITIES AS AN ENERGY OPTION IN WOODBURY COUNTY AND TO ALLOW FOR THE ESTABLISHMENT OF SUCH FACILITIES IN INDUSTRIAL ZONING AREAS AND TO AMEND PORTIONS OF: THE TABLE OF CONTENTS; TO ADD ANEW SECTION ENTITLED SECTION 5.09: NUCLEAR ENERGY FACILITIES CONDITIONAL USE; AND TO INCLUDE THE RENUMBERING OF PAGE NUMBERS.**

**WHEREAS, WOODBURY COUNTY IS COMMITTED TO SUPPORTING SUSTAINABLE AND RELIABLE ENERGY SOLUTIONS THAT ENSURE LONG-TERM ENVIRONMENTAL AND ECONOMIC BENEFITS FOR ITS RESIDENTS AND BUSINESSES; AND**

**WHEREAS, NUCLEAR ENERGY IS RECOGNIZED AS A EFFECTIVE METHOD OF PRODUCING BASELOAD ENERGY THAT IS CARBON-FREE AND CAPABLE OF MEETING THE GROWING DEMAND FOR CLEAN ENERGY IN BOTH RESIDENTIAL AND INDUSTRIAL SECTORS; AND**

**WHEREAS, ADVANCEMENTS IN NUCLEAR TECHNOLOGY, INCLUDING SMALL MODULAR REACTORS (SMRS) AND OTHER INNOVATIVE DESIGNS, PROVIDE A SAFER, MORE EFFICIENT, AND MORE FLEXIBLE OPTION FOR ENERGY GENERATION COMPARED TO TRADITIONAL NUCLEAR PLANTS, MAKING THEM A VIABLE ADDITION TO THE COUNTY'S ENERGY PORTFOLIO; AND**

**WHEREAS, THE COUNTY ACKNOWLEDGES THE POTENTIAL FOR ECONOMIC GROWTH THROUGH THE DEVELOPMENT OF NUCLEAR ENERGY FACILITIES, INCLUDING JOB CREATION, INCREASED INVESTMENT IN LOCAL INFRASTRUCTURE, AND A BROADENED TAX BASE; AND**



**WHEREAS,** WOODBURY COUNTY SEEKS TO DIVERSIFY ITS ENERGY RESOURCES TO PROMOTE RESILIENCE, ENERGY INDEPENDENCE, AND STABILITY IN ENERGY PRICING FOR ITS RESIDENTS AND INDUSTRIES; AND

**WHEREAS,** THE SITING OF NUCLEAR ENERGY FACILITIES IN GENERAL INDUSTRIAL ZONING AREAS WILL ALLOW FOR BETTER LAND USE PLANNING BY UTILIZING SPACES ALREADY DESIGNATED FOR LARGE-SCALE INDUSTRIAL OPERATIONS, MINIMIZING POTENTIAL CONFLICTS WITH RESIDENTIAL OR AGRICULTURAL AREAS, AND ENSURING THE AVAILABILITY OF APPROPRIATE INFRASTRUCTURE TO SUPPORT SUCH FACILITIES; AND

**WHEREAS,** THE COUNTY IS COMMITTED TO ENSURING THAT ANY NUCLEAR ENERGY FACILITIES COMPLY WITH FEDERAL AND STATE SAFETY STANDARDS, AS WELL AS LOCAL REGULATIONS, TO PROTECT THE HEALTH, SAFETY, AND WELFARE OF THE PUBLIC AND THE ENVIRONMENT; AND

**WHEREAS,** THE PASSAGE OF THIS ORDINANCE WILL PROVIDE THE FRAMEWORK FOR THE REVIEW AND APPROVAL OF CONDITIONAL USE PERMITS FOR NUCLEAR ENERGY FACILITIES WITHIN INDUSTRIAL ZONES, ENSURING THAT EACH PROJECT IS CONSIDERED ON A CASE-BY-CASE BASIS WITH INPUT FROM THE COMMUNITY, REGULATORY BODIES, AND EXPERTS;

**NOW, THEREFORE, BE IT RESOLVED BY THE WOODBURY COUNTY BOARD OF SUPERVISORS:**

**SUPPORT FOR NUCLEAR ENERGY:** WOODBURY COUNTY AFFIRMS ITS SUPPORT FOR THE DEVELOPMENT OF NUCLEAR ENERGY FACILITIES AS PART OF ITS LONG-TERM ENERGY STRATEGY TO MEET CLEAN ENERGY GOALS AND FOSTER ECONOMIC GROWTH.

**DESIGNATION OF GENERAL AND LIMITED INDUSTRIAL ZONES:** THE COUNTY APPROVES THE AMENDMENT TO ITS ZONING ORDINANCE TO ALLOW NUCLEAR ENERGY FACILITIES AS A CONDITIONAL USE IN GENERAL AND LIMITED INDUSTRIAL ZONES, ENSURING THAT SUCH FACILITIES ARE APPROPRIATELY LOCATED WITHIN AREAS DESIGNED FOR INDUSTRIAL ACTIVITIES.

**CONDITIONAL USE PERMIT PROCESS:** THE COUNTY WILL ESTABLISH A TRANSPARENT AND RIGOROUS PROCESS FOR THE EVALUATION OF CONDITIONAL USE PERMITS FOR NUCLEAR ENERGY FACILITIES, WHICH WILL INCLUDE ENVIRONMENTAL ASSESSMENTS, SAFETY REVIEWS, AND PUBLIC HEARINGS TO ADDRESS ANY CONCERNS.

**COMMITMENT TO SAFETY AND COMPLIANCE:** THE COUNTY WILL ENSURE THAT ALL NUCLEAR ENERGY FACILITIES COMPLY WITH APPLICABLE FEDERAL, STATE, AND LOCAL REGULATIONS, PARTICULARLY REGARDING SAFETY, ENVIRONMENTAL PROTECTION, AND EMERGENCY PREPAREDNESS.

**PUBLIC ENGAGEMENT AND EDUCATION:** THE COUNTY WILL WORK TO INFORM AND ENGAGE THE PUBLIC ON THE BENEFITS AND SAFETY MEASURES ASSOCIATED WITH NUCLEAR ENERGY, PROVIDING OPPORTUNITIES FOR COMMUNITY INPUT THROUGHOUT THE PROCESS.

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

**Amendment #1:**

On page 39: To add the following line-item use language within zoning ordinance Section 3.03.4 *Land Use Summary Table of Allowed Uses in each Zoning District* under the “Utilities” category:

“Nuclear Energy Facilities”. With placement of the letter “C” within the (Limited Industrial), and GI (General Industrial) zoning districts columns on the table related to this line-item use.

On page 104: To add the following definition, “Nuclear Facility” as definition 112 to Article 6. Definitions. Section 6.02: Definitions as “112. Nuclear Energy Facility” includes any facility designed for the generation of electricity or power through nuclear fission or fusion, as well as any associated storage or handling of nuclear materials and waste in compliance with federal and state regulatory requirements.”

### **Amendment #2:**

In the Table of Contents, on page iii: To add “Section 5.09: Nuclear Energy Facilities Conditional Use” under the Article 5, Supplemental Requirements category .....(PAGE NUMBER).

### **Amendment #3:**

Beginning on page 92, to re-designate or re-number the definitions in Article 6. Definitions. Section 6.02: Definitions 112 through 191. The purpose is to add “Nuclear Energy Facilities” as definition 112 thereby pushing the existing definitions 112 through 191 ahead one position with Article 6. Definitions. Section 6.02 now including definitions 1 through 192.

Beginning on page 82, to amend Article 6. Definitions by moving the start page from page \_\_\_\_ to page \_\_\_\_.

### **Amendment #4:**

Beginning on Page 97, to add the following section to be known as “Section 5.09: Nuclear Energy Facilities Conditional Use.”

## **Section 5.09: Nuclear Energy Facilities Conditional Use**

1. **Purpose.** This section is established to regulate the siting, development, and operation of nuclear energy facilities, including but not limited to nuclear power plants and small modular reactors (SMRs), within Woodbury County. The intent is to ensure public health, safety, environmental protection, and compliance with federal and state regulations, while facilitating orderly land use and development.
2. **Definition.** For the purposes of this ordinance, a “Nuclear Energy Facility” includes any facility designed for the generation of electricity or power through nuclear fission or fusion, as well as any associated storage or handling of nuclear materials and waste in compliance with federal and state regulatory requirements.
3. **General Requirements for Conditional Use Permit (CUP) Approval**
  - A. **Compliance with Federal and State Regulations**
    - (1) All nuclear energy facilities must comply with regulations set forth by the Nuclear Regulatory Commission (NRC), the Environmental Protection Agency (EPA), and the Iowa Department of Natural Resources (IDNR), including but not limited to licensing, environmental impact assessments, waste management, and operational safety.
    - (2) Applicants must provide evidence of approval or pending approval from the NRC, including required licensing documentation for the proposed facility.

## **B. Environmental Impact**

- (1) Applicants shall conduct a comprehensive Environmental Impact Statement (EIS) in accordance with the National Environmental Policy Act (NEPA) and state-level environmental regulations, demonstrating minimal adverse effects on air and water quality, soil, wildlife habitats, and surrounding land uses.
- (2) The applicant must submit a mitigation plan outlining how environmental impacts will be managed and minimized, including measures for water usage, waste containment, and radiation control.

## **C. Safety, Security, and Emergency Response**

- (1) A detailed Emergency Response Plan must be submitted, reviewed, and approved by Woodbury County's Emergency Management Department in coordination with state and federal authorities. This plan must address potential radiation leaks, natural disasters, fire, and other hazards.
- (2) The facility shall include 24/7 security, perimeter fencing, surveillance systems, and controlled access points as required by NRC guidelines for nuclear facilities.
- (3) The facility operator must provide ongoing safety training for county emergency services personnel and coordinate regular emergency response drills.

## **D. Nuclear Waste Storage and Transportation**

- (1) The storage and transportation of nuclear materials and waste must be in full compliance with federal standards outlined by the NRC and Department of Transportation (DOT), including regulations regarding the safe handling, containment, and transportation of radioactive materials.
- (2) A long-term waste management plan shall be submitted as part of the CUP application, detailing storage solutions, transportation routes, and potential impacts on local infrastructure and communities.

## **E. Decommissioning Plan**

- (1) A detailed decommissioning plan must be submitted, outlining procedures for safely shutting down the facility at the end of its operational life. The plan shall include financial assurance mechanisms (such as bonds or escrow accounts) to ensure the proper removal of radioactive materials and the restoration of the site to its original condition.

## **4. Conditions for Approval**

- A. The County may impose additional conditions, restrictions, or safeguards to ensure compatibility with surrounding land uses and protect the health, safety, and welfare of the public.
- B. Approval of the CUP may be conditioned upon periodic review by the County to verify ongoing compliance with applicable regulations and conditions of the permit.

## **5. Revocation of Permit**

- A. The conditional use permit may be revoked by the County if the facility is found to be in violation of any applicable federal, state, or local regulation, or if any conditions of approval are not met. The County reserves the right to impose corrective actions or suspend operations as necessary to protect public welfare.

**THE WOODBURY COUNTY BOARD OF SUPERVISORS**

\_\_\_\_\_  
Daniel Bittinger II, Chairman

\_\_\_\_\_  
Mark Nelson, Vice-Chairman

\_\_\_\_\_  
Kent Carper

Attest:

\_\_\_\_\_  
David Dietrich

\_\_\_\_\_  
Michelle Skaff, Woodbury County Auditor    \_\_\_\_\_  
Matthew Ung

Adoption Timeline:

Date of Public Hearing and First Reading \_\_\_\_\_

Date of Public Hearing and Second Reading \_\_\_\_\_

Date of Public Hearing and Third Reading \_\_\_\_\_

Date of Adoption \_\_\_\_\_

Published/Effective Date \_\_\_\_\_

**BOARD OF SUPERVISORS' DIRECTION**

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 6/27/24 Weekly Agenda Date: 7/2/24

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Supervisor Keith Radig

**WORDING FOR AGENDA ITEM:**

Motion to direct the Zoning Commission to look at the zoning of nuclear energy.

**ACTION REQUIRED:**

- Approve Ordinance       Approve Resolution       Approve Motion   
Public Hearing       Other: Informational       Attachments

**EXECUTIVE SUMMARY:**

This directs the Zoning Commission to look at the zoning of nuclear energy as a potential energy option in Woodbury County.

**BACKGROUND:**

The Zoning Commission shall explore the zoning potential of nuclear energy as a potential option.

**FINANCIAL IMPACT:**

0

IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?

Yes       No

**RECOMMENDATION:**

Approve the motion.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to direct the Zoning Commission to look at the zoning of nuclear energy.

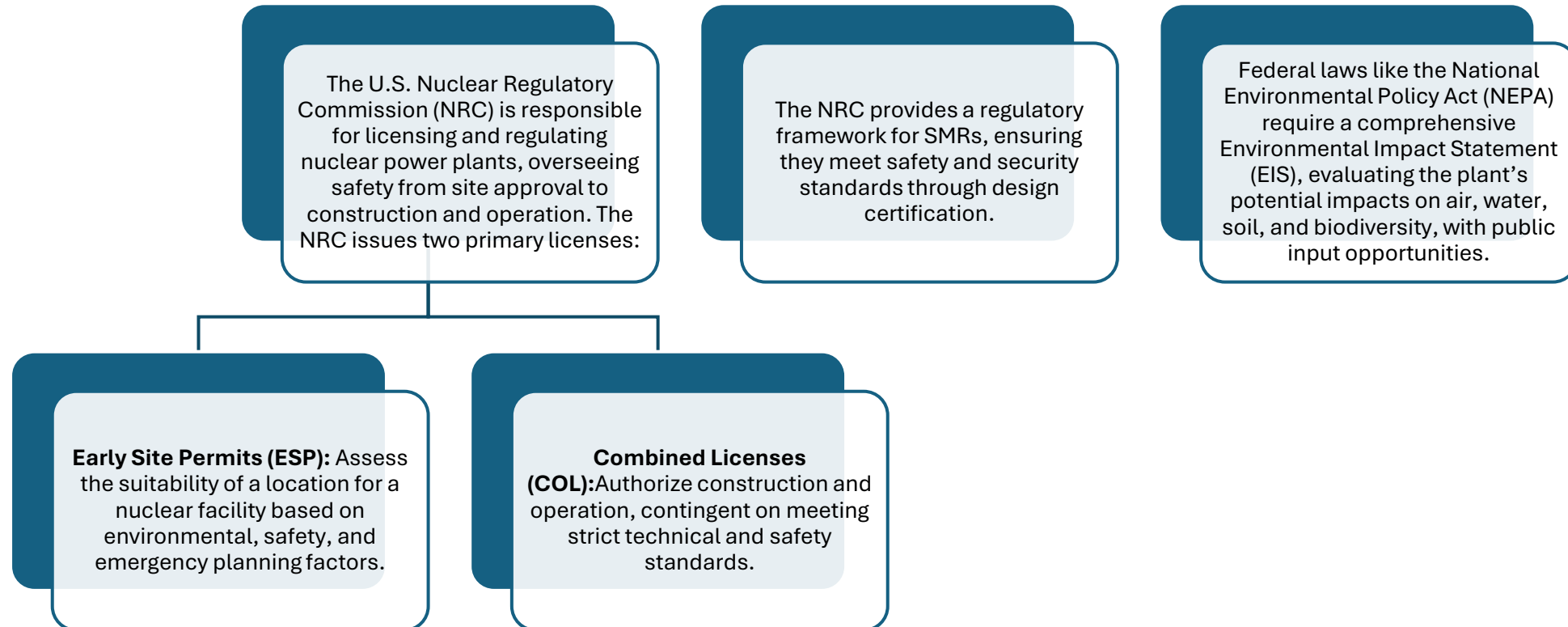
## LINKS TO ARTICLES

- Baranwal, R. New DOE and NRC Agreement Will Lead to Faster Deployment and Licensing of U.S. Nuclear. <https://www.energy.gov/ne/articles/new-doe-and-nrc-agreement-will-lead-faster-deployment-and-licensing-us-nuclear>
- Endesa. Nuclear Power. <https://www.endesa.com/en/the-e-face/power-plants/nuclear-power>
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- Iginia, Martina. The Advantages and Disadvantages of Nuclear Energy. <https://earth.org/the-advantages-and-disadvantages-of-nuclear-energy/>
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- Let's Talk Science. What Are the Pros and Cons of Nuclear Energy? <https://letstalkscience.ca/educational-resources/stem-in-context/what-are-pros-and-cons-nuclear-energy>
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- Nuclear Regulatory Commission. Office of Nuclear Material Safety and Safeguards. <https://scp.nrc.gov/>
- Rhodes, Richard. Why Nuclear Power Must Be Part of the Energy Solution: Environmentalists and Climate. <https://e360.yale.edu/features/why-nuclear-power-must-be-part-of-the-energy-solution-environmentalists-climate>
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- Unwin, Jack. Nuclear Power: Pros and Cons. <https://www.power-technology.com/features/nuclear-power-pros-cons/>
- U.S. Department of Energy. Advantages and Challenges of Nuclear Energy. <https://www.energy.gov/ne/articles/advantages-and-challenges-nuclear-energy>
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- U.S. Department of Energy. What are Small Modular Reactors (SMRs)? <https://www.energy.gov/ne/advanced-small-modular-reactors-smrs>
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- World Nuclear Association. Economics of Nuclear Power. <https://world-nuclear.org/information-library/economic-aspects/economics-of-nuclear-power>
- X-Energy. The Advantages of Nuclear Energy. <https://x-energy.com/blog-all/investing-in-our-planet-earth-day-and-beyond-2sz9p>

# The Role of Counties in Permitting Nuclear Power Plants

- Nuclear power plants, including small modular reactors (SMRs), offer a significant advancement in low-carbon, reliable energy.
- Permitting these facilities involves navigating complex federal, state, and local regulations, with counties playing a key role in land use, zoning, and addressing community concerns.
- This presentation explores the permitting process, focusing on the role of counties in establishing nuclear power facilities.

# Federal Regulations: Setting the Framework





## State Regulations: Bridging Federal and Local Oversight

State governments serve as intermediaries between federal mandates and local implementation, regulating the siting and permitting of nuclear plants through Public Utilities Commissions (PUCs) or similar agencies. They also handle energy planning, grid integration, and economic considerations.

In Iowa, nuclear plants must meet siting requirements set by the Iowa Utilities Board (IUB), including demonstrating need, economic viability, and alignment with state energy goals. States also coordinate with environmental agencies to ensure compliance with water and air quality standards.

States may have specific frameworks for SMRs, which could integrate into distributed energy systems or replace retiring fossil fuel plants. Legislatures often decide if nuclear facilities qualify for renewable energy credits or incentives, impacting project viability.

# County Roles: Zoning and Community Engagement

Counties implement regulations and serve as the main liaison between project developers and the community. Their role in permitting nuclear power plants includes:

- **Land Use and Zoning**
  - Counties set zoning regulations to determine suitable locations for nuclear facilities, ensuring compatibility with existing uses, proximity to residences, and alignment with local development plans. For example, in agricultural zones, conditional use permits (CUPs) may be required.
- **Environmental and Safety Review**
  - Counties conduct supplementary environmental reviews to address local concerns, such as groundwater use, emergency response, and transportation impacts.
- **Public Hearings and Community Input**
  - Counties hold public hearings to ensure transparency and address concerns like property values, radiation risks, and waste storage.
- **Emergency Preparedness**
  - Local governments work with state and federal agencies to develop emergency response plans, ensuring local services are trained to handle nuclear-related incidents.

# The Unique Role of Counties in Small Modular Reactor Deployment



SMRs provide new opportunities for counties, as their smaller size allows deployment on existing industrial sites, reducing land-use conflicts. Their reduced size and safety features, like passive cooling systems, may make them more compatible with local zoning requirements.



Counties also play a role in addressing the integration of SMRs with other local infrastructure, such as district heating systems or microgrids, further tailoring the projects to meet local needs.

# Challenges and Opportunities for Local Counties

Counties play a key role in permitting but face challenges like limited expertise in nuclear technology and potential conflicts with state or federal mandates. Training local officials and promoting interagency collaboration are crucial to overcoming these obstacles.

Counties can also attract investment by fostering a favorable regulatory environment. By engaging with developers, streamlining permitting, and aligning policies with state and federal goals, they can position themselves as leaders in clean energy development.

# Conclusion

- The permitting of nuclear power plants, including SMRs, is a multi-jurisdictional effort requiring coordination across federal, state, and local levels.
- Counties play an indispensable role in this process by addressing land use, engaging with the community, and ensuring that local concerns are considered.
- As nuclear technology evolves, counties must adapt their regulations and processes to balance safety, economic development, and environmental stewardship, ensuring that these projects benefit their communities while contributing to national energy goals.



# WOODBURY COUNTY PLANNING & ZONING

620 Douglas Street, Sixth Floor, Sioux City, Iowa 51101

712.279.6609 – 712.279.6530 (Fax)

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dpriestley@woodburycountyiowa.gov

Dawn Norton – Senior Clerk  
dnorton@woodburycountyiowa.gov

## PRELIMINARY REPORT

### MINIMUM BUILDING DIMENSION FOR SINGLE-FAMILY DETACHED DWELLINGS ZONING ORDINANCE TEXT AMENDMENT CONSIDERATION

#### MEETING PREMISE:

The Woodbury County Zoning Commission will hold a public hearing to discuss potential changes to Section 4.11: Single-Family Detached Dwellings in the Woodbury County Zoning Ordinance. The hearing aims to gather input from the public on revising dimensional requirements for single-family dwellings, including but not limited to the regulations in Section 4.11. The review will consider whether to amend or remove Section 4.11.1, which currently states: "The main body shall have a minimum dimension of not less than 23 feet." Potential revisions may involve eliminating, reducing, modifying, or adding to the minimum dimension requirement, as well as other changes to the contents of Section 4.11 and its subsections. Amendments may also be discussed pertaining to the addition of new sections pertaining to single-family dwellings, definitions, the renumbering, and reorganization of content within the Woodbury County Zoning Ordinance.

#### PUBLIC HEARINGS

- Zoning Commission, Public Hearing – November 25, 2024
- Zoning Commission, Public Hearing – January 27, 2025 (Upcoming)

#### BOARD OF SUPERVISORS' DIRECTION

##### WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM

Date: 10/31/2024 Weekly Agenda Date: 11/05/2024

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Supervisors Nelson & Bittinger

##### WORDING FOR AGENDA ITEM:

Give Direction to Planning and Zoning to Review Minimum Dimensions for Single Family Dwellings

##### ACTION REQUIRED:

- Approve Ordinance       Approve Resolution       Approve Motion
- Public Hearing       Other: Informational       Attachments

##### EXECUTIVE SUMMARY:

Under the current county ordinance single family dwellings must be 23ft by 23ft which limits options of landowners and home seekers at a time housing options are limited and expensive.

##### BACKGROUND:

A landowner in rural Woodbury County is wanting to sell property to a young family member who wants to build a mobile home on the property but is not allowed to under the current ordinance. The mobile home he will purchase would be 1,120 square ft. The minimum square footage threshold required by the current ordinance is 529 square ft, but it does not meet the width requirement of 23 feet.

##### FINANCIAL IMPACT:

None

IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?

Yes  No

##### RECOMMENDATION:

Pass the motion to give direction to Planning and Zoning

##### ACTION REQUIRED / PROPOSED MOTION:

Move to Direct the Zoning Commission to review the minimum dimension size for single family dwellings not limited to the regulations in Section 4.11 of the Woodbury County Zoning Ordinance

Approved by Board of Supervisors April 5, 2016.

### **335.30 Manufactured and modular homes.**

1. A county shall not adopt or enforce zoning regulations or other ordinances which disallow the plans and specifications of a proposed residential structure solely because the proposed structure is a manufactured home. However, a zoning ordinance or regulation shall require that a manufactured home be located and installed according to the same standards, including but not limited to a permanent foundation system, set-back, and minimum square footage, which would apply to a site-built, single family dwelling on the same lot, and shall require that the home is assessed and taxed as a site-built dwelling. A zoning ordinance or other regulation shall not require a perimeter foundation system for a manufactured home which is incompatible with the structural design of the manufactured home structure. A county shall not require more than one permanent foundation system for a manufactured home. For purposes of [this section](#), a permanent foundation may be a pier footing foundation system designed and constructed to be compatible with the structure and the conditions of the site. When units are located outside a manufactured home community or mobile home park, requirements may be imposed which ensure visual compatibility of the permanent foundation system with surrounding residential structures. As used in [this section](#), “*manufactured home*” means a factory-built structure, which is manufactured or constructed under the authority of 42 U.S.C. §5403 and is to be used as a place for human habitation, but which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than for the purpose of moving to a permanent site, and which does not have permanently attached to its body or frame any wheels or axles. [This section](#) shall not be construed as abrogating a recorded restrictive covenant.

2. A county shall not adopt or enforce construction, building, or design ordinances, regulations, requirements, or restrictions which would mandate width standards greater than twenty-four feet, roof pitch, or other design standards for manufactured housing if the housing otherwise complies with 42 U.S.C. §5403. A county shall not adopt or enforce zoning or subdivision regulations or other ordinances which mandate width standards for a single modular or manufactured home which is sited upon land otherwise zoned as agricultural land. However, [this subsection](#) shall not prohibit a county from adopting and enforcing zoning regulations related to transportation, water, sewerage, or other land development.

3. A county shall not require an inspection of a manufactured home that has been inspected according to requirements of the United States department of housing and urban development and constructed in conformance with the federal manufactured home construction and safety standards provided in [24 C.F.R. pt. 3280](#).

[84 Acts, ch 1238, §1](#)

[C85, §358A.30](#)

[C93, §335.30](#)

[93 Acts, ch 154, §3; 94 Acts, ch 1110, §1; 97 Acts, ch 86, §1; 2001 Acts, ch 153, §16; 2020 Acts, ch 1062, §46; 2021 Acts, ch 80, §220; 2022 Acts, ch 1134, §1](#)

## **WOODBURY COUNTY ZONING ORDINANCE SECTION 4.11**

### **Section 4.11: Single-Family Detached Dwellings.**

The following standards shall apply to all single-family detached dwellings:

1. The main body shall have a minimum dimension of not less than 23 feet.
2. There shall be a continuous and complete perimeter foundation of the main body.
3. The main structure shall be permanently affixed to its foundation.
4. Manufactured homes, as defined in section 6.02, if located outside a manufactured/mobile home community, shall comply with the following requirements:
  - A. Classification as real estate and assessment as real property in accordance with the Code of Iowa,
  - B. All hitches, wheels, axles, and any types of other towing devices shall be permanently removed.
  - C. Compliance with the National Manufactured Housing Construction and Safety Standards Act and must have displayed an appropriate certification label issued by the United States Department of Housing and Urban Development, and must not have been altered in violation of applicable codes. If a structure lacks such certification, it must conform to the State Building Code.

## **COMMENTS**

No written comments received as of 1/21/25.



# Housing Regulations for Detached Single- Family Homes



Advantages, Disadvantages, and  
Considerations for Mobile Homes



Advantages  
of No  
Minimum  
Dimension

Flexibility in design and  
affordability

Encourages rural  
development

Reduces regulatory  
barriers

Promotes efficient land  
use

# Disadvantages of No Minimum Dimension



LACK OF  
UNIFORMITY IN  
HOUSING TYPES



RISK OF  
SUBSTANDARD  
HOUSING



STRAIN ON  
INFRASTRUCTURE  
AND SERVICES



POTENTIAL  
PROPERTY VALUE  
CONCERNS



## Implications for Mobile Homes



Mobile homes may be placed on lots without any restrictions on size



Dependent on local zoning and land use ordinances



Opportunities for affordable housing solutions

Local zoning  
can restrict  
placement to  
specific  
districts

Must comply  
with federal  
HUD code for  
manufactured  
housing

Ordinances  
must not be  
discriminatory

Design  
standards can  
limit aesthetic  
concerns

Banning  
Mobile  
Homes in  
Iowa

# Black Hawk County Mobile Homes

## SECTION XXI. REQUIREMENTS FOR LOCATION OF MOBILE HOMES AND MOBILE HOME PARKS

- A. Mobile homes to be used for dwelling purposes shall be placed only in mobile home parks except as may be herewith set forth. A mobile home park may be established in only designated districts provided a permit is secured as set forth herein.
- B.
1. Permit: It shall be unlawful for any person to maintain or operate a mobile home park within the unincorporated areas of Black Hawk County unless such person shall have first obtained a special permit therefore as set forth in the Ordinance.
  2. Application for Permit: Any person desiring to operate a mobile home park shall first file application for approval of site location with the County Zoning Commission. Applications shall be in writing, signed by the applicant, and shall contain the name and address of the applicant, the location and legal description of the site, and a site plan, and shall have attached thereto the written consent of seventy-five (75) percent of the property owners within two hundred (200) feet of any part of the premises to be occupied for such use, exclusive of any public street or highway right-of-way.
  3. After consideration of the application, the County Zoning Commission shall submit its recommendations to the Board of Supervisors and said Board shall then grant or deny the application.
  4. After approval of the site has been obtained and before issuance of a permit for construction, the applicant must file with the administrative officer of the County Zoning Commission proof of compliance with all requirements of the Department of Health of the State of Iowa.

Required as proof of such compliances shall include the following:

- a. An approved set of plans showing lot and street layout.
- b. Sewage and disposal systems.
- c. Water supply and distribution system.
- d. Electrical distribution and lighting.

When such approved plans have been submitted to the Administrative Officer, he shall then issue a permit for the construction of such facilities on the approved site.

- C. Mobile Homes Located Other than in Mobile Home Parks
1. A mobile home may be placed on a farm as the principal dwelling unit. Also, one (1) mobile home may be placed on a farm in addition to an existing permanent dwelling, provided the occupant of said mobile home is a member of the immediate family of the property owner, is actively engaged in the conduct of agricultural operation of said farm and a "Request for Mobile Home" form is filed with the Zoning Administrator. For the purpose of this section, the immediate family shall be interpreted as father, mother, son, daughter, wife, husband, brother, sister, grandparent or grandchild. The preceding provision is not to be construed to permit two (2) mobile homes on one farm.

- 
2. A special use permit for mobile homes used as temporary living quarters during construction of a principal dwelling may be issued by the Administrative Officer after approval of the County Zoning Commission. The Commission shall determine the expiration date of the permit.
  3. A mobile home may be used as a temporary office upon obtaining a permit from the Zoning Administrator. Said permit shall be authorized for a period not exceeding one hundred eighty (180) days.
  4. Nothing in this Ordinance shall be construed as permitting a mobile home to be used for commercial, storage, or other uses except for human habitation.

## Buchanan Co. Mobile Homes

### F. Mobile Homes Located Other than in Mobile Home Parks

1. A mobile home may be placed on a farm as the principal dwelling unit. Also, one (1) mobile home may be placed on a farm in addition to an existing permanent dwelling, provided the occupant of said mobile home is a member of the immediate family of the property owner and actively engaged in the conduct of agricultural operation of said farm. The preceding provision is not to be construed to permit two (2) mobile homes on one farm.
2. A special exception permit for mobile homes used as temporary living quarters during construction of a principal dwelling may be issued by the Zoning Administrator.

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3. A mobile home may be used as a temporary office upon obtaining a permit from the Zoning Administrator. Said permit shall be authorized for a period not exceeding one hundred eighty (180) days.
4. Nothing in this Ordinance shall be construed as permitting a mobile home to be used for commercial, storage, or other uses except for human habitation.

## Buena Vista C. Mobile Homes

**DWELLING:** The word "dwelling" shall mean any building or portion thereof, which is designed, or used exclusively for residential purposes but not including a tent, cabin trailer or **mobile home**.

**MOBILE HOME:** "Mobile home" means any vehicle without motive power used or so manufactured or constructed as to permit its being used as a conveyance upon the public streets and highways and so designed, constructed, or reconstructed as will permit the vehicle to be used as a place for human habitation by one or more persons; but shall also include any such vehicle with motive power not registered as a motor vehicle in Iowa.

**MOBILE HOME PARK:** "Mobile home park" shall mean any site, lot, field or tract of land upon which two or more occupied **mobile homes** are harbored, either free of charge or for revenue purposes, and shall include any building, structure, tent, vehicle or enclosure used or intended for use as part of the equipment of such **mobile home** park.

The term "**mobile home** park" shall not be construed to include **mobile homes**, buildings, tents or other structures temporarily maintained by any individual, educational institution, or company on their own premises and used exclusively to house their own labor or students.

**MOBILE HOME SPACE:** An area within a **mobile home** park, which is designed for and designated as the location for a single **mobile home** and the exclusive use of its occupants.

**MODULAR HOME:** "Modular home" means a factory-built structure which is manufactured or constructed to be used as a place for human habitation, but which is not constructed or equipped with a permanent hitch or other device allowing it to be attached or towed behind a motor vehicle, and which does not have permanently attached to its body or frame any wheels or axles.

Chapter 4

"MH" Mobile Home District

SECTION:

- 4.101 Use Regulation
- 4.102 Special Exceptions
- 4.103 Site Development Regulations

4.101 **USE REGULATIONS:** Within the "MH" Mobile Home District, unless otherwise provided in this Title, no building or land shall be used for other than one or more of the following purposes:

- 1) Residential Uses
- 4) Civic Uses  
Mobile Home Residential Park and Recreation Services  
Local Utility Services

4.102 **SPECIAL EXCEPTIONS:** The following uses and structures may be permitted in the "MH" Mobile Home District subject to approval of the Board of Adjustment.

- 1) Residential Uses  
Single Family Residential
- 2) Civic Uses  
Religious Assembly  
Primary Education  
Facilities Secondary  
Education Facilities

4.103 **SITE DEVELOPMENT REGULATIONS:** Each site in the District shall be subject to the following site development regulations.

<u>Feature</u>	<u>Regulation</u>
Lot area	Minimum lot area, 8,500 square feet <u>with</u> public water and sewer Minimum lot area, 12,000 <u>without</u> public water or sewer Minimum lot area, 20,000 <u>without</u> public water and sewer
Lot width	Minimum lot width, 70 feet
Residential Density	Not more than one dwelling unit per lot
Height	Maximum height, 35 feet

Front Yard	Minimum required setback, 25 feet
Street Side Yard	Minimum required setback, 25 feet
Interior Side Yard	Minimum required setback, 15 feet
Rear Yard	Minimum required setback, 10 feet
Mobile Home Park	In conformance with section 1.0910
Mobile Home Subdivision	Mobile Homes must be converted to real property in conformance with section 135D.26 of the Code of Iowa



## Calhoun Co. Mobile Homes

17. Dwelling Standards. The following standards shall apply to all new dwellings for which Zoning Compliance and Building and Use Permits have been issued.
  - A. The dwelling shall be affixed to a permanent foundation system.
  - B. The minimum dimension of the width and of the length of the main body of the dwelling unit in a residential district shall not be less than one thousand (1,000) square feet except in "R-2" District the main body of the dwelling unit shall not be less than six hundred (600) square feet.
  - C. For dwellings in a residential district, the dwelling area of the structure must occupy at least one thousand (1,000) square feet or twenty (20) percent of the principal structure whichever is greater.
1. **Mobile homes** to be used for dwelling purposes shall be placed only in **mobile home** parks except as may be herewith set forth in Section C below.
2. Permit: It shall be unlawful for any person to maintain or operate a **mobile home** park within the unincorporated areas of Calhoun County unless such person shall have first obtained a permit as set forth in the Ordinance.

## Dickenson Co. Mobile Homes

9. **Mobile Home Residential:** The residential occupancy of **mobile homes** by families on a weekly or longer basis. Uses only include **mobile home** parks or **mobile home** subdivisions.

Section 4: PERMITTED ACCESSORY USES AND STRUCTURES. The following accessory uses and structures shall be permitted:

- A) Accessory uses and structures normally incidental and subordinate to the permitted uses and structures and to uses and structures that have received a conditional permit.
- B) Home Occupations
- C) Roadside stands for the sale of agricultural produce grown on the premises.
- D) Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work. This includes temporary facilities for asphalt and concrete mixing.
- E) Essential Services
- F) Supplementary Farm Buildings, including one (1) single family dwelling or one (1) **mobile home** if used by the farm owner or operator, member of the immediate family, or an employee working on the premises.

## Kossuth Co. Mobile Homes

# Kossuth County Zoning Ordinance

- 1.24 **Mobile Home Dwelling** – A mobile home dwelling is a detached residential dwelling unit designed for transportation, after fabrication, on streets or highways on its' own wheels or on flatbed or other trailers and arriving complete and ready for occupancy at the site where it is to be occupied as a dwelling except for minor and incidental unpacking or assembly operations, location on jacks, or other temporary or permanent foundations, connections to utilities, and the like. A recreation travel trailer is not to be considered as a mobile home.
- 1.25 **Mobile Home Park** – Any site, or tract of land under single ownership, upon which are located two or more mobile homes used as dwellings, either free of charge or for a fee. A mobile home park shall include any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of such park.

## Linn County Mobile Homes

(mm) *Occupancy.* It shall be unlawful to use any mobile home, travel trailer, pickup coach, motorized home or vehicle for human occupancy within the unincorporated limits of the county of the, except where located in a mobile home park regularly approved according to the provisions of this chapter, or in an area licensed by the state as a mobile home park prior to the effective date of the ordinance from which this chapter is derived, and except such mobile homes or vehicles may be used for human occupancy in an area authorized by the board of supervisors for recreational or other purposes.

## Plymouth County Mobile Homes

AGRICULTURAL AND FARM BUILDINGS AND STRUCTURES shall mean any building or structure which is necessary or incidental to the normal conduct of a farm including but not limited to residence of the operator, barns, buildings and sheds for housing livestock, poultry and farm machinery, buildings for the storage or shelter of grain, hay and other crops, silos, windmills and water storage tanks.

DWELLING shall mean a building or portion thereof, designed or used exclusively for residential occupancy, including a manufactured home as defined in Section 335.30 Code of Iowa, **but not including trailers, mobile homes**, hotels, motels, motor lodges, boarding and lodging houses, tourist courts, or tourist homes. All single-family dwellings all be a **minimum of 23 feet in width with a minimum of 700 square feet** and placed upon a permanent foundation.

MOBILE HOME shall mean any vehicle without motive power used or so manufactured or constructed as to permit its being used as a conveyance upon the public streets or highways and so designed, constructed, or reconstructed as will permit the vehicle to be used as a place for human habitation by one or more persons; but shall also include any such vehicle with motive power not registered as a motor vehicle in Iowa. In addition, mobile homes shall be defined as follows: ♣ A mobile home is factory-built housing built on a chassis. ♣ A mobile shall not be construed to be a travel trailer or other form of recreational vehicle ♣ A mobile home shall be construed to remain a mobile home, subject to all regulations applying thereto, whether or not wheels, axles, hitch. Or appurtenances of mobility are removed and regardless of the nature of the foundation provided **Nothing in this Ordinance shall be construed as permitting a mobile home in other than an approved mobile home park.**

## Polk County Mobile Homes

Division 4. Bulk Standards for Mobile Home Park Mobile Home Standards. This dwelling unit type is distinguished from other single-family unit types in that it is mobile. Also, this type of unit is distinguished from other manufactured homes in that it is located within a subdivision designed specifically for mobile homes called a mobile home park. This type of dwelling unit is permitted only within the Mobile Home Park Zoning District. This district is mapped only through the rezoning process. The following table specifies the minimum standards for a mobile home unit within a Mobile Home Park. These standards apply to both existing mobile home parks and to new mobile home parks. A site plan is required for any new or expansion to a mobile home park. Table 6.8 Without Accessory Building With Accessory Building A = Minimum lot area 4,000 sq. ft. 5,500 sq. ft. B = Maximum building coverage .43 .37 C = Maximum building height 20 ft. 20 ft. Minimum yards D = Front to house 20 ft. 30 ft. E = Front to Accessory -- 20 ft. \*F = Side 5/15 ft. 5/15 ft. G = Rear 20 ft. 20 ft. H = Minimum lot width 40 ft. 50 ft. I = Off-street parking spaces 2 spaces per unit 2 spaces per unit J = Accessory to unit or deck -- -- 10 ft. K = Accessory to adjacent unit -- -- 15 ft. L = Accessory to rear -- -- 5 ft. M = Accessory to side -- -- 5 ft

## Pottawattamie Mobile Homes

### CHAPTER 8.040 MOBILE HOME PARK RESIDENTIAL DISTRICT

- 8.040.010 INTENT: The Class R-6 District is intended and designed to provide for the development of mobile home parks in those areas of the County where it is determined such uses are compatible with existing and indicated future development of the surrounding area. It is also intended that such Mobile Home Park Residential Districts be designed and developed in substantial conformity with the standards of the Land Use Plan and with recognized principals of the civic design, land use planning, and landscape architecture. It is further intended that such Mobile Home Park Residential Districts be designed and developed to promote public health, safety, morals, and general welfare; to reasonably prevent and minimize undue injury to adjoining areas; and to encourage appropriate land use. *(Ordinance #81-6/10-01-81)*
- 8.040.040 PROJECT SIZE AND DENSITY: The following requirements shall govern the size and density of a Class R-6 District:
- .01 A tract of land considered for a mobile home park shall comprise an area of not less than ten (10) acres of gross development area. *(Ordinance #81-6/10-01-81)*
  - .02 The maximum density allowed for the gross development area shall be eight (8) mobile home lots per gross acre. *(Ordinance #81-6/10-01-81)*
- 8.040.050 STANDARDS AND REQUIREMENTS: The following standards and requirements shall govern the design and development of a mobile home park:
- .01 Perimeter yards of a mobile home park which abuts a street shall have a minimum depth of fifty (50) feet; provided however, interior park streets may be located with the setback area. All other perimeter yards shall be a minimum depth of twenty-five (25) feet. Perimeter yard requirements may be increased where the *Commission* may recommend and the *County Board* deems necessary. *(Ordinance #81-6/10-01-81)*
  - .02 A minimum of two hundred fifty (250) square feet for each mobile home lot shall be provided for one (1) or more recreation areas which shall be easily accessible to all park residents. The required recreational area shall be computed in addition to the minimum lot area specified herein. *(Ordinance #81-6/10-01-81)*
  - .03 The minimum area for a mobile home lot shall be forty-five hundred (4,500) square feet. *(Ordinance #81-6/10-01-81)*
  - .04 The minimum depth for a mobile home lot shall be ninety (90) feet. *(Ordinance #81-6/10-01-81)*
  - .05 The front yard setback for a mobile home shall be a minimum of fifteen (15) feet measured from the edge of the park street to the closest point of the lower face of the mobile home. Side and rear yard setbacks shall be established and maintained so as to provide a separation at the nearest point between mobile homes, and other buildings and structures on adjoining lots of at least twenty-five (25) feet. Nothing in this Ordinance shall prevent the construction of entrance-ways, rooms, breeze-ways, or other integral parts of the existing mobile home. *(Ordinance #81-6/10-01-81)*

## Scott County Mobile Homes

### CHAPTER 6 ZONING FOR UNINCORPORATED AREAS

- O. Mobile Homes and Travel Trailers: Mobile Homes are only allowed in approved Mobile Home Parks, established through the provisions in Section 6-25; or under the provisions for legal temporary location outside of an approved Park, as provided for in Section 6-25.H.(15). Travel Trailers are only allowed in approved Travel Trailer Parks, established through the provisions in Section 6-26; as well as on a limited basis in approved Mobile Home Parks, as established through the provisions in Section 6-25. Under no other circumstances is a travel trailer to be used for occupancy or residence purposes when located outside of an approved Mobile Home or Travel Trailer Park unless a temporary mobile home permit has been approved for that particular location.

## Winneshiek Co. Mobile Homes

### 404.30 Dwelling

Any building or portion thereof which is designed or used exclusively for primary residential purposes but not including a tent, cabin, trailer or **mobile home**.

### 702.8 **Mobile Homes** or Trailers

**Mobile homes** occupied as a permanent or temporary place of residence shall be located only in an approved **mobile home** park with the exception of those occupied by the immediate family or persons involved in the farming operation either full-time or part-time.

**RULES OF PROCEDURE  
FOR THE  
WOODBURY COUNTY ZONING COMMISSION**

**ARTICLE I: PURPOSE**

The Woodbury County Zoning Commission created the foregoing rules with the intent of making its procedures clear, clean, and easy to follow, both for the Commission members and for members of the public.

The following rules of procedure have been approved by the Board of Supervisors on August 8, 2023 and are hereby adopted by the Woodbury County Zoning Commission.

**ARTICLE II: MEMBERS**

There are 5 members of the Woodbury County Zoning Commission. They shall be residents of unincorporated Woodbury County, Iowa and are appointed by the Woodbury County Board of Supervisors.

**ARTICLE III: OFFICERS**

**Section 1. Officers**

The Commission shall select from its membership a Chair and a Vice-Chair who will perform the usual duties pertaining to such office. Per Section 2.01: B of the County Zoning Ordinance, the Zoning Director or his/her appointee, will serve as Secretary.

**Section 2. Selection**

At the first regular meeting of the calendar year the Commission will pick its officers from its membership. All officers are eligible for re-election.

**Section 3. Tenure**

The Chair shall take office immediately following their selection and shall hold office for a term of 1 year or until their successor is selected and assumes office.

The Vice-Chair shall take office immediately following their selection and shall hold office for a term of 1 year or until their successor is selected and assumes office.

**Section 4. Duties**

The Chair will preside at all regular meetings and hearings, appoint committees, and perform such other duties as may be ordered by the Commission. The Vice-Chair shall act in the capacity of the Chair in their absence. If the Chair and Vice-Chair are both absent from a meeting and there is a quorum, the most-senior Commissioner shall serve as Chair of that meeting. The Secretary will record and maintain minutes of the meetings, maintain all records, and perform such other duties as the Zoning Commission may determine.

**Section 5. Vacancy**

If office of the Chair becomes vacant, the Vice-Chair shall succeed to this office for the unexpired term and the Commission shall select a successor to the office of Vice-Chair for the unexpired term. If only the office of the Vice-Chair becomes vacant, the Commission shall select a successor to the office of Vice-Chair for the unexpired term.

## **ARTICLE IV. MEETINGS**

### **Section 1. Compliance with the Open Meetings Law**

All meetings of the Commission shall be conducted in compliance with Chapter 21 of the Code of Iowa and other applicable law.

### **Section 2. Regular Meetings**

The Zoning Commission is on-call for its regular meeting scheduled on the fourth Monday of every month beginning at 5:00 PM in the 1st Floor Board Room at the Woodbury County Courthouse, subject to formal business to be considered. Notice of the regular meeting shall typically be sent by the Secretary to the members at least 2-days prior to such meeting and shall state the purpose and time of the meeting.

### **Section 3. Special Meetings**

Special meetings may be called at the request of the Chair from time to time as required to conduct the business of the County, provided that at least 24-hours notice of such meeting is given to each member.

### **Section 4. Quorum and Consensus**

The presence of three members shall constitute a quorum. Without a quorum, no business will be transacted and no official action on any matter will take place.

### **Section 5. Majority Required**

A majority of the quorum present is required for the adoption of any matter to come before the Commission.

### **Section 6. Manner of Acting**

Any question to come before the Commission shall be in the form of a motion by a commissioner and shall require a second for consideration. Remarks made by a Commissioner shall be limited to 10-minutes unless an extension is granted by a majority of the Commission. Commissioners shall address the Chair and confine their remarks to the question before the Commission and shall be respectful of other Commissioners and avoid referencing or questioning the motives of another Commissioner.

### **Section 7. Roll Call Votes.**

The Chair shall order a roll call vote when requested by a member. The roll shall be called alphabetically, except the Chair shall be called last.

### **Section 8. Effects of Abstention.**

When a Commissioner abstains due to a conflict of interest, the vote of the Commission shall be computed on the basis of the number of Commissioners not disqualified by reason of conflict of interest. However, at least 3 Commissioners eligible to vote are required for a quorum on any matter. Abstentions that are not due to a conflict of interest shall be counted as a "no" vote.

### **Section 9. Electronic Participation**

Members of the Commission may participate in a meeting by electronic means only in circumstances where participation in person is impossible or impractical. Any member participating electronically shall be connected by a speaker phone, video conference, or other device or software, so that the public can hear any discussion by that member. The vote of any

member participating electronically must be made public at the meeting and the minutes of the meeting shall include sufficient information to indicate the vote of each member participating.

#### **ARTICLE V: ADMINISTRATION**

##### **Section 1.**

Commission meetings are administered by the Chair. The Chair has the right to:

1. Call the meeting to order
2. Recognize speakers
3. Call for motions on agenda items, and facilitate debate
4. Preserve order and decorum
5. Determine points of order

#### **ARTICLE VI. ORDER OF BUSINESS**

##### **Section 2.**

The Secretary will prepare an agenda for each meeting and send it to each member typically at least 2-days before the meeting. The order of business shall typically be as follows:

1. Call to order and opening statement by Chair
2. Roll call
3. Public comments on matters not on the established agenda (3-minute limit)
4. Approval of minutes
5. Item of business
6. Public comments on matters not on the established agenda (3-minute limit)
7. Commissioner comments
8. Adjournment

##### **Section 3.**

As to an item of business, the order shall typically be as follows:

1. Staff report
2. Petitioner comments
3. Commissioner comments and questions for staff/petitioner
4. Staff/petitioner rebuttal opportunity
4. Public comments
5. Staff/petitioner rebuttal opportunity
6. Vote

#### **ARTICLE VII. MOTIONS AND VOTING**

##### **Section 1.**

Motions may be made by anyone on the Commission. The Chair will restate the motion before a vote is taken. The Commission typically recognizes three kinds of motions:

- A. Main Motion — request for action on an item; can be made by any member, including the Chair.
- B. Motion to Amend a Motion — which the Commission must vote on first, then the Commission votes on the underlying motion.
- C. Motion to Postpone discussion of a matter until a future meeting.

**Section 2.**

Another Commissioner may then second a motion. The motion dies if no member seconds it.

**Section 3.**

The Commission may then debate the motion further.

1. Members should keep their discussion concise and limited to the motion on the table.
2. A member may withdraw his/her own motion at any time during debate.

**Section 4.**

The Chair may then conclude debate by calling for a vote. Each member must respond:

1. Yes ("aye")
2. No ("nay")
3. Abstain

**Section 5.**

The Chair shall then state whether the motion passes or fails, and the final vote tally

**ARTICLE VIII. PUBLIC PARTICIPATION**

**Section 1.**

Any member of the public wishing to address the Commission may do so during the appropriate "public comments" section of the Order of Business.

**Section 2.**

Comments by any one member of the public shall be limited to 3 minutes.

**Section 3.**

Any person so addressing the Commission shall step up to the microphone and give their name and address for the record.

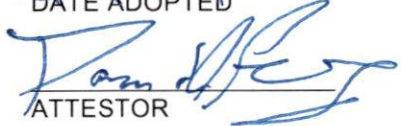
**Section 4.**

Should a person engage in slanderous remarks, personal attacks, or boisterous behavior, the Chair may refuse to recognize the speaker, may ask the speaker to leave, or may have the speaker removed.

**ARTICLE IX. AMENDMENTS**

**Section 1.**

The Commission may suspend or amend these rules at any regular or special meeting by a majority vote of the members present.

Sept. 11 2023  
 DATE ADOPTED  
  
 ATTESTOR

  
 CHAIRPERSON