

Minutes - Woodbury County Zoning Commission – January 27, 2025

The Zoning Commission (ZC) meeting convened on the 24th Day of February, 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. The meeting was also made available via teleconference.

MEETING AUDIO:

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

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

ATTENDANCE

ZC Members Present:	Chris Zellmer Zant, Tom Bride, Corey Meister, Jeff Hanson, Steve Corey (Remote)
County Staff Present:	Dan Priestley, Michael Montino (Remote)
Supervisor(s) Present:	Kent Carper, Dave Dietrich
Public Present:	Charles Woodford, Rick Plathe, Craig Levin, Chad Small, Elaine Knudson, Dan Rohde, Jeff Reed, Joe O'Neill, Daniel Hair, Doyle Turner, Kolby DeWitt, Chris McGowan, Steven Curtis (Remote)

1. CALL TO ORDER

- The meeting was called to order at 5:00 PM on February 24, 2025, by the Chair of the Woodbury County Zoning Commission.

2. ROLL CALL

- The Chair confirmed the presence of all Commissioners, with the exception of Commissioner Steve Corey, who participated via phone, compliant with the Rules of Procedure.
- No absences were noted; all Commissioners were accounted for.

3. PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA (INFORMATION ITEM)

- The Chair opened the floor for public comments on matters not listed on the agenda.
- No individuals present or on the phone offered comments.
- The item concluded with no public input.

4. APPROVAL OF MINUTES FROM PREVIOUS MEETING: 1/27/25 (ACTION ITEM)

- The Chair presented the minutes from the January 27, 2025, meeting for approval.
- A motion to approve the minutes was made by Corey and seconded by Meister.
- Vote: Unanimous approval ("Aye" from all present Commissioners), 5-0.

5. ITEM(S) OF BUSINESS

» PUBLIC HEARING (ACTION ITEM): Consideration of Nuclear Energy Facilities in the Woodbury County Zoning Ordinance

- Summary: The Commission held a public hearing to discuss the potential inclusion of Nuclear Energy Facilities as a land use option within the Woodbury County Zoning Ordinance, addressing nuclear energy generation, modular systems, and related technologies.
- Staff Presentation (Dan Priestley):
 - Dan Priestley, Zoning Coordinator, introduced the topic, noting the complexity of nuclear energy regulation across federal, state, and local levels.
 - He highlighted existing ordinance language allowing nuclear energy permitting as a conditional use in the General Industrial Zoning District (e.g., electrical energy generation, excluding wind, and nuclear waste storage comparable to chemical/gas bulk storage).
 - The industrial area south of Sioux City, west of I-29, and east of the Missouri River was identified as a primary location for such facilities.
 - Priestley referenced Iowa House Study Bill (HSB) 123, currently under consideration, which encourages diverse energy technologies, including nuclear reactors, and lowers thresholds for utility rate-making principles (from 300 MW to 40 MW).
 - He emphasized the ordinance's flexibility under Section 3.03.3, allowing the Zoning Director to interpret unlisted uses (e.g., nuclear as a form of electrical energy generation), and stressed the importance of safety, emissions, and waste management standards.
 - Priestley invited public input and introduced guest speaker Stephen Curtis, appearing via phone, to provide expertise on nuclear energy.
- Guest Speaker (Steven Curtis):
 - Curtis introduced himself, detailing his background: a Master's in Health Physics, experience with the Department of Energy investigating nuclear accidents, and eight years educating on nuclear power.
 - He explained nuclear fission's energy efficiency (50 million times more energy than coal per atom), the operation of light water reactors (e.g., Palisades in Michigan), and the management of spent fuel (stored in dry casks after three years in cooling ponds).
 - Curtis argued against labeling spent fuel as "waste," calling it "slightly used nuclear fuel" with 30 times the unextracted energy potential, proposing fast reactor technology to utilize it (offering 270 years of U.S. energy at current demand).
 - He noted the lack of a federal solution for spent fuel storage (e.g., Yucca Mountain's failure) and suggested Iowa could leverage its spent fuel for economic development, potentially negotiating with the federal government using the \$50 billion Nuclear Waste Fund.
 - Curtis highlighted emerging needs (e.g., AI and cryptocurrency energy demands) and small modular reactors (SMRs) as safe, efficient options, citing their use in the Nuclear Navy and private sector interest (e.g., Bill Gates' Wyoming project).
 - He answered Commissioner questions:
 - Commissioner Steve (via phone): Confirmed 270 years of energy from current spent fuel using fast reactors; noted the technology's origins post-Manhattan Project, its intrinsic safety (demonstrated in Idaho for 30 years), and public fear as a barrier despite no injuries in 70 years of normal operations.
 - Commissioner Steve: Asked about timeline; Curtis estimated 3-5 years with political will, no technical hurdles, and private industry leadership using the Nuclear Waste Fund.

- Commissioner Steve: Inquired about co-locating SMRs and spent fuel processing; Curtis suggested Iowa could accept spent fuel, negotiate federal terms, and attract industries (e.g., microgrids, national labs).
 - Commissioner Tom: Asked about Iowa's spent fuel capacity; Curtis estimated 576 years of state energy supply, advocating use of existing fuel first.
 - Supervisor Kent Carper: Queried safety communication and setbacks; Curtis noted SMRs require minimal zones (edge-of-facility vs. 1-mile for light water reactors) and could be sited remotely with transmission access.
 - Commissioner Chris: Asked about New Mexico/Texas resistance; Curtis explained opposition to interim storage facilities due to perceived permanence risks, predicting a court loss for the NRC.
- **Public Comments:**
 - Rick Plathe (IBEW Local 231): Supported nuclear energy for economic growth, citing the union's skilled electricians, job creation (hundreds of local jobs per DOE study), and SMRs as a coal replacement to attract AI-driven industries.
 - Craig Levin: Advocated for nuclear as a cleaner, baseload power option superior to wind and solar.
 - Doyle Turner (Merville, Iowa): Noted Governor-initiated HSB 123, legislator support across counties, and Woodbury's proactive zoning advantage, emphasizing public education and industrial site suitability (remote, with rail, gas, water, and transmission access).
 - **Closure:**
 - No further public comments were received.
 - A motion to close the public hearing was made by Corey, seconded by Hanson, and unanimously approved ("Aye" from all Commissioners).

» APPROVAL AND ADOPTION OF RULES OF PROCEDURES FOR THE WOODBURY COUNTY ZONING COMMISSION (ACTION ITEM)

- Summary: The Woodbury County Board of Supervisors approved the Rules of Procedure on February 11, 2025; the Commission was tasked with formal adoption.
- Staff Presentation (Dan Priestley):
 - Priestley explained the rules, including a Commission request for monthly meetings at 5:00 PM, were submitted to the Supervisors last month, approved without changes, and returned for adoption.
- Discussion: No changes or further discussion proposed.
- Motion: A motion to approve and adopt the rules was made by Hanson and seconded by Bride.
- Vote: Unanimous approval ("Aye" from all Commissioners).
- Action: The Chair signed and dated the document (February 24, 2025), witnessed by staff.

» DIMENSIONAL SIZE FOR SINGLE-FAMILY DWELLINGS FOLLOW-UP DISCUSSION (INFORMATION ITEM)

- Summary: Follow-up on last month’s public hearing regarding Section 4.11 minimum dimensions for single-family detached dwellings, particularly mobile/manufactured homes.
- Staff Update (Dan Priestley):
 - Priestley reported ongoing consultation with County Attorney Joshua on ordinance language below the 23-foot minimum dimension, referencing HUD and state codes.
 - Federal standards (e.g., snow load capacity) and state codes apply, despite no county building codes, requiring compliance for manufactured homes.
 - Modifications (e.g., additions) may violate precalculated structural standards, necessitating federal/state approval, potentially pushing owners toward double-wide homes.
 - No contact yet with the property owner who raised the issue; further refinement with Joshua is pending.
- Supervisor Carper: Asked if a specific trailer meets code; Priestley clarified it likely does not under HUD standards without meeting the 23-foot requirement or double-wide alternative.
- Outcome: No action taken; discussion to continue as information is refined.

6. PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA (INFORMATION ITEM)

- The Chair opened the floor for additional public comments.
- No individuals offered comments.
- The item concluded with no public input.

7. STAFF UPDATE (INFORMATION ITEM)

- Dan Priestley:
 - Reiterated the County’s zoning infrastructure supports nuclear energy review via conditional use permits, aligning with the May 2023 Comprehensive Plan’s goals (economic growth, job creation, infrastructure support).
 - Noted public engagement’s importance for signaling support to the Governor and legislature, citing interest from counties like Linn County.
 - Encouraged monitoring state (HSB 123) and federal actions for nuclear policy developments.

8. COMMISSIONER COMMENT OR INQUIRY (INFORMATION ITEM)

- Commissioner Bride:
 - Attended a Friday meeting with Stephen Curtis, noting his lack of financial/political stake in nuclear advocacy.
 - Stressed the Supervisors’ recognition of the conditional use permit process as suitable for nuclear proposals, valuing public input.
- Commissioner Steve:
 - Expressed gratitude for Curtis’ insights, learning significantly as a new Commissioner, and polled others’ views, favoring continued exploration of nuclear options.

- Dan Priestley (Response):
 - Suggested affirming the Zoning Director's interpretation of electrical energy generation and waste storage for clarity.
 - Urged Commissioners to study nuclear systems, safety records, and criteria for potential applications, noting industrial area transitions and emergency coordination needs (e.g., setbacks, Michael Montino's input).
- Commissioner Bride:
 - Cited Curtis' Friday advice on 100% county commitment, driven by public and supervisor support, noting higher attendance at this meeting.
- Supervisor Carper:
 - Initially skeptical in May 2023, now supports nuclear energy, excited by its potential.

9. ADJOURN

- A motion to adjourn was made by Meister and seconded by Hanson.
- Vote: Unanimous approval.
- The Chair thanked all participants for their attendance and contributions.