



WOODBURY COUNTY ZONING COMMISSION

Monday, February 24, 2025 at 5:00 PM

The Zoning Commission will hold a public meeting on **Monday, February 24, 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 7th 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

1	CALL TO ORDER
2	ROLL CALL
3	PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA (INFORMATION ITEM)
4	APPROVAL OF MINUTES FROM PREVIOUS MEETING: 1/27/25 (ACTION ITEM)
5	ITEM(S) OF BUSINESS
»	PUBLIC HEARING (ACTION ITEM): FOR THE CONSIDERATION OF NUCLEAR ENERGY FACILITIES TO BE INCLUDED AS PART OF THE WOODBURY COUNTY ZONING ORDINANCE. SUMMARY: 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.
»	APPROVAL AND ADOPTION OF RULES OF PROCEDURES FOR THE WOODBURY COUNTY ZONING COMMISSION (ACTION ITEM). SUMMARY: At their meeting on February 11, 2025, the Woodbury County Board of Supervisors approved the Rules of Procedure for the Woodbury County Zoning Commission. This agenda item is for the Zoning Commission to formally adopt the Rules of Procedure as approved by the Board of Supervisors.
»	DIMENSIONAL SIZE FOR SINGLE-FAMILY DWELLINGS FOLLOW-UP DISCUSSION (INFORMATION ITEM). SUMMARY: Follow-up discussion following last month's public hearing concerning Section 4.11: Single-Family Detached Dwellings in the Woodbury County Zoning Ordinance.
6	PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA (INFORMATION ITEM)
7	STAFF UPDATE (INFORMATION ITEM)
8	COMMISSIONER COMMENT OR INQUIRY (INFORMATION ITEM)
11	ADJOURN

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Minutes - Woodbury County Zoning Commission – January 27, 2025

The Zoning Commission (ZC) meeting convened on the 27th Day of January, 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=PRQLWaCt2P0>

ATTENDANCE

ZC Members Present:	Chris Zellmer Zant, Tom Bride, Corey Meister, Jeff Hanson, Steve Corey
County Staff Present:	Dan Priestley, Michael Montino
Supervisor(s) Present:	Kent Carper
Public Present:	Jeannie Krueger, Ronnie Krueger

CALL TO ORDER

The meeting of the Woodbury County Zoning Commission was called to order at 5:00 PM by Chris Zellmer Zant.

All commissioners were present, including new member Steve Corey, appointed by the Board of Supervisors for a five-year term beginning in 2025.

ELECTION OF CHAIR OF THE ZONING COMMISSION FOR 2025 (ACTION ITEM)

Bride nominated through motion Chris Zellmer Zant to be Chair. Second by Steve Corey. Carried 5-0.

ELECTION OF VICE-CHAIR OF THE ZONING COMMISSION FOR 2025 (ACTION ITEM)

Meister nominated through motion Tom Bride to be Vice-Chair. Second by Jeff Hanson. Carried 4-0. Bride Abstained.

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

None.

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS: 8/26/24 & 11/25/24 (ACTION ITEM)

Bride motioned to approve the 8/26/24 minutes. Second by Corey. Carried 5-0. Hanson motioned to approve the 11/25/24 minutes. Second by Corey. Carried 5-0.

PUBLIC HEARING (ACTION ITEM): FOR THE CONSIDERATION OF NUCLEAR ENERGY FACILITIES TO BE INCLUDED AS PART OF THE WOODBURY COUNTY ZONING ORDINANCE

This public hearing was held to discuss adding nuclear energy facilities to its ordinance, continuing from previous sessions to assess public interest. Priestley offered comments on the potential inclusion of nuclear facilities in zoning, discussing aspects like generation, modular systems, and public engagement. Currently, nuclear plants can be permitted under industrial zoning with conditional use permits, but the debate is on clarifying or expanding this. Turnout was lower than for renewable energy discussions. The complexity of nuclear regulations was highlighted, involving federal, state, and local bodies, with safety, environmental impact, and emergency planning zones discussed. Commissioners and staff including Woodbury County Emergency Management Coordinator Michael Montino discussed the implications, safety, and community benefits of nuclear energy. Concerns about water use for cooling were referenced, noting advancements like helium-cooled reactors. Montino offered questions about local benefits versus grid support. The meeting touched on smaller, modular reactors potentially reducing traditional concerns. No public comments were received, but a letter from Chris Madson, City of Sioux City's Senior Planner, was entered into the record supporting conditional use permits for nuclear facilities in industrial zones. Hansen moved to accept the letter into record. Second by Bride. Carried 5-0 (Available in Appendix). No decisions were made; the issue remains open for further public input. Priestley suggested to continue this discussion in

subsequent public hearings due to lack of public turnout. Motion to close public hearing by Hanson. Second by Corey. Carried 4-0.

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

A public hearing was conducted to consider potential changes to Section 4.11: Single-Family Detached Dwellings in the Woodbury County Zoning Ordinance. The hearing considered 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 could include the addition of new sections pertaining to single-family dwellings, definitions, the renumbering, and reorganization of content within the Woodbury County Zoning Ordinance.

Jeanie and Ronnie Krueger: They expressed their desire to install a single-wide mobile home on their property for their grandson, arguing that the current 23-foot dimension requirement prohibits this due to the narrower width of single-wides. They emphasized the need for affordable housing options in the area.

Existing Regulation: The 23-foot minimum was discussed as a standard set to maintain uniformity across different types of housing, including mobile homes, without discrimination, as per federal regulations from HUD.

Issues Raised:

Affordability vs. Standards: Commissioners discussed the issue between maintaining community standards and providing affordable housing options.

Structure Expansion:

The Krueger's discussed expansion. Given that there are no building codes specifically addressing this scenario, the Commission questioned whether a mobile home could be brought to a site, expanded on the same foundation, and still be considered as having a single, continuous main body with a complete perimeter foundation? Priestley offered concerns about the main structure being on a continuous perimeter.

Potential Solutions:

Meister discussed potential solutions including a conditional use for a relative. Priestley discussed both the conditional use and variance scenarios.

Variance: Discussed the possibility of a variance, but noted the challenges in proving a practical difficulty or hardship as required by law.

Conditional Use Permit: Suggested for scenarios where the mobile home could be on the same lot as another structure, but this still wouldn't bypass the size requirement.

Public Demand: There was a concern over the lack of significant public demand for changing the ordinance, suggesting that broader community support would be needed for any amendment.

Decision Making:

The commission did not make an immediate decision to change the ordinance but decided to keep the issue open for further public input. They acknowledged the need for more research, particularly on how adding to the structure might satisfy the current requirements.

Hanson suggested that legal interpretation on the addition to structures might be sought from the county attorney to clarify if such additions would comply with the ordinance.

The issue is to remain on the agenda for future meetings to gather more community feedback.

Motion by Bride to close the public hearing. Second by Corey. Carried 5-0.

REVIEW OF THE ZONING COMMISSION'S RULES OF PROCEDURES FOR ANY POTENTIAL CHANGES NOT LIMITED TO MEETING LOCATION (ACTION ITEM)

Priestley discuss the purpose of the Rules of Procedure and recommended that they be updated to reflect the basement meeting location that has been authorized by the Board of Supervisors Chair. Hanson made a motion to amend Section 2 of the Rules of Procedure for the Woodbury County Zoning Commission regarding the regular meeting location to state "in the Board of Supervisors meeting room in the basement." Second by Bride. Carried 5-0

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

None

STAFF UPDATE (INFORMATION ITEM)

Priestley discussed upcoming training from Iowa State University Extension concerning planning and zoning. Staff will be in touch with more information in the weeks ahead as this is scheduled for April 22, 2025 at the Woodbury County Iowa State Extension location.

COMMISSIONER COMMENT OR INQUIRY (INFORMATION ITEM)

None

ADJOURNMENT

The meeting adjourned at 6:56 PM following a motion by Meister, seconded by Corey. The motion carried 5-0.

APPENDIX

Daniel Priestley

From: Christopher Madsen
Sent: Wednesday, January 22, 2025 9:25 AM
To: Daniel Priestley
Cc: Marty Dougherty; Mike Collett
Subject: RE: Comments Requested - Dwelling Minimum Dimension and Nuclear Energy

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning Dan,
City Zoning would support a County Zoning Ordinance amendment to allow/clarify that nuclear energy facilities are allowed in the GI zoning district. We would like to see the following, as the Gi zone is predominantly in close proximity to Sioux City:

1. A conditional use permit or similar process that would require a public hearing and review of the proposed location.
2. As noted in your background documents; submittal of a site plan, safety evaluation, and environmental impact statement.
3. Due to the location, FAA review of the proposal if the site is within the airport conical zone.

Thank you!

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PRELIMINARY REPORT – REVISED 2-19-25 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
- Zoning Commission, Public Hearing – February 24, 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.

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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:

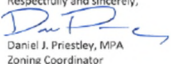
- Appropriate Locations / Zoning District Designations:**
 - Where do you believe nuclear energy facilities, including modular nuclear reactors, could be appropriately sited within the unincorporated areas of Woodbury County?
 - Which zoning districts do you think would be most suitable for accommodating 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.

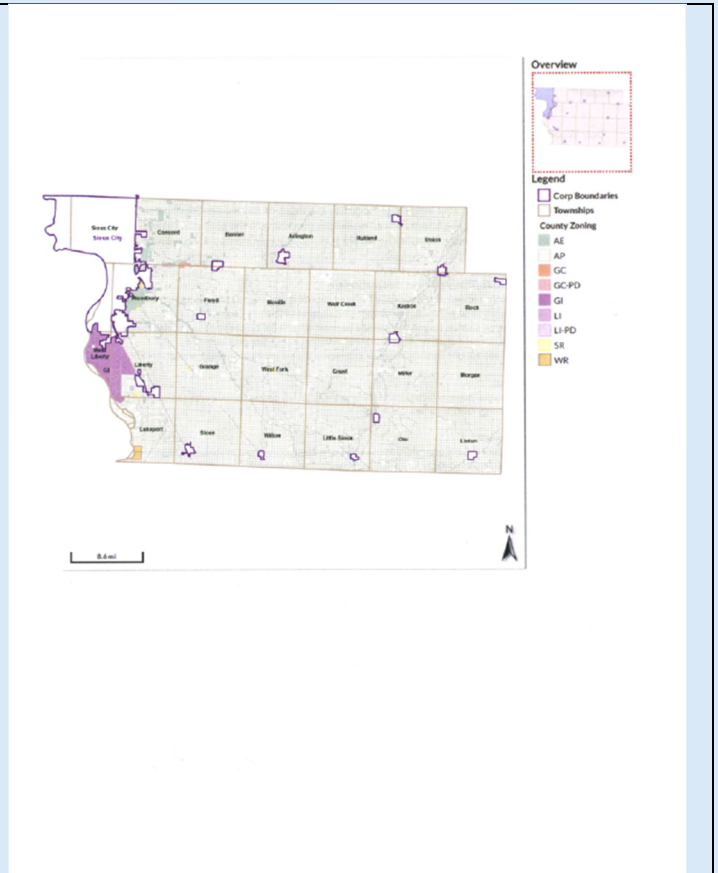
Please provide your initial feedback by **August 23, 2024 before 10:00 AM**. You can send your response to dpriestley@woodburycountyia.gov, **Woodbury County Planning and Zoning, 620 Douglas St., Sixth Floor, Sioux City, IA 51101** or call **712-279-6609** to discuss this matter further.


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:

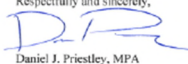
- Appropriate Locations / Zoning District Designations (see enclosed map)**
 - Where do you believe nuclear energy facilities, including modular nuclear reactors, could be appropriately located within the unincorporated areas of Woodbury County?
 - Which zoning districts (e.g., General Industrial, Agricultural 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.

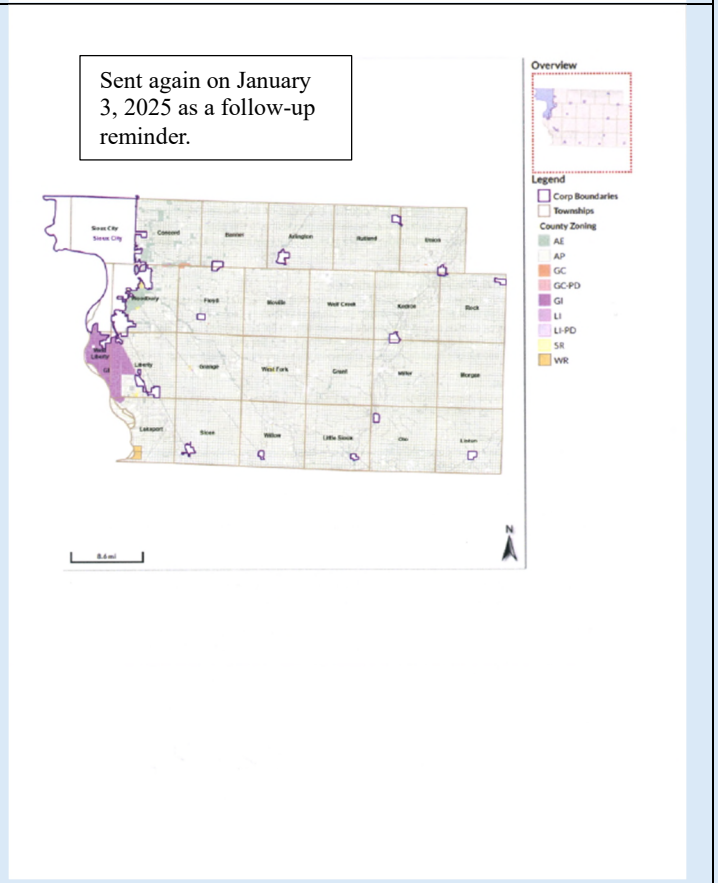
Please provide your feedback by **January 20, 2025, at 10:00 AM**. You may send your response via email to dpriestley@woodburycountyia.gov, by mail to **Woodbury County Planning and Zoning, 620 Douglas St., Sixth Floor, Sioux City, IA 51101**, or call **712-279-6609** to discuss this matter further.

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

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

Phone (712-233-4831)

MIDAMERICAN
 ENERGY COMPANY.

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

From: ken bauer <kjbauer57@hotmail.com>
Sent: Thursday, February 6, 2025 12:41 PM
To: Daniel Priestley
Subject: Nuclear energy in Woodbury county.

Follow Up Flag: Follow up
Flag Status: Flagged

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.

I believe nuclear energy would be very beneficial to our county. I worked at port neal for 26 years. I believe coal fired plants are second only to nuclear plants. The wind mills and solar only makes brookshirehathaway rich off tax payers back. The wind doesn't always blow and the sun doesn't always shine (especially at night). I believe it would be more economical than either and the landscape wouldn't be cluttered with old wind mills or solar panels. Ken Bauer , mayor of Correctionville.

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;

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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.

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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 _____

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.

Approved by Board of Supervisors April 5, 2016.

Sioux City Journal
AFFIDAVIT OF PUBLICATION

Sioux City Journal
2802 Castles Gate Drive
Sioux City 51106
(712) 293-4250

State of Florida, County of Orange, ss:

Bailee Liston, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Sioux City Journal, printed and published by Journal Communications, in Sioux City in Woodbury County and issued daily and Sunday and that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:

Feb. 11, 2025

NOTICE ID: yNjuXD6R9qNMPencb3Xe

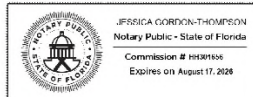
PUBLISHER ID: COL-IA-501389

NOTICE NAME: ZC-2025-2-24

Publication Fee: \$41.71

Bailee Liston

(Signed) _____



VERIFICATION

State of Florida
County of Orange

Subscribed in my presence and sworn to before me on this: 02/18/2025

J. T. [Signature]

Notary Public

Notarized remotely online using communication technology via Proof.

**NOTICE OF PUBLIC HEARING
BEFORE THE WOODBURY
COUNTY ZONING COMMISSION
REGARDING THE ADDITION OF
NUCLEAR ENERGY FACILITIES
IN THE WOODBURY COUNTY
ZONING ORDINANCE**

The Woodbury County Zoning Commission will have a meeting and will hold a public hearing on the following item hereafter described in detail on February 24, 2025 at 5:00 PM or as soon thereafter as the matter may be considered.

Said public hearing will be held in the Board of Supervisors' meeting room in the basement of the Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa. Copies of said item may now be examined at the office of the Woodbury County Community and Economic Development, on the 6th Floor of said courthouse by any interested persons. All persons who wish to be heard in respect to the matter should appear at the aforesaid public hearings in person or call: 712-454-1183 and enter the Conference ID: 638 086 537# during the meeting to listen or comment. However, it is recommended to attend in person as there is the possibility for technical difficulties with phone and computer systems. You may forward your written comments by mail or email to: Woodbury County Community and Economic Development, 6th Floor, Woodbury County Courthouse, 620 Douglas St., Sioux City, IA 51101; Emails should be sent to Daniel Priestley at: dpriestley@woodburycountyiowa.gov. Only signed comments will be considered and should be received no later than 10:00 AM on Fri., Feb. 21, 2025.

Item One (1)

**NUCLEAR ENERGY FACILITIES
ZONING ORDINANCE TEXT AMENDMENT
CONSIDERATION**

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.

COL-IA-501389

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>
- Galindo, Andrea. What is Nuclear Energy? The Science of Nuclear Power. <https://www.iaea.org/newscenter/news/what-is-nuclear-energy-the-science-of-nuclear-power>
- Iginia, Martina. The Advantages and Disadvantages of Nuclear Energy. <https://earth.org/the-advantages-and-disadvantages-of-nuclear-energy/>
- Just Energy. Pros and Cons of Nuclear Energy: Safety, Cost, Efficiency. <https://justenergy.com/blog/pros-and-cons-of-nuclear-energy-safety-cost-efficiency/>
- Kanost, Taylor & Lawrence, Brandon. Nuclear Energy in Iowa: Future Developments with MidAmerican. <https://www.weareiowa.com/article/tech/science/climate-change/nuclear-energy-in-iowa-future-developments-midamerican/524-aaed2ac4-7c3b-406a-a84b-c6e356b181ee>
- 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>
- Liou, Joanne. What are Small Modular Reactors (SMRs)? <https://www.iaea.org/newscenter/news/what-are-small-modular-reactors-smrs>
- Lumley, Graham. Pros and Cons of Nuclear Energy. <https://bkvenergy.com/learning-center/nuclear-energy-pros-and-cons/>
- Mathis, Joel. The Pros and Cons of Nuclear Power. <https://theweek.com/climate-change/1013907/the-pros-and-cons-of-nuclear-power>
- Moses, Marta. What are the Advantages of Nuclear Energy? <https://www.edfenergy.com/energywise/what-are-advantages-nuclear-energy>
- National Geographic. Nuclear Energy. <https://education.nationalgeographic.org/resource/nuclear-energy/>
- Nuclear Regulatory Commission. Backgrounder on Nuclear Power Plant Licensing Process. <https://www.nrc.gov/reading-rm/doc-collections/fact-sheets/licensing-process-fs.html>
- 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>
- Smith, Jaime. Nuclear Energy Pros and Cons. <https://www.solarreviews.com/blog/nuclear-energy-pros-and-cons>
- The Conversation. How to Make Up Your Mind About the Pros and Cons of Nuclear Power. <https://theconversation.com/how-to-make-up-your-mind-about-the-pros-and-cons-of-nuclear-power-172474>
- 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>
- U.S. Department of Energy. Newly Signed Bill Will Boost Nuclear Reactor Deployment in the United States. <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.>
- U.S. Department of Energy. What are Small Modular Reactors (SMRs)? <https://www.energy.gov/ne/advanced-small-modular-reactors-smrs>
- U.S. Department of Energy. What is High Assay Low Enriched Uranium (HALEU)? <https://www.energy.gov/ne/articles/what-high-assay-low-enriched-uranium-haleu>
- U.S. Department of Energy. NRC Dockets Construction Permit Application for TerraPower's Sodium Reactor. <https://www.energy.gov/ne/articles/nrc-dockets-construction-permit-application-terrapowers-sodium-reactor>
- U.S. Energy Information Administration. Nuclear explained. Nuclear power and the environment. <https://www.eia.gov/energyexplained/nuclear/nuclear-power-and-the-environment.php>
- U.S. Energy Information Administration. Nuclear Power and the Environment. <https://www.eia.gov/energyexplained/nuclear/nuclear-power-and-the-environment.php>
- White House. Fact Sheet: Biden-Harris Administration Announces New Steps to Bolster Domestic Nuclear Industry and Advance America's Clean Energy Future. <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/>
- 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>

**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 **February 11, 2025** 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 Board of Supervisors meeting room in the basement 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.

DATE ADOPTED

CHAIRPERSON

ATTESTOR



MINUTES -

2/11/2025

FEBRUARY 11, 2025, SEVENTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, February 11, 2025, at 4:30 p.m. Board members present were Ung, Carper, Nelson, Dietrich, and Bittinger II. Staff members present were Joshua Widman, Assistant County Attorney, Karen James, Board Administrative Assistant, Melissa Thomas, Human Resources Director, and Michelle Skaff, Auditor/Clerk to the Board.

The regular meeting was called to order with the Pledge of Allegiance to the Flag and a Moment of Silence.

Motion by Bittinger second by Nelson to approve the agenda for February 11, 2025. Carried 5-0. [Copy filed.](#)

Motion by Bittinger second by Nelson to approve the following items by consent:

To approve minutes of the February 4, 2025 meeting. [Copy filed.](#)

To approve the claims totaling \$1,793,429.65. [Copy filed.](#)

To receive for signatures a Resolution Thanking and Commending Douglas Boetger for his years for service with Woodbury County.

WOODBURY COUNTY, IOWA
RESOLUTION #13,840
A RESOLUTION THANKING AND COMMENDING
DOUGLAS BOETGER
FOR HIS SERVICE TO WOODBURY COUNTY

To approve Rules of Procedure amendment for the Woodbury County Board of Adjustment to amend Section 2, Regular Meetings to reflect a meeting time and location as "...5 PM in the Board of Supervisors meeting room in the basement at the Woodbury County Courthouse...". [Copy filed.](#)

To approve Rules of Procedure amendment for the Woodbury County Zoning Commission to amend Section 2, Regular Meetings to reflect a meeting time and location as "...5 PM in the Board of Supervisors meeting room in the basement at the Woodbury County Courthouse...". [Copy filed.](#)

To approve the property tax refund request for Rob Valdovinos (CC Properties), parcel #894729285016, in the amount of \$125.00. [Copy filed.](#)

To approve and authorize the Chairperson to sign a Resolution approving abatement of taxes for William & Audrey Massey, Vin #09A18006S, 1990 Shar-lo.

WOODBURY COUNTY, IOWA
RESOLUTION #13,841
RESOLUTION APPROVING ABATEMENT OF TAXES

WHEREAS, William Massey is the titleholder of a mobile home VIN # 09A18006S located in Woodbury County, Iowa and legally described as follows:

VIN # 09A18006S Year/Model 1990 Shar-lo

WHEREAS, the above-stated mobile home has taxes payable including special assessments and the mobile home is owned by William Massey.

WHEREAS, these taxes are uncollectable or impractical to pursue collection through personal judgment or tax sale.

WHEREAS, the Board of Supervisors sees that good cause exists for the abatement of these taxes and;

NOW, THEREFORE, BE IT RESOLVED, that the Woodbury County Board of Supervisors hereby abates the taxes owing on the above mobile home according to Code of Iowa, 445.16 for the taxes owed and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

SO RESOLVED this 11 day of February, 2025.
WOODBURY COUNTY BOARD OF SUPERVISORS
[Copy filed.](#)

WHEREAS, Douglas Boetger has capably served Woodbury County as an employee of the Woodbury County Sheriff's Office for 38 years from September 1, 1987 to March 30, 2025.

WHEREAS, the service given by Douglas Boetger as a Woodbury County employee, has been characterized by his dedication to the best interests of the citizens of Woodbury County; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA that the undersigned members of this Board thanks and commends Douglas Boetger for his years of service to Woodbury County; and

BE IT FURTHER RESOLVED that it is the wish of all those signing below that the future hold only the best for this very deserving person, Douglas Boetger

BE IT SO RESOLVED this 11th day of February 2025.

WOODBURY COUNTY BOARD OF SUPERVISORS
[Copy filed.](#)

To approve lifting tax suspensions for petitioners who failed to re-certify their income or income does not qualify for continues tax suspension. [Copy filed.](#)

To approve the reclassification of Suzanne Salberg, Clerk II, County Treasurer Dept., effective 02-03-2025, \$20.14/hour, 5%=\$0.90/hr. Per AFSCME: Move from Step 1 to Step 2. Anniversary Date: 2/9/25.; the appointment of Melissa Frey, Clerk II, Secondary Roads Dept., effective 02-12-25, \$19.24/hour. Job Vacancy Posted 12/4/24. Entry Level Salary: \$19.24/hour.; the appointment of Ryan Ericson, Budget & Finance Director, Board of Supervisors Dept., effective 02-17-2025, \$125,000/year. Job Vacancy Posted 8/28/24. Entry Level Salary: \$100,000-\$130,000/year.; the end of probation for Brandon Pollema, Operations Officer-Paramedic, Emergency Services Dept., effective 03-03-2025, \$26.84/hour, 6%=\$1.61/hr. End of Probation Increase. 6 month Anniversary Date: 3/9/25.; and the separation of Douglas Boetger, Deputy Sergeant, County Sheriff Dept., effective 03-30-2025. Retirement. [Copy filed.](#)

To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for Temporary Summer Laborers – (5), Secondary Roads Dept. Wage Plan: \$17.00-\$19.00/hour; and Temporary Engineering Aides – (3), Secondary Roads Dept. Wage Plan: \$17.00-\$20.00/hour. [Copy filed.](#)

To approve the request of Douglas Boetger to remain on the County Health and Dental insurances. [Copy filed.](#)

To approve and authorize the Chairperson to sign a Resolution approving abatement of taxes for Julie Torres, Vin #J1094, 1973 Rollohome.

WOODBURY COUNTY, IOWA
RESOLUTION #13,842
RESOLUTION APPROVING ABATEMENT OF TAXES

WHEREAS, Julie Torres is the titleholder of a mobile home VIN#J1094 located in Woodbury County, Iowa and legally described as follows:

VIN# J1094 Year/Model 1973 Rollohome

WHEREAS, the above-stated mobile home has taxes payable including special assessments and the mobile home is owned by Julie Torres

WHEREAS, these taxes are uncollectable or impractical to pursue collection through personal judgment or tax sale.

WHEREAS, the Board of Supervisors sees that good cause exists for the abatement of these taxes and;

NOW, THEREFORE, BE IT RESOLVED, that the Woodbury County Board of Supervisors hereby abates the taxes owing on the above mobile home according to Code of Iowa, 445.16 for the taxes owed and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

SO RESOLVED this 11 day of February, 2025.
WOODBURY COUNTY BOARD OF SUPERVISORS
[Copy filed.](#)

To approve and authorize the Chairperson to sign a Resolution approving abatement of taxes for Neal Porsch, Vin #88A15962, 1988 Bellavista.

WOODBURY COUNTY, IOWA
RESOLUTION #13,843
RESOLUTION APPROVING ABATEMENT OF TAXES

WHEREAS, Neal Persch is the titleholder of a mobile home VIN #88A15962 located in Woodbury County, Iowa and legally described as follows:

VIN #88A15962 Year/Model 1988 Bellavista

WHEREAS, the above-stated mobile home has taxes payable including special assessments and the mobile home is owned by Neal Porsch.

WHEREAS, these taxes are uncollectable or impractical to pursue collection through personal judgment or tax sale.

WHEREAS, the Board of Supervisors sees that good cause exists for the abatement of these taxes and;

NOW, THEREFORE, BE IT RESOLVED, that the Woodbury County Board of Supervisors hereby abates the taxes owing on the above mobile home according to Code of Iowa, 445.16 for the taxes owed and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

SO RESOLVED this 11 day of February, 2025.

WOODBURY COUNTY BOARD OF SUPERVISORS

[Copy filed.](#)

To approve and authorize the Chairperson to sign a Resolution approving abatement of taxes for Lake Forest MHC LLC, Vin #0580014924, 1978 Champion.

WOODBURY COUNTY, IOWA

RESOLUTION #13,844

RESOLUTION APPROVING ABATEMENT OF TAXES

WHEREAS, Lake Forest MHC LLC is the titleholder of a mobile home VIN#0580014924 located in Woodbury County, Iowa and legally described as follows:

VIN#0580014924 Year/Model 1978 Champion

WHEREAS, the above-stated mobile home has taxes payable including special assessments and the mobile home is owned by Lake Forest MHC LLC

WHEREAS, these taxes are uncollectable or impractical to pursue collection through personal judgment or tax sale.

WHEREAS, the Board of Supervisors sees that good cause exists for the abatement of these taxes and;

NOW, THEREFORE, BE IT RESOLVED, that the Woodbury County Board of Supervisors hereby abates the taxes owing on the above mobile home according to Code of Iowa, 445.16 for the taxes owed and

WOODBURY COUNTY, IOWA

RESOLUTION #13,846

RESOLUTION APPROVING ABATEMENT OF TAXES

WHEREAS, Yes Communities is the titleholder of a mobile home VIN #06520165ZAB, located in Woodbury County, Iowa and legally described as follows:

VIN #06520165ZAB Year/Model 1990 Oak Manor

WHEREAS, the above-stated mobile home has taxes payable including special assessments and the mobile home is owned by Yes Communities

WHEREAS, these taxes are uncollectable or impractical to pursue collection through personal judgment or tax sale.

WHEREAS, the Board of Supervisors sees that good cause exists for the abatement of these taxes and;

NOW, THEREFORE, BE IT RESOLVED, that the Woodbury County Board of Supervisors hereby abates the taxes owing on the above mobile home according to Code of Iowa, 445.16 for the taxes owed and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

SO RESOLVED this 11 day of February, 2025.

WOODBURY COUNTY BOARD OF SUPERVISORS

[Copy filed.](#)

To approve and authorize the Chairperson to sign a Resolution approving abatement of taxes for Evergreen Village, Vin #28H7345, 1982 Bellavista.

WOODBURY COUNTY, IOWA

RESOLUTION #13,847

RESOLUTION APPROVING ABATEMENT OF TAXES

WHEREAS, Evergreen Village is the titleholder of a mobile home VIN # 28H7345, located in Woodbury County, Iowa and legally described as follows:

VIN #28H7345 Year/Model 1982 Bellavista

WHEREAS, the above-stated mobile home has taxes payable including special assessments and the mobile home is owned by Evergreen Village.

hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

SO RESOLVED this 11 day of February, 2025.

WOODBURY COUNTY BOARD OF SUPERVISORS

[Copy filed.](#)

To approve and authorize the Chairperson to sign a Resolution approving abatement of taxes for Amy Rychtarik, Vin #BU4030E, 1971 Bud.

WOODBURY COUNTY, IOWA

RESOLUTION #13,845

RESOLUTION APPROVING ABATEMENT OF TAXES

WHEREAS, Amy Rychtarik is the titleholder of a mobile home VIN#BU4030E located in Woodbury County, Iowa and legally described as follows:

VIN #BU4030E Year/Model 1971 Bud

WHEREAS, the above-stated mobile home has taxes payable including special assessments and the mobile home is owned by Amy Rychtarik.

WHEREAS, these taxes are uncollectable or impractical to pursue collection through personal judgment or tax sale.

WHEREAS, the Board of Supervisors sees that good cause exists for the abatement of these taxes and;

NOW, THEREFORE, BE IT RESOLVED, that the Woodbury County Board of Supervisors hereby abates the taxes owing on the above mobile home according to Code of Iowa, 445.16 for the taxes owed and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

SO RESOLVED this 11 day of February, 2025.

WOODBURY COUNTY BOARD OF SUPERVISORS

[Copy filed.](#)

To approve and authorize the Chairperson to sign a Resolution approving abatement of taxes for Yes Communities, Vin #06520165ZAB, 1990 Oak Manor.

WHEREAS, these taxes are uncollectable or impractical to pursue collection through personal judgment or tax sale.

WHEREAS, the Board of Supervisors sees that good cause exists for the abatement of these taxes and;

NOW, THEREFORE, BE IT RESOLVED, that the Woodbury County Board of Supervisors hereby abates the taxes owing on the above mobile home according to Code of Iowa, 445.16 for the taxes owed and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

SO RESOLVED this 11 day of February, 2025.

WOODBURY COUNTY BOARD OF SUPERVISORS

[Copy filed.](#)

Carried 5-0.

Motion by Nelson second by Dietrich to receive for signature a Resolution of Appointment of Deputy Auditors. Carried 5-0.

APPOINTMENT OF DEPUTY AUDITORS

RESOLUTION #13,850

WHEREAS, the Woodbury County Auditor, Michelle Skaff, was duly elected on November 5, 2024 and sworn into office on December 31, 2024; and

WHEREAS, pursuant to Iowa Code 331.903(1), the Auditor, Treasurer, Recorder, Sheriff, and County Attorney may each appoint, with approval of the Board of Supervisors, one or more deputies, assistants, or clerks for whose acts the principal officer is responsible; and

WHEREAS, approval of each appointment shall be adopted by a resolution recorded in the minutes of the Board of Supervisors;

NOW THEREFORE BE IT RESOLVED by the Woodbury County Board of Supervisors that the following appointments by the Auditor is approved: Shona Campbell, Deputy Auditor; Steve Hofmeyer, Deputy Commissioner of Elections; and Diane Swoboda Peterson, Deputy Recorder,

APPROVED THIS 11TH DAY OF FEBRUARY 2025

WOODBURY COUNTY BOARD OF SUPERVISORS

[Copy filed.](#)

A public hearing was held at 4:35 p.m. for the sale of #894721355016, 410 18th St. The Chairperson called on anyone wishing to be heard.

Motion by Nelson second by Bittinger to close the public hearing. Carried 5-0.

Motion by Nelson second by Bittinger to approve and authorize the Chairperson to sign a Resolution for the sale of parcel #894721355016, 410 18th St., to James & Amber Brady, 1722 Douglas St., for \$20.00 plus recording fees. Carried 5-0.

RESOLUTION OF THE BOARD OF SUPERVISORS
OF WOODBURY COUNTY, IOWA
RESOLUTION #13,848

BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa, that the offer at public auction of:

By James Davidson Brady & Amber Brady in the sum of Twenty dollars and 00/100 (\$20.00)-----dollars.

For the following described real estate, To Wit:

Parcel #894721355016
East 54 Feet Lot One (1), East 54 Feet North One (1) Foot, Lot Two (2) Block Seven (7) of Rose Hill Addition, City of Sioux City, Woodbury County, Iowa (410 18th Street)

Now and included in and forming a part of the City of Sioux City, Iowa, the same is hereby accepted: said Amount being a sum LESS than the amount of the general taxes, interests, costs and penalties against the said Real Estate.

BE IT RESOLVED that payment is due by close of business on the day of passage of this resolution or this sale is null and void and this resolution shall be rescinded.

BE IT RESOLVED that per Code of Iowa Section 569.8(3 & 4), a parcel the County holds by tax deed shall not be assessed or taxed until transferred and upon transfer of a parcel so acquired gives the purchaser free title as to previously levied or set taxes. Therefore, the County Treasurer is requested to abate any taxes previously levied or set on this parcel(s).

BE IT RESOLVED that per Code of Iowa Section 569.8(3 & 4), a parcel the County holds by tax deed shall not be assessed or taxed until transferred and upon transfer of a parcel so acquired gives the purchaser free title as to previously levied or set taxes. Therefore, the County Treasurer is requested to abate any taxes previously levied or set on this parcel(s).

BE IT FURTHER RESOLVED that the Chairman of this Board be and he is hereby authorized to execute a Quit Claim Deed for the said premises to the said purchaser.

SO DATED this 11th Day of February, 2025.
WOODBURY COUNTY BOARD OF SUPERVISORS
[Copy filed.](#)

Motion by Nelson second by Carper to approve the plans for Lateral H reconstruction Farmers Drainage District Woodbury County. Carried 5-0. [Copy filed.](#)

Motion by Bittinger second by Nelson to receive for signatures a Resolution Vacation of Excess Right of Way. Carried 5-0.

RESOLUTION #13,851
WOODBURY COUNTY, IOWA
VACATION OF EXCESS RIGHT OF WAY

WHEREAS the Code of Iowa, section 306.10 gives the Board of Supervisors the power on its own motion to alter or vacate and close any highway or road under its jurisdiction, and

WHEREAS the Code of Iowa, section 306.11 allows the Board to vacate a road right of way held by easement that will not change the traveled portion of the road or deny access to adjoining landowners, and

WHEREAS a road vacation under the circumstances outlined in section 306.11 does not require a hearing, and

WHEREAS there is excess right of way on Buchanan Avenue south of US 20 and

WHEREAS vacation of the excess right of way does not affect access or highway use, and

WHEREAS the Board of Supervisors no longer believes the County needs to maintain its easement on the following County right of way,

BE IT FURTHER RESOLVED that the Chairman of this Board be and he is hereby authorized to execute a Quit Claim Deed for the said premises to the said purchaser.

SO DATED this 11th Day of February, 2025.
WOODBURY COUNTY BOARD OF SUPERVISORS
[Copy filed.](#)

A public hearing was held at 4:357p.m. for the sale of parcel #894726105001, 2910 13th St. The Chairperson called on anyone wishing to be heard.

Motion by Nelson second by Dietrich to close the public hearing. Carried 5-0.

Motion by Nelson second by Dietrich to approve and authorize the Chairperson to sign a Resolution for the sale of parcel #894726105001, 2910 13th St., to Daytona Bahmer & Tristen Heimgartner, 3123 McDonald St., for \$25,000.00 plus recording fees. Carried 5-0.

RESOLUTION OF THE BOARD OF SUPERVISORS
OF WOODBURY COUNTY, IOWA
RESOLUTION #13,849

BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa, that the offer at public auction of:

By Daytona Bahmer & Tristen Heimgartner in the sum of Twenty-Five Thousand dollars and 00/100 (\$25,000.00)-----dollars.

For the following described real estate, To Wit:

Parcel #894726105001
Lots Seven (7) through Twelve (12), both inclusive, in Block Nine (9) of Booge and Taylor's Addition to Sioux City in the County of Woodbury and State of Iowa (2910 13th Street)

Now and included in and forming a part of the City of Sioux City, Iowa, the same is hereby accepted: said Amount being a sum LESS than the amount of the general taxes, interests, costs and penalties against the said Real Estate.

BE IT RESOLVED that payment is due by close of business on the day of passage of this resolution or this sale is null and void and this resolution shall be rescinded.

NOW THEREFORE BE IT RESOLVED that the Woodbury County Board of Supervisors, enters the following order in regard to the aforementioned right of way vacation.

The Board of Supervisors order the following described right of way be vacated.

A parcel of land located in a part of Gov't Lot 2 of Section 2, Township 88 North, Range 47 West of the Fifth Principal Meridian, Woodbury County, Iowa, as shown on the Abandonment Plat Exhibit "A" attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the Northwest Corner of said Section 2; thence South 01°17'00" West, 403.09 feet along the West line of said Gov't Lot 2; thence South 88°43'00" East, 50.00 feet to a point on the existing East Right of Way line of Buchanan Avenue and the Point of Beginning; thence along said East Right of Way line for the following 2 courses; North 40°50'35" East, 62.81 feet; thence North 17°20'15" East, 162.72 feet to a point on the existing South Right of Way line of Primary Road US20; thence South 81°40'06" West, 72.01 feet along said South Right of Way line; thence South 05°26'14" West, 193.28 feet to the Point of Beginning, containing 0.20 acre.

NOW THEREFORE BE IT RESOLVED by the Woodbury County Board of Supervisors that all interest in the subject section of road right-of-way be vacated, subject to utility easements of record for ingress and egress.

SO ORDERED this 11th day of February, 2025.
WOODBURY COUNTY BOARD OF SUPERVISORS
[Copy filed.](#)

Motion by Bittinger second by Nelson to amend the motion from 2-4-25 to state that the Correctional Facility – LEC budget is received "with an expense increase of \$452,581.27 due to IPERS calculation clerical error". Carried 5-0. [Copy filed.](#)

Motion by Bittinger second by Nelson to amend the motion from 2-4-25 to state that the General Basic Uniform budget is received "with an expense increase of \$11,652.40 due to IPERS calculation clerical error". Carried 5-0. [Copy filed.](#)

Motion by Nelson second by Bittinger to receive the County Supervisors Starcomm Program budget as submitted. Carried 5-0. [Copy filed.](#)

Motion by Nelson second by Bittinger to receive new budget for from Communications Director Wendi Hess. Carried 5-0. [Copy filed.](#)

Motion by Bittinger second by Nelson to receive the County Supervisors Communication Center budget as submitted. Carried 5-0. [Copy filed.](#)

Motion by Nelson second by Bittinger to receive the County Supervisors Soil Conservation. Carried 5-0. [Copy filed.](#)

Motion by Nelson second by Carper to receive the County Supervisors Youth Guidance Services budget as submitted. Carried 5-0. [Copy filed.](#)

Motion by Bittinger second by Carper to receive the Human Resources budget as submitted. Carried 5-0. [Copy filed.](#)

Motion by Nelson second by Bittinger to receive budget document from District Health Director Kevin Grieme. Carried 5-0. [Copy filed.](#)

Motion by Nelson second by Ung to receive the District Health budget reduced by \$65,000. Carried 5-0. [Copy filed.](#)

Motion by Bittinger second by Nelson to receive the Secondary Roads Roadside Management budget as submitted. Carried 5-0. [Copy filed.](#)

Motion by Nelson second by Dietrich to receive budget document from County Engineer Laura Sievers. Carried 5-0. [Copy filed.](#)

Motion by Ung second by Nelson to receive the Secondary Roads budget as submitted. Carried 5-0. [Copy filed.](#)

Motion by Bittinger second by Nelson to receive budget document from County Engineer Laura Sievers. Carried 5-0. [Copy filed.](#)

Motion by Nelson second by Bittinger to receive the Secondary Roads Gravel Project budget as submitted. Carried 5-0. [Copy filed.](#)

Motion by Nelson second by Bittinger to receive budget documents from Conservation Director Dan Heissel. Carried 5-0. [Copy filed.](#)

Motion by Bittinger second by Nelson to receive second budget document from Conservation Director Dan Heissel. Carried 5-0. [Copy filed.](#)

Motion by Bittinger second by Nelson to receive the Conservation Administration budget as submitted. Carried 5-0. [Copy filed.](#)

Motion by Bittinger second by Nelson to receive the Conservation Parks budget as submitted. Carried 5-0. [Copy filed.](#)

Motion by Bittinger second by Nelson to receive the Conservation Naturalist budget as submitted. Carried 5-0. [Copy filed.](#)

Motion by Nelson second by Bittinger to receive the Conservation Nature Center budget as submitted. Carried 5-0. [Copy filed.](#)

Motion by Bittinger second by Dietrich to receive the Conservation REAP budget as submitted. Carried 5-0. [Copy filed.](#)

Motion by Bittinger second by Dietrich to receive the Conservation Nature Center budget as submitted. Carried 5-0. [Copy filed.](#)

Motion by Bittinger second by Dietrich to receive the Conservation Reserve budget as submitted. Carried 5-0. [Copy filed.](#)

Reports on committee meetings were heard.

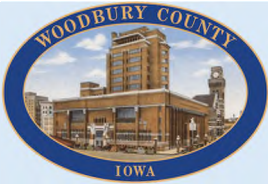
There were no citizen concerns.

Board Concerns were heard.

The Board adjourned the regular meeting until February 18, 2025.

Meeting sign in sheet. [Copy filed.](#)

This content was printed from the County website at WOODBURYCOUNTYIOWA.GOV on February 19, 2025.



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

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

PUBLIC HEARINGS

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

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 2/20/25.



WOODBURY COUNTY ZONING COMMISSION

Monday, February 24, 2025 at 5:00 PM

The Zoning Commission will hold a public meeting on **Monday, February 24, 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 7th 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

1	CALL TO ORDER
2	ROLL CALL
3	PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA (INFORMATION ITEM)
4	APPROVAL OF MINUTES FROM PREVIOUS MEETINGS: 1/27/25 (ACTION ITEM)
5	ITEM(S) OF BUSINESS
»	PUBLIC HEARING (ACTION ITEM): FOR THE CONSIDERATION OF NUCLEAR ENERGY FACILITIES TO BE INCLUDED AS PART OF THE WOODBURY COUNTY ZONING ORDINANCE. SUMMARY: 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.
»	APPROVAL AND ADOPTION OF RULES OF PROCEDURES FOR THE WOODBURY COUNTY ZONING COMMISSION (ACTION ITEM). SUMMARY: At their meeting on February 11, 2025, the Woodbury County Board of Supervisors approved the Rules of Procedure for the Woodbury County Zoning Commission. This agenda item is for the Zoning Commission to formally adopt the Rules of Procedure as approved by the Board of Supervisors.
»	DIMENSIONAL SIZE FOR SINGLE-FAMILY DWELLINGS FOLLOW-UP DISCUSSION (INFORMATION ITEM). SUMMARY: Follow-up discussion following last month's public hearing concerning Section 4.11: Single-Family Detached Dwellings in the Woodbury County Zoning Ordinance.
6	PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA (INFORMATION ITEM)
7	STAFF UPDATE (INFORMATION ITEM)
8	COMMISSIONER COMMENT OR INQUIRY (INFORMATION ITEM)
11	ADJOURN

PACKET CONTENTS

PREVIOUS MEETING MINUTES – January 27, 2025	
PUBLIC HEARING (ACTION ITEM): FOR THE CONSIDERATION OF NUCLEAR ENERGY FACILITIES TO BE INCLUDED AS PART OF THE WOODBURY COUNTY ZONING ORDINANCE.	
APPROVAL AND ADOPTION OF RULES OF PROCEDURES FOR THE WOODBURY COUNTY ZONING COMMISSION (ACTION ITEM).	
DIMENSIONAL SIZE FOR SINGLE-FAMILY DWELLINGS FOLLOW-UP DISCUSSION (INFORMATION ITEM):	

Minutes - Woodbury County Zoning Commission – January 27, 2025

The Zoning Commission (ZC) meeting convened on the 27th Day of January, 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=PRQLWaCt2P0>

ATTENDANCE

ZC Members Present:	Chris Zellmer Zant, Tom Bride, Corey Meister, Jeff Hanson, Steve Corey
County Staff Present:	Dan Priestley, Michael Montino
Supervisor(s) Present:	Kent Carper
Public Present:	Jeannie Krueger, Ronnie Krueger

CALL TO ORDER

The meeting of the Woodbury County Zoning Commission was called to order at 5:00 PM by Chris Zellmer Zant.

All commissioners were present, including new member Steve Corey, appointed by the Board of Supervisors for a five-year term beginning in 2025.

ELECTION OF CHAIR OF THE ZONING COMMISSION FOR 2025 (ACTION ITEM)

Bride nominated through motion Chris Zellmer Zant to be Chair. Second by Steve Corey. Carried 5-0.

ELECTION OF VICE-CHAIR OF THE ZONING COMMISSION FOR 2025 (ACTION ITEM)

Meister nominated through motion Tom Bride to be Vice-Chair. Second by Jeff Hanson. Carried 4-0. Bride Abstained.

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

None.

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS: 8/26/24 & 11/25/24 (ACTION ITEM)

Bride motioned to approve the 8/26/24 minutes. Second by Corey. Carried 5-0. Hanson motioned to approve the 11/25/24 minutes. Second by Corey. Carried 5-0.

PUBLIC HEARING (ACTION ITEM): FOR THE CONSIDERATION OF NUCLEAR ENERGY FACILITIES TO BE INCLUDED AS PART OF THE WOODBURY COUNTY ZONING ORDINANCE

This public hearing was held to discuss adding nuclear energy facilities to its ordinance, continuing from previous sessions to assess public interest. Priestley offered comments on the potential inclusion of nuclear facilities in zoning, discussing aspects like generation, modular systems, and public engagement. Currently, nuclear plants can be permitted under industrial zoning with conditional use permits, but the debate is on clarifying or expanding this. Turnout was lower than for renewable energy discussions. The complexity of nuclear regulations was highlighted, involving federal, state, and local bodies, with safety, environmental impact, and emergency planning zones discussed. Commissioners and staff including Woodbury County Emergency Management Coordinator Michael Montino discussed the implications, safety, and community benefits of nuclear energy. Concerns about water use for cooling were referenced, noting advancements like helium-cooled reactors. Montino offered questions about local benefits versus grid support. The meeting touched on smaller, modular reactors potentially reducing traditional concerns. No public comments were received, but a letter from Chris Madson, City of Sioux City's Senior Planner, was entered into the record supporting conditional use permits for nuclear facilities in industrial zones. Hansen moved to accept the letter into record. Second by Bride. Carried 5-0 (Available in Appendix). No decisions were made; the issue remains open for further public input. Priestley suggested to continue this discussion in

subsequent public hearings due to lack of public turnout. Motion to close public hearing by Hanson. Second by Corey. Carried 4-0.

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

A public hearing was conducted to consider potential changes to Section 4.11: Single-Family Detached Dwellings in the Woodbury County Zoning Ordinance. The hearing considered 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 could include the addition of new sections pertaining to single-family dwellings, definitions, the renumbering, and reorganization of content within the Woodbury County Zoning Ordinance.

Jeanie and Ronnie Krueger: They expressed their desire to install a single-wide mobile home on their property for their grandson, arguing that the current 23-foot dimension requirement prohibits this due to the narrower width of single-wides. They emphasized the need for affordable housing options in the area.

Existing Regulation: The 23-foot minimum was discussed as a standard set to maintain uniformity across different types of housing, including mobile homes, without discrimination, as per federal regulations from HUD.

Issues Raised:

Affordability vs. Standards: Commissioners discussed the issue between maintaining community standards and providing affordable housing options.

Structure Expansion:

The Krueger's discussed expansion. Given that there are no building codes specifically addressing this scenario, the Commission questioned whether a mobile home could be brought to a site, expanded on the same foundation, and still be considered as having a single, continuous main body with a complete perimeter foundation? Priestley offered concerns about the main structure being on a continuous perimeter.

Potential Solutions:

Meister discussed potential solutions including a conditional use for a relative. Priestley discussed both the conditional use and variance scenarios.

Variance: Discussed the possibility of a variance, but noted the challenges in proving a practical difficulty or hardship as required by law.

Conditional Use Permit: Suggested for scenarios where the mobile home could be on the same lot as another structure, but this still wouldn't bypass the size requirement.

Public Demand: There was a concern over the lack of significant public demand for changing the ordinance, suggesting that broader community support would be needed for any amendment.

Decision Making:

The commission did not make an immediate decision to change the ordinance but decided to keep the issue open for further public input. They acknowledged the need for more research, particularly on how adding to the structure might satisfy the current requirements.

Hanson suggested that legal interpretation on the addition to structures might be sought from the county attorney to clarify if such additions would comply with the ordinance.

The issue is to remain on the agenda for future meetings to gather more community feedback.

Motion by Bride to close the public hearing. Second by Corey. Carried 5-0.

REVIEW OF THE ZONING COMMISSION'S RULES OF PROCEDURES FOR ANY POTENTIAL CHANGES NOT LIMITED TO MEETING LOCATION (ACTION ITEM)

Priestley discuss the purpose of the Rules of Procedure and recommended that they be updated to reflect the basement meeting location that has been authorized by the Board of Supervisors Chair. Hanson made a motion to amend Section 2 of the Rules of Procedure for the Woodbury County Zoning Commission regarding the regular meeting location to state "in the Board of Supervisors meeting room in the basement." Second by Bride. Carried 5-0

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

None

STAFF UPDATE (INFORMATION ITEM)

Priestley discussed upcoming training from Iowa State University Extension concerning planning and zoning. Staff will be in touch with more information in the weeks ahead as this is scheduled for April 22, 2025 at the Woodbury County Iowa State Extension location.

COMMISSIONER COMMENT OR INQUIRY (INFORMATION ITEM)

None

ADJOURNMENT

The meeting adjourned at 6:56 PM following a motion by Meister, seconded by Corey. The motion carried 5-0.

APPENDIX

Daniel Priestley

From: Christopher Madsen
Sent: Wednesday, January 22, 2025 9:25 AM
To: Daniel Priestley
Cc: Marty Dougherty; Mike Collett
Subject: RE: Comments Requested - Dwelling Minimum Dimension and Nuclear Energy

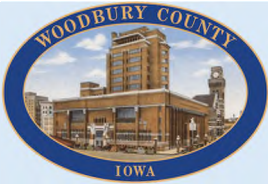
Follow Up Flag: Follow up
Flag Status: Flagged

Good morning Dan,
City Zoning would support a County Zoning Ordinance amendment to allow/clarify that nuclear energy facilities are allowed in the GI zoning district. We would like to see the following, as the Gi zone is predominantly in close proximity to Sioux City:

1. A conditional use permit or similar process that would require a public hearing and review of the proposed location.
2. As noted in your background documents; submittal of a site plan, safety evaluation, and environmental impact statement.
3. Due to the location, FAA review of the proposal if the site is within the airport conical zone.

Thank you!

Chris R. Madsen, AICP, CFM
Senior Planner
City of Sioux City
Phone: 712.279.6341
Email: cmadsen@sioux-city.org
405 6th Street, Box 447
Sioux City IA 51102



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 – REVISED 2-19-25

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:

- 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:

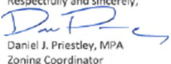
- Are there any specific regulatory frameworks or best practices from other jurisdictions that you believe we should consider when updating our zoning ordinance to include nuclear energy?

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.

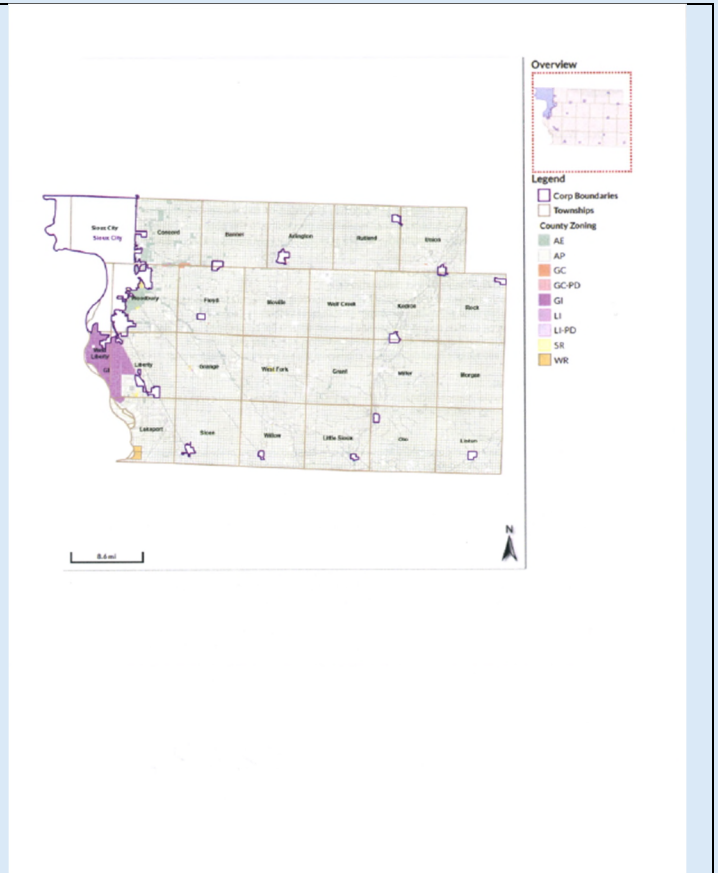
Please provide your initial feedback by **August 23, 2024 before 10:00 AM**. You can send your response to dpriestley@woodburycountyia.gov, **Woodbury County Planning and Zoning, 620 Douglas St., Sixth Floor, Sioux City, IA 51101** or call **712-279-6609** to discuss this matter further.


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

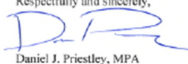
- Are there regulatory frameworks, examples, or best practices from other jurisdictions you believe we should examine when updating our zoning ordinance?

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.

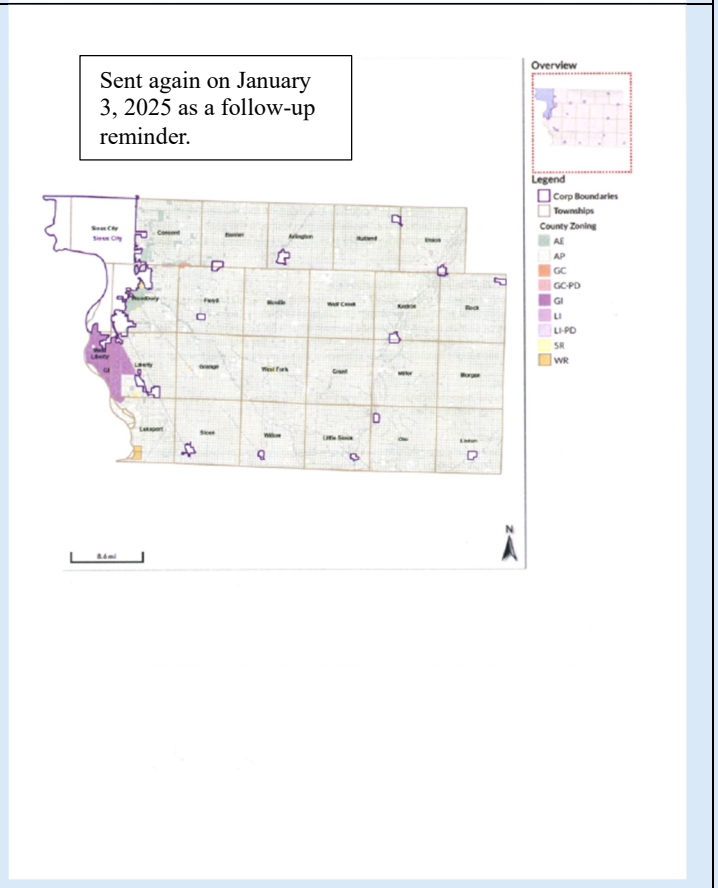
Please provide your feedback by **January 20, 2025, at 10:00 AM**. You may send your response via email to dpriestley@woodburycountyia.gov, by mail to **Woodbury County Planning and Zoning, 620 Douglas St., Sixth Floor, Sioux City, IA 51101**, or call **712-279-6609** to discuss this matter further.

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

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@woodburycountyiowa.gov

From: Daniel Priestley <dpriestley@woodburycountyiowa.gov>
Sent: Friday, July 26, 2024 10:16 AM
To: Daniel Priestley <dpriestley@woodburycountyiowa.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

Phone (712-233-4831)

MIDAMERICAN
 ENERGY COMPANY.

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

From: ken bauer <kjbauer57@hotmail.com>
Sent: Thursday, February 6, 2025 12:41 PM
To: Daniel Priestley
Subject: Nuclear energy in Woodbury county.

Follow Up Flag: Follow up
Flag Status: Flagged

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I believe nuclear energy would be very beneficial to our county. I worked at port neal for 26 years. I believe coal fired plants are second only to nuclear plants. The wind mills and solar only makes brookshirehathaway rich off tax payers back. The wind doesn't always blow and the sun doesn't always shine (especially at night). I believe it would be more economical than either and the landscape wouldn't be cluttered with old wind mills or solar panels. Ken Bauer , mayor of Correctionville.

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

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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

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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.

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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 _____

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.

Approved by Board of Supervisors April 5, 2016.

Sioux City Journal
AFFIDAVIT OF PUBLICATION

Sioux City Journal
2802 Castles Gate Drive
Sioux City 51106
(712) 293-4250

State of Florida, County of Orange, ss:

Bailee Liston, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Sioux City Journal, printed and published by Journal Communications, in Sioux City in Woodbury County and issued daily and Sunday and that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:

Feb. 11, 2025

NOTICE ID: yNjuXD6R9qNMPencb3Xe

PUBLISHER ID: COL-IA-501389

NOTICE NAME: ZC-2025-2-24

Publication Fee: \$41.71

Bailee Liston

(Signed) _____



VERIFICATION

State of Florida
County of Orange

Subscribed in my presence and sworn to before me on this: 02/18/2025

J. R. [Signature]

Notary Public

Notarized remotely online using communication technology via Proof.

**NOTICE OF PUBLIC HEARING
BEFORE THE WOODBURY
COUNTY ZONING COMMISSION
REGARDING THE ADDITION OF
NUCLEAR ENERGY FACILITIES
IN THE WOODBURY COUNTY
ZONING ORDINANCE**

The Woodbury County Zoning Commission will have a meeting and will hold a public hearing on the following item hereafter described in detail on February 24, 2025 at 5:00 PM or as soon thereafter as the matter may be considered.

Said public hearing will be held in the Board of Supervisors' meeting room in the basement of the Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa. Copies of said item may now be examined at the office of the Woodbury County Community and Economic Development, on the 6th Floor of said courthouse by any interested persons. All persons who wish to be heard in respect to the matter should appear at the aforesaid public hearings in person or call: 712-454-1133 and enter the Conference ID: 638 086 537# during the meeting to listen or comment. However, it is recommended to attend in person as there is the possibility for technical difficulties with phone and computer systems. You may forward your written comments by mail or email to: Woodbury County Community and Economic Development, 6th Floor, Woodbury County Courthouse, 620 Douglas St., Sioux City, IA 51101; Emails should be sent to Daniel Priestley at: dpriestley@woodburycountyiowa.gov. Only signed comments will be considered and should be received no later than 10:00 AM on Fri., Feb. 21, 2025.

Item One (1)

**NUCLEAR ENERGY FACILITIES
ZONING ORDINANCE TEXT AMENDMENT
CONSIDERATION**

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.

COL-IA-501389

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>
- Galindo, Andrea. What is Nuclear Energy? The Science of Nuclear Power. <https://www.iaea.org/newscenter/news/what-is-nuclear-energy-the-science-of-nuclear-power>
- Iginia, Martina. The Advantages and Disadvantages of Nuclear Energy. <https://earth.org/the-advantages-and-disadvantages-of-nuclear-energy/>
- Just Energy. Pros and Cons of Nuclear Energy: Safety, Cost, Efficiency. <https://justenergy.com/blog/pros-and-cons-of-nuclear-energy-safety-cost-efficiency/>
- Kanost, Taylor & Lawrence, Brandon. Nuclear Energy in Iowa: Future Developments with MidAmerican. <https://www.weareiowa.com/article/tech/science/climate-change/nuclear-energy-in-iowa-future-developments-midamerican/524-aaed2ac4-7c3b-406a-a84b-c6e356b181ee>
- 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>
- Liou, Joanne. What are Small Modular Reactors (SMRs)? <https://www.iaea.org/newscenter/news/what-are-small-modular-reactors-smrs>
- Lumley, Graham. Pros and Cons of Nuclear Energy. <https://bkvenergy.com/learning-center/nuclear-energy-pros-and-cons/>
- Mathis, Joel. The Pros and Cons of Nuclear Power. <https://theweek.com/climate-change/1013907/the-pros-and-cons-of-nuclear-power>
- Moses, Marta. What are the Advantages of Nuclear Energy? <https://www.edfenergy.com/energywise/what-are-advantages-nuclear-energy>
- National Geographic. Nuclear Energy. <https://education.nationalgeographic.org/resource/nuclear-energy/>
- Nuclear Regulatory Commission. Backgrounder on Nuclear Power Plant Licensing Process. <https://www.nrc.gov/reading-rm/doc-collections/fact-sheets/licensing-process-fs.html>
- 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>
- Smith, Jaime. Nuclear Energy Pros and Cons. <https://www.solarreviews.com/blog/nuclear-energy-pros-and-cons>
- The Conversation. How to Make Up Your Mind About the Pros and Cons of Nuclear Power. <https://theconversation.com/how-to-make-up-your-mind-about-the-pros-and-cons-of-nuclear-power-172474>
- 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>
- U.S. Department of Energy. Newly Signed Bill Will Boost Nuclear Reactor Deployment in the United States. <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.>
- U.S. Department of Energy. What are Small Modular Reactors (SMRs)? <https://www.energy.gov/ne/advanced-small-modular-reactors-smrs>
- U.S. Department of Energy. What is High Assay Low Enriched Uranium (HALEU)? <https://www.energy.gov/ne/articles/what-high-assay-low-enriched-uranium-haleu>
- U.S. Department of Energy. NRC Dockets Construction Permit Application for TerraPower's Sodium Reactor. <https://www.energy.gov/ne/articles/nrc-dockets-construction-permit-application-terrapowers-sodium-reactor>
- U.S. Energy Information Administration. Nuclear explained. Nuclear power and the environment. <https://www.eia.gov/energyexplained/nuclear/nuclear-power-and-the-environment.php>
- U.S. Energy Information Administration. Nuclear Power and the Environment. <https://www.eia.gov/energyexplained/nuclear/nuclear-power-and-the-environment.php>
- White House. Fact Sheet: Biden-Harris Administration Announces New Steps to Bolster Domestic Nuclear Industry and Advance America's Clean Energy Future. <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/>
- 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>

**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 **February 11, 2025** 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 Board of Supervisors meeting room in the basement 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.

DATE ADOPTED

CHAIRPERSON

ATTESTOR



MINUTES -

2/11/2025

FEBRUARY 11, 2025, SEVENTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, February 11, 2025, at 4:30 p.m. Board members present were Ung, Carper, Nelson, Dietrich, and Bittinger II. Staff members present were Joshua Widman, Assistant County Attorney, Karen James, Board Administrative Assistant, Melissa Thomas, Human Resources Director, and Michelle Skaff, Auditor/Clerk to the Board.

The regular meeting was called to order with the Pledge of Allegiance to the Flag and a Moment of Silence.

Motion by Bittinger second by Nelson to approve the agenda for February 11, 2025. Carried 5-0. [Copy filed.](#)

Motion by Bittinger second by Nelson to approve the following items by consent:

To approve minutes of the February 4, 2025 meeting. [Copy filed.](#)

To approve the claims totaling \$1,793,429.65. [Copy filed.](#)

To receive for signatures a Resolution Thanking and Commending Douglas Boetger for his years for service with Woodbury County.

WOODBURY COUNTY, IOWA
RESOLUTION #13,840
A RESOLUTION THANKING AND COMMENDING
DOUGLAS BOETGER
FOR HIS SERVICE TO WOODBURY COUNTY

To approve Rules of Procedure amendment for the Woodbury County Board of Adjustment to amend Section 2, Regular Meetings to reflect a meeting time and location as "...5 PM in the Board of Supervisors meeting room in the basement at the Woodbury County Courthouse...". [Copy filed.](#)

To approve Rules of Procedure amendment for the Woodbury County Zoning Commission to amend Section 2, Regular Meetings to reflect a meeting time and location as "...5 PM in the Board of Supervisors meeting room in the basement at the Woodbury County Courthouse...". [Copy filed.](#)

To approve the property tax refund request for Rob Valdovinos (CC Properties), parcel #894729285016, in the amount of \$125.00. [Copy filed.](#)

To approve and authorize the Chairperson to sign a Resolution approving abatement of taxes for William & Audrey Massey, Vin #09A18006S, 1990 Shar-lo.

WOODBURY COUNTY, IOWA
RESOLUTION #13,841
RESOLUTION APPROVING ABATEMENT OF TAXES

WHEREAS, William Massey is the titleholder of a mobile home VIN # 09A18006S located in Woodbury County, Iowa and legally described as follows:

VIN # 09A18006S Year/Model 1990 Shar-lo

WHEREAS, the above-stated mobile home has taxes payable including special assessments and the mobile home is owned by William Massey.

WHEREAS, these taxes are uncollectable or impractical to pursue collection through personal judgment or tax sale.

WHEREAS, the Board of Supervisors sees that good cause exists for the abatement of these taxes and;

NOW, THEREFORE, BE IT RESOLVED, that the Woodbury County Board of Supervisors hereby abates the taxes owing on the above mobile home according to Code of Iowa, 445.16 for the taxes owed and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

SO RESOLVED this 11 day of February, 2025.
WOODBURY COUNTY BOARD OF SUPERVISORS
[Copy filed.](#)

WHEREAS, Douglas Boetger has capably served Woodbury County as an employee of the Woodbury County Sheriff's Office for 38 years from September 1, 1987 to March 30, 2025.

WHEREAS, the service given by Douglas Boetger as a Woodbury County employee, has been characterized by his dedication to the best interests of the citizens of Woodbury County; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA that the undersigned members of this Board thanks and commends Douglas Boetger for his years of service to Woodbury County; and

BE IT FURTHER RESOLVED that it is the wish of all those signing below that the future hold only the best for this very deserving person, Douglas Boetger

BE IT SO RESOLVED this 11th day of February 2025.

WOODBURY COUNTY BOARD OF SUPERVISORS
[Copy filed.](#)

To approve lifting tax suspensions for petitioners who failed to re-certify their income or income does not qualify for continues tax suspension. [Copy filed.](#)

To approve the reclassification of Suzanne Salberg, Clerk II, County Treasurer Dept., effective 02-03-2025, \$20.14/hour, 5%=\$0.90/hr. Per AFSCME: Move from Step 1 to Step 2. Anniversary Date: 2/9/25.; the appointment of Melissa Frey, Clerk II, Secondary Roads Dept., effective 02-12-25, \$19.24/hour. Job Vacancy Posted 12/4/24. Entry Level Salary: \$19.24/hour.; the appointment of Ryan Ericson, Budget & Finance Director, Board of Supervisors Dept., effective 02-17-2025, \$125,000/year. Job Vacancy Posted 8/28/24. Entry Level Salary: \$100,000-\$130,000/year.; the end of probation for Brandon Pollema, Operations Officer-Paramedic, Emergency Services Dept., effective 03-03-2025, \$26.84/hour, 6%=\$1.61/hr. End of Probation Increase. 6 month Anniversary Date: 3/9/25.; and the separation of Douglas Boetger, Deputy Sergeant, County Sheriff Dept., effective 03-30-2025. Retirement. [Copy filed.](#)

To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for Temporary Summer Laborers – (5), Secondary Roads Dept. Wage Plan: \$17.00-\$19.00/hour; and Temporary Engineering Aides – (3), Secondary Roads Dept. Wage Plan: \$17.00-\$20.00/hour. [Copy filed.](#)

To approve the request of Douglas Boetger to remain on the County Health and Dental insurances. [Copy filed.](#)

To approve and authorize the Chairperson to sign a Resolution approving abatement of taxes for Julie Torres, Vin #J1094, 1973 Rollohome.

WOODBURY COUNTY, IOWA
RESOLUTION #13,842
RESOLUTION APPROVING ABATEMENT OF TAXES

WHEREAS, Julie Torres is the titleholder of a mobile home VIN#J1094 located in Woodbury County, Iowa and legally described as follows:

VIN# J1094 Year/Model 1973 Rollohome

WHEREAS, the above-stated mobile home has taxes payable including special assessments and the mobile home is owned by Julie Torres

WHEREAS, these taxes are uncollectable or impractical to pursue collection through personal judgment or tax sale.

WHEREAS, the Board of Supervisors sees that good cause exists for the abatement of these taxes and;

NOW, THEREFORE, BE IT RESOLVED, that the Woodbury County Board of Supervisors hereby abates the taxes owing on the above mobile home according to Code of Iowa, 445.16 for the taxes owed and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

SO RESOLVED this 11 day of February, 2025.
WOODBURY COUNTY BOARD OF SUPERVISORS
[Copy filed.](#)

To approve and authorize the Chairperson to sign a Resolution approving abatement of taxes for Neal Porsch, Vin #88A15962, 1988 Bellavista.

WOODBURY COUNTY, IOWA
RESOLUTION #13,843
RESOLUTION APPROVING ABATEMENT OF TAXES

WHEREAS, Neal Persch is the titleholder of a mobile home VIN #88A15962 located in Woodbury County, Iowa and legally described as follows:

VIN #88A15962 Year/Model 1988 Bellavista

WHEREAS, the above-stated mobile home has taxes payable including special assessments and the mobile home is owned by Neal Porsch.

WHEREAS, these taxes are uncollectable or impractical to pursue collection through personal judgment or tax sale.

WHEREAS, the Board of Supervisors sees that good cause exists for the abatement of these taxes and;

NOW, THEREFORE, BE IT RESOLVED, that the Woodbury County Board of Supervisors hereby abates the taxes owing on the above mobile home according to Code of Iowa, 445.16 for the taxes owed and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

SO RESOLVED this 11 day of February, 2025.

WOODBURY COUNTY BOARD OF SUPERVISORS

[Copy filed.](#)

To approve and authorize the Chairperson to sign a Resolution approving abatement of taxes for Lake Forest MHC LLC, Vin #0580014924, 1978 Champion.

WOODBURY COUNTY, IOWA

RESOLUTION #13,844

RESOLUTION APPROVING ABATEMENT OF TAXES

WHEREAS, Lake Forest MHC LLC is the titleholder of a mobile home VIN#0580014924 located in Woodbury County, Iowa and legally described as follows:

VIN#0580014924 Year/Model 1978 Champion

WHEREAS, the above-stated mobile home has taxes payable including special assessments and the mobile home is owned by Lake Forest MHC LLC

WHEREAS, these taxes are uncollectable or impractical to pursue collection through personal judgment or tax sale.

WHEREAS, the Board of Supervisors sees that good cause exists for the abatement of these taxes and;

NOW, THEREFORE, BE IT RESOLVED, that the Woodbury County Board of Supervisors hereby abates the taxes owing on the above mobile home according to Code of Iowa, 445.16 for the taxes owed and

WOODBURY COUNTY, IOWA

RESOLUTION #13,846

RESOLUTION APPROVING ABATEMENT OF TAXES

WHEREAS, Yes Communities is the titleholder of a mobile home VIN #06520165ZAB, located in Woodbury County, Iowa and legally described as follows:

VIN #06520165ZAB Year/Model 1990 Oak Manor

WHEREAS, the above-stated mobile home has taxes payable including special assessments and the mobile home is owned by Yes Communities

WHEREAS, these taxes are uncollectable or impractical to pursue collection through personal judgment or tax sale.

WHEREAS, the Board of Supervisors sees that good cause exists for the abatement of these taxes and;

NOW, THEREFORE, BE IT RESOLVED, that the Woodbury County Board of Supervisors hereby abates the taxes owing on the above mobile home according to Code of Iowa, 445.16 for the taxes owed and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

SO RESOLVED this 11 day of February, 2025.

WOODBURY COUNTY BOARD OF SUPERVISORS

[Copy filed.](#)

To approve and authorize the Chairperson to sign a Resolution approving abatement of taxes for Evergreen Village, Vin #28H7345, 1982 Bellavista.

WOODBURY COUNTY, IOWA

RESOLUTION #13,847

RESOLUTION APPROVING ABATEMENT OF TAXES

WHEREAS, Evergreen Village is the titleholder of a mobile home VIN # 28H7345, located in Woodbury County, Iowa and legally described as follows:

VIN #28H7345 . Year/Model 1982 Bellavista

WHEREAS, the above-stated mobile home has taxes payable including special assessments and the mobile home is owned by Evergreen Village.

hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

SO RESOLVED this 11 day of February, 2025.

WOODBURY COUNTY BOARD OF SUPERVISORS

[Copy filed.](#)

To approve and authorize the Chairperson to sign a Resolution approving abatement of taxes for Amy Rychtarik, Vin #BU4030E, 1971 Bud.

WOODBURY COUNTY, IOWA

RESOLUTION #13,845

RESOLUTION APPROVING ABATEMENT OF TAXES

WHEREAS, Amy Rychtarik is the titleholder of a mobile home VIN#BU4030E located in Woodbury County, Iowa and legally described as follows:

VIN #BU4030E Year/Mode 1971 Bud

WHEREAS, the above-stated mobile home has taxes payable including special assessments and the mobile home is owned by Amy Rychtarik.

WHEREAS, these taxes are uncollectable or impractical to pursue collection through personal judgment or tax sale.

WHEREAS, the Board of Supervisors sees that good cause exists for the abatement of these taxes and;

NOW, THEREFORE, BE IT RESOLVED, that the Woodbury County Board of Supervisors hereby abates the taxes owing on the above mobile home according to Code of Iowa, 445.16 for the taxes owed and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

SO RESOLVED this 11 day of February, 2025.

WOODBURY COUNTY BOARD OF SUPERVISORS

[Copy filed.](#)

To approve and authorize the Chairperson to sign a Resolution approving abatement of taxes for Yes Communities, Vin #06520165ZAB, 1990 Oak Manor.

WHEREAS, these taxes are uncollectable or impractical to pursue collection through personal judgment or tax sale.

WHEREAS, the Board of Supervisors sees that good cause exists for the abatement of these taxes and;

NOW, THEREFORE, BE IT RESOLVED, that the Woodbury County Board of Supervisors hereby abates the taxes owing on the above mobile home according to Code of Iowa, 445.16 for the taxes owed and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

SO RESOLVED this 11 day of February, 2025.

WOODBURY COUNTY BOARD OF SUPERVISORS

[Copy filed.](#)

Carried 5-0.

Motion by Nelson second by Dietrich to receive for signature a Resolution of Appointment of Deputy Auditors. Carried 5-0.

APPOINTMENT OF DEPUTY AUDITORS

RESOLUTION #13,850

WHEREAS, the Woodbury County Auditor, Michelle Skaff, was duly elected on November 5, 2024 and sworn into office on December 31, 2024; and

WHEREAS, pursuant to Iowa Code 331.903(1), the Auditor, Treasurer, Recorder, Sheriff, and County Attorney may each appoint, with approval of the Board of Supervisors, one or more deputies, assistants, or clerks for whose acts the principal officer is responsible; and

WHEREAS, approval of each appointment shall be adopted by a resolution recorded in the minutes of the Board of Supervisors;

NOW THEREFORE BE IT RESOLVED by the Woodbury County Board of Supervisors that the following appointments by the Auditor is approved: Shona Campbell, Deputy Auditor; Steve Hofmeyer, Deputy Commissioner of Elections; and Diane Swoboda Peterson, Deputy Recorder,

APPROVED THIS 11TH DAY OF FEBRUARY 2025

WOODBURY COUNTY BOARD OF SUPERVISORS

[Copy filed.](#)

A public hearing was held at 4:35 p.m. for the sale of #894721355016, 410 18th St. The Chairperson called on anyone wishing to be heard.

Motion by Nelson second by Bittinger to close the public hearing. Carried 5-0.

Motion by Nelson second by Bittinger to approve and authorize the Chairperson to sign a Resolution for the sale of parcel #894721355016, 410 18th St., to James & Amber Brady, 1722 Douglas St., for \$20.00 plus recording fees. Carried 5-0.

RESOLUTION OF THE BOARD OF SUPERVISORS
OF WOODBURY COUNTY, IOWA
RESOLUTION #13,848

BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa, that the offer at public auction of:

By James Davidson Brady & Amber Brady in the sum of Twenty dollars and 00/100 (\$20.00)-----dollars.

For the following described real estate, To Wit:

Parcel #894721355016
East 54 Feet Lot One (1), East 54 Feet North One (1) Foot, Lot Two (2) Block Seven (7) of Rose Hill Addition, City of Sioux City, Woodbury County, Iowa (410 18th Street)

Now and included in and forming a part of the City of Sioux City, Iowa, the same is hereby accepted: said Amount being a sum LESS than the amount of the general taxes, interests, costs and penalties against the said Real Estate.

BE IT RESOLVED that payment is due by close of business on the day of passage of this resolution or this sale is null and void and this resolution shall be rescinded.

BE IT RESOLVED that per Code of Iowa Section 569.8(3 & 4), a parcel the County holds by tax deed shall not be assessed or taxed until transferred and upon transfer of a parcel so acquired gives the purchaser free title as to previously levied or set taxes. Therefore, the County Treasurer is requested to abate any taxes previously levied or set on this parcel(s).

BE IT RESOLVED that per Code of Iowa Section 569.8(3 & 4), a parcel the County holds by tax deed shall not be assessed or taxed until transferred and upon transfer of a parcel so acquired gives the purchaser free title as to previously levied or set taxes. Therefore, the County Treasurer is requested to abate any taxes previously levied or set on this parcel(s).

BE IT FURTHER RESOLVED that the Chairman of this Board be and he is hereby authorized to execute a Quit Claim Deed for the said premises to the said purchaser.

SO DATED this 11th Day of February, 2025.
WOODBURY COUNTY BOARD OF SUPERVISORS
[Copy filed.](#)

Motion by Nelson second by Carper to approve the plans for Lateral H reconstruction Farmers Drainage District Woodbury County. Carried 5-0. [Copy filed.](#)

Motion by Bittinger second by Nelson to receive for signatures a Resolution Vacation of Excess Right of Way. Carried 5-0.

RESOLUTION #13,851
WOODBURY COUNTY, IOWA
VACATION OF EXCESS RIGHT OF WAY

WHEREAS the Code of Iowa, section 306.10 gives the Board of Supervisors the power on its own motion to alter or vacate and close any highway or road under its jurisdiction, and

WHEREAS the Code of Iowa, section 306.11 allows the Board to vacate a road right of way held by easement that will not change the traveled portion of the road or deny access to adjoining landowners, and

WHEREAS a road vacation under the circumstances outlined in section 306.11 does not require a hearing, and

WHEREAS there is excess right of way on Buchanan Avenue south of US 20 and

WHEREAS vacation of the excess right of way does not affect access or highway use, and

WHEREAS the Board of Supervisors no longer believes the County needs to maintain its easement on the following County right of way,

BE IT FURTHER RESOLVED that the Chairman of this Board be and he is hereby authorized to execute a Quit Claim Deed for the said premises to the said purchaser.

SO DATED this 11th Day of February, 2025.
WOODBURY COUNTY BOARD OF SUPERVISORS
[Copy filed.](#)

A public hearing was held at 4:35p.m. for the sale of parcel #894726105001, 2910 13th St. The Chairperson called on anyone wishing to be heard.

Motion by Nelson second by Dietrich to close the public hearing. Carried 5-0.

Motion by Nelson second by Dietrich to approve and authorize the Chairperson to sign a Resolution for the sale of parcel #894726105001, 2910 13th St., to Daytona Bahmer & Tristen Heimgartner, 3123 McDonald St., for \$25,000.00 plus recording fees. Carried 5-0.

RESOLUTION OF THE BOARD OF SUPERVISORS
OF WOODBURY COUNTY, IOWA
RESOLUTION #13,849

BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa, that the offer at public auction of:

By Daytona Bahmer & Tristen Heimgartner in the sum of Twenty-Five Thousand dollars and 00/100 (\$25,000.00)-----dollars.

For the following described real estate, To Wit:

Parcel #894726105001
Lots Seven (7) through Twelve (12), both inclusive, in Block Nine (9) of Booge and Taylor's Addition to Sioux City in the County of Woodbury and State of Iowa (2910 13th Street)

Now and included in and forming a part of the City of Sioux City, Iowa, the same is hereby accepted: said Amount being a sum LESS than the amount of the general taxes, interests, costs and penalties against the said Real Estate.

BE IT RESOLVED that payment is due by close of business on the day of passage of this resolution or this sale is null and void and this resolution shall be rescinded.

NOW THEREFORE BE IT RESOLVED that the Woodbury County Board of Supervisors, enters the following order in regard to the aforementioned right of way vacation.

The Board of Supervisors order the following described right of way be vacated.

A parcel of land located in a part of Gov't Lot 2 of Section 2, Township 88 North, Range 47 West of the Fifth Principal Meridian, Woodbury County, Iowa, as shown on the Abandonment Plat Exhibit "A" attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the Northwest Corner of said Section 2; thence South 01°17'00" West, 403.09 feet along the West line of said Gov't Lot 2; thence South 88°43'00" East, 50.00 feet to a point on the existing East Right of Way line of Buchanan Avenue and the Point of Beginning; thence along said East Right of Way line for the following 2 courses; North 40°50'35" East, 62.81 feet; thence North 17°20'15" East, 162.72 feet to a point on the existing South Right of Way line of Primary Road US20; thence South 81°40'06" West, 72.01 feet along said South Right of Way line; thence South 05°26'14" West, 193.28 feet to the Point of Beginning, containing 0.20 acre.

NOW THEREFORE BE IT RESOLVED by the Woodbury County Board of Supervisors that all interest in the subject section of road right-of-way be vacated, subject to utility easements of record for ingress and egress.

SO ORDERED this 11th day of February, 2025.
WOODBURY COUNTY BOARD OF SUPERVISORS
[Copy filed.](#)

Motion by Bittinger second by Nelson to amend the motion from 2-4-25 to state that the Correctional Facility – LEC budget is received "with an expense increase of \$452,581.27 due to IPERS calculation clerical error". Carried 5-0. [Copy filed.](#)

Motion by Bittinger second by Nelson to amend the motion from 2-4-25 to state that the General Basic Uniform budget is received "with an expense increase of \$11,652.40 due to IPERS calculation clerical error". Carried 5-0. [Copy filed.](#)

Motion by Nelson second by Bittinger to receive the County Supervisors Starcomm Program budget as submitted. Carried 5-0. [Copy filed.](#)

Motion by Nelson second by Bittinger to receive new budget for from Communications Director Wendi Hess. Carried 5-0. [Copy filed.](#)

Motion by Bittinger second by Nelson to receive the County Supervisors Communication Center budget as submitted. Carried 5-0. [Copy filed.](#)

Motion by Nelson second by Bittinger to receive the County Supervisors Soil Conservation. Carried 5-0. [Copy filed.](#)

Motion by Nelson second by Carper to receive the County Supervisors Youth Guidance Services budget as submitted. Carried 5-0. [Copy filed.](#)

Motion by Bittinger second by Carper to receive the Human Resources budget as submitted. Carried 5-0. [Copy filed.](#)

Motion by Nelson second by Bittinger to receive budget document from District Health Director Kevin Grieme. Carried 5-0. [Copy filed.](#)

Motion by Nelson second by Ung to receive the District Health budget reduced by \$65,000. Carried 5-0. [Copy filed.](#)

Motion by Bittinger second by Nelson to receive the Secondary Roads Roadside Management budget as submitted. Carried 5-0. [Copy filed.](#)

Motion by Nelson second by Dietrich to receive budget document from County Engineer Laura Sievers. Carried 5-0. [Copy filed.](#)

Motion by Ung second by Nelson to receive the Secondary Roads budget as submitted. Carried 5-0. [Copy filed.](#)

Motion by Bittinger second by Nelson to receive budget document from County Engineer Laura Sievers. Carried 5-0. [Copy filed.](#)

Motion by Nelson second by Bittinger to receive the Secondary Roads Gravel Project budget as submitted. Carried 5-0. [Copy filed.](#)

Motion by Nelson second by Bittinger to receive budget documents from Conservation Director Dan Heissel. Carried 5-0. [Copy filed.](#)

Motion by Bittinger second by Nelson to receive second budget document from Conservation Director Dan Heissel. Carried 5-0. [Copy filed.](#)

Motion by Bittinger second by Nelson to receive the Conservation Administration budget as submitted. Carried 5-0. [Copy filed.](#)

Motion by Bittinger second by Nelson to receive the Conservation Parks budget as submitted. Carried 5-0. [Copy filed.](#)

Motion by Bittinger second by Nelson to receive the Conservation Naturalist budget as submitted. Carried 5-0. [Copy filed.](#)

Motion by Nelson second by Bittinger to receive the Conservation Nature Center budget as submitted. Carried 5-0. [Copy filed.](#)

Motion by Bittinger second by Dietrich to receive the Conservation REAP budget as submitted. Carried 5-0. [Copy filed.](#)

Motion by Bittinger second by Dietrich to receive the Conservation Nature Center budget as submitted. Carried 5-0. [Copy filed.](#)

Motion by Bittinger second by Dietrich to receive the Conservation Reserve budget as submitted. Carried 5-0. [Copy filed.](#)

Reports on committee meetings were heard.

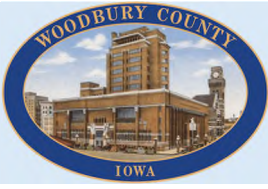
There were no citizen concerns.

Board Concerns were heard.

The Board adjourned the regular meeting until February 18, 2025.

Meeting sign in sheet. [Copy filed.](#)

This content was printed from the County website at WOODBURYCOUNTYIOWA.GOV on February 19, 2025.



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

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

PUBLIC HEARINGS

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

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 2/20/25.