



WOODBURY COUNTY ZONING COMMISSION

SPECIAL MEETING

WEDNESDAY, MAY 28, 2025 at 5:00 PM

The Zoning Commission will hold a **Special Public Meeting** on **WEDNESDAY, MAY 28, 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: 278 446 752#** 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: 3/24/25 (ACTION ITEM)
5	ITEMS OF BUSINESS
»	<p>PUBLIC HEARING (ACTION ITEM): PROPOSED WASHBURN ADDITION MINOR SUBDIVISION ON PARCEL ##894635200009 (MICHAEL W. WASHBURN AND JANINE J. WASHBURN).</p> <p>SUMMARY: To be known as Washburn Addition, A Minor Subdivision to Woodbury County, Iowa, a three-lot minor subdivision in a 8.088-acre more or less portion of T89N R46W (Concord Township) in Section 35 in the SE ¼ of the NE ¼ on Parcel #894635200009. The property is approximately two-miles west of the City of Lawton and 3.5 miles east of Sioux City. The property is located in the Agricultural Estates (AE) Zoning District. Owner/Applicant: Michael W. Washburn and Janine J. Washburn, 1545 Dallas Ave., Lawton, IA 51030.</p>
»	<p>PUBLIC HEARING (ACTION ITEM): PROPOSED ZONING ORDINANCE MAP AMENDMENT (REZONE) FROM AGRICULTURAL PRESERVATION (AP) TO GENERAL INDUSTRIAL (GI) ZONING DISTRICT OF PARCEL #864629351012 (NEW COOPERATIVE, INC).</p> <p>SUMMARY: New Cooperative, Inc has submitted an application for a zoning ordinance map amendment to rezone Parcel #864629351012 from the Agricultural Preservation (AP) District to the General Industrial (GI) Zoning District. The parcel is located just outside the city limits of Sloan (T86N R46W, Section 29, SW 1/4 of the SW 1/4). The company already owns the abutting parcel to the east, which is zoned General Industrial and operates a grain receiving and loading facility. If the rezoning is approved, NEW Cooperative plans to build a temporary grain storage facility on the parcel, with a capacity of approximately 1.7 million bushels of corn. The proposed use aligns with the county's land use guidelines, which allow for grain terminals and elevators in General Industrial zones. The company believes the rezoning is consistent with the county's future land use plans, which indicate a transition to industrial use in the area. NEW Cooperative is seeking approval to expand its operations and support the local economy.</p>
	<p>PUBLIC HEARING (ACTION ITEM): CONSIDERATION OF BORROW PIT FOR EARTHEN MATERIALS IN THE AE ZONING DISTRICT ZONING ORDINANCE TEXT AMENDMENT FOR A RECOMMENDATION TO THE WOODBURY COUNTY BOARD OF SUPERVISORS.</p> <p>SUMMARY: The Woodbury County Zoning Commission will hold a public hearing to consider a proposed amendment to Article 3, Section 3.03.4 of the Woodbury County Zoning Ordinance. The proposed amendment would revise the Land Use Summary Table of Allowed Uses to change the classification of "Borrow pits for earth materials" from a prohibited use to a conditional use in the Agricultural Estates (AE) Zoning District. Specifically, the amendment would update the table by replacing the "--" (prohibited) designation with a "C" (conditional use) in the AE zoning district column for "Borrow pits for earth materials."</p>

	<p>PUBLIC HEARING (ACTION ITEM): FOR THE CONSIDERATION OF NUCLEAR ENERGY FACILITIES AND NUCLEAR WASTE STORAGE TO BE INCLUDED AS PART OF THE WOODBURY COUNTY ZONING ORDINANCE.</p> <p>SUMMARY: The Woodbury County Zoning Commission will hold a public hearing to discuss the potential inclusion of "Nuclear Energy Facilities," "Nuclear Waste Storage," and/or related uses as a land use options in the Woodbury County Zoning Ordinance in preparation for a potential recommendation to the Board of Supervisors. The hearing will address various aspects of permitting nuclear energy facilities, nuclear waste storage, 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 and Nuclear Waste Storage 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.</p>
»	<p>REVIEW OF CONDITIONAL USE PERMIT (ACTION ITEM) FOR FIELD FOR COMPETITIVE ATHLETIC (BASEBALL FIELD FOR MORNINGSIDES UNIVERSITY) (PARCEL #884714300005).</p> <p>SUMMARY: Jason Reynoldson (Applicant) on behalf of Morningside University (Owner) has submitted a conditional use permit application to construct and operate a baseball stadium (field for competitive athletic) on the property identified as Parcel #884714300005. The facility will provide a dedicated space for organized sports, supporting health and wellness, community spirit, and opportunities for youth and adult leagues. The project's design will minimize environmental impact, incorporating features such as permeable surfaces, native landscaping, and noise/light control strategies. The development will also attract visitors, promote local businesses, and provide a gathering space for events, fostering economic growth and social interaction. The property is in the Agricultural Preservation (AP) Zoning District, where "fields for competitive athletic" are a conditional use under Section 3.03.4 of the Woodbury County Zoning Ordinance, subject to review by the Zoning Commission and approval by the Board of Adjustment.</p>
»	<p>ACCESSORY SECOND DWELLINGS SENATE FILE 592 (INFORMATION ITEM).</p> <p>SUMMARY: Senate File 592 was signed by Governor Reynolds on May 1, 2025, amends Iowa Code Section 331.301 to mandate that counties allow at least one accessory dwelling unit (ADU) on lots with single-family residences, subject to state building codes and size limits of 1,000 square feet or 50% of the primary residence's size. The law prohibits counties from imposing stricter regulations on ADUs than on single-family homes, including restrictions on placement, appearance, parking, occupancy, or utilities, unless specific conditions apply. It requires streamlined permitting processes and voids conflicting county ordinances, while allowing more permissive local policies to encourage ADU development.</p>
»	<p>VARIANCE LEGISLATION (INFORMATION ITEM).</p> <p>SUMMARY: House File 652 was signed by Governor Reynolds on April 25, 2025, introducing new provisions to Iowa Code Sections 335.15 that govern the variance process for county zoning regulations. The new subsection grants the Board of Adjustment authority to approve variances from certain zoning ordinance limitations, such as minimum lot size and setbacks, if strict enforcement would cause practical difficulties for a property owner. To grant a variance, the Board must ensure that the request meets specific conditions, including not being contrary to the public interest, demonstrating unique practical difficulties, and preserving the spirit of the zoning ordinance.</p>
6	PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA (INFORMATION ITEM)
7	STAFF UPDATE (INFORMATION ITEM)
8	COMMISSIONER COMMENT OR INQUIRY (INFORMATION ITEM)
9	ADJOURN

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Minutes - Woodbury County Zoning Commission – March 24, 2025

The Zoning Commission (ZC) meeting convened on the 24th Day of March, 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=nEaUL_YC-xo

ATTENDANCE

ZC Members Present:	Chris Zellmer Zant, Tom Bride, Corey Meister, Jeff Hanson, Steve Corey
County Staff Present:	Dan Priestley, Dawn Norton, Ryan Ericson, Michael Montino
Supervisor(s) Present:	Kent Carper
Public Present:	Elaine Knudson, Doyle Turner, Steve Curtis

1. CALL TO ORDER

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

2. ROLL CALL

- The Chair confirmed the presence of all Commissioners.
- No absences were noted; all Commissioners were accounted for.

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

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

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

- The Chair presented the minutes from the February 24, 2025, meeting for approval.
- A motion to approve the minutes was made by Corey and seconded by Hanson.
- Vote: Unanimous approval ("Aye" from all present Commissioners), 5-0.

5. ITEM(S) OF BUSINESS

» PUBLIC HEARING (ACTION ITEM): CONSIDERATION OF NUCLEAR ENERGY FACILITIES AND NUCLEAR WASTE STORAGE IN THE WOODBURY COUNTY ZONING ORDINANCE

- Chair Zellmer Zant opened the public hearing to discuss the potential inclusion of nuclear energy facilities and nuclear waste storage in the Woodbury County Zoning Ordinance. She outlined the procedure: staff presentation, applicant remarks, public comments, and commission deliberation, with a reminder to limit comments to three minutes and maintain respectfulness.
- **Staff Presentation – Dan Priestley, Zoning Coordinator:**
Priestley introduced the hearing as a continuation of prior discussions on adding nuclear energy facilities and nuclear waste storage to the zoning ordinance. He highlighted the intent to gather public input on permitting such uses, including nuclear energy generation, modular systems, and related technologies. He referenced the existing ordinance framework under Section 3.03.4 (Land Use Summary Table) and Section 2.02.9 (conditional use criteria), noting that electrical energy generation (excluding wind) and hazardous waste/chemical storage are currently interpreted as conditional uses in general industrial districts. However, he emphasized the lack of specific definitions for nuclear-related uses, creating ambiguity.
 - Priestley explained that the 2005 Comprehensive Plan and 2008 Zoning Ordinance broadly addressed energy generation but did not explicitly mention nuclear uses. He noted that any application for a nuclear facility would require review by the Nuclear Regulatory Commission (NRC), as Iowa is an “agreement state” under NRC oversight. He consulted the Iowa DNR and Department of Public Health, learning that low-grade nuclear materials (e.g., from hospitals) are state-regulated, while high-intensity nuclear facilities fall under NRC jurisdiction.
 - Priestley referenced County Attorney Joshua Widman’s advice to define nuclear terms explicitly to avoid legal challenges, rather than relying on broad interpretations. He proposed amending the ordinance to include definitions and potentially expand the notification zone from 500 feet to 5-10 miles, reflecting emergency response considerations (e.g., plume areas). He noted logistical challenges, such as notifying stakeholders within a larger radius, which could require professional assistance and increased costs passed onto applicants per the county’s fee schedule.
- **Guest Speaker – Steven Curtis, Health Physicist:**
Steven Curtis, appearing via video, introduced himself as a health physicist with 14 years at the Department of Energy’s Nevada Site Office, where he worked on nuclear testing and emergency management. He provided a detailed overview of nuclear energy and waste:
 - **Nuclear Fuel Cycle:** Curtis explained that U.S. light water reactors (e.g., Duane Arnold in Iowa) use uranium-235 enriched to 3-4%. After three years, the fuel is “spent,” with 1% uranium-235 remaining, 95% unchanged uranium-238, 3% fission products (highly radioactive), and transuranics (e.g., plutonium). Spent fuel is initially stored in 30-foot-deep water pools for 3-5 years to cool, then moved to dry cask storage (reinforced concrete containers) onsite due to the lack of a national repository.
 - **Value of Spent Fuel:** He argued that 97% of spent fuel (uranium-235 and transuranics) could be reused in fast reactors, yielding 30 times more energy than its initial burn—enough to power the U.S. for 270 years at current demand. Curtis advocated for Iowa to accept spent fuel, positioning it as a clean energy leader, given other states’ reluctance (e.g., Nevada, Texas, New Mexico).
 - **Storage Safety:** Curtis emphasized that dry casks are robust, shielding radiation effectively, and reducing long-term risks compared to a million-year repository. Fission products decay to natural uranium levels within 300 years, with valuable rare earths (e.g., rhodium) extractable after 50-60 years.

Motion by Meister to close public hearing. Seconded by Hanson. Carried 5-0.

Questions from Commissioners and Liaison:

1. **Steve Corey:** “Are there reactors today that can use this spent fuel? Why hasn’t it been done?”
 - **Curtis:** Fast reactors exist (e.g., a 30-year prototype in Idaho), but political and licensing delays have stalled commercial use. Light water reactors dominated due to Admiral Rickover’s submarine designs and abundant uranium. Eight to nine companies are developing fast reactor technology,

- but NRC licensing is slow. He suggested Iowa could leverage the \$50 billion Spent Fuel Fund for private industry development. Russia operates fast reactors, but not with spent fuel commercially.
2. **Tom Bride:** “Does using spent fuel in fast reactors increase nuclear waste, or reduce it?”
 - **Curtis:** Fast reactors transmute uranium-238 into plutonium-239, which is then fissioned, producing more fuel as it burns. This reduces long-term waste to fission products (300-year decay) rather than transuranics needing million-year storage. Modern fast reactors are safer and simpler than light water reactors.
 3. **Kent Carper (Supervisor Liaison):** “Given Iowa’s farmland and rivers, what’s the best way to store this?”
 - **Curtis:** Spent fuel is safely stored in concrete casks, shielding radiation and requiring no water after initial cooling. Fission products remain, decaying to manageable levels within 100-300 years, with potential for rare earth extraction. Volume isn’t reduced significantly, but storage time is.
 4. **Tom Bride:** “Would using spent fuel reduce the amount and storage time of nuclear material?”
 - **Curtis:** It reduces storage time from 10,000+ years to 300 years, not volume (90,000 tons fits in a Walmart Supercenter). The federal government could fund interim facilities (32-64 acres), but states resist despite safety records (e.g., Navy shipments).
 5. **Chris Zellmer Zant (follow-up):** “Why are Texas and New Mexico against interim storage?”
 - **Curtis:** Emotional and political fears, fueled by Nevada’s 30-year fight against Yucca Mountain, deter acceptance. Texas prioritizes fossil fuels, and New Mexico’s liberal base opposes nuclear emotionally. No accidents have occurred in transport, yet fear persists. Iowa could gain an advantage by embracing it.

Commission Deliberation:

- **Priestley:** Reiterated that the current ordinance allows nuclear applications as conditional uses, but lacks specificity, risking legal challenges. He suggested defining terms and expanding notification zones, potentially to 10 miles, and consulting Assistant County Attorney Widman further. Public input has been limited, possibly due to nuclear’s industrial focus versus solar/wind’s rural impact.
- **Chris Zellmer Zant:** Noted the 2008 ordinance was intentionally vague for flexibility, avoiding promotion or prohibition. Limited public turnout suggests no urgency, unlike solar debates.
- **Tom Bride:** Agreed on vagueness but highlighted the 500-foot notification as inadequate for nuclear, proposing a broader zone (e.g., 10 miles).
- **Steve Corey:** Supported moving forward with defined regulations, surprised by positive public feedback.
- **Corey Meister:** Emphasized the notification zone’s importance for emergency response, suggesting 10 miles as reasonable.
- **Priestley:** Proposed retaining flexibility in the Land Use Table but adding nuclear definitions and a 10-mile notification zone in the ordinance’s back section, pending Widman’s review.

Public Comment: No public attendees spoke. A written comment from Janet and Randy Krueger was submitted, opposing nuclear activities unless explicitly prohibited, requiring zoning changes with public input.

- **Motion:** Commissioner Steve Corey moved to receive the Krueger comment into the record.
- **Second:** Commissioner Jeff Hanson seconded.
- **Vote:** Unanimous approval (Aye: Zellmer Zant, Bride, Meister, Hanson, Corey).

Motion and Action:

- **Motion:** Commissioner Corey moved to pend the matter for County Attorney review, returning it to the commission for a future public hearing when available (preferably May 2025 due to planting season).
- **Second:** Commissioner Hanson seconded.
- **Vote:** Unanimous approval (Aye: Zellmer Zant, Bride, Meister, Hanson, Corey).
- **Action:** The commission deferred a recommendation, tasking Priestley to refine language with Widman.

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

Staff Presentation – Dan Priestley, Zoning Coordinator:

Priestley briefed the commission on a follow-up to the January 27, 2025, hearing regarding Section 4.11 (Single-Family Detached Dwellings). The discussion focused on manufactured/mobile home size thresholds (23 feet wide). County Attorney Widman confirmed that certified additions (per HUD and Iowa Code) could expand structures if compliant with federal safety standards (e.g., shared weight load). Non-certified additions are not permitted. Only two property owners attended prior hearings, suggesting low public interest. Priestley recommended no ordinance change, reporting this to the supervisors with Widman's findings.

Commission Deliberation:

- **Jeff Hanson:** Raised the addition issue previously, satisfied with Widman's clarification.
- **Chris Zellmer Zant:** Agreed to draft a letter to the supervisors with Priestley, maintaining the existing ordinance.

Motion and Action:

- **Motion:** Commissioner Bride moved to recommend no changes to the ordinance, maintaining existing standards, and report this to the supervisors.
- **Second:** Commissioner Meister seconded.
- **Vote:** Unanimous approval (Aye: Zellmer Zant, Bride, Meister, Hanson, Corey).
- **Action:** The commission recommended no changes, with Priestley to draft a letter for Zellmer Zant's review.

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

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

7. STAFF UPDATE (INFORMATION ITEM)

- Priestley announced an Iowa State zoning training on April 22, 2025, at the Iowa Stat extension facility in Morningisde, including a meal. Commissioners were encouraged to RSVP.

8. COMMISSIONER COMMENT OR INQUIRY (INFORMATION ITEM)

- No commissioners offered comments or inquiries.

9. ADJOURN

- A motion to adjourn was made by Meister and seconded by Corey.
- Vote: Unanimous approval. Meeting adjourned at 6:36 PM.

Appendix – Comments Received into the record.

Daniel Priestley

From: Janet Krueger <kruegerjs@icloud.com>
Sent: Monday, March 24, 2025 12:47 PM
To: Daniel Priestley
Subject: Comments for public hearing on nuclear zoning

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.

Re: Public hearing on zoning for nuclear-related items - comments

Mr. Priestley,

We believe ALL levels of zoning in Woodbury County should EXPRESSLY PROHIBIT any nuclear-related activities (including nuclear waste disposal). That way, if any entity wants to perform nuclear-related activities in the county, they would need to propose zoning changes that allow the public to weigh in on a particular usage. We do NOT want nuclear-related activities to "slip in" before they are expressly prohibited in our zoning ordinances.

Sincerely,

Janet Krueger
Randy Krueger
4862 Bradford Lane
Sioux City, IA 51106

Sent from my iPhone



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 – MAY 20, 2025

WASHBURN HOMESTEAD – MINOR SUBDIVISION PROPOSAL

APPLICATION DETAILS		PROPERTY DETAILS		CONTENTS	
Applicant(s)/Owner(s):	Michael W. Washburn and Janine J. Washburn	Parcel(s):	894635200009	Summary, Aerial Map, Plat Excerpt, Recommendation, & Suggested Motion	
Application Type:	Minor Subdivision	Township/Range:	T89N R46W (Concord)	Legal Notification	
Name of Subdivision:	Washburn Addition	Section:	35	Neighbor(s) Notification	
Application Date:	April 25, 2025	Quarter:	SE ¼ of the NE 1/4	Stakeholder(s) Comments	
Number of Lots:	Three (3)	Zoning District:	Agricultural Estates (AE)	Review Criteria / Applicant Responses	
Total Acres:	8.088 more or less	Floodplain:	Zone X (Not in Floodplain)	Application	
Extrajurisdictional Review:	City of Lawton	Property Address:	1545 Dallas Ave., Lawton, IA 51030	Supporting Documentation	
Legal Notice Date:	Tuesday, May 13, 2025				
Neighbor(s) Notice Date:	Monday, May 12, 2025	PROPOSED MINOR SUBDIVISION: To be known as Washburn Addition, A Minor Subdivision to Woodbury County, Iowa, a three-lot minor subdivision in a 8.088-acre more or less portion of T89N R46W (Concord Township) in Section 35 in the SE ¼ of the NE ¼ on Parcel #894635200009. The property is approximately two-miles west of the City of Lawton and 3.5 miles east of Sioux City. The property is located in the Agricultural Estates (AE) Zoning District. Owner/Applicant: Michael W. Washburn and Janine J. Washburn, 1545 Dallas Ave., Lawton, IA 51030.			
Stakeholder(s) Notice Date:	Wednesday, April 30, 2025				
Zoning Commission Public Hearing Date:	Wednesday, May 28, 2025				
Board of Supervisors Agenda Date:	TBD				
Attorney:	Robert Rehan, 712-255-1085				
Surveyor:	Alan Fagan, 712-539-1471				

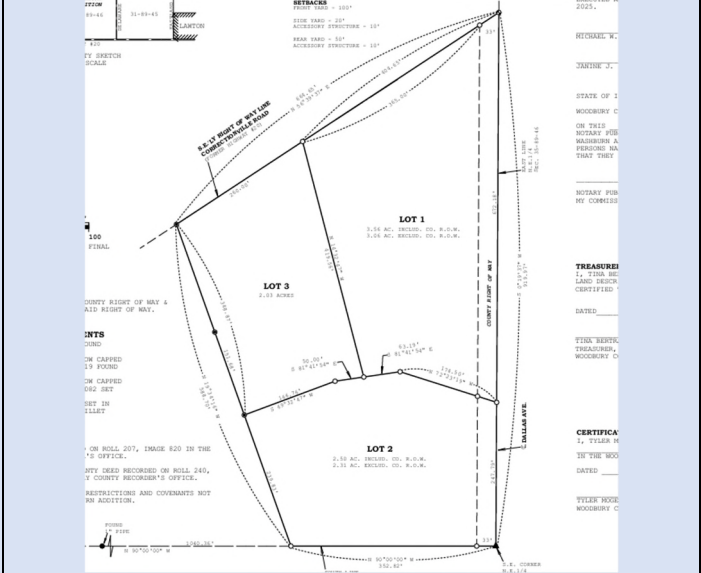
SUMMARY

Michael W. Washburn and Janine J. Washburn, Owners and Subdividers, assisted by Surveyor Alan L. Fagan, have filed for a three-lot minor subdivision on the property identified as Parcel #894635200009 referenced above. This purpose of this subdivision is to divide 8.088 acres more or less into three lots as follows: Lot 1 – 3.56 acres; Lot 2 – 2.50 acres; Lot 3 – 2.03 acres. This minor subdivision proposal has been properly noticed in the Sioux City Journal legals section on Tuesday, May 13, 2025. The neighbors within 1000 FT have been duly notified via a May 12, 2025 letter about the May 28, 2025 Zoning Commission public hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lot(s) have adequate access. This property is located in the Agricultural Estates (AE) Zoning District and is not located in the floodplain. The City of Lawton approved this final plat with the passage of Resolution 2025-8. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets appropriate criteria for approval.

AERIAL MAP



PLAT EXCERPT



STAFF RECOMMENDATION

Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. Staff recommends approval.

SUGGESTED MOTION

Motion to recommend approval of the final plat to the Woodbury County Board of Supervisors.

RECEIVED

WOODBURY COUNTY, IOWA
MINOR SUBDIVISION APPLICATION

APR 25 2025

Applicant: MICHAEL & JANINE WASHBURN WOODBURY COUNTY
Name of Owner PLANNING & ZONINGMailing Address: 1545 DALLAS AVE. LAWTON, IA 51030-9768
Street City or Town State and Zip + 4Property Address: 1545 DALLAS AVE. LAWTON, IA 51030-9768
Street City or Town State and Zip + 4Ph/Cell #: 712 266-5167 E-mail Address: FRITZW@WIATEL.NETTo subdivide land located in the NE 1/4 Quarter of Section 35-89-46Civil Township CONCORD GIS Parcel # 894635200009Name of Subdivision: WASHBURN ADDITIONSubdivision Area in Acres 8.09 Number of Lots 3**Attachments:**

1. Eight (8) copies of grading plans; if required.
2. Eight (8) copies of final plats (Complete per Section 4.01 of the Subdivision Ordinance).
3. An attorney's opinion of the abstract.
4. A Certified abstractor's certificate to include:
 - a. Legal description of proposed subdivision.
 - b. Plat showing clearly the boundaries of the subdivision.
 - c. A list of names, mailing addresses (including the ZIP + 4), and legal descriptions of all property owners within 1000'.

AE
ConcordSurveyor: ALAN FAGAN Ph/Cell: 712 539-1471Attorney: ROBERT REHAN Ph/Cell: 712 255-1085

I hereby grant permission to the Woodbury County Zoning Staff and elected or appointed officials to conduct on-site inspections.

Owner's Signature: ALAN FAGAN FOR OWNERZoning Director: [Signature]**For Office Use Only:**Zoning District AE Flood District X Date 4-25-25 No. 7052Application Fee 4 Lots or less (\$300* + Additional Fees) CL # 13555

5 Lots or more (\$300* plus \$5 per lot + Additional Fees) _____

*Owner(s)/applicant(s) shall pay the additional costs associated with the processing, printing, and the mailing of notifications of the public hearings when the number of mailings required exceeds 30. The owner(s)/applicant(s) shall pay the additional costs of the legal publication notice(s) in newspaper(s) when the fees exceed \$100.00.

PLANNING AND ZONING STAFF – REVIEW CRITERIA (SUBDIVISION ORDINANCE)

The County's Zoning and Subdivision Ordinances require certain actions from County staff and the Planning and Zoning Commission. Per these requirements, Planning and Zoning staff:

	shall review a subdivision application for completeness and for approval of a final plat by ensuring it is submitted in accordance with the standards for a subdivision plat per Iowa Code.
	Staff reviewed the subdivision application, deemed it complete, and verified the final plat's conformance to the County's Zoning Ordinance, Subdivision Ordinance, and the Code of Iowa, all as required by law.
	shall accept payment of applicable fees, and distribute copies of the final plat to the Planning & Zoning Commission, the appropriate county departments and public utilities; and
	Staff received the application fee and the account is paid-in-full. Staff also distributed copies of the application, final plat, and other materials to all relevant stakeholders as required.
	shall coordinate with the County Engineer who shall review the final plat to determine conformance with the engineering design standards of these regulations and to verify accuracy of the legal descriptions and survey data; and
	Staff have received written confirmation that the County Engineer has reviewed and determined that the final plat conforms to the engineering and design standards of these regulations, and he has verified the accuracy of the legal descriptions and survey data.
	shall review the final plat to determine conformance with the design standards of these regulations and with the required form of the plat and related documents; and
	Staff verified that the final plat conforms to the design standards of these regulations, as well as the required form of the final plat.
	shall assure conformance with the goals and objectives of the County's General Plan, the CED staff may make recommendations for conditions for approval including use restrictions required to preserve and improve the peace, safety, health, welfare, comfort, and convenience of the future residents of the subdivision and neighboring properties.
	Staff attest to the final plat conforming to the goals and objectives of the county plan. Staff recommends approval of the final plat.

ZONING COMMISSION – REVIEW CRITERIA (SUBDIVISION ORDINANCE)

The County's Zoning and Subdivision Ordinances require certain actions from County staff and the Planning and Zoning Commission. Per these requirements, the Planning and Zoning Commission:


	shall conduct a public hearing on a final plat for a minor subdivision. Notice of the date, time and location of the hearing will be mailed to the owners of all property within 1,000 feet for the subject property not less than four nor more than twenty days prior to the date of the hearing; and
	Staff have ensured that the legal requirements have been met for publicly noticing this public hearing, all as required by law. Staff have also ensured the notice requirement for adjacent landowners within 1000 FT have also been met.
	shall review the final plat and the staff reports and other information presented to determine whether the plat conforms to the ordinances, general plan and other policies of the county; and
	Staff have compiled, reviewed, and analyzed all relevant materials to determine whether the plat conforms to the ordinances, general plan, and other policies of the County, or not. Staff provided this information in a "Staff Report" format and made them available to the Commission well in advance of the required public hearing. The Commission also held a public hearing to review, analyze, and discuss the final plat and other relevant information.
	may recommend specific conditions for approval including use restrictions required to preserve and improve the peace, safety, health, welfare, comfort, and convenience of the future residents of the subdivision and neighboring properties; and
	Staff does not recommend any specific conditions for this final plat. However, specific conditions (if any) may be recommended by the Commission.
	shall forward a report of its finding and a recommendation to the Board of Supervisors. The recommendation shall be in the form of a resolution to be certified as part of the final plat materials. A copy of the report and the resolution shall also be forwarded to the property owner, the subdivider and the land surveyor for the subdivision.
	During its required public hearing on the final plat, the Board of Supervisors will receive the final staff report and the Commission's recommendation on said plat and shall approve, approve with conditions, or disapprove the plat. The Supervisors may table the matter with the consent of the subdivider. Approval shall be in the form of a resolution to be certified as part of the final plat. Staff will coordinate with the subdivider and land surveyor to ensure all copies and recordings are submitted and received, all as required by law.

CITY OF LAWTON, WOODBURY COUNTY, IOWA
CITY COUNCIL RESOLUTION NO. 2025-08

RESOLUTION ACCEPTING AND APPROVING THE PLAT OF WASHBURN ADDITION,
WOODBURY COUNTY, IOWA.


NOW, THEREFORE BE, AND IT IS, RESOLVED BY THE CITY COUNCIL OF THE CITY OF
LAWTON, WOODBURY COUNTY, IOWA, THAT SAID PLAT OF WASHBURN ADDITION,
WOODBURY COUNTY, IOWA, AS HERETO ATTACHED AND FORMING PART OF THIS
RESOLUTION BE, AND THE SAME HEREBY IS, ACCEPTED AND APPROVED.

PASSED MAY 14, 2025



JESSE PEDERSEN
MAYOR

APPROVED MAY 14, 2025

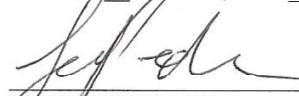


ATTEST:
TRICIA JERNBERG
CITY CLERK

STATE OF IOWA :
: SS
COUNTY OF WOODBURY :

I, TRICIA JERNBERG, CLERK OF THE CITY OF LAWTON, WOODBURY COUNTY, IOWA, DO
HEREBY CERTIFY THAT THE FOREGOING IS A FULL, TRUE, AND CORRECT COPY OF A
RESOLUTION ACCEPTING AND APPROVING THE PLAT OF WASHBURN ADDITION,
WOODBURY COUNTY, IOWA, WHICH SAID RESOLUTION WAS ADOPTED BY THE CITY
COUNCIL OF SAID CITY ON THE 14TH DAY OF MAY, 2025 AND APPROVED BY THE MAYOR
OF SAID CITY ON SAID DATE ALL AS FULL, TRUE AND COMPLETE AS THE SAME
APPEARS OF RECORD IN THE OFFICE OF SAID CITY CLERK.

DATED MAY 14, 2025



JESSE PEDERSEN
MAYOR



TRICIA JERNBERG
CITY CLERK

LAWTON RESOLUTION

Sioux City Journal
AFFIDAVIT OF PUBLICATION

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

State of Florida, County of Broward, ss:

Ankit Sachdeva, 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 2 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:
 May. 13, 2025

NOTICE ID: dkZ1OAd0Y6egfblwzYPC
PUBLISHER ID: COL-IA-501790
NOTICE NAME: ZC-2025-05-28
Publication Fee: \$117.84

Ankit Sachdeva

(Signed) _____

VERIFICATION

State of Florida
 County of Broward

Subscribed in my presence and sworn to before me on this: **05/20/2025**

S. Smith

Notary Public
 Notarized remotely online using communication technology via Proof.



**NOTICE OF PUBLIC HEARINGS
 DURING A SPECIAL PUBLIC
 MEETING BEFORE THE
 WOODBURY COUNTY ZONING
 COMMISSION**

The Woodbury County Zoning Commission will have a special public meeting and will hold public hearings on the following items hereafter described in detail on **Wednesday, May 28, 2025 at 5:00 PM** or as soon thereafter as the matters may be considered.

Said public hearings will be held in the Board of Supervisors' meeting room in the basement of the Woodbury County Courthouse, 401 Douglas Street, Sioux City, Iowa. Copies of said items may now be examined at the office of the Woodbury County Community and Economic Development, 6th Floor, Woodbury County Courthouse, 401 Douglas St., Sioux City, IA 51101. Emails should be sent to Daniel Priestley at: dpriestley@woodburycountyia.gov. Only signed comments will be considered and should be received no later than 10:00 AM or Friday, May 23, 2025.

**Item One (1)
 CONSIDERATION OF NUCLEAR ENERGY
 FACILITIES, NUCLEAR WASTE STORAGE,
 AND/OR RE-ENTRY TO THE ZONING
 ORDINANCE TEXT AMENDMENTS FOR A
 RECOMMENDATION TO THE WOODBURY
 COUNTY BOARD OF SUPERVISORS**

The Woodbury County Zoning Commission will hold a public hearing to discuss the potential inclusion of nuclear energy facilities, nuclear waste storage, and/or related uses as land use options in the Woodbury County Zoning Ordinance. The hearing will address various aspects of permitting these facilities, including nuclear energy generation, modular nuclear energy systems, nuclear waste storage, and other related nuclear technologies. The Commission will consider options such as amending the Land Use Summary Table of Allowed Uses (Section 515.4) to designate nuclear energy facilities, nuclear waste storage and/or related uses as either allowed or conditional uses in specific zoning districts such as the General Industrial (GI) Zoning District within Woodbury County. Additionally, the discussions may include amendments to add new sections related to nuclear energy facilities and nuclear waste storage and/or related uses, update definitions, enumerate articles, sections, and pages, and/or reorganize the content of the Zoning Ordinance as necessary. The goal of the hearing is to give the public a full and fair opportunity to be heard and to determine the appropriate way to address the potential inclusion of nuclear-related land uses in the Woodbury County Zoning Ordinance in terms of preparing a recommendation to the Woodbury County Board of Supervisors.

**Item Two (2)
 CONSIDERATION OF BORROW PIT FOR
 EARTHEN MATERIALS IN THE AE ZONING
 DISTRICT ZONING ORDINANCE TEXT
 AMENDMENT FOR A RECOMMENDATION
 TO THE WOODBURY COUNTY BOARD OF
 SUPERVISORS**

The Woodbury County Zoning Commission will hold a public hearing to consider a proposed amendment to Article 3, Section 515.4 of the Woodbury County Zoning Ordinance. The proposed amendment would revise the Land Use Summary Table of Allowed Uses to change the classification of "Borrow pits for earth materials" from a permitted use to a conditional use in the Agriculture Estate (AE) Zoning District. Specifically, the amendment would update the table by replacing the "(prohibited) designation with a 'C' (conditional use) in the AE zoning district column for "Borrow pits for earth materials".

**Item Three (3)
 ZONING ORDINANCE MAP AMENDMENT
 (REZONE)**

Pursuant to Section 535 of the Code of Iowa, the Woodbury County Zoning Commission will hold a public hearing to consider the application for a zoning ordinance map amendment (rezone) to the Woodbury County Zoning Ordinance and/or Map for the Unincorporated Area of Woodbury County Iowa by New

operative, Inc., 2626 1st Ave. South, Fort Dodge, IA 50501.

The proposal is to rezone from the Agricultural Preservation (AP) Zoning District to the General Industrial (GI) Zoning District for a 12.32-acre portion of the property located in the SW ¼ of the SW ¼ of Section 29, T88N R46W (Sloan Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel #864629351012 and is described as:

WIC TRACT One (1) in the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section Twenty-nine (29), Township Eighty-six (86) North, Range Forty-six (46) West of the Fifth Principal Meridian, Woodbury County, Iowa, more particularly described by notes and bounds as follows: Commencing at the Southwest Corner of said Section; thence North Eighty-eight Degrees Twenty Minutes Fifty-six Seconds (N 88°20'56") East along the South line of said Section, a distance of Two Hundred feet (200.00') to the Point of Beginning; thence North Two Degrees Seventeen Minutes Thirty-eight Seconds (N 02°17'38") West, a distance of One Thousand Three Hundred Four and Forty-one Hundredths feet (1304.41') to the North line of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4); thence North Eighty-eight Degrees Fifty-two Minutes Fifty-five Seconds (N 88°52'55") East, along said North line a distance of Two Hundred Forty-eight and Three Hundredths feet (248.03') to the West line of a tract of land described in a Plat of Survey, filed in Roll 243, Image 1217 of the Woodbury County Recorder's Office, thence South Sixteen Degrees Four Minutes Three Seconds (S 16°04'03") East along said West line, a distance of Nine Hundred Twenty-five and Thirty-four Hundredths feet (925.34'); thence South Nineteen Degrees Eighteen Minutes Forty-two Seconds (S 19°18'42") East, along said West line, a distance of Four Hundred Twenty-five and Eighty-nine Hundredths feet (425.89') to the South line of said Section; thence South Eighty-eight Degrees Twenty Minutes Fifty-six Seconds (S 88°20'56") West, along the South line of said Section, a distance of Five Hundred Ninety-two and Ninety-seven Hundredths feet (592.97') to the Point of Beginning, containing an area of 12.32 acres, more or less.

Petitioner/Applicant(s): New Cooperative, Inc., 2626 1st Ave. South, Fort Dodge, IA 50501.

Item Four (4)

CONSIDERATION OF PROPOSED MINOR SUBDIVISION

A PUBLIC HEARING FOR A PROPOSED MINOR SUBDIVISION: To be known as Washburn Addition: A Minor Subdivision to Woodbury County, Iowa, a three-lot minor subdivision in an 8.068-acre more or less portion of T88N R46W (Concord Township) in Section 35 in the SE ¼ of the NE ¼ on Parcel #894635200009. The property is approximately two-miles west of the City of Lawton and 3.5 miles east of Sioux City. The property is located in the Agricultural Estates (AE) Zoning District. Owner/Applicant: Michael W. Washburn and Janina J. Washburn, 1545 Dallas Ave., Lawton, IA 51030.
CCL IA 501790

PROPERTY OWNER(S) NOTIFICATION

Total Property Owners within 1000 FT via Certified Abstractor's Listing:	7
Notification Letter Date:	Monday, May 12, 2025
Public Hearing Board:	Zoning Commission
Public Hearing Date:	Wednesday, May 28, 2025
Phone Inquiries:	0
Written Inquiries:	0
The names of the property owners are listed below.	
When more comments are received after the printing of this packet, they will be provided at the meeting.	



PROPERTY OWNER(S)	MAILING ADDRESS				COMMENTS
Michael W. Washburn & Janine J. Washburn	1545 Dallas Ave.	Lawton	IA	51030-9768	No comments.
Dennis R. Uhl & Ruth Ann Uhl, Co-Trustees of The Dennis R. Uhl and Ruth Ann Uhl Revocable Trust	7684 Correctionville Rd.	Lawton	IA	51030	No comments.
Molstad Farm, LLC	102 Howard Road, Apt. 4R	Moville	IA	51039-7545	No comments.
Nathan L. Halbur & Kayla L. Halbur	1515 Dallas Ave.	Lawton	IA	51030	No comments.
Steve R. Benston & Kelli K. Benston	1511 Dallas Ave.	Lawton	IA	51030	No comments.
George Steve Mrla	1540 Dallas Ave.	Lawton	IA	51030	No comments.
David Paul Michael Mrla	96 Walnut St.	Lawton	IA	51030	No comments.

STAKEHOLDER COMMENTS

911 COMMUNICATIONS CENTER:	No comments.
CITY OF LAWTON:	No comments.
FIBERCOMM:	No comments.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments.
IOWA DEPARTMENT OF TRANSPORTATION (IDOT):	No comments.
LOESS HILLS NATIONAL SCENIC BYWAY:	No comments.
LOESS HILLS PROGRAM:	No comments.
LOGLINES:	No comments.
LUMEN:	No comments.
MAGELLAN PIPELINE:	No comments.
MIDAMERICAN ENERGY COMPANY (Electrical Division):	I have reviewed the attached proposed minor subdivision for MEC electric and we have no conflicts. The requester should be made aware that any requested extension or relocation of electric distribution facilities is subject to a customer contribution. – Casey Meinen, 4/30/25.
MIDAMERICAN ENERGY COMPANY (Gas Division):	No conflicts for MEC “gas”. The developer should be aware any request for the extension or relocation of distribution facilities is subject to a customer contribution. – Tyler Ahlquist, 5/1/25.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS):	No comments.
NORTHERN NATURAL GAS:	No comments.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	Have reviewed this zoning request. NIPCO has no issues with this request. – Jeff Zettel, 5/12/25.
NUSTAR PIPELINE:	No comments.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	No comments.
WIATEL:	No comments.
WINNEBAGO TRIBE:	No comments.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments.

WOODBURY COUNTY EMERGENCY MANAGEMENT:	No comments.
WOODBURY COUNTY EMERGENCY SERVICES:	No comments.
WOODBURY COUNTY ENGINEER:	SEE REVIEW MEMO BELOW
WOODBURY COUNTY RECORDER:	No comment. – Diane Swoboda Peterson, 5/1/25.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No comments.
WOODBURY COUNTY SHERIFF:	No comments.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT:	The WCSWCD has no comments regarding this proposal. – Neil Stockfleth, 5/7/25.
WOODBURY COUNTY TREASURER:	All certified property taxes are paid. – Tina Bertrand, 4/30/25.

COUNTY ENGINEER'S REVIEW MEMO



Woodbury County Secondary Roads Department

759 E. Frontage Road • Moville, Iowa 51039

Telephone (712) 279-6484 • (712) 873-3215 • Fax (712) 873-3235

To: Dan Priestley, Woodbury County Zoning Coordinator
 From: Laura Sievers, P.E., County Engineer
 Date: May 21, 2025
 Subject: *Washburn Addition, Woodbury County, Iowa – Minor Subdivision Application*

The Secondary Road Department has reviewed the information submitted for the subdivision referenced in the memo dated April 30, 2025. Below are my comments for your consideration:

1. Plat Closure Compliance

The plat closure was reviewed and found to be in compliance with the requirements for full subdivision accuracy, meeting the standards as required by Section 355.8 of the Code of Iowa.

2. Driveway Access – Lot 1

There is currently no driveway providing exclusive access to the proposed Lot 1. Sight distance at the subdivision location is extremely limited. After review, the Surveyor and the Secondary Roads Department identified a single location suitable for an entrance. This entrance must be shared with Lot 3.

No future access locations will be approved unless the landowners of the subdivision reconstruct Correctionville Road and the intersection at Dallas Avenue to meet sight distance requirements at the landowner costs and County Engineer approval.

3. Driveway Access – Lot 2

There is currently a driveway providing exclusive access to the proposed Lot 2. No future additional entrances will be permitted.

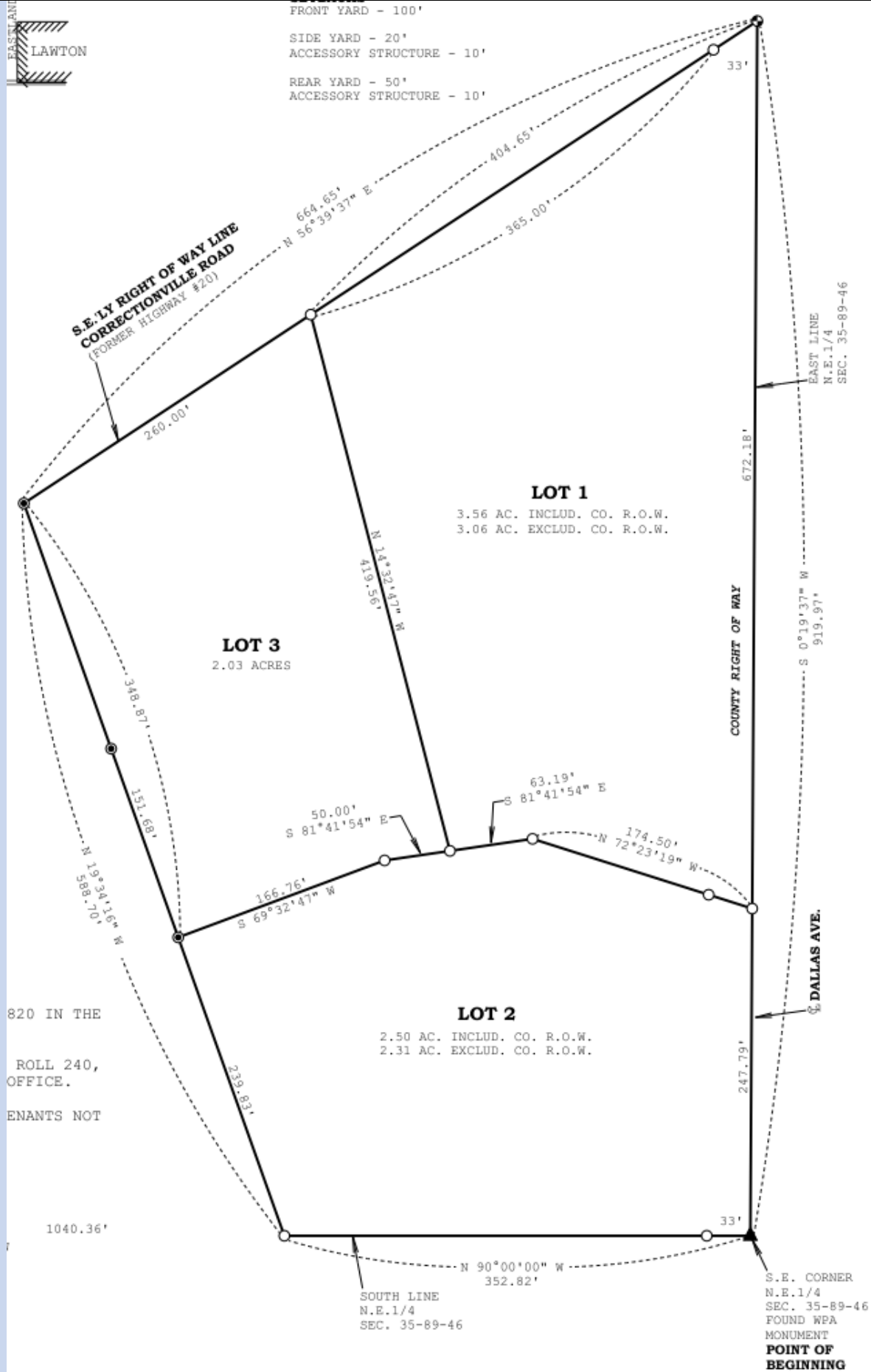
4. Driveway Access – Lot 3

There is currently no driveway providing exclusive access to the proposed Lot 3. Similar to Lot 1, sight distance is extremely limited. One entrance location has been identified by the Surveyor and Secondary Roads Department. This entrance must be shared with Lot 1. As with Lot 1, no future access locations will be permitted unless Correctionville Road and the Dallas Avenue intersection are reconstructed to meet sight distance requirements at the landowner costs and County Engineer approval.

Please feel free to contact this office if additional questions or issues arise.



PLAT MAP EXCERPT



TITLE OPINION

TO: COUNTY AUDITOR AND RECORDER
WOODBURY COUNTY, IOWA

Dear Sir:

We have this date examined a complete abstract of title, pursuant to Iowa Code Section 354.11(3), to the property described in the Surveyor's Certificate on the Plat of "Washburn Addition, Woodbury County, Iowa" described more particularly as:

All that part of the South One-half (S ½) of the Northeast quarter (NE ¼) of Section Thirty-five (35), Township Eighty-nine (89) North, Range Forty-six (46) West of the Fifth Principal Meridian in Woodbury County, Iowa, described as follows:

Beginning at the Southeast Corner of the Northeast Quarter (NE ¼) of said Section Thirty-five (35); thence North Ninety degrees Zero minutes Zero seconds (N 90° 00' 00") West along the South line of said Northeast Quarter (NE ¼) for Three hundred fifty-two and eighty-two hundredths feet (352.82'); thence North Nineteen degrees Thirty-four minutes Sixteen seconds (N 19° 34' 16") West for Five hundred eighty-eight and seven tenths feet (588.7') to the Southeasterly Right of Way line of former Highway #20; thence North Fifty-six degrees Thirty-nine minutes Thirty-seven seconds (N 56° 39' 37") East along said Southeasterly Right of Way line for Six hundred sixty-four and sixty-five hundredths feet (664.65') to the East line of said Northeast Quarter (NE ¼); thence South Zero degrees Nineteen minutes Thirty-seven seconds (S 0° 19' 37") West along said East line for Nine hundred nineteen and ninety-seven hundredths feet (919.97') to the point of beginning.

Said described parcel contains Eight and eighty-eight thousandths (8.088) acres more or less, including six hundred eighty-nine thousandths acres (0.689) of roadway easement.

Said abstract of title was last certified by Engleson Abstract Co., Inc. dated _____, 2025 at 8:59 o'clock a.m. and from said abstract find good and merchantable title to said premises vested in Michael W. Washburn and Janine J. Washburn, husband and wife, as joint tenants with full rights of survivorship, and not as tenants in common, the proprietors, free and clear of all mortgages, liens and other encumbrances, except the following:

- a) Survey filed September 30, 1988 on Roll 207, Image 820.
- b) Zoning Regulations from the Woodbury County Board of Supervisors to The Public, dated January 11, 1971, filed March 5, 1971, and recorded in Book 1263, Pages 9 to 78.
- c) Resolution No. 6332 of Woodbury County Board of Supervisors dated May 12, 1977, and filed in the Office of the County Recorder, Woodbury County, Iowa, on Roll 62, Image 2118 and 2119, and Resolution No. 6333 of Woodbury County Board of Supervisors dated May 12, 1977 and filed in the office of the County Recorder, Woodbury County, Iowa, on Roll 62, Image 2120 and 2121.
- d) Resolution #10,456 filed August 29, 2008 on Roll 699, Image 7313.
- e) Ordinance No. 61 filed February 28, 2022 as Inst. #2022-02525.
- f) Ordinance No. 74 filed August 17, 2023 as Inst. #2023-07899.
- g) Matters set forth upon the final plat of Washburn Addition.
- h) All certified real estate taxes and special assessments due and payable have been paid. Real estate taxes and special assessments not certified are a lien in an undetermined amount.

Dated: _____, 2025.

ROBERT J. REHAN
Attorney at Law

PARCEL REPORT(S)

Summary

Parcel ID 894635200009
Alternate ID 882585
Property Address 1545 DALLAS AVE
 LAWTON IA 51030
Sec/Twp/Rng 35-89-46
Brief Tax Description AN IRREG TCT LYING S OF OLD HWY20 BEG @ SE CORNER THEC W352.82' HEC NWLY 588.70 FT TO SE LINE OF HWY 20
 THEC E TO E LINE SE N E THEC S TO PT OF BEG 35-89- 46
 (Note: Not to be used on legal documents)
Deed Book/Page 240-942 (1/12/1991)
Gross Acres 7.40
Net Acres 7.40
Adjusted CSR Pts 0
Zoning AE - AGRICULTURAL ESTATES
District 0025 CONCORD/LAWTON-BRONSON
School District LAWTON BRONSON
Neighborhood N/A



Owner

Deed Holder WASHBURN MICHAEL W &
 JANINE J
 1545 DALLAS AVE
 LAWTON IA 51030-9768
Contract Holder
Mailing Address WASHBURN MICHAEL W &
 JANINE J
 1545 DALLAS AVE
 LAWTON IA 51030-9768

Land

Lot Area 7.40 Acres ;322,344 SF

Residential Dwellings

Residential Dwelling
Occupancy Single-Family / Owner Occupied
Style 1 Story Frame
Architectural Style N/A
Year Built 1992
Condition Normal
Roof Asph / Gable
Flooring
Foundation C Blk
Exterior Material HARD BD
Interior Material Dowl
Brick or Stone
Veneer
Total Gross Living Area 2,031 SF
Main Area Square Feet 2031
Attic Type None;
Number of Rooms 6 above; 4 below
Number of Bedrooms 2 above; 1 below
Basement Area Type Full
Basement Area 2,031
Basement Finished Area
Plumbing 1 Standard Bath - 3 Fix; 1 Shower Stall Bath -3; 1 Cust Bath - 3 Fixt;
Appliances 1 Range Unit; 1 Oven - Single; 1 Dishwasher; 1 Barbeque;
Central Air Yes
Heat Yes
Fireplaces 1 Prefab;
Porches
Decks Wood Deck (266 SF);
Additions
Garages 720 SF - Att Frame (Built 1992);

Yard Extras

#1 - (1) MACHINE SHED Quantity=2,400.00, Units=Square Feet, Height=0, Built 1992

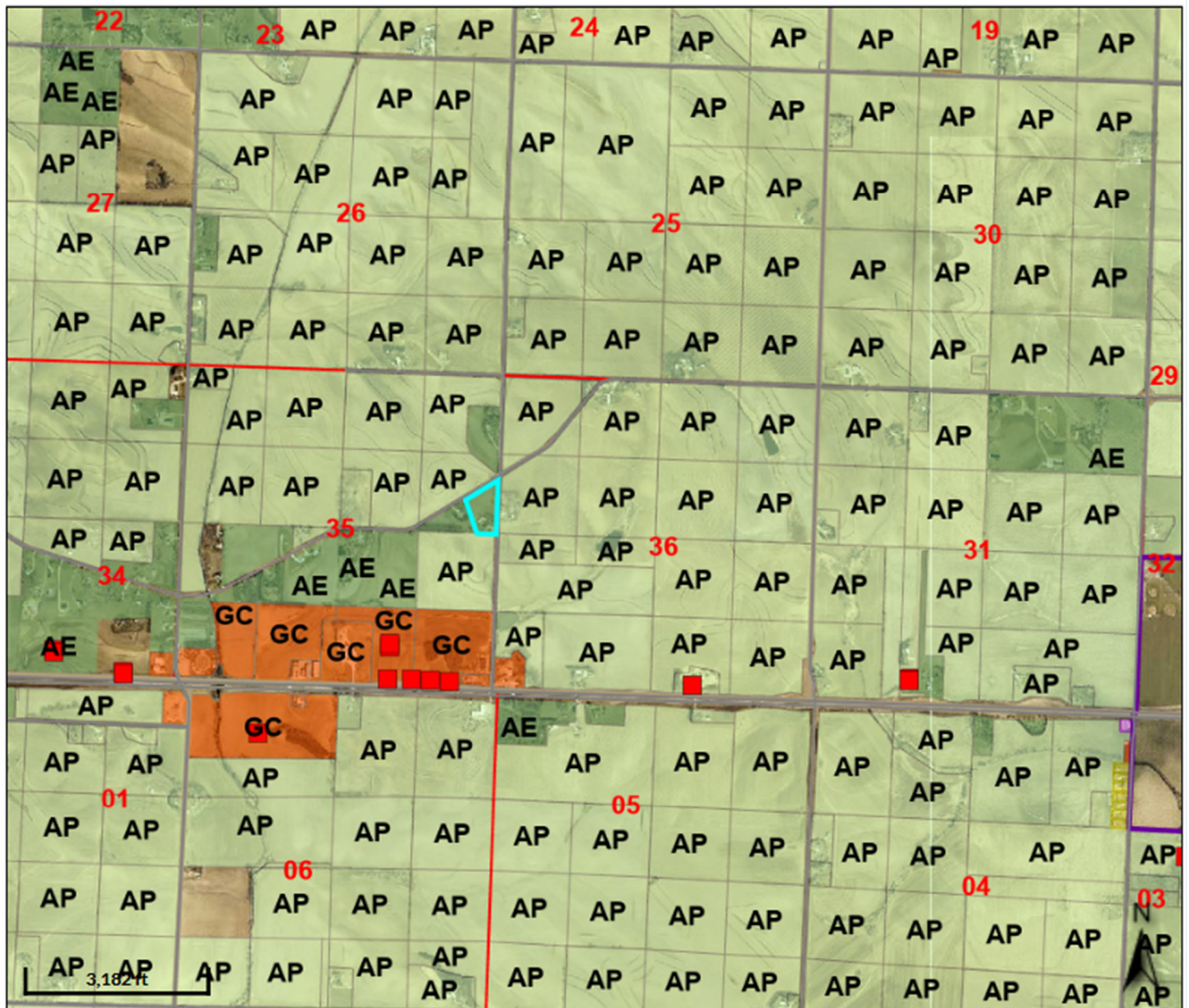
Sales

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
1/12/1991			240/942	NORMAL ARMS-LENGTH TRANSACTION	Deed		\$14,500.00

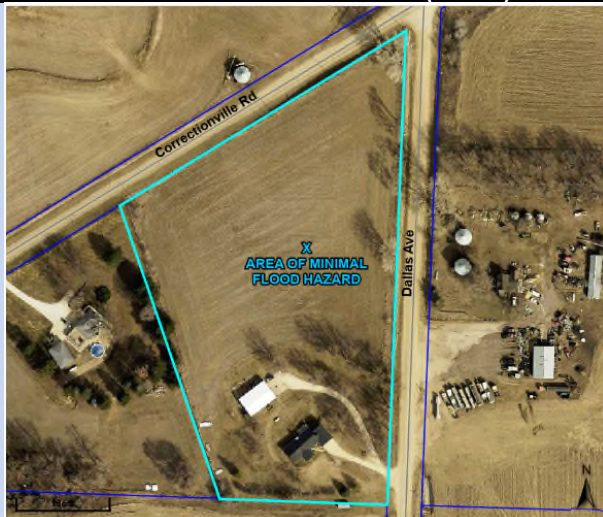
Valuation

	2025	2024	2023	2022	2021	2020
Classification	Residential	Residential	Residential	Residential	Residential	Residential
+ Assessed Land Value	\$76,800	\$51,000	\$51,000	\$51,000	\$51,000	\$54,570
+ Assessed Building Value	\$0	\$0	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$413,980	\$408,120	\$408,120	\$315,250	\$315,250	\$272,280
= Gross Assessed Value	\$490,780	\$459,120	\$459,120	\$366,250	\$366,250	\$326,850
- Exempt Value	\$0	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$490,780	\$459,120	\$459,120	\$366,250	\$366,250	\$326,850

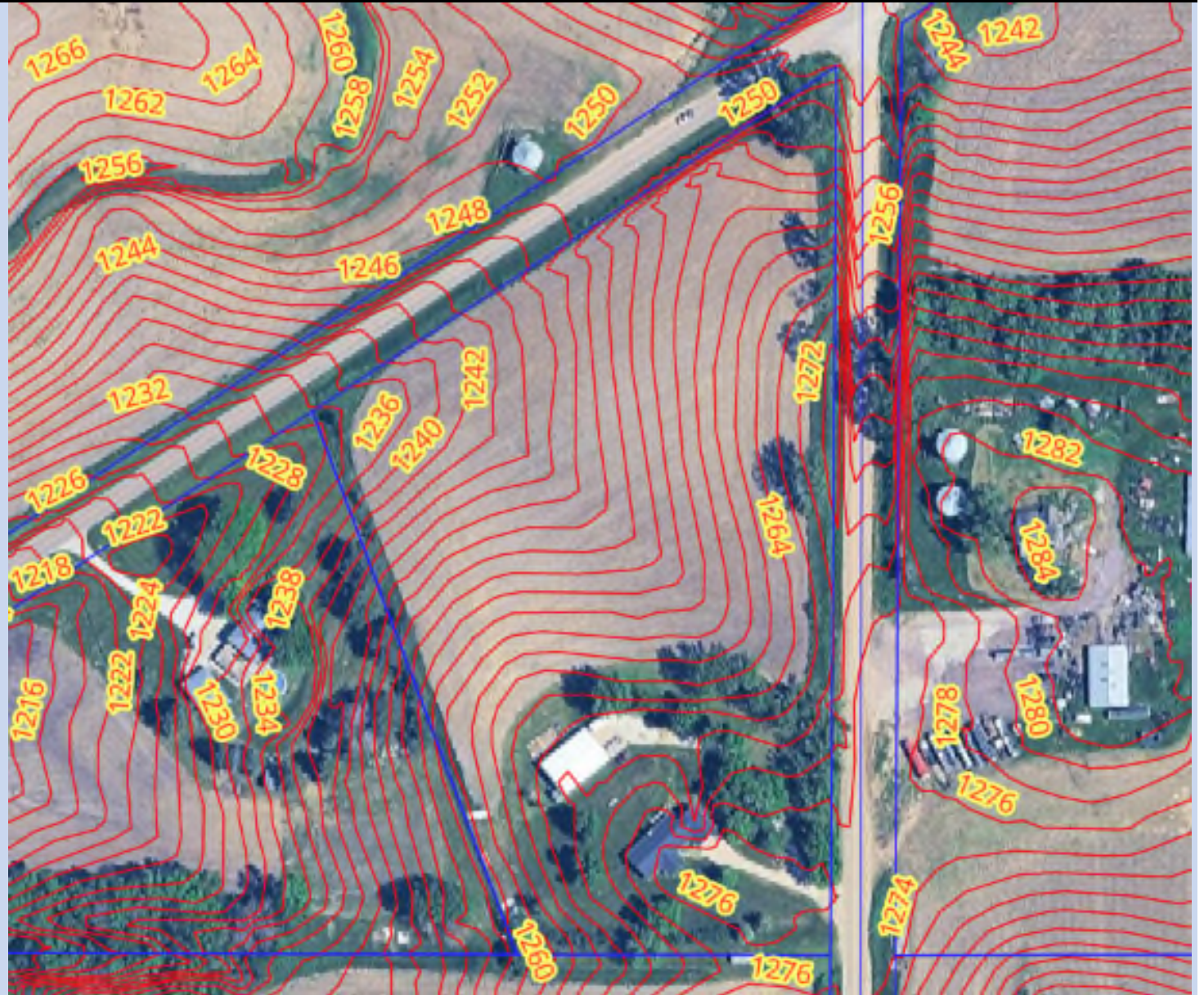
ZONING MAP



SPECIAL FLOOD HAZARD AREA (SFHA) MAP



ELEVATION MAP



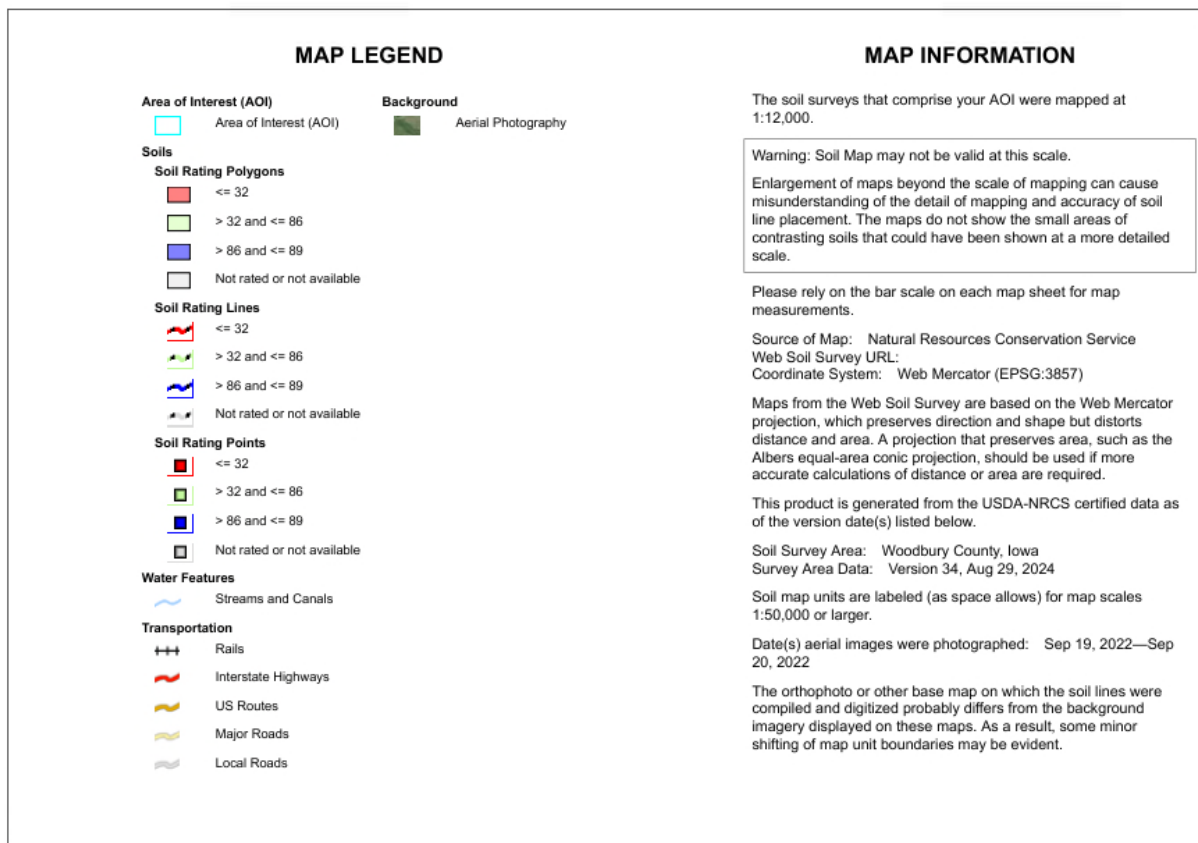
SOIL REPORT



Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

4/27/2025
Page 1 of 4



Iowa Corn Suitability Rating CSR2 (IA)

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
1D3	Ida silt loam, 9 to 14 percent slopes, severely eroded	32	2.8	35.6%
10C2	Monona silt loam, 5 to 9 percent slopes, eroded	86	3.5	44.8%
12C	Napier silt loam, 5 to 9 percent slopes	89	1.5	19.6%
Totals for Area of Interest			7.8	100.0%

Description

This attribute is only applicable to soils in the state of Iowa. Corn suitability ratings (CSR2) provide a relative ranking of all soils mapped in the State of Iowa according to their potential for the intensive production of row crops. The CSR2 is an index that can be used to rate the potential yield of one soil against that of another over a period of time. Considered in the ratings are average weather conditions and frequency of use of the soil for row crops. Ratings range from 100 for soils that have no physical limitations, occur on minimal slopes, and can be continuously row cropped to as low as 5 for soils that are severely limited for the production of row crops.

When the soils are rated, the following assumptions are made: a) adequate management, b) natural weather conditions (no irrigation), c) artificial drainage where required, d) no frequent flooding on the lower lying soils, and e) no land leveling or terracing. The weighted CSR2 for a given field can be modified by the occurrence of sandy spots, local deposits, rock and gravel outcrops, field boundaries, and noncrossable drainageways. Even though predicted average yields will change with time, the CSR2 values are expected to remain relatively constant in relation to one another over time.

Rating Options

Aggregation Method: No Aggregation Necessary



Aggregation is the process by which a set of component attribute values is reduced to a single value that represents the map unit as a whole.

A map unit is typically composed of one or more "components". A component is either some type of soil or some nonsoil entity, e.g., rock outcrop. For the attribute being aggregated, the first step of the aggregation process is to derive one attribute value for each of a map unit's components. From this set of component attributes, the next step of the aggregation process derives a single value that represents the map unit as a whole. Once a single value for each map unit is derived, a thematic map for soil map units can be rendered. Aggregation must be done because, on any soil map, map units are delineated but components are not.

For each of a map unit's components, a corresponding percent composition is recorded. A percent composition of 60 indicates that the corresponding component typically makes up approximately 60% of the map unit. Percent composition is a critical factor in some, but not all, aggregation methods.

The majority of soil attributes are associated with a component of a map unit, and such an attribute has to be aggregated to the map unit level before a thematic map can be rendered. Map units, however, also have their own attributes. An attribute of a map unit does not have to be aggregated in order to render a corresponding thematic map. Therefore, the "aggregation method" for any attribute of a map unit is referred to as "No Aggregation Necessary".

Tie-break Rule: Higher

The tie-break rule indicates which value should be selected from a set of multiple candidate values, or which value should be selected in the event of a percent composition tie.



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 – MAY 22, 2025

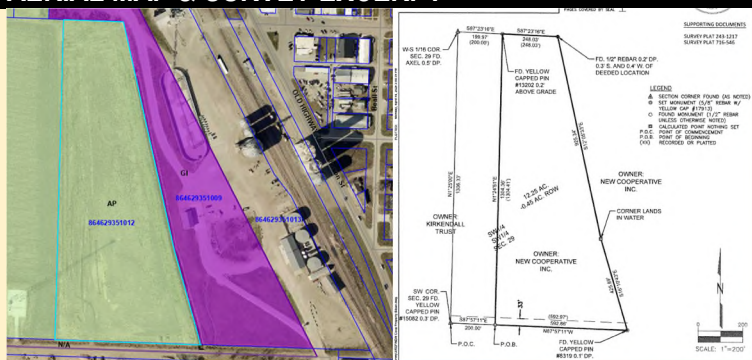
ZONING ORDINANCE MAP AMENDMENT (REZONE) FROM AGRICULTURAL PRESERVATION (AP) TO GENERAL INDUSTRIAL (GI)

APPLICATION DETAILS		PROPERTY DETAILS		CONTENTS	
Applicant(s)/Owner(s):	NEW Cooperative, Inc.	Parcel(s):	864629351012	Summary	
Application Type:	Zoning Ordinance Map Amendment (Rezone)	Township/Range:	186N R46W (Sloan)	Aerial Map / Survey Excerpt	
Current Zoning District:	Agricultural Preservation (AP)	Section:	29	Applications / Attachments	
Requested Zoning District:	General Industrial (GI)	Quarter:	SW ¼ of the SW 1/4	Plat of Survey	
Current Use:	Agricultural. Not farmed	Zoning District:	Agricultural Preservation (AP)	Purchase Agreement	
Proposed Use:	Construct grain storage bunker.	Floodplain:	Zone X (Not in floodplain)	Legal Description	
Average CSR Rating:	59	Property Address:	No address.	Proposed Ordinance Amendment	
Engineer/Surveyor:	Veenstra & Kimm (Craig Beedle, 712-943-5055)	Legal Description:	WIC TRACT One (1) in the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section Twenty-nine (29), Township Eighty-six (86) North, Range Forty-six (46) West of the Fifth Principal Meridian, Woodbury County, Iowa, more particularly described by metes and bounds as follows: Commencing at the Southwest Corner of said Section; thence North Eighty-eight Degrees Twenty Minutes Fifty-six Seconds (N 88°20'56") East along the South line of said Section, a distance of Two Hundred feet (200.00') to the Point of Beginning; thence North Two Degrees Seventeen Minutes Thirty-eight Seconds (N 02°17'38") West, a distance of One Thousand Three Hundred Four and Forty-one Hundredths feet (1304.41') to the North line of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4); thence North Eighty-eight Degrees Fifty-two Minutes Fifty-five Seconds (N 88°52'55") East, along said North line a distance of Two Hundred Forty-eight and Three Hundredths feet (248.03') to the West line of a tract of land described in a Plat of Survey, filed in Roll 243, Image 1217 of the Woodbury County Recorder's Office, thence South Sixteen Degrees Four Minutes Three Seconds (S 16°04'03") East along said West line, a distance of Nine Hundred Twenty-five and Thirty-four Hundredths feet (925.34'); thence South Nineteen Degrees Eighteen Minutes Forty-two Seconds (S 19°18'42") East, along said West line, a distance of Four Hundred Twenty-five and Eighty-nine Hundredths feet (425.89') to the South line of said Section; thence South Eighty-eight Degrees Twenty Minutes Fifty-six Seconds (S 88°20'56") West, along the South line of said Section, a distance of Five Hundred Ninety-two and Ninety-seven Hundredths feet (592.97') to the Point of Beginning, containing an area of 12.32 acres, more or less.		
Attorney:	N/A				
Pre-application Meeting:	March, 2025			Evaluation Criteria	
Application Date:	April 21, 2025			Legal Notification	
Stakeholder Notification:	Wednesday, April 30, 2025			Public Comments	
Neighbors' Notification:	Monday, May 12, 2025			Stakeholder Comments	
Legal Publication:	Tuesday, May 13, 2025			Supporting Documentation	
Zoning Commission Public Hearing:	Monday, May 28, 2025				
Board of Supervisors Public Hearings:	Tuesday, June 10 at 4:40 PM, Tuesday, June 17 at 4:40 PM, & Tuesday, June 24 at 4:40 PM. Second and third could be waived by the Board of Supervisors.				

SUMMARY

New Cooperative, Inc has submitted an application for a zoning ordinance map amendment to rezone Parcel #864629351012 from the Agricultural Preservation (AP) District to the General Industrial (GI) Zoning District. The parcel is located just outside the city limits of Sloan. The company already owns the abutting parcel to the east, which is zoned General Industrial and operates a grain receiving and loading facility. If the rezoning is approved, NEW Cooperative plans to build a temporary grain storage facility on the parcel, with a capacity of approximately 1.7 million bushels of corn. The proposed use aligns with the county's land use guidelines, which allow for grain terminals and elevators in General Industrial zones. The company believes the rezoning is consistent with the county's future land use plans, which indicate a transition to industrial use in the area. NEW Cooperative is seeking approval to expand its operations and support the local economy. This proposal has been properly noticed in the Sioux City Journal Legals Section on Tuesday, May 13, 2025. The neighbors within 1000 FT have been duly notified via a letter about the May 28, 2025 Zoning Commission public hearing and have been requested to comment. As of the printing of this packet, no comments or inquiries have been received about the proposal. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No objections were received from the stakeholders. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. It is the recommendation of staff to approve this proposal.

AERIAL MAP & SURVEY EXCERPT



PROJECT CONCEPT



STAFF RECOMMENDATION

Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. Staff recommends approval.

SUGGESTED MOTION

Motion to recommend approval of the Zoning Ordinance Map Amendment (Rezone) from AP to GI on Parcel #864629351012 to the Woodbury County Board of Supervisors.



OFFICE OF PLANNING AND ZONING WOODBURY COUNTY

Zoning Ordinance
Section 2.02(4)
Page 1 of 8

Rezoning Application & Zoning Ordinance Map Amendment

Owner Information: Owner <u>NEW Cooperative INC.</u> Address <u>2626 1st Ave. South</u> <u>Fort Dodge, IA 50501</u> Phone <u>515-955-2040</u>	Applicant Information: Applicant <u>NEW Cooperative INC.</u> Address <u>2626 1st Ave. South</u> <u>Fort Dodge, IA 50501</u> Phone <u>515-955-2040</u>
Engineer/Surveyor <u>Veenstra & Kimm</u> <u>Craig Beedle</u> Phone <u>712-943-5055</u>	
Property Information: Property Address or Address Range <u>1919 Hiway 141, Sloan, IA 51055</u> (Approximate Address) Quarter/Quarter <u>SW</u> Sec <u>29</u> Twtnshp/Range <u>86</u> Parcel ID # <u>864629351012</u> or GIS # _____ Total Acres <u>11.8</u> Current Use <u>Zoned A-1 but land is idle and not farmed</u> Proposed Use <u>Construct grain storage bunker</u> Current Zoning <u>Agricultural Preservation A-P</u> Proposed Zoning <u>General Industrial G-I</u> Average Crop Suitability Rating (submit NRCS Statement) <u>59</u> <u>See attached CSR</u>	
<p>The filing of this application is required to be accompanied with all items and information required pursuant to section 2.02(4)(C)(2) through (C)(4) of Woodbury County's zoning ordinances (see attached pages of this application for a list of those items and information).</p> <p>A formal pre-application meeting is recommended prior to submitting this application.</p> <p>Pre-app mtg. date _____ Staff present _____</p> <p>The undersigned is/are the owner(s) of the described property on this application, located in the unincorporated area of Woodbury County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the Woodbury County Planning and Zoning Office and zoning commission members to conduct a site visit and photograph the subject property.</p> <p>This Rezoning Application / Zoning Ordinance Map Amendment is subject to and shall be required, as a condition of final approval, to comply with all applicable Woodbury County ordinances, policies, requirements and standards that are in effect at the time of final approval.</p> <p>Owner <u>NEW Cooperative INC.</u> <u>Frank Hureman</u> Applicant <u>NEW Cooperative INC.</u> <u>Frank Hureman</u> Date <u>04/21/2025</u> Date <u>04/21/2025</u></p>	
Fee: \$400 Case #: _____ Check #: _____ Receipt #: _____	Date Received _____



2626 1st Ave. South | P.O. Box 818 | Fort Dodge, IA 50501

FARMER FOCUSED. MEMBER DRIVEN.

Woodbury County Board of Supervisors
620 Douglas St. Sioux City, IA 51101
Sioux City, IA 51101

Subject: Request for Rezoning of Parcel 864629351012

Dear Woodbury County Supervisors,

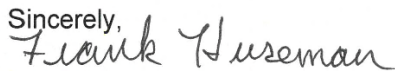
I am writing on behalf of NEW Cooperative to formally request the rezoning of parcel 864629351012, legally described as Sec/Twp/Range 29-86-46, Sloan Township from Agricultural Preservation to General Industrial. This parcel is located just outside the city limits of Sloan. (See Attached Current Zoning Map)

NEW Cooperative owns parcel 864629351009 which lies just east of this property and is located within the Sloan city limits and is zoned General Industrial (See Attached Zoning Map B). NEW Cooperative operates a grain receiving and grain shuttle loading facility on parcel 86429351009. If the rezoning request is approved, NEW intends to enhance our grain receiving operation by constructing a stadium-type temporary grain facility on parcel 864629351012. The proposed facility will be 150 feet wide by 800 feet long and will have a storage capacity of approximately 1.7 million bushels of corn. (See Attached equipment information)

We believe this parcel qualifies for rezoning based on the Woodbury County Land Use Summary Table, which outlines allowed uses in each zoning district. The requested General Industrial zoning aligns with the Warehousing and Freight Handling category, specifically under the subcategory of Grain Terminals & Elevators. This rezoning would enable NEW Cooperative to expand its existing operations in a manner that is consistent with our core business sectors and complements our current facilities which lie within the Sloan city limits.

Additionally, the Woodbury County Future Land Use Map indicates a transition from Agricultural Preservation to Industrial use in this area, further supporting our request. Given these considerations, we respectfully ask for your approval of this zoning classification change from Agricultural Preservation to General Industrial.

We appreciate your time and consideration of our request. Please feel free to contact me if you have any questions or require additional information. We look forward to working with you to support the economic and agricultural development of Woodbury County.

Sincerely,


Frank Huseman
Operations Manager



fhuseman@newcoop.com

515-351-7424



Future Land Use

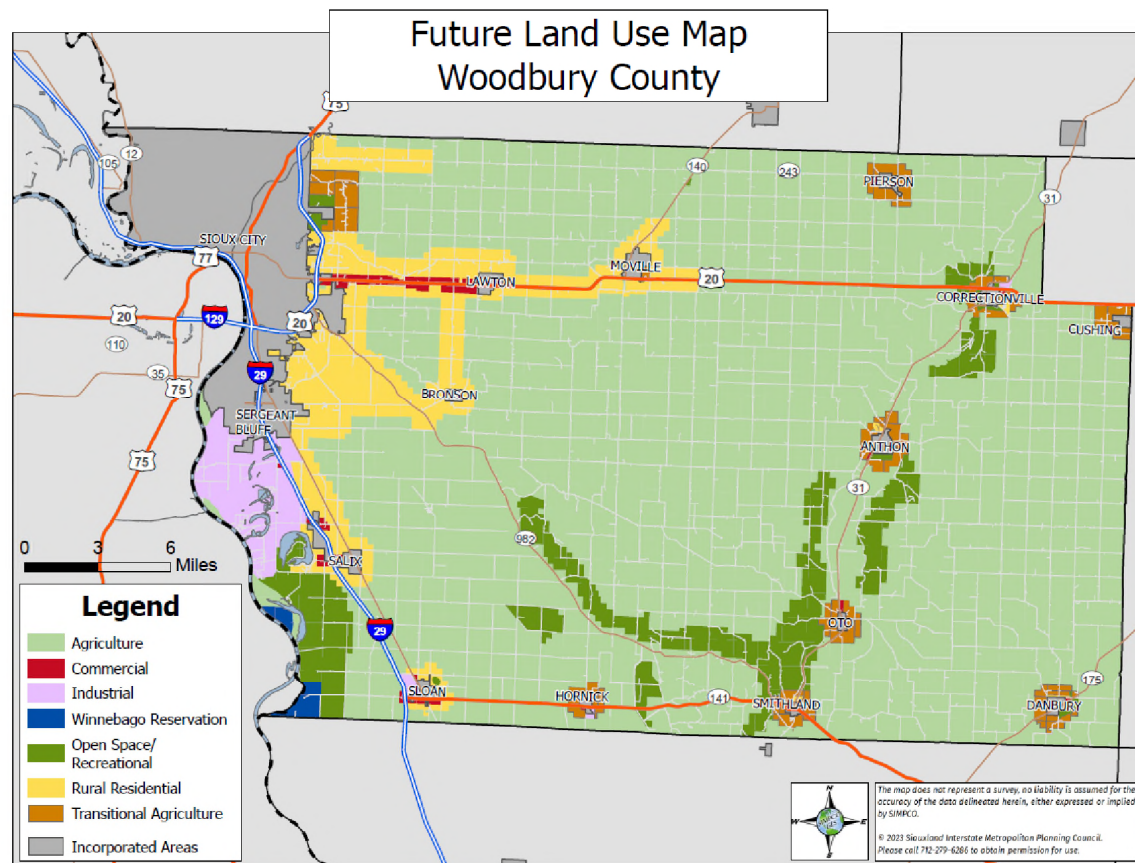
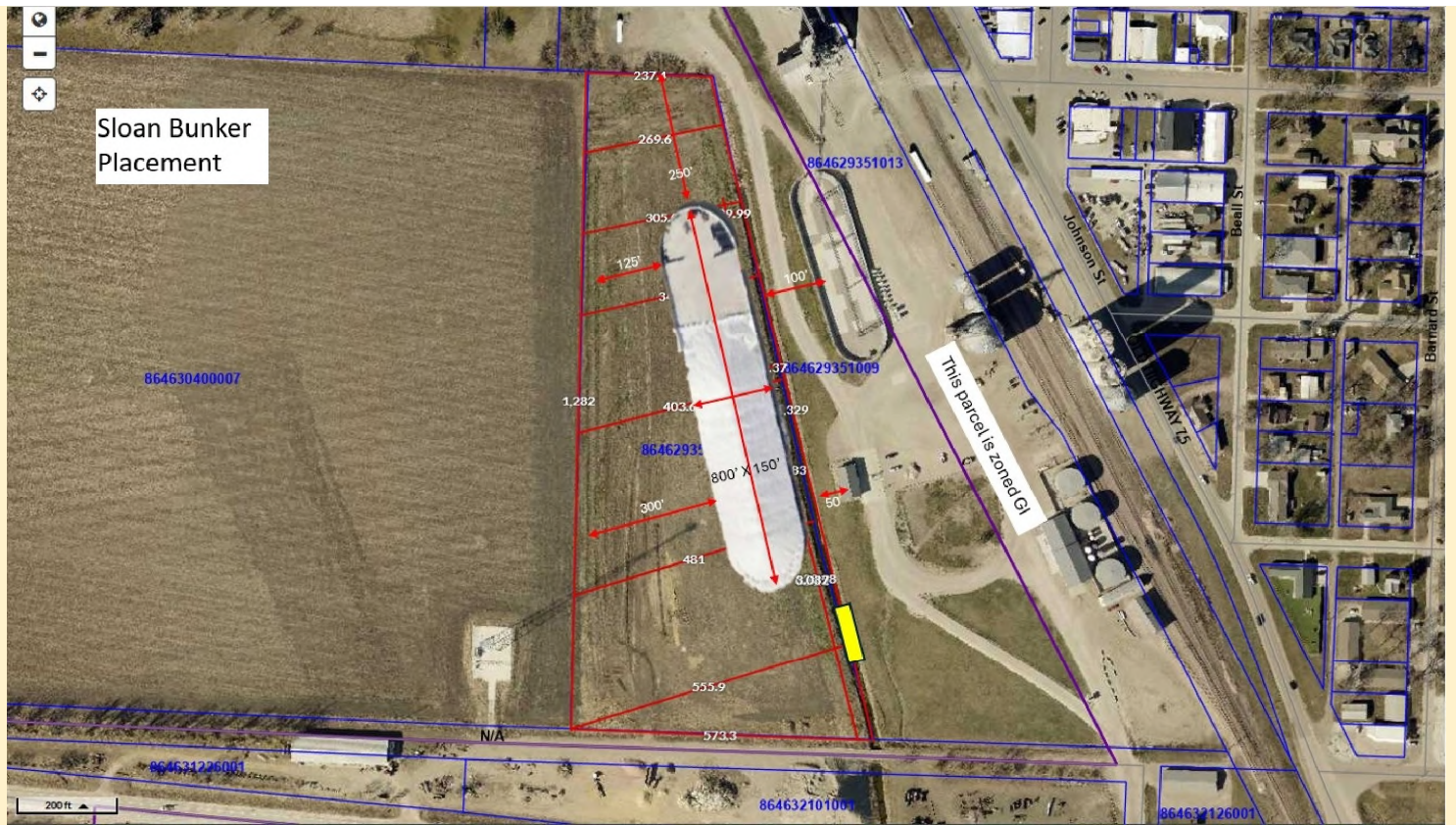


Figure 7.4 Future land use map



Roll 717 Image 1209-1211

Document 339 Type WD Pages 3
Date 7/07/2011 Time 2:46 PM
Rec Amt \$17.00 Aud Amt \$5.00
Rev Transfer Tax \$492.00

PATRICK F GILL, AUDITOR AND RECORDER
WOODBURY COUNTY IOWA



WARRANTY DEED

(Several Grantors)
THE IOWA STATE BAR ASSOCIATION
Official Form No. 102
Recorder's Cover Sheet

Preparer Information: (Name, address and phone number)

Dale B. Smith 423 Evans St., Sloan, Iowa 51055 712-428-3822

Taxpayer Information: (Name and complete address)

Western Iowa Cooperative
3330 Merville Black Top Road
Hornick, Iowa 51026

Return Document To: (Name and complete address)

M Dale B. Smith
PO Box AC
Sloan, Iowa 51055

Grantors:

James G. and Linda L. Kirkendall
Jay W. and Karen R. Kirkendall

Grantees:

Western Iowa Cooperative

Legal description: Exhibit "A"

Document or instrument number of previously recorded documents:



WARRANTY DEED (Several Grantors)

For the consideration of Three Hundred Eight Thousand (\$308,000.00)
Dollar(s) and other valuable consideration,
James G. Kirkendall and Linda L. Kirkendall, husband and wife; and
Jay W. Kirkendall and Karen R. Kirkendall, husband and wife

do hereby Convey to
Western Iowa Cooperative

the following described real estate in Woodbury County, Iowa:

see Exhibit "A" attached for legal description

Grantors do Hereby Covenant with grantees, and successors in interest, that grantors hold the real estate by title in fee simple; that they have good and lawful authority to sell and convey the real estate; that the real estate is free and clear of all liens and encumbrances except as may be above stated; and grantors Covenant to Warrant and Defend the real estate against the lawful claims of all persons except as may be above stated. Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated: June 29, 2011

James G. Kirkendall
James G. Kirkendall (Grantor)
Jay W. Kirkendall
Jay W. Kirkendall (Grantor)

Linda L. Kirkendall
Linda L. Kirkendall (Grantor)
Karen R. Kirkendall
Karen R. Kirkendall (Grantor)

(Grantor)

(Grantor)

(Grantor)

(Grantor)

STATE OF IOWA, COUNTY OF WOODBURY

This instrument was acknowledged before me on June 29, 2011, by
James G. Kirkendall and Linda L. Kirkendall, husband and wife; and
Jay W. Kirkendall and Karen R. Kirkendall, husband and wife



Dale B. Smith
Dale B. Smith, Notary Public

7/7/2011
Document # 339
Deed
Woodbury Co.

#39

Exhibit "A"

WIC TRACT One (1) in the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section Twenty-nine (29), Township Eighty-six (86) North, Range Forty-six (46) West of the Fifth Principal Meridian, Woodbury County, Iowa, more particularly described by metes and bounds as follows:

Commencing at the Southwest Corner of said Section; thence North Eighty-eight Degrees Twenty Minutes Fifty-six Seconds (N 88°20'56") East along the South line of said Section, a distance of Two Hundred feet (200.00') to the Point of Beginning; thence North Two Degrees Seventeen Minutes Thirty-eight Seconds (N 02°17'38") West, a distance of One Thousand Three Hundred Four and Forty-one Hundredths feet (1304.41') to the North line of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4); thence North Eighty-eight Degrees Fifty-two Minutes Fifty-five Seconds (N 88°52'55") East, along said North line a distance of Two Hundred Forty-eight and Three Hundredths feet (248.03') to the West line of a tract of land described in a Plat of Survey, filed in Roll 243, Image 1217 of the Woodbury County Recorder's Office, thence South Sixteen Degrees Four Minutes Three Seconds (S 16°04'03") East along said West line, a distance of Nine Hundred Twenty-five and Thirty-four Hundredths feet (925.34'); thence South Nineteen Degrees Eighteen Minutes Forty-two Seconds (S 19°18'42") East, along said West line, a distance of Four Hundred Twenty-five and Eighty-nine Hundredths feet (425.89') to the South line of said Section; thence South Eighty-eight Degrees Twenty Minutes Fifty-six Seconds (S 88°20'56") West, along the South line of said Section, a distance of Five Hundred Ninety-two and Ninety-seven Hundredths feet (592.97') to the Point of Beginning, containing an area of 12.32 acres, more or less.

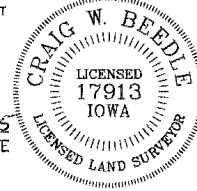
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 Iowa E-Filing Fee: \$3.13
 Combined Fee: \$10.13
 Revenue Tax:
 MICHELLE K. SKAFF AUDITOR & RECORDER
 Woodbury County, Iowa

LOCATION: SECTION 29, TOWNSHIP 86, RANGE 46 SW SW

REQUESTOR: NEW COOPERATIVE, INC.
 PROPRIETOR: NEW COOPERATIVE, INC.
 SURVEYOR: CRAIG BEEDLE
 SURVEYOR: VEENSTRA & KIMM, INC.
 COMPANY: 203 SGT. SQ. DR. STE. B
 RETURN TO: SERGEANT BLUFF, IA 51054 (712) 943-5055

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

Craig W. Beedle 15 APR 2025
 CRAIG W. BEEDLE, L.S. #17913 DATE
 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2025
 PAGES COVERED BY SEAL 1

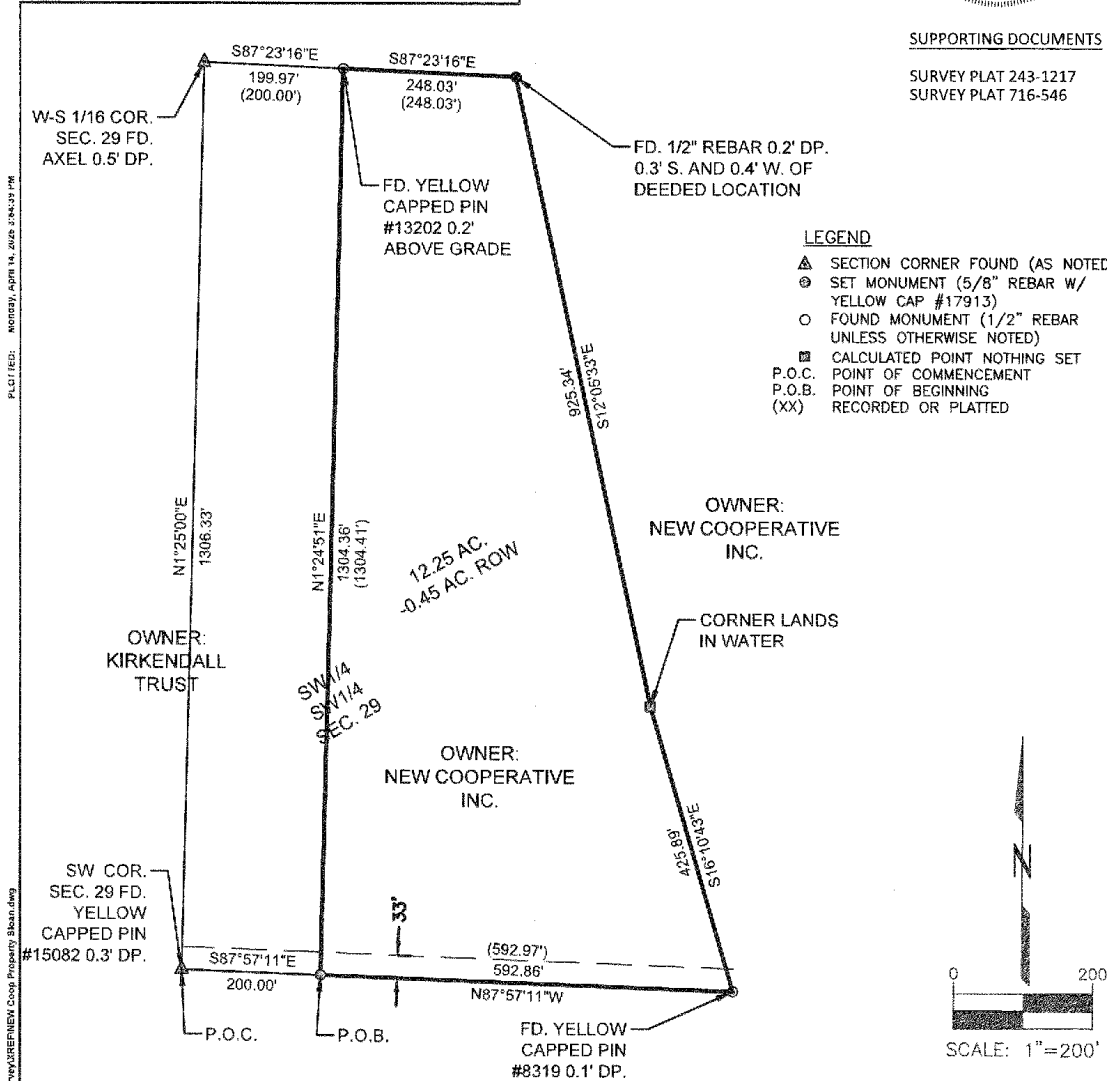


SUPPORTING DOCUMENTS

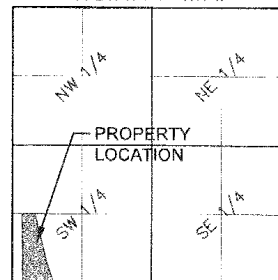
SURVEY PLAT 243-1217
 SURVEY PLAT 716-546

LEGEND

- ▲ SECTION CORNER FOUND (AS NOTED)
- ⊙ SET MONUMENT (5/8" REBAR W/ YELLOW CAP #17913)
- FOUND MONUMENT (1/2" REBAR UNLESS OTHERWISE NOTED)
- CALCULATED POINT NOTHING SET
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- (XX) RECORDED OR PLATTED



VICINITY MAP



SECTION 29-86-46

PROPERTY DESCRIPTION:

A PARCEL IN THE SW 1/4 SW 1/4 OF SECTION 29, T-86-N, R-46-W, OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA. SAID PARCEL MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SW CORNER OF SECTION 29; THENCE S87°57'11"E (AN ASSUMED BEARING) ALONG THE SOUTH LINE OF SECTION 29 FOR 200.00 FEET TO THE POINT OF BEGINNING; THENCE N1°24'51" E FOR 1304.36 FEET TO THE NORTH LINE OF THE SW 1/4 SW 1/4; THENCE S87°23'16"E FOR 248.03 FEET; THENCE S12°05'33"E FOR 925.34 FEET; THENCE S16°10'43"E FOR 425.89 FEET TO THE SOUTH LINE OF THE SW 1/4; THENCE N87°57'11"W ALONG SAID SOUTH LINE FOR 592.86 FEET TO THE POINT OF BEGINNING.

SAID DESCRIPTION CONTAINS 12.25 ACRES LESS 0.45 ACRES OF COUNTY RIGHT-OF-WAY.

SCALE	AS NOTED
DRAWN	CBEEDLE
CHECKED	MSTOKES
APPROVED	CBEEDLE
DATE	4-11-2025
ISSUED FOR	



RETRACEMENT PLAT
 NEW COOPERATIVE INC.
 WOODBURY COUNTY, IOWA

203 Sergeant Square Dr. Suite B • Sergeant Bluff, Iowa 51054-0220
 712-943-5055 • 712-943-5088 (FAX) • 1-800-241-8000

SHEET NO.
1
PROJECT 366733

LEGAL DESCRIPTION

WIC TRACT One (1) in the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section Twenty-nine (29), Township Eighty-six (86) North, Range Forty-six (46) West of the Fifth Principal Meridian, Woodbury County, Iowa, more particularly described by metes and bounds as follows:

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ORDINANCE NO. ____

**A ZONING DISTRICT DESIGNATION MAPPING AMENDMENT
TO THE WOODBURY COUNTY, IOWA ZONING ORDINANCE**

WHEREAS the Board of Supervisors of Woodbury County, Iowa, adopted a Zoning Ordinance on July 22, 2008, by Resolution No. 10,455 being recorded in the Office of the Woodbury County Recorder, and

WHEREAS the Woodbury County Board of Supervisors has received a report in respect to amending the said Ordinance from the Woodbury County Zoning Commission which held a public hearing on the amendment; all as by law provided. Which the amendment is attached hereto marked item One (1), and hereby made a part hereof; and

WHEREAS the Woodbury County Board of Supervisors has received said report, studied and considered the same, and has held hearings on said amendment, all as by law provided; and

WHEREAS the Woodbury County Board of Supervisors has concluded that the said ordinance shall amend the aforesaid Zoning Ordinance;

NOW THEREFORE, BE IT RESOLVED by the Woodbury County Board of Supervisors, duly assembled, that the aforesaid Zoning District is amended as shown on said attached item One (1); and the previous zoning district designation shall be repealed upon the effective date of this amendment.

Dated this ____ day of _____, 2025.

THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS

Daniel Bittinger II, Chairman

Mark Nelson, Vice-Chairman

Kent Carper

Attest:

David Dietrich

Michelle K. 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 _____

ITEM ONE (1)

Property Owner(s): New Cooperative, Inc., 2626 First Ave South, Fort Dodge, IA 50501.

Petitioner Applicant(s): New Cooperative, Inc., 2626 First Ave South, Fort Dodge, IA 50501.

Pursuant to Section 2.02:4 of the Woodbury County Zoning Ordinance, and in accordance with Section 335 of the Code of Iowa, the Woodbury County Zoning Commission held a public hearing on **May 28, 2025**, to review and make a recommendation for amendments to the Woodbury County Zoning Ordinance and Mapping for the unincorporated area of Woodbury County, Iowa as follows:

Amendment to rezone from the Agricultural Preservation (AP) Zoning District to the General Commercial (GC) Zoning District for a 12.32-acre portion of the property located in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 29, T86N R46W (Sloan Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel #864629351012 and is described as:

WIC TRACT One (1) in the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section Twenty-nine (29), Township Eighty-six (86) North, Range Forty-six (46) West of the Fifth Principal Meridian, Woodbury County, Iowa, more particularly described by metes and bounds as follows:

Commencing at the Southwest Corner of said Section; thence North Eighty-eight Degrees Twenty Minutes Fifty-six Seconds (N 88°20'56") East along the South line of said Section, a distance of Two Hundred feet (200.00') to the Point of Beginning; thence North Two Degrees Seventeen Minutes Thirty-eight Seconds (N 02°17'38") West, a distance of One Thousand Three Hundred Four and Forty-one Hundredths feet (1304.41') to the North line of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4); thence North Eighty-eight Degrees Fifty-two Minutes Fifty-five Seconds (N 88°52'55") East, along said North line a distance of Two Hundred Forty-eight and Three Hundredths feet (248.03') to the West line of a tract of land described in a Plat of Survey, filed in Roll 243, Image 1217 of the Woodbury County Recorder's Office, thence South Sixteen Degrees Four Minutes Three Seconds (S 16°04'03") East along said West line, a distance of Nine Hundred Twenty-five and Thirty-four Hundredths feet (925.34'); thence South Nineteen Degrees Eighteen Minutes Forty-two Seconds (S 19°18'42") East, along said West line, a distance of Four Hundred Twenty-five and Eighty-nine Hundredths feet (425.89') to the South line of said Section; thence South Eighty-eight Degrees Twenty Minutes Fifty-six Seconds (S 88°20'56") West, along the South line of said Section, a distance of Five Hundred Ninety-two and Ninety-seven Hundredths feet (592.97') to the Point of Beginning, containing an area of 12.32 acres, more or less.

EVALUATION CRITERIA

The Zoning Commission shall base their recommendations and the Board of Supervisors shall base their decision on any requested amendment of the zoning district map on the following criteria:

Conformance with the goals and objectives set forth in the approved general development plan for Woodbury County including the future land use map.

There does not appear to be any conflicts with the Woodbury County Comprehensive Plan 2040.

(https://www.woodburycountyiowa.gov/files/community_economic_development/woodbury_county_comprehensive_plan_2040_89417.pdf). This area is designated as industrial on the future land use map thereby illustrating that this request is compatible with future land use goals and objectives for the unincorporated area. The City of Sloan's Future Land Use Map includes this is a commercial area with industrial to the west and north. Sloan's map is included in the backup materials below.

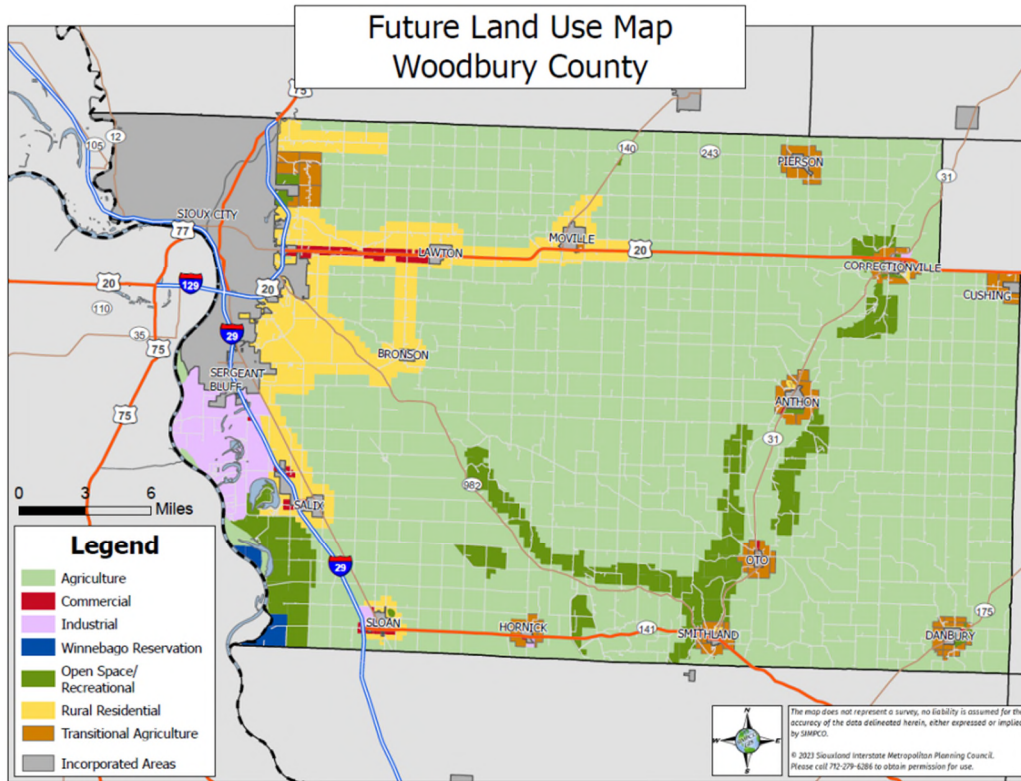
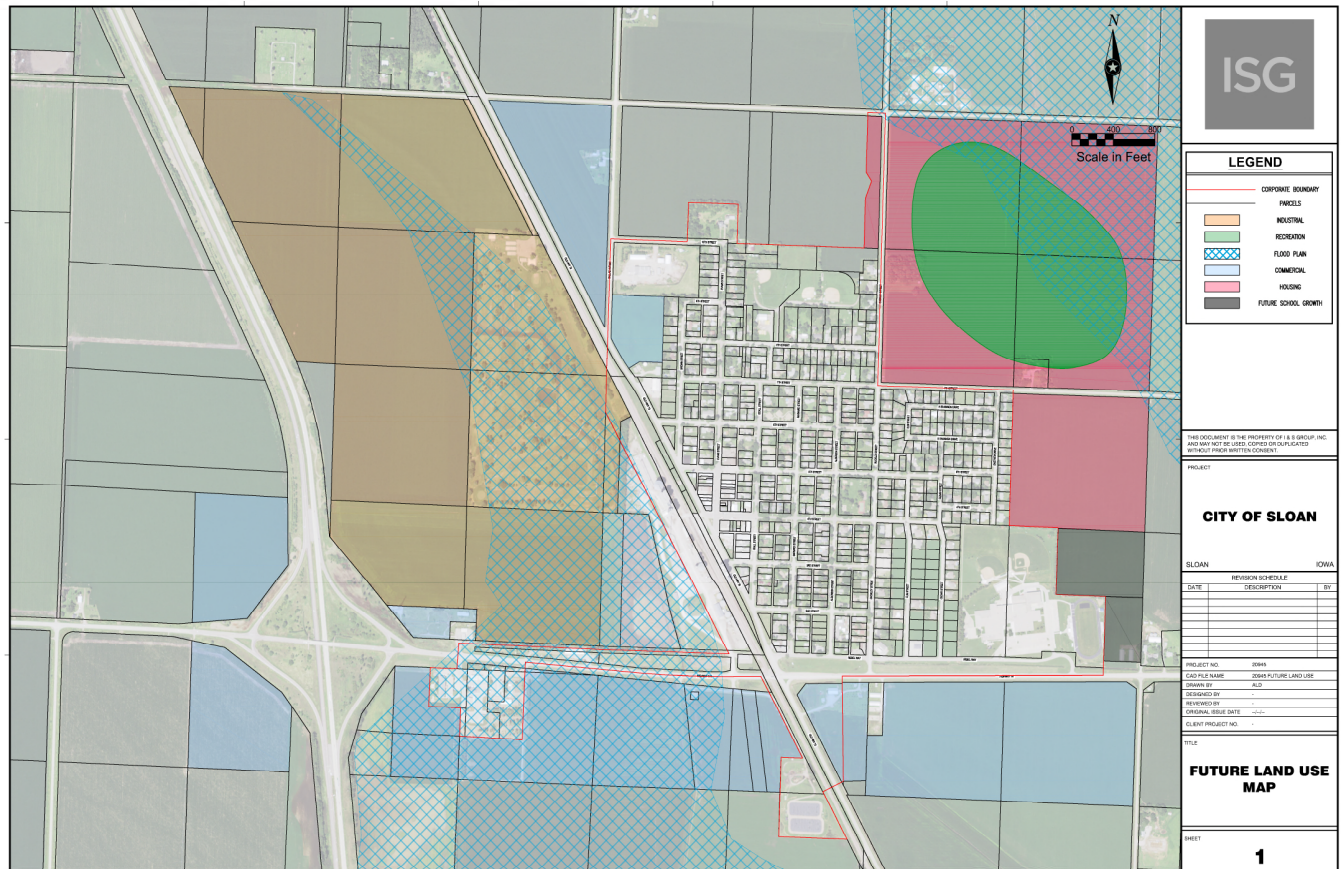


Figure 7.4 Future land use map



CITY OF SLOAN, IOWA – FUTURE LAND USE MAP



Compatibility and conformance with the policies and plans of other agencies with respect to the subject property.

There does not appear to be any conflicts with the policies and plans of other agencies based on the information received.

Consideration of the Corn Suitability (CSR) of the property.

Iowa Corn Suitability Rating CSR2 (IA)

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
66	Luton silty clay, 0 to 2 percent slopes, rarely flooded	59	13.9	100.0%
Totals for Area of Interest			13.9	100.0%

Description

This attribute is only applicable to soils in the state of Iowa. Corn suitability ratings (CSR2) provide a relative ranking of all soils mapped in the State of Iowa according to their potential for the intensive production of row crops. The CSR2 is an index that can be used to rate the potential yield of one soil against that of another over a period of time. Considered in the ratings are average weather conditions and frequency of use of the soil for row crops. Ratings range from 100 for soils that have no physical limitations, occur on minimal slopes, and can be continuously row cropped to as low as 5 for soils that are severely limited for the production of row crops.

When the soils are rated, the following assumptions are made: a) adequate management, b) natural weather conditions (no irrigation), c) artificial drainage where required, d) no frequent flooding on the lower lying soils, and e) no land leveling or terracing. The weighted CSR2 for a given field can be modified by the occurrence of sandy spots, local deposits, rock and gravel outcrops, field boundaries, and noncrossable drainageways. Even though predicted average yields will change with time, the CSR2 values are expected to remain relatively constant in relation to one another over time.

Rating Options

Aggregation Method: No Aggregation Necessary

Tie-break Rule: Higher

This property includes a CSR2 of 59. The area is qualified for consideration of a rezone due to its compatibility with the future land use map.

	Compatibility with adjacent land uses.
	The rezone to GI is compatible with the area uses including those of agriculture as it directly abuts a GI parcel and is under New Cooperative's control.
	Compatibility with other physical and economic factors affecting or affected by the proposed rezoning.
	There does not appear to be any other additional compatibility issues with this location.
	Any other relevant factors.
	New Cooperative owns property both within the City of Sloan and the county. This expanded use does not appear to be contrary to the county's future land use map and the commercial and industrial plans for the city.

Sioux City Journal
AFFIDAVIT OF PUBLICATION

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

State of Florida, County of Broward, ss:

Ankit Sachdeva, 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 2 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:
 May. 13, 2025

NOTICE ID: dkZ1OAd0Y6egfblwzYPC
PUBLISHER ID: COL-IA-501790
NOTICE NAME: ZC-2025-05-28
Publication Fee: \$117.84

Ankit Sachdeva

(Signed) _____



VERIFICATION

State of Florida
 County of Broward

Subscribed in my presence and sworn to before me on this: 05/20/2025

S. Smith

Notary Public
 Notarized remotely online using communication technology via Proof.

**NOTICE OF PUBLIC HEARINGS
 DURING A SPECIAL PUBLIC
 MEETING BEFORE THE
 WOODBURY COUNTY ZONING
 COMMISSION**

The Woodbury County Zoning Commission will have a special public meeting and will hold public hearings on the following items heretofore described in detail on Wednesday, May 28, 2025 at 5:00 PM or as soon thereafter as the matter may be considered.

Said public hearings will be held in the Board of Supervisors meeting room in the basement of the Woodbury County Courthouse, 400 Douglas Street, Sioux City, Iowa. Copies of said items may now be examined at the office of the Woodbury County Clerk and Planning Department, on the 6th floor of said courthouse by any interested persons. All persons who wish to be heard in respect to these matters should appear at the aforesaid public hearings in person or call 715-454-1155 and enter the Conference ID 278 448 7529 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, 611 First, Woodbury County Courthouse, 400 Douglas St., Sioux City, IA 51101. Emails should be sent to David Priestley at: dpriestley@woodburycountyia.gov. Only signed documents will be considered and should be received no later than 10:00 AM on Friday, May 23, 2025.

Item One (1)
CONSIDERATION OF NUCLEAR ENERGY FACILITIES, NUCLEAR WASTE STORAGE, AND/OR RELATED USES AS LAND USE OPTIONS IN THE WOODBURY COUNTY ZONING ORDINANCE FOR A RECOMMENDATION TO THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Woodbury County Zoning Commission will hold a public hearing to discuss the potential inclusion of nuclear energy facilities, nuclear waste storage, and/or related uses as land use options in the Woodbury County Zoning Ordinance. The hearing will address various aspects of permitting these facilities, including nuclear energy generation, modular nuclear energy systems, nuclear waste storage, and other related nuclear technologies. The Commission will consider options such as amending the Land Use Summary Table of Allowed Uses (Section 3.05.4) to designate nuclear energy facilities, nuclear waste storage and/or related uses as either allowed or conditional uses in specific zoning districts such as the General Industrial (G) Zoning District within Woodbury County. Additionally, the discussions may include amendments to add new sections related to nuclear energy facilities and nuclear waste storage and/or related uses, update ordinances, renumber articles, sections, and pages, and/or reorganize the content of the Zoning Ordinance as necessary. The goal of the hearing is to gather public input and determine the appropriate way to address the potential inclusion of nuclear-related land uses in the Woodbury County Zoning Ordinance in terms of preparing a recommendation to the Woodbury County Board of Supervisors.

Item Two (2)
CONSIDERATION OF BORROW PIT FOR EARTHEN MATERIALS IN THE AE ZONING DISTRICT ZONING ORDINANCE TEXT AMENDMENT FOR A RECOMMENDATION TO THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Woodbury County Zoning Commission will hold a public hearing to consider a proposed amendment to Article 3, Section 3.05.4 of the Woodbury County Zoning Ordinance. The proposed amendment would revise the Land Use Summary Table of Allowed Uses to change the classification of "Borrow pits for earth materials" from a permitted use to a conditional use in the Agricultural Estates (AE) Zoning District. Specifically, the amendment would update the table by replacing the "(permitted) designation with a 'C' (conditional use) in the AE zoning district column for 'Borrow pits for earth materials'."

Item Three (3)
ZONING ORDINANCE MAP AMENDMENT (REZONES)

Pursuant to Section 335 of the Code of Iowa, the Woodbury County Zoning Commission will hold a public hearing to consider the application for a zoning ordinance map amendment (rezones) to the Woodbury County Zoning Ordinance and/or Map for the Unincorporated Area of Woodbury County Iowa by New

operative, Inc., 2626 1st Ave. South, Fort Dodge, IA 50501.

The proposal is to rezone from the Agricultural Preservation (AP) Zoning District to the General Industrial (GI) Zoning District for a 12.32-acre portion of the property located in the SW ¼ of the SW ¼ of Section 29, T86N R46W (Sloan Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel #664629351012 and is described as:

WIC TRACT One (1) in the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section Twenty-nine (29), Township Eighty-six (86) North, Range Forty-six (46) West of the Fifth Principal Meridian, Woodbury County, Iowa, more particularly described by metes and bounds as follows:

Commencing at the Southwest Corner of said Section; thence North Eighty-eight Degrees Twenty Minutes Fifty-six Seconds (N 88°20'56") East along the South line of said Section, a distance of Two Hundred feet (200.00') to the Point of Beginning; thence North Two Degrees Seventeen Minutes Thirty-eight Seconds (N 02°17'38") West, a distance of One Thousand Three Hundred Four and Forty-one Hundredths feet (1304.41') to the North line of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼); thence North Eighty-eight Degrees Fifty-two Minutes Fifty-five Seconds (N 88°52'55") East, along said North line a distance of Two Hundred Forty-eight and Three Hundredths feet (248.03') to the West line of a tract of land described in a Plat of Survey, filed in Roll 243, Image 1217 of the Woodbury County Recorder's Office, thence South Sixteen Degrees Four Minutes Three Seconds (S 16°04'03") East along said West line, a distance of Nine Hundred Twenty-five and Thirty-four Hundredths feet (925.34'); thence South Nineteen Degrees Eighteen Minutes Forty-two Seconds (S 19°18'42") East, along said West line, a distance of Four Hundred Twenty-five and Eighty-nine Hundredths feet (425.89') to the South line of said Section; thence South Eighty-eight Degrees Twenty Minutes Fifty-six Seconds (S 88°20'56") West, along the South line of said Section, a distance of Five Hundred Ninety-two and Ninety-seven Hundredths feet (592.97') to the Point of Beginning, containing an area of 12.32 acres, more or less.

Petitioner/Applicant(s): New Cooperative, Inc., 2626 1st Ave. South, Fort Dodge, IA 50501.

Item Four (4)

CONSIDERATION OF PROPOSED MINOR SUBDIVISION

A PUBLIC HEARING FOR A PROPOSED MINOR SUBDIVISION: To be known as Washburn Addition, A Minor Subdivision to Woodbury County, Iowa, a three-lot minor subdivision in an 8.068-acre more or less portion of T89N R46W (Concord Township) in Section 35 in the SE ¼ of the NE ¼ of Parcel #694635200009. The property is approximately two-miles west of the City of Lawton and 3.5 miles east of Sioux City. The property is located in the Agricultural Estates (AE) Zoning District. Owner/Applicant: Michael W. Washburn and Janine J. Washburn, 1545 Dallas Ave., Lawton, IA 51030. CCL IA 601790

PROPERTY OWNER(S) NOTIFICATION

Total Property Owners within 1000 FT via Certified Abstractor's Listing:	133 Properties with over 80 owners.
Notification Letter Date:	Monday, May 12, 2025
Public Hearing Board(s):	Zoning Commission & Board of Supervisors
Public Hearing Date:	Wednesday, May 28, 2025
Phone Inquiries:	0
Written Inquiries:	0
The names of the property owners are listed below.	
When more comments are received after the printing of this packet, they will be provided at the meeting.	



PROPERTY OWNER(S)		MAILING ADDRESS				COMMENTS
City of Sloan	PO Box 1		Sloan	IA	51055	No comments.
City of Sloan	423 Evans St		Sloan	IA	51055	No comments.
Hanner Holdings, LLC	1903 310th St		Sloan	IA	51055	No comments.
Jared W. Kenney & Allison Kenney	205 6th St		Sloan	IA	51055	No comments.
Steven R. Richardson	211 6th St		Sloan	IA	51055	No comments.
Connor Beeck & Marissa Beeck	609 Evans St		Sloan	IA	51055	No comments.
Pauline C. Blais	601 Evans St	PO Box 79	Sloan	IA	51055	No comments.
Lakeport Properties, LLC	1647 320th St		Sloan	IA	51055	No comments.
Veronica A. Faber & Alexander Paul Stewart	602 Evans St		Sloan	IA	51055-0232	No comments.
Jacob R. Hansen & Brooke P. Hansen	522 Brown St		Sloan	IA	51055	No comments.
Steven M. Mareau	PO Box 358		Sloan	IA	51055-0358	No comments.
Lee L. Haveman & Lisa M. Haveman Joint Revocable Trust / Ricki D. Wiggs	10005 100th St Lot 18		Sloan	IA	51055	No comments.
Kevin R. Braun & Deborah K. Braun	108 Burdick St		Salix	IA	51052	No comments.
Amazemax LLC	PO Box 5203		Sioux City	IA	51102	No comments.
Allen Silbernagel & Sandra Silbernagel	509 Evans St		Sloan	IA	51055	No comments.
Alan McFarland & Arelene McFarland Joint Living Trust	505 Evans St		Sloan	IA	51055-0079	No comments.
Steven E. Jewett & Marla J. Jewett	PO Box 338		Sloan	IA	51055-0338	No comments.

Steven M. Mareau & Michele K. Mareau	PO Box 292		Sloan	IA	51055-0292	No comments.
Mike's Repair Inc	PO Box 292		Sloan	IA	51055-0292	No comments.
Jocelyn Murray	521 Beall St		Sloan	IA	51055	No comments.
Sandra K. Marnell	PO Box 206		Sloan	IA	51055-0206	No comments.
Sierra D. Lundberg & Chandler J. Rickers	16869 SW 65th #317		Lake Oswego	OR	97035	No comments.
Stephen Dale Spohr	517 Beall St	PO Box 237	Sloan	IA	51055	No comments.
New Cooperative Inc	2626 First Ave South		Fort Dodge	IA	50501	No comments.
A&B Real Estate LLC	1647 320th St		Sloan	IA	51055	No comments.
Sloan Historical Society	417 Evans St		Sloan	IA	51055	No comments.
Berg Building Services & Rentals LLC / Sylvia D. Berg	3090 Cass Ave		Salix	IA	51052	No comments.
Bradley J. Kobold & Rhonda K. Kobold	211 7th St		Sergeant Bluff	IA	51054	No comments.
Burgess Memorial Hospital	1600 Diamond St		Onawa	IA	51040	No comments.
B-Line Logistics, LLC	PO Box 54		Sloan	IA	51055	No comments.
The King's Closet Inc.	420 Evans St		Sloan	IA	51055	No comments.
Attica Lodge 502	418 Evans St		Sloan	IA	51055	No comments.
Andrew Barner	416 Evans St	PO Box 118	Sloan	IA	51055	No comments.
Northwest Iowa Telephone Company	316 5th St		Sloan	IA	51055	No comments.
Frank J. Espinosa & Elizabeth A. Espinosa	421 Beall St		Sloan	IA	51055	No comments.
John V. Stensland & Claudia K. Stensland	1635 330th St		Sloan	IA	51055	No comments.
Richard O. Pope	415 Beall St		Sloan	IA	51055	No comments.
Barbara D. Wiggs	409 Beall St	PO Box 121	Sloan	IA	51055	No comments.
PR & Associate LLC	424 8th St		Sloan	IA	51055	No comments.
Jimmy A. Goodin / Jacob A. Goodin & Sheli Goodin	400 Evans St		Sloan	IA	51055	No comments.
Generational Investments LLC	75 Columbia Ave		Cedarhurst	NY	11516	No comments.
Landra K. Zortman	451 Glen Eagle Ct		Dakota Dunes	SD	57049	No comments.
Barbara D. Wiggs	409 Beall St	PO Box 121	Sloan	IA	51054-0121	No comments.
Community Church of Christ of Sloan	502 Beall St		Sloan	IA	51055	No comments.

Stacey L. Mitchell	422 Beall St		Sloan	IA	51055	No comments.
Tanner J. Deroin & Amanda K. Johnson	418 Beall St		Sloan	IA	51055	No comments.
Roger Jenkins	PO Box 89		Sloan	IA	51055-0089	No comments.
Thomas E. Michael & Linda L. Michael	410 Beall St		Sloan	IA	51055	No comments.
Ryan R. Zanter	402 Beall St		Sloan	IA	51055	No comments.
Hubert R. Huot & Shelly M. Huot	4114th St		Sloan	IA	51055	No comments.
Sloan State Bank	PO Box AC		Sloan	IA	51055	No comments.
Dale B. Smith & Lori R. Smith	906 N Shannon Dr		Sloan	IA	51055-7757	No comments.
Steven M. Mareau	PO Box 358		Sloan	IA	51055-0358	No comments.
Steven Michael Mareau	PO Box 358		Sloan	IA	51055-0358	No comments.
Ryan M. Mareau & Ashley M. Mareau	510 Barnard St	PO Box 91	Sloan	IA	51055	No comments.
Lowell Rentals, LLC	1005 Evans St		Sloan	IA	51055	No comments.
Acquire Properties LLC	501 Poplar St		Sioux City	IA	51052	No comments.
Roger W. Ward & Sonja Ward	402 3rd St		Sloan	IA	51055	No comments.
Edward G. Harvey & Wanda K. Harvey	PO Box 315		Sloan	IA	51055-0315	No comments.
Robin T. Rockey	PO Box 34		Sloan	IA	51055-0034	No comments.
Richard P. Benjamin, Sr & Charlene Benjamin	305 Barnard St		Sloan	IA	51055	No comments.
Jay D. Lutt & Angeline M. Lutt	424 4th St		Sloan	IA	51055	No comments.
Majorie E. Keating Trust	PO Box G		Sloan	IA	51055	No comments.
Danny Lee Robinson	1515 Goldie Ave		Sioux City	IA	51109	No comments.
Kari A. Oestmann	320 3rd St		Sloan	IA	51055	No comments.
TBR Investments LLC	PO Box 86		Salix	IA	51052-0086	No comments.
Randy L. Mefferd & Jackie L. Mefferd	214 Beall St		Sloan	IA	51055	No comments.
Randall L. Snyder	210 Beall St		Sloan	IA	51055	No comments.
Aaron M. Nelson	322 3rd St		Sloan	IA	51055	No comments.
James P. Thompson & Mindy K. Thompson	215 Barnard St		Sloan	IA	51055	No comments.
Blake A. Beauchene & Katherine R. Beauchene	201 Barnard St		Sloan	IA	51055	No comments.

Blake A. Beauchene & Katherine R. Beauchene	6987 Perch Hammock Loop		Groveland	FL	34736-8159	No comments.
Ella Belle Peterson Revocable Trust	PO Box 26		Sloan	IA	51055-0026	No comments.
Kathy L. Lynch	PO Box 29		Sloan	IA	51055	No comments.
Eunice D. Jensen	PO Box 208		Sloan	IA	51055	No comments.
Kendall R. Bauer Trust & Rose Elaine Bauer	711 Brown St		Sloan	IA	51055	No comments.
Richard K. Bauer	715 Brown St		Sloan	IA	51055	No comments.
Terry M. Schrank & Jan M. Schrank	10005 100th St Lot 5		Sloan	IA	51055	No comments.
Pamela J. Pomranky	502 2nd St		Sloan	IA	51055	No comments.
Bradley R. Brinkman & Jennifer S. Brinkman	118 Barnard St		Sloan	IA	51055	No comments.
Union Pacific Railroad	1400 Douglas Stop 1640		Omaha	NE	68179-1640	No comments.
James G. Kirkendall Credit Shelter Trust & Linda L. Kirkendall Revocable Trust	210 Buckley St		Sloan	IA	51055	No comments.
M P G C Incorporated	1866 Hwy 141		Sloan	IA	51055	No comments.
Richard J.G. Patterson	PO Box 108		Salix	IA	51052-0108	No comments.
Richard Patterson	PO Box 108		Salix	IA	51052-0108	No comments.
Michael L. Patterson	1866 Hwy 141		Sloan	IA	51055	No comments.
Richard J. Patterson	PO Box 108		Salix	IA	51052-0108	No comments.
Northern Natural Gas: Attn: Tax Dept.	PO Box 3330		Omaha	NE	68103-0330	No comments.
Michael Lee Patterson	1866 Hwy 141		Sloan	IA	51055	No comments.

STAKEHOLDER COMMENTS

911 COMMUNICATIONS CENTER:	No comments.
CITY OF SLOAN:	No comments.
FIBERCOMM:	No comments.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments.
IOWA DEPARTMENT OF TRANSPORTATION (IDOT):	No comments.
LOESS HILLS NATIONAL SCENIC BYWAY:	No comments.
LOESS HILLS PROGRAM:	No comments.
LONGLINES:	No comments.
LUMEN:	No comments.
MAGELLAN PIPELINE:	No comments.
MILLER TOWNSHIP:	No comments.
MIDAMERICAN ENERGY COMPANY (Electrical Division):	I have reviewed the attached requested rezoning for MEC electric and we have no conflicts. – Casey Meinen, 4/30/25.
MIDAMERICAN ENERGY COMPANY (Gas Division):	No comments.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS):	No comments.
NORTHERN NATURAL GAS:	No comments.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	Have reviewed this zoning request. NIPCO has no issues with this request. – Jeff Zettel, 5/12/25.
NUSTAR PIPELINE:	No comments.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	No comments.

WIATEL:	No comments.
WINNEBAGO TRIBE:	No comments.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No issues here. – Daniel Heissel, 9/3/24.
WOODBURY COUNTY EMERGENCY MANAGEMENT:	No comments.
WOODBURY COUNTY EMERGENCY SERVICES:	No comments.
WOODBURY COUNTY ENGINEER:	No comments.
WOODBURY COUNTY RECORDER:	No comments. Thank you. – Diane Swoboda Peterson, 9/3/24.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No comments.
WOODBURY COUNTY SHERIFF:	No comments.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT:	The WCSWCD has no comments regarding this request. – Neil Stockflet, 5/7/25.
WOODBURY COUNTY TREASURER:	All certified property taxes are paid. – Tina Bertrand, 4/30/25.

PARCEL REPORT

Woodbury County, IA / Sioux City

Summary

Parcel ID	864629351012
Alternate ID	700909
Property Address	N/A
Sec/Twp/Rng	29-86-46
Brief	SLOAN TOWNSHIP PT SW SW COM AT SW COR OF SW SW THNC E 200' TO POB, THNC N 1304.41', THNC E 248.03' THNC SE 925.34', THNC SE 425.89', THNC W 592.97'
Tax Description	TO POB 29-86-46
Deed Book/Page	(Note: Not to be used on legal documents) 742-10377 (8/26/2015)
Gross Acres	12.32
Net Acres	12.32
Adjusted CSR Pts	0
Zoning	AP - AGRICULTURAL PRESERVATION
District	0046 SLOAN/WESTWOOD
School District	WESTWOOD COMM
Neighborhood	N/A

Owner

Deed Holder
NEW COOPERATIVE, INC
2626 FIRST AVE SOUTH
FORT DODGE IA 50501
Contract Holder
Mailing Address
NEW COOPERATIVE, INC
2626 FIRST AVE SOUTH
FORT DODGE IA 50501

Land

Lot Area 12.32 Acres / 536,659 SF

Sales

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
6/29/2011	KIRKENDALL JAMES G & JAY W, KIRKENDALL ETAL	WESTERN IOWA COOP	717/1209	SALE OF PORTION OF PROPERTY (SPLIT)	Deed		\$308,000.00

Valuation

	2025	2024	2023	2022	2021	2020
Classification	Commercial	Commercial	Commercial	Commercial	Commercial	Commercial
+ Assessed Land Value	\$183,260	\$183,260	\$183,260	\$183,260	\$183,260	\$181,240
+ Assessed Building Value	\$0	\$0	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$183,260	\$183,260	\$183,260	\$183,260	\$183,260	\$181,240
- Exempt Value	\$0	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$183,260	\$183,260	\$183,260	\$183,260	\$183,260	\$181,240

Sioux City Special Assessments and Fees

[Click here to view special assessment information for this parcel.](#)

Woodbury County Tax Credit Applications

[Apply for Homestead or Military Tax Credit](#)

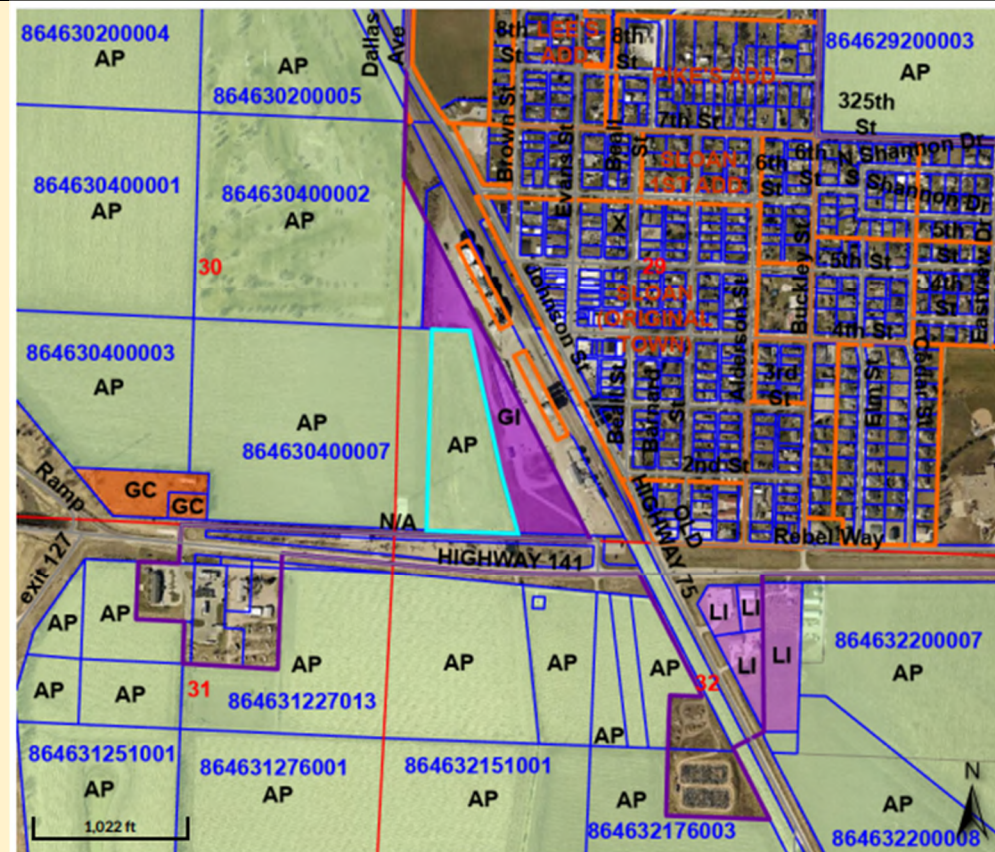
No data available for the following modules: Residential Dwellings, Commercial Buildings, Agricultural Buildings, Yard Extras, Permits, Sioux City Tax Credit Applications, Sioux City Board of Review Petition, Photos, Sketches.

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Contact Us

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ZONING MAP



Overview



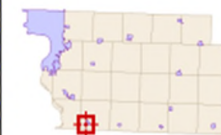
Legend

- Roads
- Corp Boundaries
- Townships
- Subdivisions
- Parcels
- County Zoning**
 - AE
 - AP
 - GC
 - GC-PD
 - GI
 - LI
 - LI-PD
 - SR
 - WR

SPECIAL FLOOD HAZARD AREA (SFHA) MAP



Overview



Legend

- Roads
- Corp Boundaries
- Townships
- Subdivisions
- Parcels
- County Zoning**
 - AE
 - AP
 - GC
 - GC-PD
 - GI
 - LI
 - LI-PD
 - SR
 - WR

ELEVATION MAP





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 – 5-22-25

Consideration of a Zoning Ordinance Text Amendment to establish “borrow pits for earth materials” as a conditional use in the Agricultural Estates (AE) Zoning District.

BOARD OF SUPERVISORS DIRECTIVE ON APRIL 29, 2025:

On April 29, 2025, the Woodbury County Board of Supervisors initiated the consideration of an amendment to the Woodbury County Zoning Ordinance, specifically to revise the Land Use Summary Table of Allowed Uses (Section 3.03.4), to classify “Borrow pits for earth materials” as a conditional use within the Agricultural Estates (AE) Zoning District. The following content is provided directly or verbatim from their direction:

EXECUTIVE SUMMARY:

Section 3.03.4 of the Woodbury County Zoning Ordinance prohibits borrow pits in the Agricultural Estates (AE) Zoning District, limiting property owners' ability to excavate earth materials for construction, improve land usability, or enhance road safety through strategic grading. We propose amending the ordinance to allow conditional use permit applications for borrow pits in AE zones, per Section 2.02.9, enabling case-by-case reviews by the Zoning Commission and Board of Adjustment. This change ensures community input and evaluates impacts on environment, traffic, and neighborhood compatibility, aligning with county goals. The amendment promotes equity, as borrow pits are permitted in adjacent Agricultural Preservation zones, and supports agricultural, safety, and infrastructure objectives while maintaining oversight. Under Section 2.02.3 A of the Woodbury County Zoning Ordinance, the Board of Supervisors has the authority to initiate amendments to the text. This directive tasks the Zoning Commission to conduct a public hearing to perform their function of reviewing the amendment and any supporting information prior to considering and providing their recommendation to either approve or disapprove the proposed amendment. Draft Zoning Ordinance Text Amendment attached for consideration.

BACKGROUND:

The Woodbury County Zoning Ordinance, specifically Section 3.03.4, prohibits borrow pits for extracting earth materials in the Agricultural Estates (AE) Zoning District. This restriction prevents property owners, including farmers, from excavating and transferring significant volumes of earthen material to support local construction projects. However, strategic grading and dirt removal in certain county locations could benefit farmers by improving land usability and support regional development by providing materials for infrastructure. Additionally, excavation in and around right-of-way areas could enhance sight distances and mitigate snow accumulation along roads, improving safety and maintenance.

The outright prohibition of borrow pits in AE zones may hinder these maintenance and development objectives. Amending the ordinance to allow conditional use permits application consideration for borrow pits in AE districts would provide a balanced solution. This change would enable property owners, not limited to farmers, to propose borrow pit projects, subject to review by the Zoning Commission and Board of Adjustment. The conditional use permit process, outlined in Section 2.02.9, offers community input opportunities and evaluation based on criteria such as environmental impact, traffic, and compatibility with the surrounding area.

Allowing conditional use permit application consideration does not guarantee widespread borrow pit development in AE zones. Instead, it removes the blanket prohibition, enabling case-by-case assessments to determine if a proposed borrow pit aligns with neighborhood character and county goals. Notably, the current ordinance already permits borrow pit consideration in Agricultural Preservation (AP) zones, which are often adjacent to AE parcels. This adjacency creates inconsistencies, as borrow pits may be approved near AE properties but not within them. Amending the ordinance to extend conditional use permit opportunities to AE zones would create a more equitable and flexible framework.

Under Section 2.02.3 A of the Woodbury County Zoning Ordinance, the Board of Supervisors has the authority to initiate amendments to the text. This directive tasks the Zoning Commission to conduct a public hearing to perform their function of reviewing the amendment and any supporting information prior to considering and providing their recommendation to either approve or disapprove the proposed amendment. Draft Zoning Ordinance Text Amendment attached for consideration.

STAKEHOLDER COMMENTS:

Daniel Priestley

From: Meinen, Casey (MidAmerican) <Casey.Meinen@midamerican.com>
Sent: Wednesday, April 30, 2025 1:37 PM
To: Daniel Priestley
Subject: RE: [INTERNET] Comments Requested Borrow Pits in AE Zoning District

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.**

Daniel,

I have reviewed the attached proposed zoning amendment for MEC electric distribution and we have no conflicts.

Psychology is more contagious than the flu.

Casey Meinen

Lead, Electric Distribution Engineering

Casey.meinen@midamerican.com

Phone (712-233-4831)



Daniel Priestley

From: Patrick Proski <PGPROSOS@UP.COM>
Sent: Wednesday, April 30, 2025 2:22 PM
To: Daniel Priestley
Subject: Re: Comments Requested Borrow Pits in AE Zoning District

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.**

Dan, remarks from UPRR in blue below.

- Do you support allowing conditional use permits for borrow pits in the AE Zoning District? Why or why not? Yes, No objections provided the existing drainage pattern(s) are not impacted.
- What potential benefits or concerns do you foresee with this amendment (e.g., economic, environmental, or community impacts)? Concern if it will change the flow of storm drainage or impact vehicular traffic patterns.
Patrick

Daniel Priestley

From: Craig ANDERSON <craigan@msn.com>
Sent: Thursday, May 1, 2025 2:05 PM
To: Daniel Priestley
Subject: Re: Comments Requested Borrow Pits in AE Zoning District

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.**

We value your perspective on this proposed change. Please consider the following questions in your response:

- Do you support allowing conditional use permits for borrow pits in the AE Zoning District? Why or why not? I support conditional use permits for borrow pits in lands within this zoning district. There are situations where removing material improves the site for development. With oversight and conditions granted by the BoA the existing landowners have protection against negative impact. In Plymouth county Borrow pits and Extraction are subject to conditional use, with the exception of land under the Loess Hills Conservation Overlay. This area is in the southwest part of the county. The soils under the Overlay are extremely fragile, erosion is difficult to control, and a proper cover is difficult to reestablish.
- What potential benefits or concerns do you foresee with this amendment (e.g., economic, environmental, or community impacts)? Benefits are mostly economic, allowing the landowner to remove material for sale or to improve the site. Reshaping the land may help with storm water drainage. It really comes down to the character of the developer. It is important that the BoA knows how long the project will take, how much material will be removed and what is the plan for reestablishing a proper cover when the project is finished. Existing landowner rights should be taken into consideration when conditional uses are permitted. However, I don't think existing landowners should be able to nix a project if the project will be done quickly and without a lot of disturbance.

Daniel Priestley

From: Stockfleth, Neil <NStockfleth@cfindustries.com>
Sent: Wednesday, May 7, 2025 11:46 AM
To: Daniel Priestley
Subject: RE: Comments Requested Borrow Pits in AE Zoning District

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Dan:

The WCSWCD has no comments regarding this proposal.

Neil

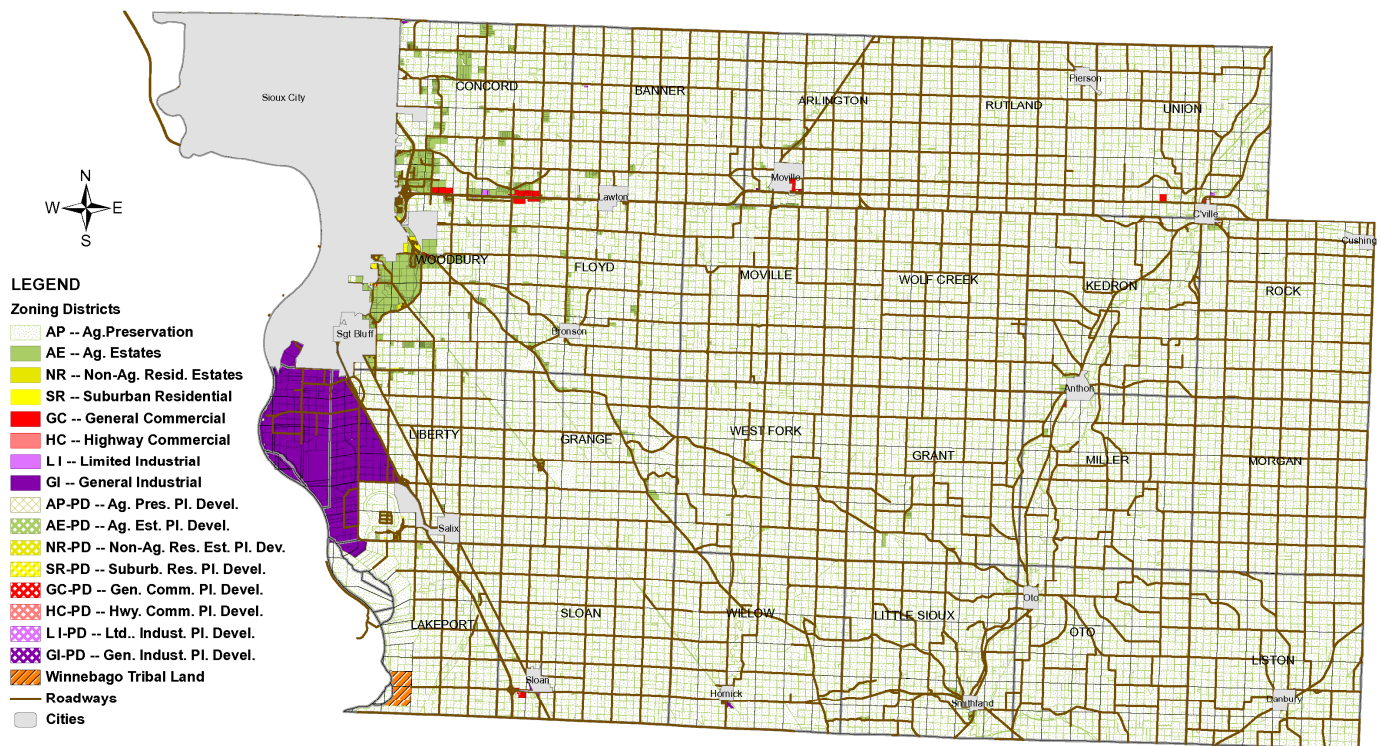


Neil Stockfleth
Environmental Superintendent, Port Neal Complex
Office: 1.712.233.6276
Cell: 1.712.251.5155
nstockfleth@cfindustries.com



Conditional Use Permit applications for borrow pits are allowed for consideration in only the AP and GI Zoning Districts as illustrated below:

Zoning Map of Woodbury County, Iowa

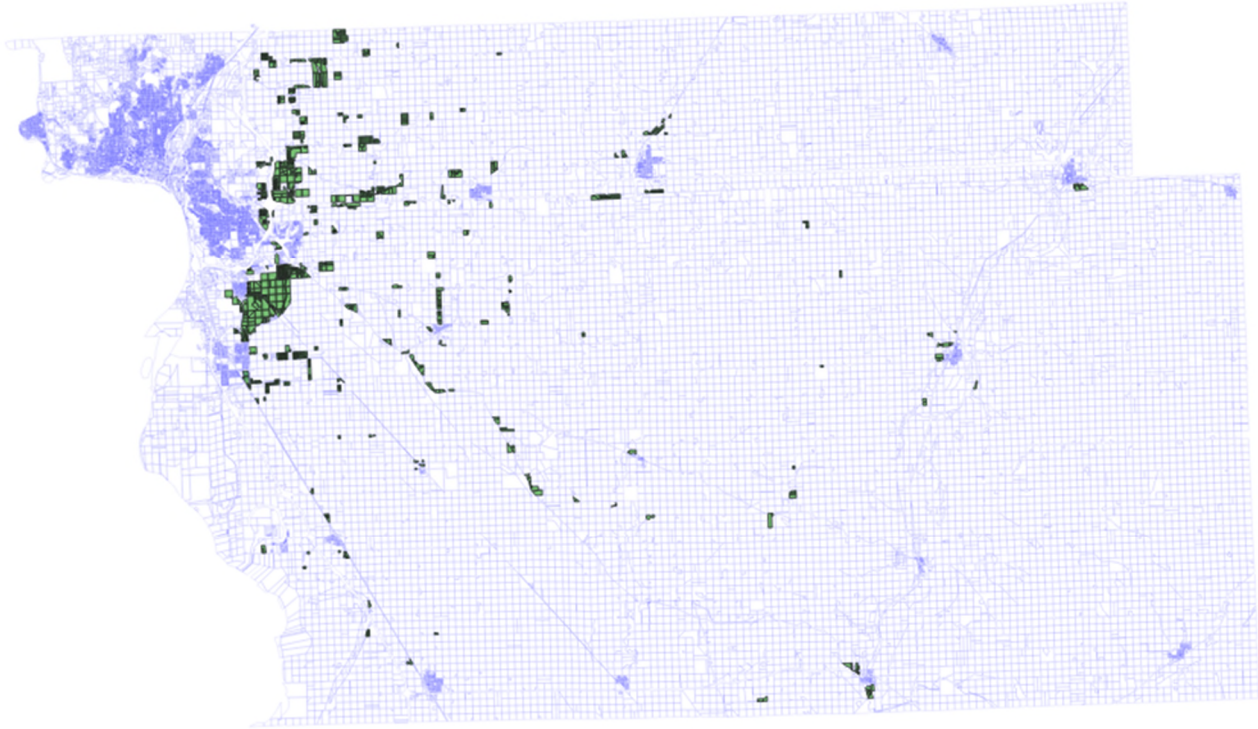


Woodbury County Zoning Map

Adopted July 22, 2008

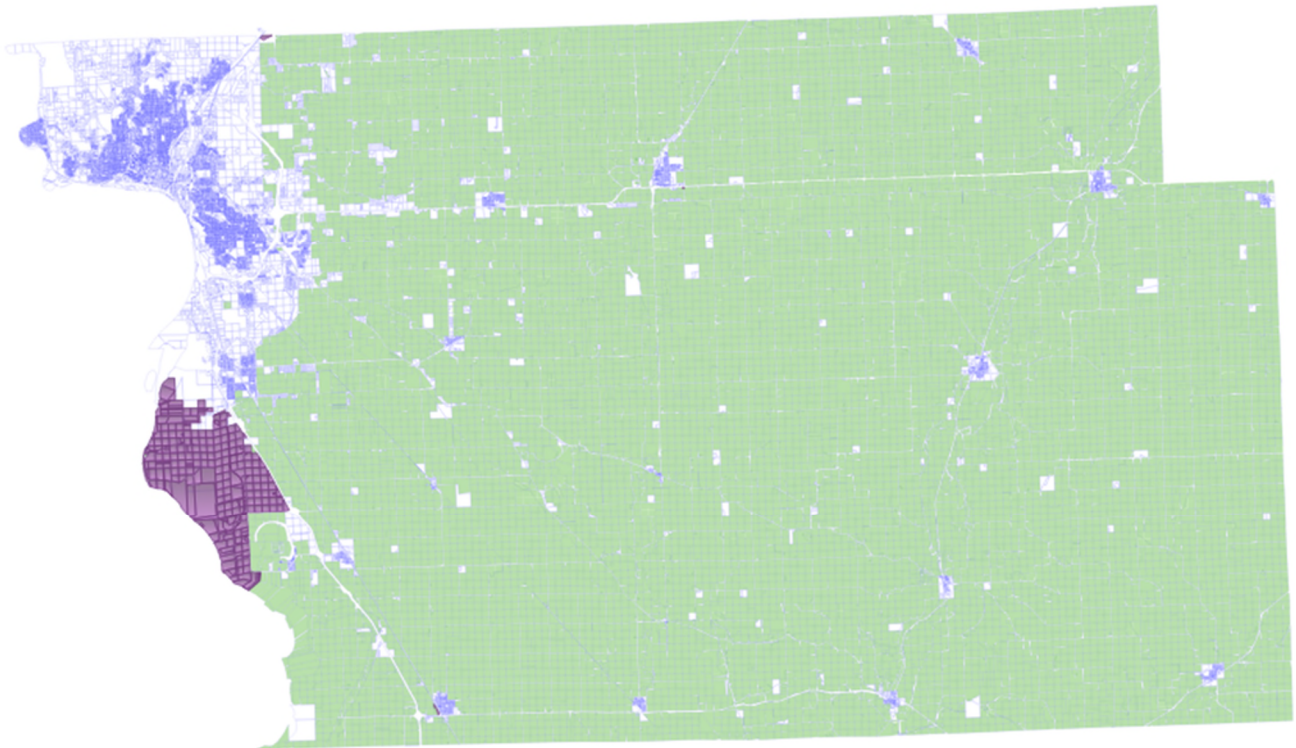
*This map may not necessarily represent the current districts due to subsequent rezones since 2008.

**CONDITIONAL USE PERMIT PROHIBITED IN THE GREEN AREAS
AGRICULTURAL ESTATES (AE) ZONING DISTRICT LOCATIONS (ESTIMATE)**



*Some parcels may be missing due to software issues.

**CONDITIONAL USE PERMIT ALLOWED IN THE GREEN AND PURPLE AREAS
AGRICULTURAL PRESERVATION (AP) AND GENERAL INDUSTRIAL (GI) ZONING DISTRICT LOCATIONS (ESTIMATE)**



*White Parcels or Regions are missing due to software issues.

Sioux City Journal
AFFIDAVIT OF PUBLICATION

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

State of Florida, County of Broward, ss:

Ankit Sachdeva, 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 2 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:
May. 13, 2025

NOTICE ID: dkZ1OAd0Y6egfblwzYPC
PUBLISHER ID: COL-IA-501790
NOTICE NAME: ZC-2025-05-28
Publication Fee: \$117.84

Ankit Sachdeva

(Signed) _____



VERIFICATION

State of Florida
County of Broward

Subscribed in my presence and sworn to before me on this: **05/20/2025**

S. Smith

Notary Public

Notarized remotely online using communication technology via Proof.

**NOTICE OF PUBLIC HEARINGS
DURING A SPECIAL PUBLIC
MEETING BEFORE THE
WOODBURY COUNTY ZONING
COMMISSION**

The Woodbury County Zoning Commission will have a special public meeting and will hold public hearings on the following items hereinafter described in detail on Wednesday, May 28, 2025 at 8:00 PM or as soon thereafter as the matter may be considered.

Said public hearings will be held in the Board of Supervisors' meeting room in the basement of the Woodbury County Courthouse, 401 Douglas Street, Sioux City, Iowa. Copies of said items 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 these matters should appear at the aforesaid public hearings in person or call 712-454-1133 and enter the Conference ID: 2764467529 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, 400 Douglas St., Sioux City, IA 51101. Emails should be sent to Daniel Priestley at: dpriestley@woodburycountyia.gov. Only signed comments will be considered and should be received no later than 11:00 AM on Friday, May 23, 2025.

**Item One (1)
CONSIDERATION OF NUCLEAR ENERGY
FACILITIES, NUCLEAR WASTE STORAGE
AND/OR RELATED USES ZONING
ORDINANCE TEXT AMENDMENTS FOR A
RECOMMENDATION TO THE WOODBURY
COUNTY BOARD OF SUPERVISORS**

The Woodbury County Zoning Commission will hold a public hearing to discuss the potential inclusion of nuclear energy facilities, nuclear waste storage, and/or related uses as land use options in the Woodbury County Zoning Ordinance. The hearing will address various aspects of permitting these facilities, including nuclear energy generation, modular nuclear energy systems, nuclear waste storage, and other related 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, nuclear waste storage and/or related uses as either allowed or conditional uses in specific zoning districts such as the General Industrial (G) Zoning District within Woodbury County. Additionally, the discussions may include amendments to add new sections related to nuclear energy facilities and nuclear waste storage and/or related uses, update definitions, number annexes, sections, and pages, and/or reorganize the content of the Zoning Ordinance as necessary. The goal of the hearing is to gather public input and determine the appropriate way to address the potential inclusion of nuclear-related land uses in the Woodbury County Zoning Ordinance in terms of preparing a recommendation to the Woodbury County Board of Supervisors.

**Item Two (2)
CONSIDERATION OF BORROW PITS FOR
BARTHEN MATERIALS IN THE AE ZONING
DISTRICT ZONING ORDINANCE TEXT
AMENDMENT FOR A RECOMMENDATION
TO THE WOODBURY COUNTY BOARD OF
SUPERVISORS**

The Woodbury County Zoning Commission will hold a public hearing to consider a proposed amendment to Article 3, Section 3.03.4 of the Woodbury County Zoning Ordinance. The proposed amendment would revise the Land Use Summary Table of Allowed Uses to change the classification of "Borrow pits for earth materials" from a prohibited use to a conditional use in the Agriculture Estates (AE) Zoning District. Specifically, the amendment would update the table by replacing the "(prohibited)" designation with a "C" (conditional use) in the AE zoning district column for "Borrow pits for earth materials."

**Item Three (3)
ZONING ORDINANCE MAP AMENDMENT
(REZONE)**

Pursuant to Section 335 of the Code of Iowa, the Woodbury County Zoning Commission will hold a public hearing to consider the application for a zoning ordinance map amendment (rezone) to the Woodbury County Zoning Ordinance and/or Map for the Unincorporated Area of Woodbury County Iowa by New

operative, Inc., 2626 1st Ave. South, Fort Dodge, IA 50501.

The proposal is to rezone from the Agricultural Preservation (AP) Zoning District to the General Industrial (GI) Zoning District for a 12.32-acre portion of the property located in the SW ¼ of the SW ¼ of Section 29, T86N R46W (Sloan Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel #66462351012 and is described as:

WIG TRACT One (1) in the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section Twenty-nine (29), Township Eighty-six (86) North, Range Forty-six (46) West of the Fifth Principal Meridian, Woodbury County, Iowa, more particularly described by metes and bounds as follows:

Commencing at the Southwest Corner of said Section; thence North Eighty-eight Degrees Twenty Minutes Fifty-six Seconds (N 88°20'56") East along the South line of said Section, a distance of Two Hundred feet (200.00') to the Point of Beginning; thence North Two Degrees Seventeen Minutes Thirty-eight Seconds (N 02°17'38") West, a distance of One Thousand Three Hundred Four and Forty-one Hundredths feet (1304.41') to the North line of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4); thence North Eighty-eight Degrees Fifty-two Minutes Fifty-five Seconds (N 88°52'35") East, along said North line a distance of Two Hundred Forty-eight and Three Hundredths feet (248.03') to the West line of a tract of land described in a Plat of Survey, filed in Roll 243, Image 1217 of the Woodbury County Recorder's Office, thence South Sixteen Degrees Four Minutes Three Seconds (S 16°04'03") East along said West line, a distance of Nine Hundred Twenty-five and Thirty-four Hundredths feet (925.34'); thence South Nineteen Degrees Eighteen Minutes Forty-two Seconds (S 19°18'42") East, along said West line, a distance of Four Hundred Twenty-five and Eighty-nine Hundredths feet (425.89') to the South line of said Section; thence South Eighty-eight Degrees Twenty Minutes Fifty-six Seconds (S 88°20'56") West, along the South line of said Section, a distance of Five Hundred Ninety-two and Ninety-seven Hundredths feet (592.97') to the Point of Beginning, containing an area of 12.32 acres, more or less.

Petitioner/Applicant(s): New Cooperative, Inc., 2626 1st Ave. South, Fort Dodge, IA 50501.

Item Four (4)

CONSIDERATION OF PROPOSED MINOR SUBDIVISION

A PUBLIC HEARING FOR A PROPOSED MINOR SUBDIVISION: To be known as Washburn Addition, A Minor Subdivision to Woodbury County, Iowa, a three-lot minor subdivision in an 8.088-acre more or less portion of T86N R46W (Concord Township) in Section 35 in the SE ¼ of the NE ¼ on Parcel #694636200009. The property is approximately two-miles west of the City of Lawton and 3.5 miles east of Sioux City. The property is located in the Agricultural Estates (AE) Zoning District. Owner/Applicant: Michael W. Washburn and Janine J. Washburn, 1545 Dallas Ave., Lawton, IA 51030. OOL IA 501790

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

Date: _____ Weekly Agenda Date: _____

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: _____

WORDING FOR AGENDA ITEM:

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

BACKGROUND:

FINANCIAL IMPACT:

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:

ACTION REQUIRED / PROPOSED MOTION:

ORDINANCE NO. _____

WOODBURY COUNTY, IOWA

AN ORDINANCE AMENDING THE TEXT OF THE WOODBURY COUNTY ZONING ORDINANCE TO AMEND PORTIONS OF ARTICLE 3, SECTION 3.03.4 ENTITLED: *LAND USE SUMMARY TABLE OF ALLOWED USES IN EACH ZONING DISTRICT.*

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

Amendment #1:

The Woodbury County Zoning Ordinance, Article 3, Section 3.03.4, Land Use Summary Table of Allowed Uses in each Zoning District, is hereby amended to revise the classification of “Borrow pits for earth materials” from a prohibited use to a conditional use in the following zoning district:

- AE – Agricultural Estates Zoning District

The Land Use Summary Table (Section 3.03.4) shall be updated to reflect the following:

- In the row for “Borrow pits for earth materials,” replace the designation “--” (Prohibited use) with “C” (Conditional use) in the column for the AE Zoning District.

Explanation: this Zoning Ordinance Text Amendment establishes the use of “Borrow pits for earth materials” as a Conditional Use in the Agricultural Estates (AE) Zoning District.

THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS

Daniel Bittinger II, Chairman

Mark Nelson, Vice-Chairman

Kent Carper

Attest:

David Dietrich

Michelle K. 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 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 5-22-25

Consideration of Nuclear Energy Facilities and Nuclear Waste Storage

SCENARIO BEFORE THE ZONING COMMISSION:

The debate over nuclear energy and nuclear waste storage centers on the "permitting mechanism" within the county's zoning ordinance. The Land Use Summary table lists "electrical energy generation (not incl. wind)," which could potentially be interpreted as a "nuclear energy facility" conditional use in the General Industrial (GI) Zoning District. Similarly, "chemical and gas bulk storage" might be construed as "nuclear waste storage." A company could apply for a Conditional Use Permit (CUP) under these categories, leaving it to the Zoning Commission and Board of Adjustment to decide if such uses comply with Section 2.02.9 F(1)(a). This section states that a conditional use must be authorized in the zoning district and meet any specified conditions or standards. While the Commission and Board could interpret these categories to include nuclear-related uses, the county attorney's office advises that a use as significant as nuclear energy or waste storage should be explicitly defined as a distinct category, given the potential for legal challenges to such broad interpretations. The current discussion is not about approving specific projects but about whether "nuclear energy facilities" and "nuclear waste storage" should be clearly defined in the ordinance and how the conditional use permit process would apply. Under existing regulations, if an application for a nuclear energy facility or waste storage site were submitted, the Zoning Commission and Board of Adjustment could review it, but the public notification area would be limited to 500 feet from the site. This report proposes defining these uses explicitly and expanding the notification radius to ten miles. Per Section 2.01.4 D(1), the Zoning Commission is tasked with recommending district boundaries, regulations, and restrictions, and under Section 2.01.4 D(4), it can propose ordinance amendments to the Board of Supervisors. While this debate does not guarantee future applications, it addresses how the county would handle a scenario where an applicant, possibly after filing with the Nuclear Regulatory Commission, seeks a CUP under the current vague categories of "electrical energy generation" or "chemical and bulk storage." The key question is whether the county is prepared for such possibilities.

GENERAL SUMMARY:

This report includes information that could be considered to amend the Woodbury County Zoning Ordinance to explicitly designate "**Nuclear Energy Facilities**" and "**Nuclear Waste Storage**" as conditional uses within the General Industrial (GI) Zoning District under the Land Use Summary Table (Section 3.03.4). Currently, these uses are not specifically listed, though staff have interpreted them as falling under "**electrical energy generation (not incl. wind)**" and "**chemical and gas bulk storage**," both conditional uses in the GI district. However, the County Attorney's Office has highlighted legal concerns in relying on this interpretation, as courts may not uphold unlisted uses, and the table's "comprehensive" nature suggests their exclusion may be intentional. The GI district's suitability for heavy industrial activities, including its infrastructure and separation from residential areas, supports potentially adding these nuclear-related uses.

Proposed amendments include: (1) updating Section 2.02.1 B(1)(e) to require a ten-mile notification radius for nuclear-related conditional use permits, reflecting their scale and public sensitivity; (2) adding "Nuclear Energy Facilities" and "Nuclear Waste Storage" as conditional uses in the GI district under Section 3.03.4; and (3) introducing definitions in Article 6 to ensure clarity and compliance with federal and state regulations, such as those of the Nuclear Regulatory Commission (NRC). These changes align with the Woodbury County Comprehensive Plan's goals of supporting technological advances and energy diversification while enhancing legal clarity and public transparency. Public input and regulatory oversight will remain critical to future consideration, ensuring safety and community alignment as nuclear technology evolves.

BACKGROUND AND ANALYSIS (UPDATED) – 3/22/25

Section 3.03.4 of the Woodbury County Zoning Ordinance contains the "**Land Use Summary Table of Allowed Uses in Each Zoning District**," which categorizes permitted land uses across zoning districts. Under the current table:

- **Utilities Category:** "Electrical energy generation (not incl. wind)" is listed as a conditional use ("C") in the General Industrial (GI) Zoning District but prohibited ("--") in all other districts.
- **Warehousing and Freight Handling Category:** "Chemical and gas bulk storage" is a conditional use ("C") in the GI Zoning District, permitted in the Limited Industrial (LI) Zoning District, and prohibited elsewhere.

Staff initially interpreted these categories under Section 3.03.4 of the Woodbury County Zoning Ordinance as encompassing "**nuclear energy facilities**" and "**nuclear waste storage**" due to operational and regulatory similarities:

1. Nuclear Energy Facilities vs. Electrical Energy Generation:

- Both involve large-scale industrial processes for energy production.
- They require significant infrastructure (e.g., reactors, turbines, transmission systems), stringent safety protocols, and compliance with environmental regulations.
- Nuclear facilities produce electricity via controlled reactions, aligning with the broader intent of energy generation in industrial zones.

2. Nuclear Waste Storage vs. Chemical and Gas Bulk Storage:

- Both manage hazardous materials requiring specialized containment and safety measures.
- They are subject to rigorous regulatory oversight and are ideally located in industrial zones to minimize risks to residential areas.

However, this administrative interpretation **lacks explicit clarity** in the ordinance, prompting further review.

County Attorney's Office Review (5-21-25 – Update)

The Woodbury County Attorney's Office, via Assistant County Attorney Joshua Widman, advised against relying solely on administrative interpretation due to potential legal vulnerabilities:

- Zoning ordinances define permissible land uses. Courts may not uphold an administrator's interpretation that "electrical energy generation" includes nuclear facilities or that "chemical and gas bulk storage" covers nuclear waste if these uses are not explicitly listed. This ambiguity could lead to litigation, delaying or halting projects.
- The Land Use Summary Table is described as "comprehensive." Since nuclear uses existed when the ordinance was drafted, their absence might be interpreted as intentional exclusion rather than an oversight, weakening the case for inclusion via interpretation.
- Section 2.02.1 B(1)(e) mandates a 500-foot notification radius for conditional use permits (CUPs), with exceptions (e.g., airports, landfills) requiring 1,000 feet. Nuclear projects, given their scale and public sensitivity, may warrant a larger radius, necessitating an amendment.

Zoning Staff take-away: Amending the ordinance to explicitly list "Nuclear Energy Facilities" and "Nuclear Waste Storage" as conditional uses in the GI Zoning District provides clarity and ensures alignment with the ordinance's intent. Below are copies of comments received from Joshua Widman, Assistant County Attorney.

Daniel Priestley

From: Joshua Widman
Sent: Friday, February 28, 2025 2:24 PM
To: Daniel Priestley
Subject: RE: Nuclear Energy Policy Question

Dan,

Following up on our phone conversation. Given the nature of a nuclear project and the potential for challenge or litigation, I think the best course of action would be to amend the zoning ordinance to explicitly address the two proposed uses rather than solely relying on the zoning administrator's interpretation to make it fit within the existing framework. A court would not be bound by the zoning administrator's interpretation of the ordinance and could have a different view. Since these projects take several years to come to fruition, I think it would be prudent to change the ordinance on the front end rather than leaving open the potential for a court to invalidate a zoning action (CUP application) and potentially set a project back several years.

Of the two uses you mention under the existing framework, the argument that a nuclear project would fit under "electrical energy generation" is the stronger of the two arguments. However, the Section 3.03 references the Land Use Summary Table as two different times as being "comprehensive." So in general, if a use is not listed there, it's not a permitted use. At the same time, the ordinance acknowledges that the list can be incomplete due to "omissions" or "new uses" and that is where the role of the zoning director can potentially supplement with an interpretation. Nuclear power and nuclear waste storage were well-established uses known at that time the zoning ordinance was created and they are very intensive uses. A court would likely find it was intentional on the part of the Board to not allow for it in the table rather than an "omission" due to an oversight. Also, there may be recent changes in the technology, but it would be difficult to find that the category of nuclear power or storage is a "new use" on the whole.

The notice requirements for a CUP application are clearly set out in the ordinance (Section 2.02 (1)B(1)(e)). There is not room for "interpretation" on that. The rule is 500 ft except for a couple of enumerated exceptions where the rule is 1000 ft. If a different notice radius is desired for a nuclear facility, then the ordinance should be amended to provide for that. As we discussed, there are likely very good reasons to have a greater than 500 ft formal notification requirement for a nuclear project.

In regards to a Board resolution, I do not think it would be accurate to assert that we have an established framework in place. Yes, there are arguments to be made under the existing ordinance for how to approach it, but there is gray area as well. I don't think this is a type of project where anyone would want to operate in gray area or interpretations. That wouldn't prevent the BOS, if the BOS desires, from sending a letter of support for anything that may be happening at the state level or indicating an interest in hosting such a project. I just wouldn't say that we have strong zoning framework in place at this time to deal with a project.

Joshua D. Widman
Assistant Woodbury County Attorney
3701 28th St.
Sioux City, IA 51105

Phone: 712-279-6516

Daniel Priestley

From: Joshua Widman
Sent: Wednesday, May 21, 2025 11:52 AM
To: Daniel Priestley
Subject: RE: Nuclear Energy Woodbury County Zoning

Dan,

I'm following up on our phone conversation yesterday regarding this issue. Here are the main points we discussed:

- I stand by the analysis in my 2/28/25 email. From a legal standpoint, it is preferable to have a clear legislative determination by the BOS that a use is specifically permitted as opposed to basing permit approval on interpretation, gray area, or flexibility in the current language. Put another way, without adding the two uses to the land use summary table, there is a legitimate path to challenging a potential conditional use permit in court based on the argument that the current ordinance does not allow it. On the other hand, overturning a clear legislative determination is much more difficult than arguing an improper interpretation or application of an ordinance.
- The uncertainty in our ordinance, if not addressed, would likely disadvantage Woodbury County in the site selection process for a company with a potential project as opposed to other locations with zoning regulations that specifically permit the use.
- The current notification requirements are clearly inadequate for a nuclear project. While there are some specific instances in the ordinance that require greater than the default notice, nuclear is not one of them. I think the lack of specific nuclear notification requirements in the existing ordinance is strong evidence that nuclear projects were not contemplated in the existing ordinance.
- Section 3.03 (3) of the ordinance says that the land use summary table may be updated by the Board of Supervisors to reflect legislative acceptance or rejection of the interpretations of the land use table. This is an acknowledgement of the first bullet point above. It also highlights the uncertainty of relying on interpretations of the table, namely, the BOS is free to legislatively accept or reject interpretations. If/when the Board is aware of an interpretation, my recommendation, especially for a use as intensive as nuclear, is to legislatively act to cut potential legal challenges based on arguments related to the interpretation of the ordinance. There is no reason to take a gamble on the outcome of the litigation. In addition, the potential cost of the litigation would not be responsible stewardship of taxpayer dollars when we could reasonably anticipate that the interpretation was subject challenge and knew of action steps to take to mitigate potential challenges but failed to do so.

Joshua D. Widman
Assistant Woodbury County Attorney
3701 28th St.
Sioux City, IA 51105

Phone: 712-279-6516

Compatibility with the General Industrial (GI) Zoning District

The GI Zoning District is designed for heavy industrial activities, including manufacturing, processing, and hazardous material storage. Adding nuclear-related uses as conditional uses aligns with its purpose:

- **Infrastructure Suitability:** The GI district offers large parcels, transportation access, and utility availability necessary for energy production and waste management.
- **Buffer Zones:** Its separation from residential areas mitigates risks associated with nuclear operations.
- **Regulatory Oversight:** Nuclear facilities and waste storage are governed by federal (e.g., Nuclear Regulatory Commission, 10 CFR Part 50) and state regulations

Proposed Amendments to the Zoning Ordinance

To address the identified issues, the following amendments could be considered:

1. Amend Notification Requirements (Section 2.02.1 B(1)(e), Page 8)

- **Current Text:**
"For a Board of Adjustment hearing on a conditional use or special exception, notice shall be mailed to all owners of real property located within 500 feet of the subject property, except that in the case of a conditional use to allow an airport or a sanitary landfill, or construction of a telecommunication tower as provided in subsection 5.06-3, notices shall be mailed to all owners of real property located within one mile of the subject property."
- **Proposed Repeal and Replacement:**
"For a Board of Adjustment hearing on a conditional use or special exception, notice shall be mailed to all owners of real property located within 500 feet of the subject property, except that in the case of a conditional use to allow an airport, a sanitary landfill, a nuclear energy facility, a nuclear waste storage facility, or construction of a telecommunication tower as provided in subsection 5.05, notices shall be mailed to all owners of real property located within one mile of the subject property for an airport, sanitary landfill, or telecommunication tower, and within ten miles of the subject property for a nuclear energy facility or nuclear waste storage facility."
- **Rationale:** A ten-mile notification radius for nuclear uses reflects their unique scale, potential impact, and public interest, ensuring broader stakeholder engagement and transparency beyond the standard 500 feet or the 1,000 feet used for other significant uses. Also, as a point of housekeeping, it is recommended to change the referenced section regarding telecommunication towers from 5.06-3 to 5.05 to reflect the correct reference.

2. Update the Land Use Summary Table (Section 3.03.4, Page 39)

- **Addition under "Utilities" Category:**
 - "Nuclear energy facilities" – Place a "C" in the GI Zoning District column.
 - "Nuclear waste storage" – Place a "C" in the GI Zoning District column.
- **Updated Table Snapshot:**

Utility Type	GI Status	Notes
Existing: Electrical energy generation (not incl. wind)	C	Conditional use, energy production
Existing: Solar Energy Systems, Utility Scale	C	Conditional use, renewable energy
Existing: Chemical and gas bulk storage	C	Conditional use, hazardous materials
Proposed: Nuclear Energy Facilities	C	Amendment addition, nuclear energy generation
Proposed: Nuclear Waste Storage	C	Amendment addition, nuclear waste management

- **Rationale:** Explicitly listing these uses clarifies their status as conditional in the GI district (and removing the reliance on an administrative interpretation), aligning with similar energy and hazardous material activities while subjecting them to the CUP process.

3. Add Definitions (Article 6, Section 6.02, Pages 104-105)

- **New Definition 112 (Page 104):**
"Nuclear energy facility means any facility designed or used for the generation of electricity or power through nuclear fission or fusion, including nuclear reactors and associated structures, systems, or components necessary for the production of atomic energy, as well as the handling, processing, or temporary storage of nuclear materials or byproduct materials, all in compliance with federal and state regulatory requirements as administered by the Nuclear Regulatory Commission (NRC) or its duly authorized representatives."
- **New Definition 113 (Page 105):**
"Nuclear waste storage means any facility, structure, or area designated and engineered for the safe containment, isolation, or disposal of byproduct material, special nuclear material, or other radioactive materials generated from nuclear energy facilities, including temporary or permanent storage solutions, provided such storage complies with federal regulations under 10 CFR Part 50 and related parts, and is subject to oversight by the Nuclear Regulatory Commission (NRC) to protect public health, safety, and the common defense and security."
- **Subsequent Adjustments:** Renumber existing definitions 112–193 as 114–195 and adjust page locations (pages 104–110, adding page 110 as needed).
- **Rationale:** Precise definitions ensure legal and operational clarity, tying these uses to federal oversight and distinguishing them from other energy or storage activities.

Alignment with Comprehensive Plan

The amendments comport with the Woodbury County Comprehensive Plan (Chapter 4, Page 81):

- **Goal IU3:** "Support technological advances."
 - **Objective:** "Work with energy providers to diversify sources."
 - **Timeframe:** 0-5, 5-10, 10-20 years. (Page 155-156)
 - **Lead Partners:** Board of Supervisors, utility companies. (Page 155-156)
 - **Cost:** Moderate (\$\$).(Page 155-156)
- Nuclear energy represents a technological advancement in energy diversification, and the GI district's industrial designation aligns with the plan's intent to separate heavy industrial uses from residential and agricultural areas.
- **Source:**
https://www.woodburycountyiowa.gov/files/community_economic_development/woodbury_county_comprehensive_plan_2040_89417.pdf

Moving Forward: Public and Regulatory Considerations

As nuclear technology evolves (e.g., modular reactors, nuclear waste storage, etc.), Woodbury County has an opportunity to clarify its zoning policy toward "electrical energy generation" and "chemical and gas bulk storage." Key questions for stakeholders include:

1. Do citizens view nuclear energy including its waste storage as a viable future option?
2. Are specific areas within the GI district suitable for nuclear facilities?

Public input, alongside industry feedback, would guide any future conditional use permit projects. Any nuclear project would require:

- **County Process:** A conditional use permit reviewed by the Zoning Commission and Board of Adjustment.
- **External Oversight:** Compliance with Nuclear Regulatory Commission (NRC) and state regulations, ensuring safety and environmental standards are met.

By amending the ordinance, the county could reduce legal uncertainty by removing the interpretation and align with its industrial zoning framework.

Conclusion

Amending the Woodbury County Zoning Ordinance to explicitly include "Nuclear Energy Facilities" and "Nuclear Waste Storage" as conditional uses in the GI Zoning District, with updated definitions and a ten-mile notification radius, provides clarity, reduces legal concerns, and supports long-term planning. This step would remove the administrative interpretation and bring the unique case before the Zoning Commission and Board of Adjustment under a defined framework to evaluate the criteria of a conditional use permit application for a nuclear energy facility and/or a nuclear waste storage site.

NUCLEAR REGULATOR COMMISSION COMMENTS:

Daniel Priestley

From: Bryan Bergeon <Bryan.Bergeon@nrc.gov>
Sent: Monday, May 5, 2025 10:39 AM
To: Daniel Priestley
Subject: RE: Nuclear Energy Woodbury County Zoning

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.**

Hi Daniel,

The **NRC is a Regulator** of civilian use of nuclear materials and does not advocate for the use thereof. There is a definitive line between what the NRC does and what other agencies do, like Department of Energy. The NRC's [Principals of Good Regulation](#) starts with independence. This means the NRC is not a consulting organization - individual applicants must offer proposed design-specific methods or design changes to meet the NRC's regulations. The NRC-approved methods by which an applicant can meet the regulations are published in [regulatory guides](#), [interim staff guidance](#), and (in limited cases) [NUREGs](#). Applicants may ask whether a design component or design-specific method meets the regulations in various ways, such as utilizing public meetings and submitting white papers for review. The NRC's response will be publicly available unless the underlying information is protected due to proprietary or other sensitive aspects governed by the regulations in 10 CFR 2.390. (See more on this: <https://www.nrc.gov/reactors/new-reactors/advanced/new-app/general-info/independent-regulator.html>)

The NRC's **Mission** is to protect public health and safety and advances the nation's common defense and security by enabling the safe and secure use and deployment of civilian nuclear energy technologies and radioactive materials through efficient and reliable licensing, oversight, and regulation for the benefit of society and the environment. The **NRC's regulatory mission covers three main areas:**

Reactors – Commercial reactors for generating electric power and research and test reactors used for research, testing, and training

Materials – Uses of nuclear materials in medical, industrial, and academic settings and facilities that produce nuclear fuel

Waste – Transportation, storage, and disposal of nuclear materials and waste, and decommissioning of nuclear facilities from service

The NRC accomplishes the mission through **Laws and Regulation**. New nuclear reactor licensing is a complex, multi-year process governed by both federal laws passed by the U.S. Congress and regulations developed by the NRC. The [Federal laws governing the NRC](#) generally have high-level directives for the civilian use of nuclear materials. The finer details of reactor licensing and other civilian uses are found in [Title 10 of the Code of Federal Regulations](#) (10 CFR). The NRC develops and issues these regulations for all areas under its jurisdiction. All U.S. civilian uses of materials must comply with federal laws and the regulations in 10 CFR. (See more on this: <https://www.nrc.gov/reactors/new-reactors/advanced/new-app/general-info/law-reg.html>)

The Nuclear Regulatory Commission (NRC) "New Applicant" web page: (<https://www.nrc.gov/reactors/new-reactors/advanced/new-app/general-info.html>) is the starting point for prospective applicants. Prospective applicants should come to the NRC with a specific reactor technology, license class, regulatory approach, business model (to help correctly guide the licensing process), and a project timeline. With this information, the prospective applicant should file a letter of intent (i.e. a design). <https://www.nrc.gov/reactors/new-reactors/advanced/new-app/general-guidance/pre-app-process.html>. From there, the NRC assigns a lead project manager after a potential applicant begins engaging with the agency; this person will be the main point of contact between the NRC and applicant. The project manager will guide the applicant through the regulatory process and will be there to answer questions, organize meetings, and facilitate all communications with other NRC staff. (See more on this: <https://www.nrc.gov/reactors/new-reactors/advanced/new-app/general-info/comms.html>)

The **Department of Energy's Office of Nuclear Energy** mission is to promote the domestic use of nuclear energy and supports advanced reactor developers. The DOE has a **Gateway for Accelerated Innovation in Nuclear (GAIN)**. <https://gain.inl.gov/industry-support/regulatory-support/regulatory-route-to-deployment/> This helps applicants understand the current U.S. regulatory framework for commercial reactors. The series also facilitates nuclear industry efforts to identify and address regulatory uncertainties and associated deployment risks (technical, financial, schedule). *Essentially, the DOE is who will advocate for and help potential licensees pursue projects, including even potential funding thereof.*

The **NRC also regulates waste storage**. **Low-Level waste** includes items that have become contaminated with radioactive material or have become radioactive through exposure to neutron radiation and is typically stored on-site until it can be disposed of or until amounts are large enough to ship to low-level waste processing centers. **High-level wastes** are highly radioactive materials produced as a byproduct of the reactions that occur inside nuclear reactors; spent reactor fuel and waste materials remaining after spent fuel is processed. **Commercial reprocessing** is currently not practiced in the United States, although it has been allowed in the past. The NRC regulates high level wastes in spent fuel pools and dry cask storage, at independent spent fuel storage installations (ISFSI) and consolidated interim storage facilities (CISF). Note, these CISF's are different than permanent storage facilities such as Yucca Mountain, which is under DOE jurisdiction. The **DOE, Office of Spent Fuel and High-Level Waste Disposition** and its three sub-program offices: the Office of Disposal R&D, the Office of Storage & Transportation, and the Office of Consent-Based Siting, are developing an Integrated Waste Management system for storage, transportation, and disposal of spent nuclear fuel and high-level radioactive waste. [Learn more](#). The **DOE Waste Isolation Pilot Plant (WIPP)** is the nation's only deep geologic long-lived radioactive waste repository. Located 26 miles southeast of Carlsbad, New Mexico, WIPP permanently isolates defense-generated transuranic (TRU) waste 2,150 feet underground in an ancient salt formation. (See more on this: <https://wipp.energy.gov/wipp-site.asp> and <https://www.energy.gov/ne/office-spent-fuel-and-high-level-waste-disposition>).

With regards to nuclear materials (not including nuclear waste, as discussed above), the NRC essentially turns its jurisdiction over to the states, via a program called the **Agreement State Program** <https://www.nrc.gov/agreement-states.html>. NRC provides assistance to States expressing interest in establishing programs to assume NRC regulatory authority. The NRC relinquishes to the States portions of its regulatory authority to license and regulate byproduct materials (radioisotopes); source materials (uranium and thorium); and certain quantities of special nuclear materials. Iowa, for example, is an agreement state with respect to nuclear materials.

Bryan Bergeon
Acting Region III Government Liaison Officer
U.S. Nuclear Regulatory Commission
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630-829-9719 (w)
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From: Daniel Priestley <dpriestley@woodburycountyia.gov>
Sent: Monday, April 28, 2025 10:53 AM
To: Bryan Bergeon <Bryan.Bergeon@nrc.gov>
Subject: [External_Sender] Nuclear Energy Woodbury County Zoning

Mr. Bergeon,

This message is a follow up from our March 25 conversation regarding nuclear energy and county level permitting as Woodbury County, Iowa is currently examining nuclear energy as a potential land use.

As noted in our conversation, we are interested in the various aspects of the NRC permitting process, including nuclear types, definitions, and potential permitting scenarios. At this time, I wanted to check and see if you have additional information that we can include in our upcoming meetings not limited to nuclear definitions and types of nuclear. Additionally, we would like more details about the relationship between federal, state, and local government

bodies as it pertains to nuclear permitting. It was my understanding that some resources would be made available to us.

Thank you for your assistance with this matter.

Respectfully and sincerely,

Daniel J. Priestley, MPA
Woodbury County Zoning Coordinator
620 Douglas Street #609
Sioux City, IA 51101

Phone: 712-279-6609

Fax: 712-279-6530

Website: WoodburyCountyIowa.gov

DEFINITIONS AND TERMINOLOGY OF INTEREST

Nuclear energy facility means any facility designed or used for the generation of electricity or power through nuclear fission or fusion, including nuclear reactors and associated structures, systems, or components necessary for the production of atomic energy, as well as the handling, processing, or temporary storage of nuclear materials or byproduct materials, all in compliance with federal and state regulatory requirements as administered by the Nuclear Regulatory Commission (NRC) or its duly authorized representatives.

Explanation of Definition:

This definition incorporates concepts from multiple NRC regulations, particularly those in 10 CFR Part 50, which governs the domestic licensing of production and utilization facilities. The NRC uses terms like "production facility" and "utilization facility" to describe facilities involved in nuclear energy production, and these terms are defined in 10 CFR § 50.2. Here's how the definition aligns with specific regulatory sources:

1. **"Facility designed or used for the generation of electricity or power through nuclear fission or fusion":**
 - This aligns with the definition of a "utilization facility" in **10 CFR § 50.2**, which states:
"Utilization facility means any nuclear reactor other than one designed or used primarily for the formation of plutonium or U-233; or An accelerator-driven subcritical operating assembly used for the irradiation of materials containing special nuclear material and described in the application assigned docket number 50-608."
 - Nuclear reactors for electricity generation (typically fission-based) are the primary focus of Part 50, as it regulates commercial nuclear power plants. Fusion is not currently regulated under Part 50, as it is not yet commercially viable, but the inclusion here may reflect a broad interpretation.
 - **Citation:** 10 CFR § 50.2, available at:
<https://www.ecfr.gov/current/title-10/chapter-I/part-50/section-50.2>
2. **"Including nuclear reactors and associated structures, systems, or components necessary for the production of atomic energy":**
 - The term "structures, systems, or components" (SSCs) is a key concept in NRC regulations, particularly in safety-related contexts. While not explicitly defined as part of a "nuclear energy facility" in one place, **10 CFR § 50.2** defines "safety-related structures, systems, and components" as those relied upon to ensure reactor safety, which implies their inclusion in the facility's scope.
 - The phrase "production of atomic energy" echoes the Atomic Energy Act of 1954 (AEA), which underpins NRC authority (see 42 U.S.C. § 2014), defining "atomic energy" as energy released from fission or fusion.
 - **Citation:** 10 CFR § 50.2 (see URL above); Atomic Energy Act, Section 11, available at:
<https://www.nrc.gov/about-nrc/governing-laws.html> (via NUREG-0980).
3. **"Handling, processing, or temporary storage of nuclear materials or byproduct materials":**
 - This broadens the scope beyond power generation to include activities regulated under 10 CFR Part 50 and related parts (e.g., Part 30 for byproduct material). **10 CFR § 50.2** defines "byproduct material" and "special nuclear material," and licensing under Part 50 includes provisions for handling and temporary storage (e.g., spent fuel pools at reactor sites).
 - **Citation:** 10 CFR § 50.2 (see URL above).
4. **"In compliance with federal and state regulatory requirements as administered by the NRC":**
 - This reflects the NRC's authority under the AEA and Energy Reorganization Act of 1974, delegated through 10 CFR Part 50, which sets licensing and operational requirements for nuclear facilities. Agreement States (under AEA Section 274) may regulate certain materials, but Part 50 facilities are under NRC jurisdiction unless specified otherwise.
 - **Citation:** 10 CFR Part 50, available at:
<https://www.ecfr.gov/current/title-10/chapter-I/part-50>

Conclusion:

The definition is a composite derived from **10 CFR § 50.2** definitions (e.g., "utilization facility," "byproduct material") and the broader regulatory purpose of Part 50, which licenses nuclear power reactors and associated activities. The primary source is **10 CFR § 50.2**, supplemented by the AEA's foundational terminology.

Nuclear waste storage means any facility, structure, or area designated and engineered for the safe containment, isolation, or disposal of byproduct material, special nuclear material, or other radioactive materials generated from nuclear energy facilities, including temporary or permanent storage solutions, provided such storage complies with federal regulations under 10 CFR Part 50 and related parts, and is subject to oversight by the Nuclear Regulatory Commission (NRC) to protect public health, safety, and the common defense and security.

Explanation of Definition

1. Facility, structure, or area designated and engineered for the safe containment, isolation, or disposal" aligns with language in NRC regulations, such as 10 CFR Part 60 (Disposal of High-Level Radioactive Wastes in Geologic Repositories) and 10 CFR Part 72 (Licensing Requirements for the Independent Storage of Spent Nuclear Fuel, High-Level Radioactive Waste, and Reactor-Related Greater Than Class C Waste).
2. "Byproduct material, special nuclear material, or other radioactive materials" reflects definitions in 10 CFR Part 20 (Standards for Protection Against Radiation) and the Atomic Energy Act of 1954, as amended.

3. "Generated from nuclear energy facilities" ties to the scope of 10 CFR Part 50, which covers domestic licensing of production and utilization facilities (e.g., nuclear power reactors).
4. "Temporary or permanent storage solutions" and "complies with federal regulations under 10 CFR Part 50 and related parts" suggest a broad interpretation encompassing both interim storage (e.g., 10 CFR Part 72) and permanent disposal (e.g., 10 CFR Part 60 or 61).
5. "Subject to oversight by the NRC to protect public health, safety, and the common defense and security" mirrors the NRC's mission and regulatory authority as stated in its enabling legislation and regulations.

Related Sources:

- **10 CFR Part 50:** This part addresses the licensing of nuclear power plants but does not explicitly define "nuclear waste storage." It indirectly relates through requirements for managing radioactive materials (e.g., 10 CFR 50.2 defines terms like "byproduct material" and "special nuclear material"). Available at: <https://www.ecfr.gov/current/title-10/chapter-I/part-50>.
- **10 CFR Part 72:** This part provides a more direct connection, defining terms and requirements for independent spent fuel storage installations (ISFSIs), which are engineered for the "storage of spent nuclear fuel, high-level radioactive waste, and reactor-related greater than Class C waste." See: <https://www.ecfr.gov/current/title-10/chapter-I/part-72>.
- **NRC Background on Radioactive Waste:** This provides a general overview of radioactive waste management, including storage: <https://www.nrc.gov/reading-rm/doc-collections/fact-sheets/radwaste.html>.

Conclusion:

The definition is not explicitly stated in any single NRC regulation or document but appears to be a composite derived from multiple sources, primarily within the Code of Federal Regulations, Title 10, administered by the NRC. The most relevant specific URL for the regulatory framework underpinning this definition would be the NRC's compilation of regulations, such as: <https://www.ecfr.gov/current/title-10/chapter-I> (Title 10, Chapter I – Nuclear Regulatory Commission).

NRC Emergency Planning Zone

1. The following URL includes safety zones including a 10-mile Plume Exposure Pathway EPZ and 50-mile Ingestion Exposure Pathway EPZ, which could serve as the basis for public notification and emergency planning.
2. URL: <https://www.nrc.gov/about-nrc/emerg-preparedness/about-emerg-preparedness/planning-zones.html>

NRC Licensing

- <https://www.nrc.gov/about-nrc/regulatory/licensing.html>

NRC Public Involvement in Licensing

- <https://www.nrc.gov/about-nrc/regulatory/licensing/pub-involve.html>

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:
 - 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.
 - Modular Construction. These reactors are designed to be factory-assembled and transported to the site for installation.
 - 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.
 - Safety. Many SMR designs incorporate passive safety features, which rely on natural physical processes rather than active controls to ensure safety.

NUCLEAR PROCESS BEFORE THE NUCLEAR REGULATORY COMMISSION

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.

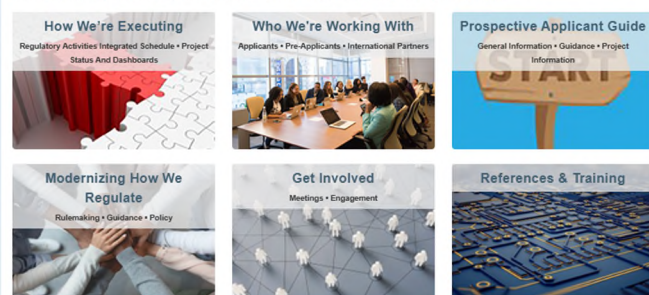
It appears at this time that the permitting process for nuclear power plants including modular is a multi-governmental complex process largely governed by the NRC. The Iowa legislature appears to have considered two study bills (House Study Bill 555 and Senate Study Bill 3075) which would designate modular 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/>

Nuclear Regulatory Commission Website Resources – Excerpts from NRC.GOV

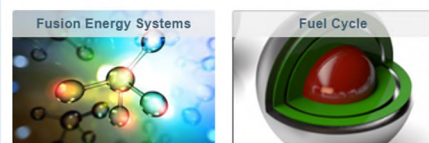
Source: <https://www.nrc.gov/reactors/new-reactors/advanced.html>

Advanced Reactors

The NRC refers to non-light water reactor (non-LWR) designs and small modular light water reactors (SMRs) as advanced reactors. These reactors incorporate innovative technologies compared to existing operating reactors, such as passive safety features, alternative fuel or coolant types, or smaller reactor sizes. While non-LWRs use distinct technologies and materials, SMRs are a subset of light water reactors that are designed to be more compact, scalable, and potentially safer, with many sharing features like passive safety systems and advanced engineering designs.



Related Information



Page Last Reviewed/Updated Tuesday, March 04, 2025

Laws and Regulations



New nuclear reactor licensing is a complex, multi-year process governed by both federal laws passed by the U.S. Congress and regulations developed by the NRC. The [Federal laws governing the NRC](#) generally have high-level directives for the civilian use of nuclear materials. The finer details of reactor licensing and other civilian uses are found in [Title 10 of the Code of Federal Regulations](#) (10 CFR). The NRC develops and issues these regulations for all areas under its jurisdiction. All U.S. civilian uses of materials must comply with federal laws and the regulations in 10 CFR.

Governing Legislation

The NRC was established by the Energy Reorganization Act of 1974. A summary and a text of this law, as well as other key laws that govern our operations, are provided below. The texts of other laws may be found in [Nuclear Regulatory Legislation](#) (NUREG-0980).

This page includes links to files in non-HTML format. See [Plugins, Viewers, and Other Tools](#) for more information.

On this page

- [Fundamental Laws Governing Civilian Uses of Nuclear Materials and Facilities](#)
- [Nuclear Waste](#)
- [Non-Proliferation](#)
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- [Atomic Energy Act of 1954, as Amended](#)
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- [Nuclear Waste Policy Act of 1982, as Amended](#)
- [Low-Level Radioactive Waste Policy Amendments Act of 1985](#)
- [Uranium Mill Tailings Radiation Control Act of 1978](#)
- [Nuclear Non-Proliferation Act of 1978](#)
- [Administrative Procedure Act \(5 U.S.C. Chapters 5 through 8\)](#)
- [National Environmental Policy Act](#)

Fundamental Laws Governing Civilian Uses of Nuclear Materials and Facilities

- [Atomic Energy Act of 1954, as Amended \(summary below, full-text version\)](#)
- [Energy Reorganization Act of 1974 \(summary below, full-text version\)](#)
- [Reorganization Plans \(summary below, full-text version\)](#)

Nuclear Waste

- [Nuclear Waste Policy Act of 1982 \(summary below, full-text version\)](#)
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- [Uranium Mill Tailings Radiation Control Act of 1978 \(summary below, full-text version\)](#)

Non-Proliferation

- [Nuclear Non-Proliferation Act of 1978 \(summary below, full-text version\)](#)

Fundamental Laws Governing the Processes of Regulatory Agencies

- [Administrative Procedure Act \(5 U.S.C. Chapters 5 through 8\) \(summary below, full-text version\)](#)
- [National Environmental Policy Act \(summary below, full-text version\)](#)



Atomic Energy Act of 1954, as Amended

This Act is the fundamental U.S. law on both the civilian and the military uses of nuclear materials. On the civilian side, it provides for both the development and the regulation of the uses of nuclear materials and facilities in the United States, declaring the policy that "the development, use, and control of atomic energy shall be directed so as to promote world peace, improve the general welfare, increase the standard of living, and strengthen free competition in private enterprise." The Act requires that civilian uses of nuclear materials and facilities be licensed, and it empowers the NRC to establish by rule or order, and to enforce, such standards to govern these uses as "the Commission may deem necessary or desirable in order to protect health and safety and minimize danger to life or property." Commission action under the Act must conform to the Act's procedural requirements, which provide an opportunity for hearings and Federal judicial review in many instances.

Under section 274 of the Act, the NRC may enter into an agreement with a State for discontinuance of the NRC's regulatory authority over some materials licensees within the State. The State must first show that its regulatory program is compatible with the NRC's and adequate to protect public health and safety. The NRC retains authority over, among other things, nuclear power plants within the State and exports from the State.

A major amendment to the Act established compensation for, and limits on, licensee liability for injury to off-site persons or damage to property caused by nuclear accidents. The Act was most recently amended by the [ADVANCE Act of 2024](#), including amendments to the Act's definition of byproduct material to address fusion machines explicitly and to provide the NRC with additional tools to strengthen the NRC workforce.

[\(full-text version\)](#)



Energy Reorganization Act of 1974

This Act established the Nuclear Regulatory Commission. Under the Atomic Energy Act of 1954, a single agency, the Atomic Energy Commission, had responsibility for the development and production of nuclear weapons and for both the development and the safety regulation of the civilian uses of nuclear materials. The Act of 1974 split these functions, assigning to one agency, now the Department of Energy, the responsibility for the development and production of nuclear weapons, promotion of nuclear power, and other energy-related work, and assigning to the NRC the regulatory work, which does not include regulation of defense nuclear facilities. The Act of 1974 gave the Commission its collegial structure and established its major offices. The later amendment to the Act also provided protections for employees who raise nuclear safety concerns.

[\(full-text version\)](#)



Reorganization Plans

Reorganization Plan No. 3 of 1970 established the U.S. Environmental Protection Agency (EPA) and gave it a role in establishing "generally applicable environmental standards for the protection of the general environment from radioactive material."

Reorganization Plan No. 1 of 1980 strengthened the executive and administrative roles of the NRC Chairman, particularly in emergencies, transferring to the Chairman "all the functions vested in the Commission pertaining to an emergency concerning a particular facility or

materials ... regulated by the Commission." This Reorganization Plan also provided that all policy formulation, policy-related rulemaking, and orders and adjudications would remain vested with the full Commission.

[\(full-text version\)](#)

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Nuclear Waste Policy Act of 1982, as Amended

This Act establishes both the Federal government's responsibility to provide a place for the permanent disposal of high-level radioactive waste and spent nuclear fuel, and the generators' responsibility to bear the costs of permanent disposal. Amendments to the Act have focused the Federal government's efforts, through the Department of Energy, regarding a possible site at Yucca Mountain, Nevada.

[\(full-text version\)](#)

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Low-Level Radioactive Waste Policy Amendments Act of 1985

This Act gives States the responsibility to dispose of low-level radioactive waste generated within their borders and allows them to form compacts to locate facilities to serve a group of States. The Act provides that the facilities will be regulated by the NRC or by States that have entered into Agreements with the NRC under section 274 of the Atomic Energy Act. The Act also requires the NRC to establish standards for determining when radionuclides are present in waste streams in sufficiently low concentrations or quantities as to be "below regulatory concern."

[\(full-text version\)](#)

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Uranium Mill Tailings Radiation Control Act of 1978

This Act establishes programs for the stabilization and control of mill tailings at uranium or thorium mill sites, both active and inactive, in order to prevent or minimize, among other things, the diffusion of radon into the environment. Title II of the Act gives the NRC regulatory authority over mill tailing at sites under NRC license on or after January 1, 1978.

[\(full-text version\)](#)

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Nuclear Non-Proliferation Act of 1978

This Act seeks to limit the spread of nuclear weapons by, among other things, establishing criteria governing U.S. nuclear exports licensed by the NRC and taking steps to strengthen the international safeguards system.

[\(full-text version\)](#)

▲ TOP

Administrative Procedure Act (5 U.S.C. Chapters 5 through 8)

This Act is the fundamental law governing the processes of Federal administrative agencies. Its original focus was on rulemaking and adjudication. It requires, for example, that affected persons be given adequate notice of proposed rules and an opportunity to comment on the proposed rules and that, in cases in which another statute requires that the agency provide a hearing "on the record," the parties are given adequate opportunity to present facts and argument and the hearing officer is impartial. The Act gives interested persons the right to petition an agency for the issuance, amendment, or repeal of a rule. It also provides standards for judicial review of agency actions. The Act has been amended often and now incorporates several other acts that cover a great range of processes. Three of these incorporated acts deal with access to information. The Freedom of Information Act requires that agencies make public their rules, adjudicatory decisions, statements of policy, instructions to staff that affect a member of the public, and, upon request, such other material as does not fall into one of the Act's exceptions for material dealing with national security, trade secrets, and the like. The Government in the Sunshine Act requires that collegial bodies such as the Commission hold their meetings in public, with certain exceptions for meetings on matters such as, again, national security. The Privacy Act limits release of certain information about individuals. Two of the acts incorporated into the Administrative Procedure Act provide for alternative mechanisms for resolving differences. The Negotiated Rulemaking Act allows agencies to develop rules in certain situations by negotiations among a limited number of parties, negotiations aimed at reaching a consensus on the proposed rule and avoiding litigation over the final rule. The Administrative Dispute Resolution Act urges agencies to use negotiation, mediation, arbitration, and related techniques in place of adjudication, enforcement, rulemaking, or court litigation.

Two other incorporated acts are noteworthy. The Regulatory Flexibility Act requires that agencies consider the special needs and concerns of small entities in conducting rulemaking. The Congressional Review Act requires that every agency rule be submitted to Congress before being made effective, and that every "major" rule sit before Congress for 60 days before being made effective, during which time the rule can be subjected to an accelerated process that can lead to a statutory modification or disapproval of the rule.

[\(full-text version\)](#)

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National Environmental Policy Act

Every proposal for a major Federal action significantly affecting the quality of the human environment requires a detailed statement on, among other things, the environmental impact of the proposed action and alternatives to the proposed action. The statement is to accompany the proposal through the agency review process. The Act also established in the Executive Office of the President a Council on

Environmental Quality, which has issued regulations on the preparation of environmental impact statements and on public participation in the preparation of the statements.

[\(full-text version\)](#)

NRC Regulations Title 10, Code of Federal Regulations

Requirements binding on all persons and organizations who receive a license from NRC to use nuclear materials or operate nuclear facilities

[Effective Dates](#) | [Federal Register Notices](#) | [Rulemaking](#)

See also NRC's regulations, Title 10, Chapter I, of the *Code of Federal Regulations*, [Volume 1 \(Parts 1 – 50\)](#) and [Volume 2 \(Parts 51 – 199\)](#) which the [Government Publishing Office](#) maintains and updates annually.

[Standards Incorporated By Reference into Chapter I of Title 10 of the Code of Federal Regulations](#)

Download Title 10 (ZIP archive file):

[HTML format](#) [9,893 KB], [Portable Document Format \(PDF\)](#) [7,613 KB]

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Chapter I -- Nuclear Regulatory Commission

Part	Title
Part 1	Statement of organization and general information
Part 2	Agency Rules of Practice and Procedure
Part 4	Nondiscrimination in Federally assisted programs or activities receiving Federal financial assistance from the Commission
Part 5	Nondiscrimination on the basis of sex in education programs or activities receiving Federal financial assistance
Part 7	Advisory committees
Part 8	[Reserved]
Part 9	Public records
Part 10	Criteria and procedures for determining eligibility for access to restricted data or national security information or an employment clearance
Part 11	Criteria and procedures for determining eligibility for access to or control over special nuclear material
Part 12	Implementation of the Equal Access to Justice Act in agency proceedings
Part 13	Program fraud civil remedies
Part 14	Administrative claims under Federal Tort Claims Act
Part 15	Debt collection procedures
Part 16	Salary offset procedures for collecting debts owed by Federal employees to the Federal government
Part 19	Notices, instructions and reports to workers: inspection and investigations
Part 20	Standards for protection against radiation
Part 21	Reporting of defects and noncompliance
Part 25	Access authorization
Part 26	Fitness for duty programs
Part 30	Rules of general applicability to domestic licensing of byproduct material
Part 31	General domestic licenses for byproduct material
Part 32	Specific domestic licenses to manufacture or transfer certain items containing byproduct material
Part 33	Specific domestic licenses of broad scope for byproduct material
Part 34	Licenses for industrial radiography and radiation safety requirements for industrial radiographic operations
Part 35	Medical use of byproduct material
Part 36	Licenses and radiation safety requirements for irradiators
Part 37	Physical protection of category 1 and category 2 quantities of radioactive material
Part 39	Licenses and radiation safety requirements for well logging
Part 40	Domestic licensing of source material
Part 50	Domestic licensing of production and utilization facilities
Part 51	Environmental protection regulations for domestic licensing and related regulatory functions
Part 52	Licenses, certifications, and approvals for nuclear power plants
Part 53	[Reserved]

Part 54	Requirements for renewal of operating licenses for nuclear power plants
Part 55	Operators' licenses
Part 60	Disposal of high-level radioactive wastes in geologic repositories
Part 61	Licensing requirements for land disposal of radioactive waste
Part 62	Criteria and procedures for emergency access to non-federal and regional low-level waste disposal facilities
Part 63	Disposal of high-level radioactive wastes in a geologic repository at Yucca Mountain, Nevada
Part 70	Domestic licensing of special nuclear material
Part 71	Packaging and transportation of radioactive material
Part 72	Licensing requirements for the independent storage of spent nuclear fuel and high-level radioactive waste, and reactor-related greater than Class C waste
Part 73	Physical protection of plants and materials
Part 74	Material control and accounting of special nuclear material
Part 75	Safeguards on nuclear material—implementation of safeguards agreements between the United States and the International Atomic Energy Agency
Part 76	Certification of gaseous diffusion plants
Part 81	Standard specifications for the granting of patent licenses
Part 95	Facility security clearance and safeguarding of national security information and restricted data
Part 100	Reactor site criteria
Part 110	Export and import of nuclear equipment and material
Part 140	Financial protection requirements and indemnity agreements
Part 150	Exemptions and continued regulatory authority in Agreement States and in offshore waters under section 274
Part 160	Trespassing on Commission property
Part 170	Fees for facilities, materials, import and export licenses, and other regulatory services under the Atomic Energy Act of 1954, as amended
Part 171	Annual fees for reactor licenses and fuel cycle licenses and materials licenses, including holders of certificates of compliance, registrations, and quality assurance program approvals and government agencies licensed by the NRC
Parts 172-199	[Reserved]

ANNOTATED BIBLIOGRAPHY

The following annotated bibliography reveals several key themes surrounding nuclear energy. It begins with a foundational understanding of nuclear energy's scientific principles and its role in electricity generation, emphasizing its low-emission potential alongside the challenge of radioactive waste management. A significant focus is placed on the pros and cons, highlighting benefits like carbon-neutral power, reliability, and efficiency, while addressing drawbacks such as safety risks, high costs, and waste disposal concerns. Emerging technologies, including small modular reactors (SMRs) and high-assay low-enriched uranium (HALEU), are explored as innovative solutions offering enhanced safety and cost-effectiveness. Policy and regulatory efforts, particularly in the U.S., aim to streamline deployment and licensing to bolster the nuclear sector. Nuclear energy's role in combating climate change is underscored by its low carbon footprint, though economic factors like high capital costs and the need for government support remain critical. Finally, the persistent challenge of radioactive waste management is a recurring theme, with progress in interim storage and geological repositories tempered by delays, costs, and public opposition, leaving long-term solutions unresolved. Together, these themes reflect nuclear energy's complex balance of promise and peril.

Theme 1: General Overview and Science of Nuclear Energy

This theme covers sources that provide foundational explanations of nuclear energy, its scientific basis, and its role in energy production.

- **Endesa. (2022).** *Nuclear energy: what it is and its advantages and disadvantages*. 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, A. (2022).** *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.
- **National Geographic. (2020).** *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.
- **U.S. Energy Information Administration. (n.d.).** *Nuclear explained. 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 robust safety measures and containment structures. While nuclear power generation is low-emission, it produces radioactive waste requiring strict management and disposal.

Theme 2: Pros and Cons of Nuclear Energy

This theme includes sources that evaluate the advantages and disadvantages of nuclear energy, focusing on safety, cost, efficiency, and environmental impact.

- **Iginia, M. (2023).** *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).** *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.
- **Let's Talk Science. (2019).** *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.
- **Lumley, G. (2024).** *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, J. (2023).** *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, M. (2020).** *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.
- **Smith, J. (n.d.).** *The pros and cons of nuclear energy in 2025.* 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).** *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, J. (2019).** *Nuclear power: The pros and cons of the energy source.* 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).** *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.
- **X-Energy. (2023).** *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.

Theme 3: Advanced Nuclear Technologies (e.g., Small Modular Reactors, HALEU)

This theme focuses on emerging nuclear technologies, such as small modular reactors (SMRs) and high-assay low-enriched uranium (HALEU).

- **Kanost, T., & Lawrence, B. (2022).** *Without a plant currently operating in Iowa, does nuclear energy have a future in the state?.* 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.
- **Liou, J. (2023).** *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.
- **U.S. Department of Energy. (n.d.).** *Advanced 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).** *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).** *NRC docket 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.

Theme 4: Policy, Regulation, and Deployment

This theme addresses governmental policies, regulatory frameworks, and efforts to deploy nuclear energy.

- **Baranwal, R. (2019).** *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.
- **Nuclear Regulatory Commission. (n.d.).** *Background 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.
- **U.S. Department of Energy. (2024).** *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.
- **White House-Biden Administration. (2024).** *Fact sheet: Biden-Harris administration announces new steps to bolster domestic nuclear industry and advance America's clean energy future.* Retrieved from <https://bidenwhitehouse.archives.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.

Theme 5: Nuclear Energy and Climate Change

This theme explores nuclear energy's role as a solution to climate change and its environmental implications.

- **Rhodes, R. (2018).** *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.

Theme 6: Economics of Nuclear Power

This theme focuses on the financial aspects of nuclear energy, including costs, competitiveness, and government support.

- **World Nuclear Association. (2021).** *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.

Theme 7: Radioactive Waste Management and Disposal

This theme covers the challenges, methods, and policies related to managing and disposing of nuclear waste.

- **Earth.Org. (2022).** *The nuclear waste disposal dilemma*. Retrieved from <https://earth.org/nuclear-waste-disposal/>
 - Finland's Onkalo repository showcases a pioneering approach to permanent disposal, potentially setting a global standard. Critics note technical uncertainties and high costs, questioning its viability as a universal solution.
- **Ewing, R. C. (2018).** *The steep costs of nuclear waste in the U.S.* Stanford Doerr School of Sustainability. Retrieved from <https://sustainability.stanford.edu/news/steep-costs-nuclear-waste-us>
 - Interim storage is well-contained, but aging tanks at sites like Hanford have leaked, releasing radioactivity into the environment. Permanent disposal could save billions, yet funding and political will remain inadequate.
- **International Atomic Energy Agency (IAEA). (2022).** *New IAEA report presents global overview of radioactive waste and spent fuel management*. Retrieved from <https://www.iaea.org/newscenter/news/new-iaea-report-presents-global-overview-of-radioactive-waste-and-spent-fuel-management>
 - Positives include significant progress in safe interim storage and the development of deep geological repositories (DGRs), with Finland nearing operation of the first such facility. Negatives include prolonged storage due to delays in disposal capacity, increasing the need for additional facilities and raising safety concerns over time.
- **Macfarlane, A., & Ewing, R. C. (2023).** *Nuclear waste is piling up. Does the U.S. have a plan?* Scientific American. Retrieved from <https://www.scientificamerican.com/article/nuclear-waste-is-piling-up-does-the-u-s-have-a-plan/>
 - Temporary storage at reactor sites is safe for decades, but the lack of a geologic repository shifts risks to future generations. The authors highlight job creation potential in repository projects, though political gridlock and community opposition remain significant barriers.
- **Nuclear Energy Agency (NEA). (n.d.).** *The disposal of high-level radioactive waste (Issue Brief No. 3)*. Retrieved from https://www.oecd-nea.org/jcms/pl_14918/issue-brief-no-3-the-disposal-of-high-level-radioactive-waste
 - DGRs provide a sustainable solution with robust isolation, supported by international cooperation. Challenges include high costs, technical uncertainties over millennia, and the need for public trust in safety assurances.
- **U.S. Energy Information Administration (EIA). (2022).** *Nuclear explained. Nuclear power and the environment*. Retrieved from <https://www.eia.gov/energyexplained/nuclear/nuclear-power-and-the-environment.php>
 - Nuclear power plants produce minimal carbon emissions, and high-level waste is initially stored safely in water pools or dry casks. However, the U.S. lacks a permanent disposal site, leaving waste at reactor sites indefinitely, posing long-term environmental and safety risks.
- **U.S. Environmental Protection Agency (EPA). (2025).** *Radioactive waste*. Retrieved from <https://www.epa.gov/radtown/radioactive-waste>
 - Strict regulations ensure safe handling and transport of high-level waste, minimizing immediate risks. Long-term isolation remains unresolved, with potential environmental contamination if storage fails over time.
- **U.S. Government Accountability Office (GAO). (2023).** *Nuclear waste disposal*. Retrieved from <https://www.gao.gov/nuclear-waste-disposal>
 - Storage facilities like the Waste Isolation Pilot Plant (WIPP) demonstrate successful disposal of transuranic waste, but high-level waste from commercial reactors remains stranded, costing billions in damages to utilities and lacking a clear disposal path.
- **U.S. Nuclear Regulatory Commission (NRC). (2024).** *Background on radioactive waste*. Retrieved from <https://www.nrc.gov/reading-rm/doc-collections/fact-sheets/radwaste.html>
 - High-level waste is securely managed in robust containers, with strict regulations ensuring safety during storage. However, the absence of a permanent repository in the U.S. increases reliance on temporary solutions, raising concerns about aging infrastructure and potential leaks.
- **World Nuclear Association. (2024).** *Storage and disposal of radioactive waste*. Retrieved from <https://world-nuclear.org/information-library/nuclear-fuel-cycle/nuclear-wastes/storage-and-disposal-of-radioactive-waste.aspx>
 - Positives include proven technologies for interim storage (e.g., dry casks) and international consensus on deep geological disposal as a safe long-term solution. Negatives involve public resistance and the high costs of constructing DGRs, delaying implementation in many countries.
- **World Nuclear Association. (2024).** *Radioactive waste – Myths and realities*. Retrieved from <https://world-nuclear.org/information-library/nuclear-fuel-cycle/nuclear-waste/radioactive-wastes-myths-and-realities>
 - High-level waste's radioactivity decreases significantly over time, and geological disposal is technologically feasible, offering long-term isolation. Negatives include misconceptions fueling public fear, complicating site selection and increasing costs.
- **World Nuclear Waste Report. (n.d.).** *World Nuclear Waste Report: Focus Europe*. Retrieved from <https://worldnuclearwastereport.org/>


- Wet storage dominates in Europe, posing risks if pools fail, but dry storage offers safer alternatives. High costs and lack of final disposal sites increase reliance on interim solutions, shifting burdens to future generations.

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
- Board of Adjustment, Information Item – March 3, 2025
- Zoning Commission, Public Hearing – March 24, 2025
- *Zoning Commission, Public Hearing Scheduled for May 28, 2025*

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, February 6, 2025, and March 6, 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:

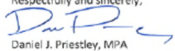
- Appropriate Locations / Zoning District Designation(s):**
 - Where do you believe nuclear energy facilities, including modular nuclear reactors, could be appropriately sited within the unincorporated areas of Woodbury County?
 - Which zoning districts do you think would be most suitable for accommodating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

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

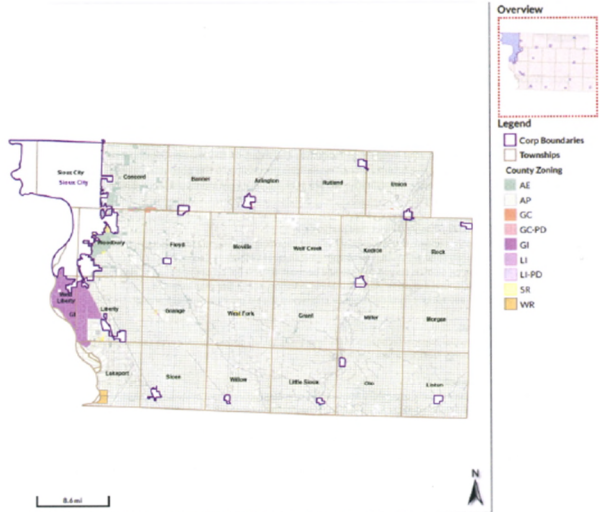
Please provide your initial feedback by **August 23, 2024 before 10:00 AM**. You can send your response to dpriestley@woodburycountyia.gov, Woodbury County Planning and Zoning, 620 Douglas St., Sixth Floor, Sioux City, IA 51101 or call 712-279-6609 to discuss this matter further.

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.

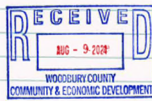
Respectfully and sincerely,

Daniel J. Priestley, MPA
Zoning Coordinator

Enclosure: Woodbury County Zoning Map



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 four 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
Menville, 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.**

1

- 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)



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 thast 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.

From: Christopher Madsen
Sent: Thursday, March 6, 2025 3:09 PM
To: Daniel Priestley
Subject: RE: Nuclear Energy Public Hearing Notice – March 24, 2025: Nuclear Energy and Waste Storage Ordinance Amendments – Your Input Needed

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon Dan,
It appears this has been updated to include nuclear waste storage which was not in the last email notice. Have you done any research on the process needed for a storage facility and other entities that would review (such as IDNR)?

If so would you send that over for us to look at?

Thanks!

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

Daniel Priestley

From: Riesberg, Patty [HHS] <patty.riesberg@hhs.iowa.gov>
Sent: Thursday, March 20, 2025 1:29 PM
To: Daniel Priestley
Subject: Regulation of Nuclear Energy and Storage

Follow Up Flag: Follow up
Flag Status: Flagged

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Daniel,

Good afternoon. I am the Bureau Chief for the Bureau of Radiological Health with Iowa HHS. I received your inquiry below, forwarded from one of my team members, Stuart Jordan. I've included a response below to your question stated in the second paragraph. If you have any further questions, please feel free to reach out to me. Thank you.

Question: *One of the questions I received from a stakeholder is how does the State of Iowa, including the Iowa DNR regulate both nuclear power plants, and the storage of nuclear waste?*

All commercial nuclear power in the United States, which includes spent nuclear fuel, is regulated by the Nuclear Regulatory Commission (NRC) through a combination of regulatory requirements, licensing, inspections and enforcement activities.

Considerations for nuclear energy facilities and nuclear waste storage should involve close coordination with the NRC to ensure regulatory compliance. Iowa HHS works closely with NRC to regulate all other radioactive materials in the state of Iowa.

Iowa DNR does not play a regulatory role for nuclear power plants or the storage of waste.

Daniel Priestley

From: Janet Krueger <kruegerjs@icloud.com>
Sent: Monday, March 24, 2025 12:47 PM
To: Daniel Priestley
Subject: Comments for public hearing on nuclear zoning

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Re: Public hearing on zoning for nuclear-related items - comments

Mr. Priestley,

We believe ALL levels of zoning in Woodbury County should EXPRESSLY PROHIBIT any nuclear-related activities (including nuclear waste disposal). That way, if any entity wants to perform nuclear-related activities in the county, they would need to propose zoning changes that allow the public to weigh in on a particular usage. We do NOT want nuclear-related activities to "slip in" before they are expressly prohibited in our zoning ordinances.

Sincerely,

Janet Krueger
Randy Krueger
4862 Bradford Lane
Sioux City, IA 51106

Sent from my iPhone

Daniel Priestley

From: Rick Plathe <rplathe@ibew231.com>
Sent: Tuesday, April 1, 2025 10:27 AM
To: Daniel Priestley
Subject: Support Letter Northwest Iowa Building Trades
Attachments: NWIA Bulding Trades Zoning Letter.docx

Follow Up Flag: Follow up
Flag Status: Flagged

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Dan

Please see the attached letter of support form all Unions affiliated with Northwest Iowa Building Trades for the rezoning of industrial land in Woodbury County to add Nuclear language. Please reach out ot me if you have any questions or concerns.

Thanks

Rick Plathe

--

Business Manager
IBEW Local 231
5001 Harbor Drive
Sioux City, Ia 51111
(712) 255-8138



Craig Levine **President**
712-202-3100 clevine@ibew231.com

Spenser Yockey **Vice President**
712-294-4365 spencer@local234.org

Jose Montes **Recording Secretary**
712-420-7680 jmontes@iwlocal21.com

Craig Levine - President

PO Box 1051
Sioux City, IA, 51101
clevine@ibew231.com
(712) 202-3100

March 14, 2025

Dan Priestley

Zoning Coordinator
Office of Community & Economic Development
6220 Douglas St. Floor 6
Sioux City, IA 51101

Dear Sioux City Zoning Commission,

I hope this letter finds you well. I am writing to show our support for an important initiative in our community—the rezoning of industrial space to allow for nuclear energy production. As energy demands continue to rise and the need for a cleaner, more sustainable source of power becomes increasingly urgent, it is essential that we explore all viable options for securing our energy future. Nuclear energy, with its proven track record of providing reliable, low-carbon electricity, is a critical component of this transition.

Currently, many industrial areas are underutilized, and repurposing these spaces for nuclear energy production, including small modular reactors, presents an opportunity to drive economic growth, create jobs, and contribute to a greener energy portfolio in Woodbury County. By rezoning these areas, we can ensure that nuclear energy can be integrated into our community in a safe, environmentally responsible manner.

The benefits of nuclear energy extend far beyond just providing a reliable energy source. It can help us reduce our carbon footprint and mitigate the impacts of climate change, all while strengthening local economies through job creation, technological innovation, and new infrastructure development. Furthermore, by supporting this initiative, we would be aligning ourselves with forward-thinking policies that prioritize sustainable energy solutions for future generations.

We believe that our organization’s influence and commitment to [community/environmental issues/sustainable growth/innovation] would be a powerful voice in advocating for this rezoning

initiative. With your support, we can help ensure that the benefits of nuclear energy are realized while addressing our community's needs for economic development, energy security, and environmental responsibility.

I kindly ask for you to record our endorsement of this effort and would be happy to discuss the details further at your convenience. Together, we can take meaningful steps toward a cleaner, more sustainable energy future for our community.

Thank you for your time and consideration. I look forward to the possibility of working together to make this initiative a reality.

Sincerely,
Craig Levine - President, Northwest Iowa Building Trades

Rick Plathe - Business Manager, IBEW Local 231

Jose Montes - Business Representative, Iron Workers Local 21

John Hanson - Business Manager, Heat and Frost Insulators Local 39

Dean Bradham – Organizer, Plumber and Steamfitters UA Local 33

Spencer Yockey – Business Representative, Operating Engineers Local 234

Terry Victor - Business Representative, SMART local 3

Bob Briley - Business Manager, Bricklayers Local 3

Tom Dye – Vice President, Boilermakers Local 83

Daniel Priestley

From: Craig ANDERSON <craignan@msn.com>
Sent: Friday, May 2, 2025 2:14 PM
To: Daniel Priestley
Subject: Re: Comments Requested Nuclear Energy Facilities and Nuclear Waste Storage

Follow Up Flag: Follow up
Flag Status: Flagged

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From: Daniel Priestley <dpriestley@woodburycountyiowa.gov>
Sent: Friday, May 2, 2025 12:49 PM
To: Daniel Priestley <dpriestley@woodburycountyiowa.gov>
Subject: Comments Requested Nuclear Energy Facilities and Nuclear Waste Storage

Dear Woodbury County Stakeholders,

The Woodbury County Zoning Commission is continuing its review of nuclear energy facilities and nuclear waste storage, considering the potential addition of these uses to the Woodbury County Zoning Ordinance as conditional uses, specifically in areas zoned as General Industrial (GI) – (see map below). The next public hearing will be on **Wednesday, May 28 at 5:00 PM in the basement of the Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa.**

We value your continued input as we evaluate nuclear energy facilities and nuclear waste storage (see draft definitions below). To help us better understand your perspectives and concerns, we kindly request your feedback by responding to the following questions on or before **Friday, May 23, 2025 before 10:00 AM CDT.**

1. What specific concerns, if any, do you have regarding the safety of nuclear energy facilities or nuclear waste storage in the unincorporated areas of Woodbury County, and how do you believe these concerns could be addressed through the conditional use process? While I believe the nuclear energy and nuclear waste facilities are safe; when something goes wrong it is a very serious situation. It is very much "a not in my backyard" issue. I am not sure that the BoA, as a board of appointed citizens, have the expertise or experience or the desire to be the ones that make the conditions that satisfy all the safety concerns.
2. What potential impacts, positive or negative, do you foresee on surrounding agricultural, residential, or commercial areas if nuclear facilities and nuclear waste storage are permitted in the GI Zoning District? The positive impacts are economic; it will provide clean energy and jobs. The negative; no one wants to be the neighbor. Safety issues are high on the list of negatives. Even in the GI district; I think most of the agricultural, residential, and commercial neighbors would rather have something else. The thought of a nuclear energy mishap would have a negative effect on residential and commercial expansion.
3. How do you view the balance between energy solutions and preserving Woodbury County's agricultural and environmental priorities? Are there specific safeguards you would recommend to

maintain this balance? I think in Iowa land use should tip in favor of agricultural. Prime farmland should be preserved. Many of the so-called clean energy sources would fail without the tax credit incentives. Looking at the reactions of the citizens of this area to wind energy and the carbon pipeline, I would think that the majority would not want this industry in the county.

4. Do you have any additional comments, concerns, suggestions, or questions about nuclear energy facilities or nuclear waste storage?

Please submit your responses by **Friday, May 23, 2025 before 10:00 AM CDT** to dpriestley@woodburycountyiowa.gov. Your feedback will be shared with the Woodbury County Zoning Commission and Board of Supervisors to inform their decision-making process.

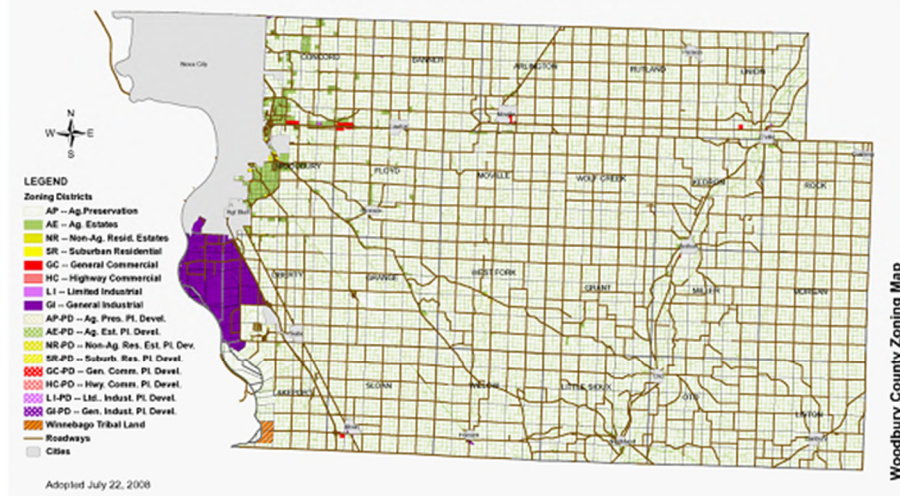
Thank you for your time and engagement in shaping the future of Woodbury County.

DRAFT DEFINITIONS:

"Nuclear energy facility" means any facility designed or used for the generation of electricity or power through nuclear fission or fusion, including nuclear reactors and associated structures, systems, or components necessary for the production of atomic energy, as well as the handling, processing, or temporary storage of nuclear materials or byproduct materials, all in compliance with federal and state regulatory requirements as administered by the Nuclear Regulatory Commission (NRC) or its duly authorized representatives.

"Nuclear waste storage" means any facility, structure, or area designated and engineered for the safe containment, isolation, or disposal of byproduct material, special nuclear material, or other radioactive materials generated from nuclear energy facilities, including temporary or permanent storage solutions, provided such storage complies with federal regulations under 10 CFR Part 50 and related parts, and is subject to oversight by the Nuclear Regulatory Commission (NRC) to protect public health, safety, and the common defense and security.

Zoning Map of Woodbury County, Iowa



Sincerely,

2

Daniel J. Priestley, MPA
Woodbury County Zoning Coordinator
620 Douglas Street #609
Sioux City, IA 51101

Phone: 712-279-6609
Fax: 712-279-6530
Website: WoodburyCountyIowa.gov



Virus-free www.avq.com

Daniel Priestley

From: Bryan Bergeon <Bryan.Bergeon@nrc.gov>
Sent: Monday, May 5, 2025 10:39 AM
To: Daniel Priestley
Subject: RE: Nuclear Energy Woodbury County Zoning

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Hi Daniel,

The **NRC is a Regulator** of civilian use of nuclear materials and does not advocate for the use thereof. There is a definitive line between what the NRC does and what other agencies do, like Department of Energy. The NRC's [Principals of Good Regulation](#) starts with independence. This means the NRC is not a consulting organization - individual applicants must offer proposed design-specific methods or design changes to meet the NRC's regulations. The NRC-approved methods by which an applicant can meet the regulations are published in [regulatory guides](#), [interim staff guidance](#), and (in limited cases) [NUREGs](#). Applicants may ask whether a design component or design-specific method meets the regulations in various ways, such as utilizing public meetings and submitting white papers for review. The NRC's response will be publicly available unless the underlying information is protected due to proprietary or other sensitive aspects governed by the regulations in 10 CFR 2.390. (See more on this: <https://www.nrc.gov/reactors/new-reactors/advanced/new-app/general-info/independent-regulator.html>)

The NRC's **Mission** is to protect public health and safety and advances the nation's common defense and security by enabling the safe and secure use and deployment of civilian nuclear energy technologies and radioactive materials through efficient and reliable licensing, oversight, and regulation for the benefit of society and the environment. The **NRC's regulatory mission covers three main areas:**

Reactors – Commercial reactors for generating electric power and research and test reactors used for research, testing, and training

Materials – Uses of nuclear materials in medical, industrial, and academic settings and facilities that produce nuclear fuel

Waste – Transportation, storage, and disposal of nuclear materials and waste, and decommissioning of nuclear facilities from service

The NRC accomplishes the mission through **Laws and Regulation**. New nuclear reactor licensing is a complex, multi-year process governed by both federal laws passed by the U.S. Congress and regulations developed by the NRC. The [Federal Laws governing the NRC](#) generally have high-level directives for the civilian use of nuclear materials. The finer details of reactor licensing and other civilian uses are found in [Title 10 of the Code of Federal Regulations](#) (10 CFR). The NRC develops and issues these regulations for all areas under its jurisdiction. All U.S. civilian uses of materials must comply with federal laws and the regulations in 10 CFR. (See more on this: <https://www.nrc.gov/reactors/new-reactors/advanced/new-app/general-info/law-reg.html>)

The Nuclear Regulatory Commission (NRC) "New Applicant" web page: (<https://www.nrc.gov/reactors/new-reactors/advanced/new-app/general-info.html>) is the starting point for prospective applicants. Prospective applicants should come to the NRC with a specific reactor technology, license class, regulatory approach, business model (to help correctly guide the licensing process), and a project timeline. With this information, the prospective applicant should file a letter of intent (i.e. a design). <https://www.nrc.gov/reactors/new-reactors/advanced/new-app/general-guidance/pre-app-process.html>. From there, the NRC assigns a lead project manager after a potential applicant begins engaging with the agency; this person will be the main point of contact between the NRC and applicant. The project manager will guide the applicant through the regulatory process and will be there to answer questions, organize meetings, and facilitate all communications with other NRC staff. (See more on this: <https://www.nrc.gov/reactors/new-reactors/advanced/new-app/general-info/comms.html>)

The **Department of Energy's Office of Nuclear Energy** mission is to promote the domestic use of nuclear energy and supports advanced reactor developers. The DOE has a **Gateway for Accelerated Innovation in Nuclear (GAIN)**. <https://gain.inl.gov/industry-support/regulatory-support/regulatory-route-to-deployment/> This helps applicants understand the current U.S. regulatory framework for commercial reactors. The series also facilitates nuclear industry efforts to identify and address regulatory uncertainties and associated deployment risks (technical, financial, schedule). *Essentially, the DOE is who will advocate for and help potential licensees pursue projects, including even potential funding thereof.*

The **NRC also regulates waste storage**. **Low-Level waste** includes items that have become contaminated with radioactive material or have become radioactive through exposure to neutron radiation and is typically stored on-site until it can be disposed of or until amounts are large enough to ship to low-level waste processing centers. **High-level wastes** are highly radioactive materials produced as a byproduct of the reactions that occur inside nuclear reactors; spent reactor fuel and waste materials remaining after spent fuel is processed. **Commercial reprocessing** is currently not practiced in the United States, although it has been allowed in the past. The NRC regulates high level wastes in spent fuel pools and dry cask storage, at independent spent fuel storage installations (ISFSI) and consolidated interim storage facilities (CISF). Note, these CISF's are different than permanent storage facilities such as Yucca Mountain, which is under DOE jurisdiction. The **DOE, Office of Spent Fuel and High-Level Waste Disposition** and its three sub-program offices: the Office of Disposal R&D, the Office of Storage & Transportation, and the Office of Consent-Based Siting, are developing an Integrated Waste Management system for storage, transportation, and disposal of spent nuclear fuel and high-level radioactive waste. [Learn more](#). The **DOE Waste Isolation Pilot Plant (WIPP)** is the nation's only deep geologic long-lived radioactive waste repository. Located 26 miles southeast of Carlsbad, New Mexico, WIPP permanently isolates defense-generated transuranic (TRU) waste 2,150 feet underground in an ancient salt formation. (See more on this: <https://wipp.energy.gov/wipp-site.asp> and <https://www.energy.gov/ne/office-spent-fuel-and-high-level-waste-disposition>).

With regards to nuclear materials (not including nuclear waste, as discussed above), the NRC essentially turns its jurisdiction over to the states, via a program called the **Agreement State Program** <https://www.nrc.gov/agreement-states.html>. NRC provides assistance to States expressing interest in establishing programs to assume NRC regulatory authority. The NRC relinquishes to the States portions of its regulatory authority to license and regulate byproduct materials (radioisotopes); source materials (uranium and thorium); and certain quantities of special nuclear materials. Iowa, for example, is an agreement state with respect to nuclear materials.

Bryan Bergeon
Acting Region III Government Liaison Officer
U.S. Nuclear Regulatory Commission
Bryan.bergeon@nrc.gov
630-829-9719 (w)
240-704-5879 (c)

From: Daniel Priestley <dpriestley@woodburycountyiowa.gov>
Sent: Monday, April 28, 2025 10:53 AM
To: Bryan Bergeon <Bryan.Bergeon@nrc.gov>
Subject: [External_Sender] Nuclear Energy Woodbury County Zoning

Mr. Bergeon,

This message is a follow up from our March 25 conversation regarding nuclear energy and county level permitting as Woodbury County, Iowa is currently examining nuclear energy as a potential land use.

As noted in our conversation, we are interested in the various aspects of the NRC permitting process, including nuclear types, definitions, and potential permitting scenarios. At this time, I wanted to check and see if you have additional information that we can include in our upcoming meetings not limited to nuclear definitions and types of nuclear. Additionally, we would like more details about the relationship between federal, state, and local government

bodies as it pertains to nuclear permitting. It was my understanding that some resources would be made available to us.

Thank you for your assistance with this matter.

Respectfully and sincerely,

Daniel J. Priestley, MPA
Woodbury County Zoning Coordinator
620 Douglas Street #609
Sioux City, IA 51101

Phone: 712-279-6609
Fax: 712-279-6530
Website: WoodburyCountyIowa.gov

BOARD OF SUPERVISORS' DIRECTION

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

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

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Supervisor Keith Radig

WORDING FOR AGENDA ITEM:

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

ACTION REQUIRED:

Approve Ordinance ☐

Approve Resolution ☐

Approve Motion ☒

Public Hearing ☐

Other: Informational ☐

Attachments ☐

EXECUTIVE SUMMARY:

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

BACKGROUND:

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

FINANCIAL IMPACT:

0

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

Yes ☐ No ☒

RECOMMENDATION:

Approve the motion.

ACTION REQUIRED / PROPOSED MOTION:

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

Approved by Board of Supervisors April 5, 2016.

Public Hearing Public Notifications in Newspapers:

Danbury Review – 9/18/24, 1/8/25, 2/12/25, 3/12/25, 5/14/25

Moville Record – 9/18/24, 1/9/25, 2/12/25, 3/13/25, 5/15/25

Sergeant Bluff Advocate – 9/12/24, 1/9/25, 1/12/25, 3/13/25, 5/15/25

Sioux City Journal – 9/12/24, 1/11/25, 2/11/25, 2/13/25, 5/13/25

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:

Kevin King, 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 2 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:
Sep. 12, 2024

NOTICE ID: UtDJi9EI2Lg4DH520f4c
PUBLISHER ID: COL-IA-500805
NOTICE NAME: ZC_Nuclear_Rezone_9_23_2024
Publication Fee: \$74.81

Kevin King

(Signed) _____

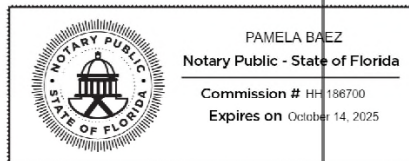
VERIFICATION

State of Florida
County of Orange

Subscribed in my presence and sworn to before me on this: 09/13/2024

[Signature]

Notary Public
Notarized remotely online using communication technology via Proof.



**NOTICE OF PUBLIC HEARINGS
BEFORE THE WOODBURY
COUNTY ZONING COMMISSION**

The Woodbury County Zoning Commission will have a public meeting and will hold public hearings on the following items hereafter described in detail on September 23, 2024 at 5:00 PM or as soon thereafter as the matters may be considered.

Said public hearings 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 items may now be examined at the office of the Woodbury County Community and Economic Development, on the 3rd floor of said courthouse by any interested persons. All persons who wish to be heard in regard to these matters should appear at the aforesaid public hearings in person or call: 712-451-1133 and enter the Conference ID: 636385374 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, 620 Douglas St., Sioux City, IA 51101. Emails should be sent to Daniel Priestley at: dppriestley@woodburycountyia.gov. Only signed comments will be considered and should be received no later than 10:00 AM on Wednesday, September 18, 2024.

Item One (1)
Nuclear Energy Facilities Zoning Ordinance Text Amendments

The Woodbury County Zoning Commission will hold a public hearing to consider Zoning Ordinance Text Amendments for the addition of nuclear energy as land use options in the Woodbury County Zoning Ordinance. The hearing will include topics of how to approach the permitting of nuclear energy. Possible options may include to amend the Land Use Summary Table of Allowed Uses Section 3.3.3.4 by adding nuclear energy and/or nuclear energy facilities as permitted allowed uses or conditional uses in all or select Woodbury County zoning districts. Zoning Ordinance Text Amendments may also be discussed pertaining to the addition of new sections pertaining to nuclear energy, nuclear energy facilities, definitions, the renumbering, and reorganization of content within the zoning ordinance.

Item Two (2)
Zoning Ordinance Map Amendment (Rezoning) Pursuant to Section 535 of the Code of Iowa, the Woodbury County Zoning Commission will hold a public hearing to consider the application for a zoning ordinance map amendment (rezoning) to the Woodbury County zoning Ordinance and/or Map for the Unincorporated Area of Woodbury County, Iowa by Sandra K. Baker Hevostice Trust (Sandra K. Baker - Applicant), 1997 Carroll Avenue, Sergeant Bluff, IA 51054 & Jimmie Lee Coyle & Renee T. Coyle (Owners), 1620 Oak Highway 141, Sergeant Bluff, IA 51054.

The proposal is to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for a 1.14-acre portion of the property located in the NW 1/4 of the NE 1/4 of Section 26, T68N, R17W (Woodbury Township) in the County of Woodbury and State of Iowa. The property is known as GDS Parcel #68472620002 and is described as:

PART OF THE NW 1/4 OF THE NE 1/4 OF SECTION 26, TOWNSHIP 68 NORTH, RANGE 47 WEST OF THE 2TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: BEGINNING AT THE NW CORNER OF LOT 1, RAKERS ACRES, AN ADDITION TO WOODBURY COUNTY, IOWA, THENCE 3.0107 L.F. ALONG THE WEST LINE OF SAID LOT 1 FOR 287.10 FEET TO THE S.W. CORNER OF SAID LOT 1, THENCE N59°43'07"W FOR 350.76 FEET, THENCE N77°01'19"W FOR 430.02 FEET TO THE NORTH LINE OF SAID NW 1/4 OF THE NE 1/4, THENCE N88°47'30"E ALONG SAID NORTH LINE FOR 322.55 FEET TO THE POINT OF BEGINNING, CONTAINING 1.14 ACRES, SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS, RESTRICTIONS AND COVENANTS.

NOTE: THE NORTH LINE OF SAID NW 1/4 OF THE NE 1/4 IS ASSUMED TO BEAR N88°42'30"E.

Petitioner Applicant(s): Sandra K. Baker Hevostice Trust (Sandra K. Baker - Applicant), 1997 Carroll Avenue, Sergeant Bluff, IA 51054

& Jimmie Lee Colyer & Renee T. Colyer (Owners),
1650 Old Highway 141, Sergeant Bluff, IA 51054.
Petitioner Applicant(s): Sandra K. Baker Revocable
Trust (Sandra K. Baker - Applicant), 1997 Carroll
Avenue, Sergeant Bluff, IA 51054 & Jimmie Lee
Colyer & Renee T. Colyer (Owners), 1650 Old
Highway 141, Sergeant Bluff, IA 51054.
COL-IA-500605

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State of Florida, County of Broward, ss:

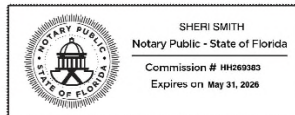
Rachel Cozart, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Sioux City Journal, printed and published by Journal Communications, in Sioux City in Woodbury County and issued daily and Sunday and that this affidavit 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:
Jan. 11, 2025

NOTICE ID: S8SDAh6euS0RWeBuKOhc
PUBLISHER ID: COL-IA-501246
NOTICE NAME: 24-1-27_ZC_Nuclear_Dwelling_Dimension
Publication Fee: \$61.57

Rachel Cozart

(Signed) _____



VERIFICATION

State of Florida
County of Broward

Subscribed in my presence and sworn to before me on this: 01/13/2025

S. Smith

Notary Public

Notarized remotely online using communication technology via Proof.

**NOTICE OF PUBLIC HEARINGS
BEFORE THE WOODBURY
COUNTY ZONING COMMISSION
REGARDING THE ADDITION OF
NUCLEAR ENERGY FACILITIES
AND THE REVIEW OF THE
MINIMUM BUILDING DIMENSION
FOR SINGLE-FAMILY DETACHED
DWELLINGS IN THE WOODBURY
COUNTY ZONING ORDINANCE**

The Woodbury County Zoning Commission will have a meeting and will hold public hearings on the following items hereafter described in detail on January 27, 2025 at 5:00 PM or as soon thereafter as the matters may be considered.

Said public hearings 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 items 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 these matters should appear at the aforesaid public hearings in person or call 712-454-1193 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@woodburycountyia.gov. Only signed comments will be considered and should be received no later than 10:00 AM on Fri., Jan. 24, 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.

**Item Two (2)
MINIMUM BUILDING DIMENSION FOR
SINGLE-FAMILY DETACHED DWELLINGS
ZONING ORDINANCE TEXT AMENDMENT
CONSIDERATION**

The Woodbury County Zoning Commission will hold a public hearing to discuss potential changes to Section 4.11, Single Family Detached Dwellings in the Woodbury County Zoning Ordinance. The hearing aims to gather input from the public on revising dimensional requirements for single-family dwellings, including but not limited to the regulations in Section 4.11. The review will consider whether to amend or remove Section 4.11.1, which currently states: "The main body shall have a minimum dimension of not less than 28 feet." Potential revisions may involve eliminating, reducing, modifying, or adding to the minimum dimension requirement, as well as other changes to the contents of Section 4.11 and its subsections. Amendments may also be discussed pertaining to the addition of new sections pertaining to single-family dwellings, definitions, the renumbering, and reorganization of content within the Woodbury County Zoning Ordinance.
COL-IA-501246

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. Thompson

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@woodburycountyia.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

Sioux City Journal
AFFIDAVIT OF PUBLICATION

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

State of Florida, County of Broward, ss:

India Johnston, 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:

Mar. 13, 2025

NOTICE ID: V8vwwz7PwzxxxLzSJ6G9

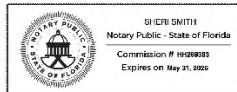
PUBLISHER ID: COL-IA-501513

NOTICE NAME: ZC_3-24-25_Nuclear

Publication Fee: \$51.64

India Johnston

(Signed) _____



VERIFICATION

State of Florida
County of Broward

Subscribed in my presence and sworn to before me on this: 03/14/2025

S. Smith

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,
NUCLEAR WASTE STORAGE
AND/OR RELATED USES 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 March 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 5374 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@woodburycountyia.gov. Only signed comments will be considered and should be received no later than 10:00 AM on Fri., Mar. 21, 2025.

**Item One (1)
CONSIDERATION OF NUCLEAR ENERGY
FACILITIES, NUCLEAR WASTE STORAGE
AND/OR RELATED USES ZONING
ORDINANCE TEXT AMENDMENTS FOR A
RECOMMENDATION TO THE WOODBURY
COUNTY BOARD OF SUPERVISORS**

The Woodbury County Zoning Commission will hold a public hearing to discuss the potential inclusion of nuclear energy facilities, nuclear waste storage, and/or related uses as land use options in the Woodbury County Zoning Ordinance. The hearing will address various aspects of permitting these facilities, including nuclear energy generation, modular nuclear energy systems, nuclear waste storage, and other related 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, nuclear waste storage and/or related uses as either allowed or conditional uses in specific zoning districts such as the General Industrial (GI) Zoning District within Woodbury County. Additionally, the discussions may include amendments to add new sections related to nuclear energy facilities and nuclear waste storage and/or related uses, update definitions, renumber articles, sections, and pages, and/or reorganize the content of the Zoning Ordinance as necessary. The goal of the hearing is to gather public input and determine the appropriate way to address the potential inclusion of nuclear-related land uses in the Woodbury County Zoning Ordinance in terms of preparing a recommendation to the Woodbury County Board of Supervisors. COL-IA-501513

Sioux City Journal
AFFIDAVIT OF PUBLICATION

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

State of Florida, County of Broward, ss:

Ankit Sachdeva, 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 2 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:
May. 13, 2025

NOTICE ID: dkZ1OAd0Y6egfblwzYPC
PUBLISHER ID: COL-IA-501790
NOTICE NAME: ZC-2025-05-28
Publication Fee: \$117.84

Ankit Sachdeva

(Signed) _____



VERIFICATION

State of Florida
County of Broward

Subscribed in my presence and sworn to before me on this: **05/20/2025**

S. Smith

Notary Public
Notarized remotely online using communication technology via Proof.

**NOTICE OF PUBLIC HEARINGS
DURING A SPECIAL PUBLIC
MEETING BEFORE THE
WOODBURY COUNTY ZONING
COMMISSION**

The Woodbury County Zoning Commission will have a special public meeting and will hold public hearings on the following items hereinafter described in detail on Wednesday, May 28, 2025 at 8:00 PM or as soon thereafter as the matter may be considered.

Said public hearings will be held in the Board of Supervisors' meeting room in the basement of the Woodbury County Courthouse, 401 Douglas Street, Sioux City, Iowa. Copies of said items 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 these matters should appear at the aforesaid public hearings in person or call 712-454-1133 and enter the Conference ID: 2764467529 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, 400 Douglas St., Sioux City, IA 51101. Emails should be sent to Daniel Priestley at: dpriestley@woodburycountyia.gov. Only signed comments will be considered and should be received no later than 11:00 AM on Friday, May 23, 2025.

**Item One (1)
CONSIDERATION OF NUCLEAR ENERGY
FACILITIES, NUCLEAR WASTE STORAGE
AND/OR RELATED USES ZONING
ORDINANCE TEXT AMENDMENTS FOR A
RECOMMENDATION TO THE WOODBURY
COUNTY BOARD OF SUPERVISORS**

The Woodbury County Zoning Commission will hold a public hearing to discuss the potential inclusion of nuclear energy facilities, nuclear waste storage, and/or related uses as land use options in the Woodbury County Zoning Ordinance. The hearing will address various aspects of permitting these facilities, including nuclear energy generation, modular nuclear energy systems, nuclear waste storage, and other related 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, nuclear waste storage and/or related uses as either allowed or conditional uses in specific zoning districts such as the General Industrial (G) Zoning District within Woodbury County. Additionally, the discussions may include amendments to add new sections related to nuclear energy facilities and nuclear waste storage and/or related uses, update definitions, number annexes, sections, and pages, and/or reorganize the content of the Zoning Ordinance as necessary. The goal of the hearing is to gather public input and determine the appropriate way to address the potential inclusion of nuclear-related land uses in the Woodbury County Zoning Ordinance in terms of preparing a recommendation to the Woodbury County Board of Supervisors.

**Item Two (2)
CONSIDERATION OF BORROW PITS FOR
BARTHEN MATERIALS IN THE AE ZONING
DISTRICT ZONING ORDINANCE TEXT
AMENDMENT FOR A RECOMMENDATION
TO THE WOODBURY COUNTY BOARD OF
SUPERVISORS**

The Woodbury County Zoning Commission will hold a public hearing to consider a proposed amendment to Article 3, Section 3.03.4 of the Woodbury County Zoning Ordinance. The proposed amendment would revise the Land Use Summary Table of Allowed Uses to change the classification of "Borrow pits for earth materials" from a prohibited use to a conditional use in the Agriculture Estates (AE) Zoning District. Specifically, the amendment would update the table by replacing the "(prohibited)" designation with a "C" (conditional use) in the AE zoning district column for "Borrow pits for earth materials."

**Item Three (3)
ZONING ORDINANCE MAP AMENDMENT
(REZONE)**

Pursuant to Section 335 of the Code of Iowa, the Woodbury County Zoning Commission will hold a public hearing to consider the application for a zoning ordinance map amendment (rezone) to the Woodbury County Zoning Ordinance and/or Map for the Unincorporated Area of Woodbury County Iowa by New

operative, Inc., 2626 1st Ave. South, Fort Dodge, IA 50501.

The proposal is to rezone from the Agricultural Preservation (AP) Zoning District to the General Industrial (GI) Zoning District for a 12.32-acre portion of the property located in the SW ¼ of the SW ¼ of Section 29, T89N R46W (Sloan Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel #66462351012 and is described as:

WIG TRACT One (1) in the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section Twenty-nine (29), Township Eighty-six (86) North, Range Forty-six (46) West of the Fifth Principal Meridian, Woodbury County, Iowa, more particularly described by metes and bounds as follows:

Commencing at the Southwest Corner of said Section; thence North Eighty-eight Degrees Twenty Minutes Fifty-six Seconds (N 88°20'56") East along the South line of said Section, a distance of Two Hundred feet (200.00') to the Point of Beginning; thence North Two Degrees Seventeen Minutes Thirty-eight Seconds (N 02°17'38") West, a distance of One Thousand Three Hundred Four and Forty-one Hundredths feet (1304.41') to the North line of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4); thence North Eighty-eight Degrees Fifty-two Minutes Fifty-five Seconds (N 88°52'35") East, along said North line a distance of Two Hundred Forty-eight and Three Hundredths feet (248.03') to the West line of a tract of land described in a Plat of Survey, filed in Roll 243, Image 1217 of the Woodbury County Recorder's Office, thence South Sixteen Degrees Four Minutes Three Seconds (S 16°04'03") East along said West line, a distance of Nine Hundred Twenty-five and Thirty-four Hundredths feet (925.34'); thence South Nineteen Degrees Eighteen Minutes Forty-two Seconds (S 19°18'42") East, along said West line, a distance of Four Hundred Twenty-five and Eighty-nine Hundredths feet (425.89') to the South line of said Section; thence South Eighty-eight Degrees Twenty Minutes Fifty-six Seconds (S 88°20'56") West, along the South line of said Section, a distance of Five Hundred Ninety-two and Ninety-seven Hundredths feet (592.97') to the Point of Beginning, containing an area of 12.32 acres, more or less.

Petitioner/Applicant(s): New Cooperative, Inc., 2626 1st Ave. South, Fort Dodge, IA 50501.

Item Four (4)

CONSIDERATION OF PROPOSED MINOR SUBDIVISION

A PUBLIC HEARING FOR A PROPOSED MINOR SUBDIVISION: To be known as Washburn Addition, A Minor Subdivision to Woodbury County, Iowa, a three-lot minor subdivision in an 8.088-acre more or less portion of T89N R46W (Concord Township) in Section 35 in the SE ¼ of the NE ¼ of Parcel #694636200009. The property is approximately two-miles west of the City of Lawton and 3.5 miles east of Sioux City. The property is located in the Agricultural Estates (AE) Zoning District. Owner/Applicant: Michael W. Washburn and Janine J. Washburn, 1545 Dallas Ave., Lawton, IA 51030. OOL IA 501790



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 – MAY 20, 2025

BASEBALL STADIUM (FIELD FOR COMPETITIVE ATHLETIC) – CONDITIONAL USE PERMIT PROPOSAL

APPLICATION DETAILS

Applicant(s)/Owner(s):	Jason Reynoldson (Applicant) / Morningside University
Application Type:	Conditional Use Permit
Zoning District:	Agricultural Preservation (AP)
Total Acres:	13.4
Current Use:	Agricultural, Farm
Proposed Use:	Baseball Stadium
Pre-application Meeting:	March 14, 2025
Application Date:	April 29, 2025
Legal Notice Date:	Saturday, May 17, 2025
Neighbor(s) Notice Date:	Thursday, May 15, 2025
Stakeholder(s) Notice Date:	Thursday, May 1, 2025
Zoning Commission Review:	Wednesday, May 28, 2025
Board of Adjustment Public Hearing:	Monday, June 2, 2025

PROPERTY DETAILS

Parcel(s):	884714300005
Township/Range:	T88N R47W (Woodbury)
Section:	14
Quarter:	SW ¼ of the SW ¼
Zoning District:	Agricultural Preservation (AP)
Floodplain:	Zone X (Not in Floodplain)
Property Address:	TBD

CONTENTS

Summary	
Aerial Map / Site Plan Excerpt	
Review Requirements	
Review Criteria	
Application Materials	
Legal Notification	
Public Comments	
Stakeholder Comments	
Supporting Information	

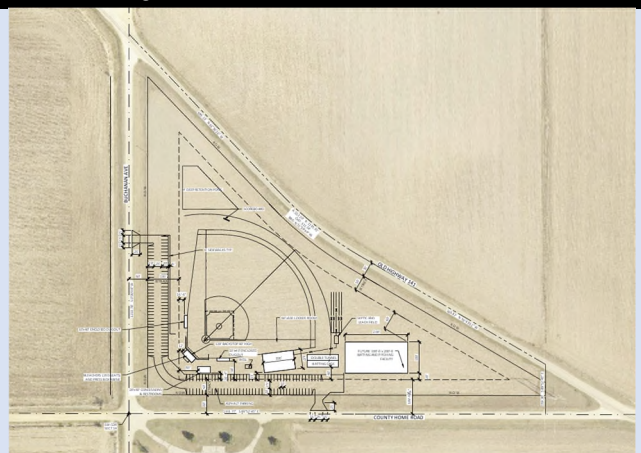
SUMMARY

Jason Reynoldson (Applicant) on behalf of Morningside University (Owner) has submitted a conditional use permit application to construct and operate a baseball stadium (field for competitive athletic) on the property identified as Parcel #884714300005 and referenced above. The facility will provide a dedicated space for organized sports, supporting health and wellness, community spirit, and opportunities for youth and adult leagues. The project's design will minimize environmental impact, incorporating features such as permeable surfaces, native landscaping, and noise/light control strategies. The development will also attract visitors, promote local businesses, and provide a gathering space for events, fostering economic growth and social interaction. The property is in the Agricultural Preservation (AP) Zoning District, where "fields for competitive athletic" are a conditional use under Section 3.03.4 of the Woodbury County Zoning Ordinance, subject to review by the Zoning Commission and approval by the Board of Adjustment. The proposal was advertised in the Sioux City Journal's legal section on May 17, 2025. Neighbors within 500 feet were notified via a May 15, 2025 letter about the Board of Adjustment public hearing on May 2, 2025. Relevant stakeholders, including government agencies, utilities, and organizations, have been invited to provide comments. Based on the information provided and compliance with zoning requirements, the proposal meets the criteria for conditional use permit approval.

AERIAL MAP



SITE PLAN EXCERPT



STAFF RECOMMENDATION & SUGGESTED MOTION

Based on the information received and the requirements set forth in the Zoning Ordinance, the proposal can meet the criteria for approval of the conditional use permit. Motion to recommend approval the conditional use permit request to the Board of Adjustment.

ZONING ORDINANCE CRITERIA FOR BOARD APPROVAL

Conditional Use Permits are determined by a review of the following criteria by the Zoning Commission (ZC) and Board of Adjustment (BOA). The ZC makes a recommendation to the BOA which will decide following a public hearing before the Board.

APPLICANT'S DESCRIPTION OF THE PROPOSED CONDITIONAL USE:

Transforming Agricultural Land into a Thriving Community Hub: The Future Baseball Field Project

The proposed baseball field is an exciting opportunity to bring a high-quality recreational facility to the community while respecting the agricultural character of the land. This project is not just about constructing a field—it's about fostering engagement, promoting sustainable development, and contributing to the local economy.

Why This Project Works

- **Strategic Use of Land:** While zoned under Agricultural Preservation (AP), the field qualifies as a conditional use per Woodbury County's zoning ordinance. This ensures that the project aligns with established land-use regulations.
- **Enhancing Community Recreation:** A dedicated space for organized sports supports health and wellness, builds community spirit, and provides opportunities for youth and adult leagues to thrive.
- **Economic & Social Benefits:** The facility will attract visitors, promote local businesses, and provide a gathering space for events, fostering economic growth and social interaction.
- **Sustainable & Responsible Development:** Thoughtful planning will minimize environmental impact, integrating features like permeable surfaces for storm water management, native landscaping, and noise/light control strategies.

Commitment to Compatibility & Preservation

- **Minimal Disruption:** The project will be designed to complement surrounding agricultural land, preserving open space and ensuring minimal interference with adjacent properties.
- **Traffic & Infrastructure Planning:** Proper road access, parking solutions, and traffic management strategies will keep congestion under control while maintaining a seamless flow for visitors.
- **Environmental Stewardship:** Incorporating eco-friendly practices and maintaining scenic integrity ensure that the area's natural beauty remains untouched.
- **Public Interest & Accessibility:** Essential facilities—such as restrooms, concessions, emergency services access, and waste management—will ensure smooth operation while serving community needs.

This baseball field is more than just a sports venue for Morningside University, it's a vision for progress, community connection, and responsible development. By balancing recreational opportunities with zoning compliance, environmental integrity, and thoughtful planning, this project will serve as a positive addition to the local landscape while staying true to agricultural preservation values.

Current Permit Applications – Baseball Field Development

We are actively working with Bacon Creek Design, with Doug Rose leading the architectural efforts for the project. As part of the permitting process:

- The Notice of Intent has been initiated and will be published in the Sioux City Journal on May 6, 2025.
- A topographical survey is currently underway to support the Storm Water Pollution Prevention Plan (SWPPP).
- Upon completion, Doug Rose will submit the SWPPP plan along with the General Permit No. 2 application to the Department of Natural Resources (DNR), ensuring compliance with required environmental regulations.
- Coordination with the County Engineer's Office has been conducted to approve driveway access to the property. Discussions with Laura Seivers and Jacob Gilreath have confirmed alignment with county requirements.
- The application for a rural address has been submitted, and the associated fee has been paid.
- A Building Permit has been filed in advance to streamline the development process.

These steps ensure compliance with zoning and regulatory standards while facilitating a smooth progression of the project.

MAP DRAWN TO SCALE, SHOWING THE SUBJECT PROPERTY, ALL STRUCTURES AND OTHER IMPROVEMENTS, WITH THE PROPOSED CONDITIONAL USE IDENTIFIED PER STRUCTURE OF IMPROVEMENT, PROVIDED BY ATTACHMENT

[See attached plans](#)

CRITERIA 1: The conditional use requested is authorized as a conditional use in the zoning district within which the property is located and that any specific conditions or standards described as part of that authorization have been or will be satisfied (Woodbury County Zoning Ordinance, Sec. 2.02-9).

APPLICANT RESPONSE:

- The parcel in question is currently zoned as Agricultural Preservation (AP). According to Section 4 of the Zoning Ordinance of Woodbury County, titled "Institutional Uses," fields designated for competition are included as a conditional use. Additionally, the ordinance specifies the required conditions and standards, which have been reviewed and deemed to be satisfied.

Institutional uses								
Cemeteries, mausoleums and columbaria	C	C	C	C	--	--	--	--
Community facilities								
Activity/social service centers								
Community centers	ok	ok	ok	ok	ok	--	--	--
Day camp, recreation	ok	ok	ok	C	C	--	--	--
Fields for competitive athletic	C	C	C	C	--	--	--	--
Libraries and museums	C	C	C	C	ok	--	--	--
Parks and public open space	ok	ok	ok	ok	--	--	--	--

STAFF ANALYSIS:

The Land Use Summary Table (Section 3.03.4) of the Woodbury County Zoning Ordinance includes the Agricultural Preservation (AP) Zoning District as a location authorized for a conditional use pending review by the Zoning Commission and approval by the Board of Adjustment.

CRITERIA 2: The proposed use and development will be in harmony with the general purpose and intent of this ordinance and the goals, objectives and standards of the general plan (Woodbury County Zoning Ordinance, Sec. 2.02-9).
APPLICANT RESPONSE:

Community Recreation: Providing space for organized sports and recreational activities aligns with fostering community engagement, physical well-being, and healthy lifestyles, which may be goals outlined in the general plan.

Efficient Land Use: The development of a baseball field could utilize land that might not be viable for intensive agricultural use, while still maintaining open space, which can be in harmony with preservation objectives.

Economic and Social Benefits: By creating a venue for local sports events, the field may attract visitors and generate economic activity, supporting the broader objectives of community development.

Compatibility with Existing Land Use: If designed thoughtfully, the baseball field could complement surrounding areas and maintain an aesthetic that aligns with AP zoning, minimizing disruption and enhancing the area's value.

Promoting Environmental Stewardship: Sustainable design practices, such as using eco-friendly materials or preserving adjacent natural habitats, could align the development with environmental goals of the general plan.

STAFF ANALYSIS:

The proposed use of the three (3) wind turbines on the 100 FT support tower is compatible with the Woodbury County's Comprehensive Plan 2040 including to "support landowners' individual choices to implement renewable energy infrastructure for personal and private use" (p. 127).

(https://www.woodburycountyiowa.gov/files/community_economic_development/woodbury_county_comprehensive_plan_2040_89417.pdf)

CRITERIA 3: The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other factors affecting the public health, safety and general welfare (Woodbury County Zoning Ordinance, Sec. 2.02-9).
APPLICANT RESPONSE:

Environmental Impact Assessment: Conduct a thorough study to identify potential impacts on soil, water, and local ecosystems. This helps in designing measures to mitigate harm.

Community Engagement: Involve local residents and stakeholders early in the planning process. Their input can help address concerns about noise, traffic, and other disruptions.

Sustainable Design: Incorporate eco-friendly practices, such as using permeable materials for parking lots to reduce water runoff and planting native vegetation to support biodiversity.

Traffic Management: Develop a plan to handle increased traffic, including adequate parking and safe access routes, to minimize disruption to the surrounding area.

Noise and Light Control: Use sound barriers and strategically placed lighting to reduce noise and light pollution, ensuring minimal disturbance to nearby residents and wildlife.

Preservation of Agricultural Land: If possible, design the field to occupy the least productive agricultural areas, preserving prime farmland for cultivation.

Monitoring and Maintenance: Establish ongoing monitoring to address any unforeseen issues and maintain the field in an environmentally responsible manner.

STAFF ANALYSIS:

Based on the site plan and information presented, this project does not appear to have significant impacts on adjacent properties including the character of the neighborhood, traffic conditions, parking, utilities facilities, and other factors affecting public health, safety, and the general welfare of the public.

CRITERIA 4: The proposed use and development will be located, designed, constructed and operated in such a manner that it will be compatible with the immediate neighborhood and will not interfere with the orderly use, development and improvement of surrounding property (Woodbury County Zoning Ordinance, Sec. 2.02-9).
APPLICANT RESPONSE:

<p>Preservation of Agricultural Character: The design of the baseball field can incorporate elements that align with the agricultural nature of the area, such as maintaining open green spaces or using native plants for landscaping.</p> <p>Traffic and Access Management: Proper planning for parking and access routes can prevent congestion and ensure smooth traffic flow, reducing the impact on neighboring properties.</p> <p>Noise and Light Control: Implementing measures like sound barriers and shielded lighting can prevent disturbances to nearby residents and wildlife, maintaining the area's tranquility.</p> <p>Community Benefits: A baseball field can provide recreational opportunities and foster community engagement, which may be seen as an enhancement rather than a detriment to the area's development.</p> <p>Environmental Considerations: Ensuring that the field's construction and maintenance do not harm local ecosystems or water resources can help preserve the natural environment.</p> <p>Monitoring and Compliance: Regular monitoring to ensure adherence to permit conditions can address any unforeseen issues and maintain harmony with the surrounding properties.</p>
<p>STAFF ANALYSIS:</p> <p>There does not appear to be significant impacts to the immediate neighborhood including impacts to the orderly use, development and improvement of surrounding property.</p>

CRITERIA 5: Essential public facilities and services will adequately serve the proposed use or development (Woodbury County Zoning Ordinance, Sec. 2.02-9).

<p>APPLICANT RESPONSE:</p> <p>Road Access & Transportation – Well-maintained roads and highways ensure safe and efficient access for players, spectators, and staff. Public transportation options, if available, can further support accessibility.</p> <p>Water Supply & Drainage – Adequate water supply for irrigation, restrooms, and concessions is crucial. Proper drainage systems prevent flooding and maintain field conditions.</p> <p>Electricity & Lighting – Reliable electrical infrastructure supports field lighting, scoreboards, and other operational needs, ensuring usability during evening games.</p> <p>Emergency Services – Nearby fire stations, police presence, and medical facilities ensure safety and rapid response in case of emergencies.</p> <p>Waste Management – Regular trash collection and recycling services help maintain cleanliness and environmental sustainability.</p> <p>Parking Facilities – Well-planned parking areas accommodate visitors while minimizing traffic congestion in surrounding areas</p> <p>Restroom & Sanitation Facilities – Public restrooms and sanitation stations ensure hygiene and comfort for attendees.</p> <p>Storm water Management – Systems to control runoff and prevent erosion help protect surrounding agricultural land and natural resources.</p>
<p>STAFF ANALYSIS:</p> <p>The property owner(s) will need to work out the details with the local utility in terms of their respective interconnection agreement.</p>

CRITERIA 6: The proposed use or development will not result in unnecessary adverse effects upon any significant natural, scenic or historic features of the subject property or adjacent properties (Woodbury County Zoning Ordinance, Sec. 2.02-9).

<p>APPLICANT RESPONSE:</p> <p>Preserving Natural Features – The field can be designed to avoid disrupting existing trees, wetlands, or other ecological areas. Landscaping with native plants can help maintain biodiversity.</p> <p>Minimizing Scenic Impact – The field can be integrated into the landscape using natural contours and vegetation buffers to maintain the area's scenic beauty.</p> <p>Respecting Historic Sites – If the land has historical significance, the design can incorporate interpretive signage or preserve key elements of the site, ensuring that its heritage remains intact.</p> <p>Sustainable Construction – Using eco-friendly materials and minimizing land grading can reduce environmental disruption.</p> <p>Noise and Light Management – Shielded lighting and sound barriers can prevent disturbances to nearby properties, ensuring the field does not negatively impact the surroundings.</p> <p>Traffic and Infrastructure Planning – Proper access routes and parking facilities can prevent congestion and maintain the orderly development of adjacent properties.</p>
<p>STAFF ANALYSIS:</p>

There does not appear to be any significant impact determined.

OTHER CONSIDERATION 1: The proposed use or development, at the particular location is necessary or desirable to provide a service or facility that is in the public interest or will contribute to the general welfare of the neighborhood or community (Woodbury County Zoning Ordinance, Sec. 2.02-9).

APPLICANT RESPONSE:

A baseball field on land zoned for Agricultural Preservation (AP) can serve the public interest and contribute to community welfare by providing a space for recreational activities, fostering engagement through youth and adult leagues, and supporting educational programs that promote teamwork and discipline. If designed responsibly, the field can coexist with agricultural activities, ensuring balanced land use while maintaining environmental integrity. Additionally, the facility can generate economic benefits by attracting visitors for tournaments, supporting local businesses, and strengthening tourism. Beyond the economic and educational advantages, access to outdoor recreational spaces enhances public health by encouraging physical activity and social interaction. To align with AP zoning regulations, securing a conditional use permit or zoning amendment would be essential to demonstrate that the project supports the broader well-being of the community without compromising agricultural preservation goals.

STAFF ANALYSIS:

This proposed conditional use is an optional feature that has been added to the property for the benefit of the property owner(s).

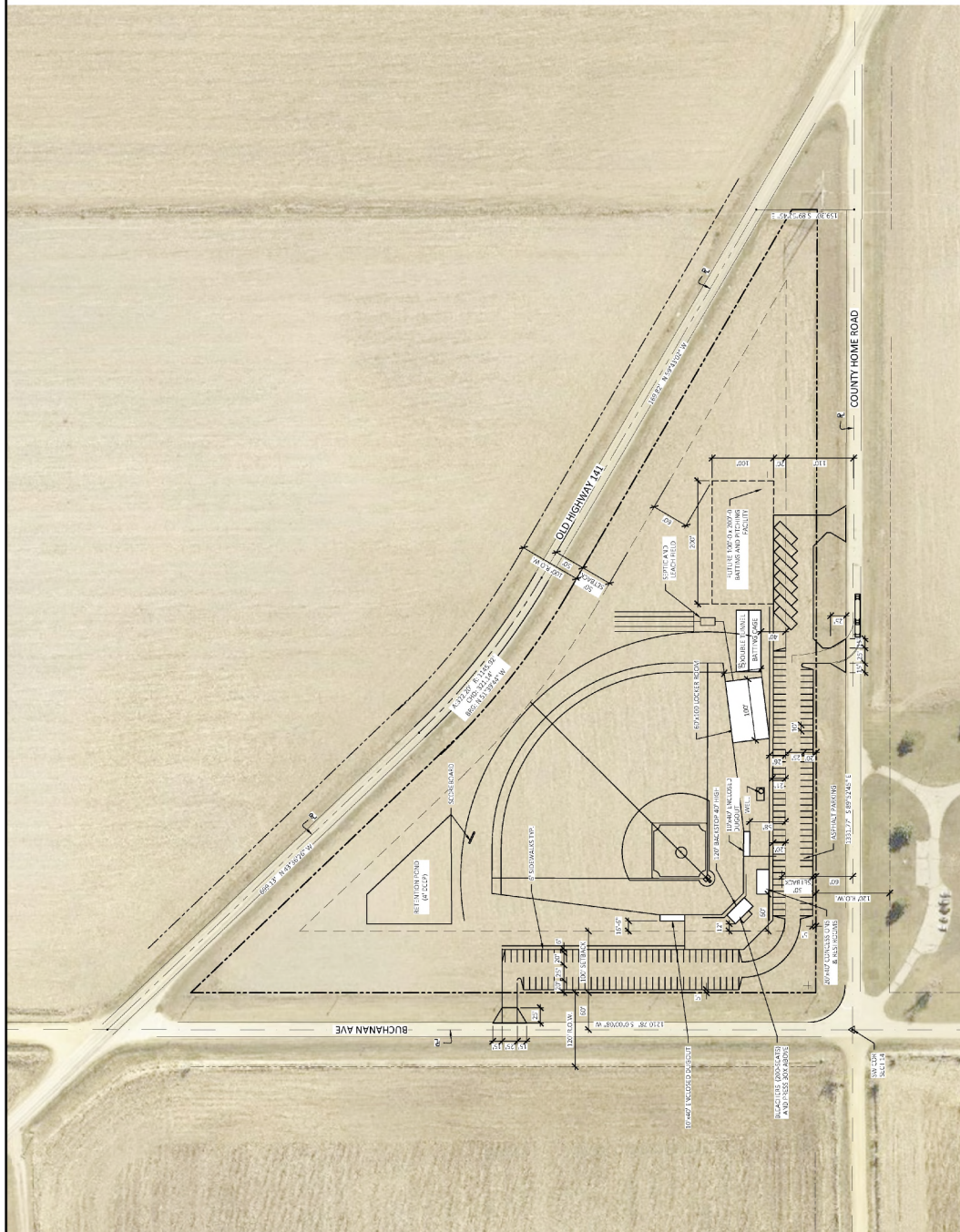
OTHER CONSIDRATION 2: All possible efforts, including building and site design, landscaping and screening have been undertaken to minimize any adverse effects of the proposed use or development (Woodbury County Zoning Ordinance, Sec. 2.02-9).

APPLICANT RESPONSE:

We are committed to ensuring that the proposed baseball field is developed with minimal impact on the surrounding environment and community. Every possible effort has and will be taken to thoughtfully design the site, including architectural considerations, landscaping strategies, and screening elements that harmonize with the existing land use. The building design prioritizes sustainability and compatibility with the Agricultural Preservation (AP) zoning, ensuring that structures blend seamlessly into the landscape while maintaining functionality. Additionally, site planning will be meticulously executed to address factors such as traffic flow, storm water management, and noise reduction, reinforcing our dedication to responsible development. To further mitigate any potential adverse effects, comprehensive landscaping and screening measures have been incorporated to preserve visual aesthetics, reduce disruption to neighboring properties, and maintain the rural character of the area. Through these proactive steps, we aim to create a facility that serves the public interest while respecting and enhancing the integrity of the surrounding environment.

STAFF ANALYSIS:

The appearance of a private wind turbine tower speaks for itself. At a height of 100 FT, there likely is no level of building, site design, landscaping, and screening available to conceal its effects.

[illegible]

PROPOSED SITE MAP
SCALE: 1" = 80'-0"

NO.	DATE	REVISION	<p>PROPOSED SITE MAP</p> <p>BASEBALL FIELD</p> <p>HWY 141 & COUNTY HOME ROAD</p> <p>SIOUX CITY, IOWA</p> <p>MORNINGSIDE UNIVERSITY</p> <p>SIOUX CITY, IOWA</p> <p>BACON CREEK DESIGN INC.</p> <p>MADE CITY, IOWA 51108</p> <p>DATE: 03/19/2025</p> <p>BY: [Signature]</p> <p>1025-0066 C1</p>



CONDITIONAL USE PERMIT APPLICATION

Owner Information: Owner: Morningside University Address: 1501 Morningside Ave. Sioux City, IA 51106 Phone: 712-274-5116	Applicant Information: Application Jason Reynoldson Address 3600 Garretson Ave. Sioux City, IA 51106 Phone: 712-274-5113				
We, the undersigned, hereby apply to the Woodbury County Board of Adjustment for permission to: Build a baseball stadium for the Morningside University baseball team.					
Property Information: <u>SNSW</u> Property Address or Address Range: Woodbury Township W ½ of SW ¼ OF 14-88-47 (EX ROAD ROW) Quarter/Quarter: Sec: 14 Township/Range: 88-47 Parcel ID # 8847143000005 GIS # Total Acres: 13.4 Current Use: Agricultural, Farm Proposed Use: Baseball Stadium Current Zoning: Agricultural Preservation					
<p>The filing of this application is required to be accompanied with all items and information required pursuant to section 2.02(9)(C)(2) through (C)(4) of Woodbury County's zoning ordinances (see attached pages of this application for a list of those items and information).</p> <p>A formal pre-application meeting is recommended prior to submitting this application.</p> <p>Pre-app mtg. date: 03/14/2025 Staff present: Dan Priestly</p>					
<p>The undersigned is/are the owners(s) of the described property on this application, located in the unincorporated area of Woodbury County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the Woodbury County Community and Economic Development staff, Zoning Commission and Board of Adjustment members to conduct site visits and photograph the subject property.</p> <p>This Conditional Use Permit Application is subject to and shall be required, as a condition of final approval, to comply with all applicable Woodbury County ordinances, policies, requirements and standards that are in effect at the time of final approval.</p> <table style="width: 100%;"> <tr> <td style="width: 50%;"> Owner: <u>Jeannette M. King</u> </td> <td style="width: 50%;"> Applicant: <u>[Signature]</u> </td> </tr> <tr> <td> Date: <u>4/29/25</u> </td> <td> Date: <u>4/29/25</u> </td> </tr> </table>		Owner: <u>Jeannette M. King</u>	Applicant: <u>[Signature]</u>	Date: <u>4/29/25</u>	Date: <u>4/29/25</u>
Owner: <u>Jeannette M. King</u>	Applicant: <u>[Signature]</u>				
Date: <u>4/29/25</u>	Date: <u>4/29/25</u>				

Fee: \$300* Case #: <u>7055</u> Check #: <u>3 CC ending 6257</u> Receipt #: _____	Date Received <div style="font-size: 2em; font-weight: bold; color: blue;">RECEIVED</div> <div style="color: red; font-weight: bold;">MAY 1 2025</div> <div style="font-size: 0.8em; color: blue;">WOODBURY COUNTY</div>
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Criteria 1: Conditional Use Permit

The parcel in question is currently zoned as Agricultural Preservation (AP). According to Section 4 of the Zoning Ordinance of Woodbury County, titled "Institutional Uses," fields designated for competition are included as a conditional use. Additionally, the ordinance specifies the required conditions and standards, which have been reviewed and deemed to be satisfied

Institutional uses									
	Cemeteries, mausoleums and columbaria	C	C	C	C	--	--	--	--
	Community facilities								
	Activity/social service centers								
	Community centers	ok	ok	ok	ok	ok	--	--	--
	Day camp, recreation	ok	ok	ok	C	C	--	--	--
	Fields for competitive athletic	C	C	C	C	--	--	--	--
	Libraries and museums	C	C	C	C	ok	--	--	--
	Parks and public open space	ok	ok	ok	ok	--	--	--	--

Criteria 2: The proposed use and development will be in harmony with the general purpose and intent of this ordinance and the goals, objectives and standards of the general plan.

Community Recreation: Providing space for organized sports and recreational activities aligns with fostering community engagement, physical well-being, and healthy lifestyles, which may be goals outlined in the general plan.

Efficient Land Use: The development of a baseball field could utilize land that might not be viable for intensive agricultural use, while still maintaining open space, which can be in harmony with preservation objectives.

Economic and Social Benefits: By creating a venue for local sports events, the field may attract visitors and generate economic activity, supporting the broader objectives of community development.

Compatibility with Existing Land Use: If designed thoughtfully, the baseball field could complement surrounding areas and maintain an aesthetic that aligns with AP zoning, minimizing disruption and enhancing the area's value.

Promoting Environmental Stewardship: Sustainable design practices, such as using eco-friendly materials or preserving adjacent natural habitats, could align the development with environmental goals of the general plan.

Criteria 3: The proposed use and development will not have a substantial of undue adverse effect upon adjacent property, the character of the neighborhood, traffic

conditions, parking, utility facilities and other factors affecting the public health, safety and general welfare.

Environmental Impact Assessment: Conduct a thorough study to identify potential impacts on soil, water, and local ecosystems. This helps in designing measures to mitigate harm.

Community Engagement: Involve local residents and stakeholders early in the planning process. Their input can help address concerns about noise, traffic, and other disruptions

Sustainable Design: Incorporate eco-friendly practices, such as using permeable materials for parking lots to reduce water runoff and planting native vegetation to support biodiversity.

Traffic Management: Develop a plan to handle increased traffic, including adequate parking and safe access routes, to minimize disruption to the surrounding area.

Noise and Light Control: Use sound barriers and strategically placed lighting to reduce noise and light pollution, ensuring minimal disturbance to nearby residents and wildlife.

Preservation of Agricultural Land: If possible, design the field to occupy the least productive agricultural areas, preserving prime farmland for cultivation.

Monitoring and Maintenance: Establish ongoing monitoring to address any unforeseen issues and maintain the field in an environmentally responsible manner.

Criteria 4: The proposed use and development will be compatible with the immediate neighborhood and will not interfere with the development and improvement of the surrounding property.

Preservation of Agricultural Character: The design of the baseball field can incorporate elements that align with the agricultural nature of the area, such as maintaining open green spaces or using native plants for landscaping.

Traffic and Access Management: Proper planning for parking and access routes can prevent congestion and ensure smooth traffic flow, reducing the impact on neighboring properties.

Noise and Light Control: Implementing measures like sound barriers and shielded lighting can prevent disturbances to nearby residents and wildlife, maintaining the area's tranquility.

Community Benefits: A baseball field can provide recreational opportunities and foster community engagement, which may be seen as an enhancement rather than a detriment to the area's development.

Environmental Considerations: Ensuring that the field's construction and maintenance do not harm local ecosystems or water resources can help preserve the natural environment.

Monitoring and Compliance: Regular monitoring to ensure adherence to permit conditions can address any unforeseen issues and maintain harmony with the surrounding properties.

Criteria 5: Essential public facilities and services will adequately serve the proposed use or development.

Road Access & Transportation – Well-maintained roads and highways ensure safe and efficient access for players, spectators, and staff. Public transportation options, if available, can further support accessibility.

Water Supply & Drainage – Adequate water supply for irrigation, restrooms, and concessions is crucial. Proper drainage systems prevent flooding and maintain field conditions

Electricity & Lighting – Reliable electrical infrastructure supports field lighting, scoreboards, and other operational needs, ensuring usability during evening games.

Emergency Services – Nearby fire stations, police presence, and medical facilities ensure safety and rapid response in case of emergencies.

Waste Management – Regular trash collection and recycling services help maintain cleanliness and environmental sustainability.

Parking Facilities – Well-planned parking areas accommodate visitors while minimizing traffic congestion in surrounding areas

Restroom & Sanitation Facilities – Public restrooms and sanitation stations ensure hygiene and comfort for attendees.

Storm water Management – Systems to control runoff and prevent erosion help protect surrounding agricultural land and natural resources.

Criteria 6: The proposed use or development will not result in unnecessary adverse effects upon any significant natural, scenic or historic features of the subject property or adjacent properties.

Preserving Natural Features – The field can be designed to avoid disrupting existing trees, wetlands, or other ecological areas. Landscaping with native plants can help maintain biodiversity.

Minimizing Scenic Impact – The field can be integrated into the landscape using natural contours and vegetation buffers to maintain the area's scenic beauty.

Respecting Historic Sites – If the land has historical significance, the design can incorporate interpretive signage or preserve key elements of the site, ensuring that its heritage remains intact.

Sustainable Construction – Using eco-friendly materials and minimizing land grading can reduce environmental disruption.

Noise and Light Management – Shielded lighting and sound barriers can prevent disturbances to nearby properties, ensuring the field does not negatively impact the surroundings.

Traffic and Infrastructure Planning – Proper access routes and parking facilities can prevent congestion and maintain the orderly development of adjacent properties.

Consideration 1: A baseball field on land zoned for Agricultural Preservation (AP) can serve the public interest and contribute to community welfare by providing a space for recreational activities, fostering engagement through youth and adult leagues, and supporting educational programs that promote teamwork and discipline. If designed responsibly, the field can coexist with agricultural activities, ensuring balanced land use while maintaining environmental integrity. Additionally, the facility can generate economic benefits by attracting visitors for tournaments, supporting local businesses, and strengthening tourism. Beyond the economic and educational advantages, access to outdoor recreational spaces enhances public health by encouraging physical activity and social interaction. To align with AP zoning regulations, securing a **conditional use permit** or zoning amendment would be essential to demonstrate that the project supports the broader well-being of the community without compromising agricultural preservation goals.

Consideration 2: We are committed to ensuring that the proposed baseball field is developed with minimal impact on the surrounding environment and community. Every possible effort has and will be taken to thoughtfully design the site, including architectural considerations, landscaping strategies, and screening elements that harmonize with the existing land use. The building design prioritizes sustainability and compatibility with the Agricultural Preservation (AP) zoning, ensuring that structures blend seamlessly into the landscape while maintaining functionality. Additionally, site planning will be meticulously executed to address factors such as traffic flow, storm water management, and noise reduction, reinforcing our dedication to responsible development. To further mitigate any potential adverse effects, comprehensive landscaping and screening measures have been incorporated to preserve visual aesthetics, reduce disruption to neighboring properties, and maintain the rural character of the area. Through these proactive steps, we aim to create a facility that serves the public interest while respecting and enhancing the integrity of the surrounding environment.

Transforming Agricultural Land into a Thriving Community Hub: The Future Baseball Field Project

The proposed baseball field is an exciting opportunity to bring a high-quality recreational facility to the community while respecting the agricultural character of the land. This project is not just about constructing a field—it's about fostering engagement, promoting sustainable development, and contributing to the local economy.

Why This Project Works

- **Strategic Use of Land:** While zoned under Agricultural Preservation (AP), the field qualifies as a conditional use per Woodbury County's zoning ordinance. This ensures that the project aligns with established land-use regulations.
- **Enhancing Community Recreation:** A dedicated space for organized sports supports health and wellness, builds community spirit, and provides opportunities for youth and adult leagues to thrive.
- **Economic & Social Benefits:** The facility will attract visitors, promote local businesses, and provide a gathering space for events, fostering economic growth and social interaction.
- **Sustainable & Responsible Development:** Thoughtful planning will minimize environmental impact, integrating features like permeable surfaces for storm water management, native landscaping, and noise/light control strategies.

Commitment to Compatibility & Preservation

- **Minimal Disruption:** The project will be designed to complement surrounding agricultural land, preserving open space and ensuring minimal interference with adjacent properties.
- **Traffic & Infrastructure Planning:** Proper road access, parking solutions, and traffic management strategies will keep congestion under control while maintaining a seamless flow for visitors.
- **Environmental Stewardship:** Incorporating eco-friendly practices and maintaining scenic integrity ensure that the area's natural beauty remains untouched.
- **Public Interest & Accessibility:** Essential facilities—such as restrooms, concessions, emergency services access, and waste management—will ensure smooth operation while serving community needs.

This baseball field is more than just a sports venue for Morningside University, it's a vision for progress, community connection, and responsible development. By balancing recreational opportunities with zoning compliance, environmental integrity, and thoughtful planning, this project will serve as a positive addition to the local landscape while staying true to agricultural preservation values.

Current Permit Applications – Baseball Field Development

We are actively working with Bacon Creek Design, with Doug Rose leading the architectural efforts for the project. As part of the permitting process:

- The Notice of Intent has been initiated and will be published in the Sioux City Journal on May 6, 2025.
- A topographical survey is currently underway to support the Storm Water Pollution Prevention Plan (SWPPP).
- Upon completion, Doug Rose will submit the SWPPP plan along with the General Permit No. 2 application to the Department of Natural Resources (DNR), ensuring compliance with required environmental regulations.
- Coordination with the County Engineer's Office has been conducted to approve driveway access to the property. Discussions with Laura Seivers and Jacob Gilreath have confirmed alignment with county requirements.
- The application for a rural address has been submitted, and the associated fee has been paid.
- A Building Permit has been filed in advance to streamline the development process.

These steps ensure compliance with zoning and regulatory standards while facilitating a smooth progression of the project.

LEGAL NOTIFICATION FOR BOARD OF ADJUSTMENT PUBLIC HEARING

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:

Edmar Corachia, 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:
May. 17, 2025

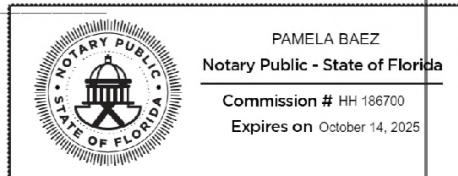
NOTICE ID: iNcoXOonFq2so0y0z097
PUBLISHER ID: COL-IA-501816
NOTICE NAME: BOA-2025-6-2-25
Publication Fee: \$54.28

Edmar Corachia

(Signed)

VERIFICATION

State of Florida
County of Orange



Subscribed in my presence and sworn to before me on this: 05/20/2025

Notary Public
Notarized remotely online using communication technology via Proof.

NOTICE OF PUBLIC HEARINGS BEFORE THE WOODBURY COUNTY BOARD OF ADJUSTMENT

The Woodbury County Board of Adjustment will hold public hearings on the following items hereafter described in detail on June 2, 2025 at 6:00 PM or as soon thereafter as the matters may be considered. Said hearings 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 items 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 matters should appear at the aforesaid hearings in person or call 712-454-1133 and enter the Conference ID: 742 346 123# 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; Email should be sent to Daniel Priestley at: daniel@woodburycountyowa.gov. Only signed comments will be considered and should be received no later than 10:00 AM on Fri., May 30, 2025.

Item One (1)

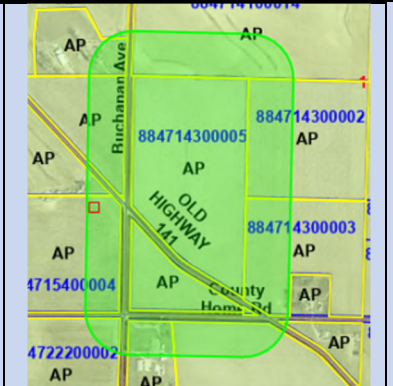
Pursuant to Section 335 of the Code of Iowa, the Woodbury County Board of Adjustment will hold a public hearing to consider the Conditional Use Permit application from Jason Reynolds (Applicant) on behalf of Morrisville University (Owner) to construct and operate a baseball stadium (field for competitive athletic) on the property located in T86N R47W, Section 14, in the SW 1/4 of the SW 1/4 and identified as Parcel #884714300005, and located in the Agricultural Preservation (AP) Zoning District. The proposed facility will provide a dedicated space for organized sports, supporting health and wellness, community spirit, and opportunities for youth and adult leagues. Applicant(s)/Owner(s): Jason Reynolds (Applicant), 3600 Gamelson Ave., Sioux City, IA 51106 and Morrisville University (Owner), 1501 Morrisville Ave., Sioux City, IA 51106.

Item Two (2)

Pursuant to Section 335 of the Iowa Code, the Woodbury County Board of Adjustment will hold a public hearing to consider a variance application submitted by Kirby and Jeanneen Eli. The applicants seek permission to construct an accessory shed, approximately 40' x 60' (dimensions may vary), prior to completing a principal structure (single-family dwelling) on their property. The applicants intend to begin foundation work for both structures concurrently but prioritize completing the shed first. Section 4.12.2 of the Woodbury County Zoning Ordinance states, "No accessory building shall be constructed upon a lot until the construction of the principal building has commenced..." (p. 45). The variance request seeks relief from this requirement. The property, a 11.77-acre lot, recently divided from Parcel #8242-4400004 via Quit Claim Deed (Document #2025-04352, filed May 8, 2025, Woodbury County Recorder's Office), is located in T86N R42W (Union Township), Section 21, SW 1/4 of the SE 1/4 and is in the Agricultural Preservation (AP) Zoning District. Property Owners/Applicants: Kirby Eli and Jeanneen Eli, 25273 Corwin Ct., Sioux City, IA 51106. COL-IA-501816

PROPERTY OWNER(S) NOTIFICATION

Property Owners within 500 Feet:	11
Notification Letter Date:	May 15, 2025
Public Hearing Board:	Board of Adjustment
Public Hearing Date:	June 2, 2025
Phone Inquiries:	0
Written Inquiries:	1
The names of the property owners are listed below.	
When more comments are received after the printing of this packet, they will be provided at the meeting.	



PROPERTY OWNER(S)	MAILING ADDRESS	COMMENTS			
Morningside University	PO Box 67 #1170 Morningside County Farm	Storm Lake	IA	50588	No comments.
Lindberg Heritage Farms, LLC	3021 Quail Court	Oklahoma City	OK	73120-5706	No comments.
Chad A. Hofer and Candace E. Hofer	1631 County Home Road	Sioux City	IA	51106-6933	No comments.
LeAnn Hurlbut, Trustee of the LeAnn Hurlbut Revocable Trust	604 E. Fenton Street	Marcus	IA	51035-7170	No comments.
Kathy Ann Cole and Albert William Cole, Jr., as Trustees under the Kathy Ann Cole 2006 Revocable Trust	5064 Cherrywood Drive	Des Moines	IA	50265-5457	No comments.
Troy S. DeForrest and Debra J. DeForrest	1861 Buchanan Avenue	Sioux City	IA	51106	No comments.
Peterson Farms, LTD	6490 Mickelson Street	Sioux City	IA	51106	No comments.
Brian D. Peterson and Anita S. Peterson	1739 Charles Avenue	Lawton	IA	51030	No comments.
Woodbury County	620 Douglas Street	Sioux City	IA	51101	I did see the previous email and spoke to our administrative team. They brought up the idea of planting a row of evergreens (along County Home road on the south side of the road) as a visual barrier from our training center/garages. There may also be an opportunity to enter and agreement to allow them some overflow parking if they pay for the trees to be planted. What are your thoughts? – Sherri Chad Sheehan, 5/14/25.
South Woodbury, LLC	600 Stevens Pointe Drive, Suite 350	Dakota Dunes	SD	57049	No comments.
Tyler Meekma and Kristina L. Meekma	1644 County Home Road	Sioux City	IA	51106	No comments.

STAKEHOLDER COMMENTS

911 COMMUNICATIONS CENTER:	No comments.
FIBERCOMM:	No comments.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments.
IOWA DEPARTMENT OF TRANSPORTATION (IDOT):	Only question/clarification would be bus parking on the site development. Buses take up a lot of stalls. – Jessica Felix, 5/1/25. Response to Jessica Felix: Jessica: Thanks for pointing that out. The college indicated the following: “The southeast side of the parking lot off of County Home Rd or 190th is designated for bus parking. I thought we had that in there but it looks like it's just a large blank area at this point. I can have the drawing redone to reflect it if needed.” – from Jason Reynoldson, 5/1/25 Thanks for the follow up. No concerns. – Jessica Felix, 5/1/25
LOESS HILLS NATIONAL SCENIC BYWAY:	No comments.
LOESS HILLS PROGRAM:	No comments.
LONGLINES:	No comments.
LUMEN:	No comments.
MAGELLAN PIPELINE:	No comments.
MIDAMERICAN ENERGY COMPANY (Electrical Division):	I have reviewed the attached conditional use permit application for MEC electric distribution, and we have no conflicts. The requestor should be made aware that we do have facilities located adjacent to the property and any requested relocation or extension of our facilities is subject to a customer contribution. Have a great weekend! – Casey Meinen, 5/1/25.
MIDAMERICAN ENERGY COMPANY (Gas Division):	No comments.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS):	No comments.
NORTHERN NATURAL GAS:	No comments.

NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	Have reviewed this zoning request. NIPCO has no issues with this request. Thanks. – Jeff Zettel, 5/12/25
NUSTAR PIPELINE:	No comments.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	Please be aware that I spoke with a contact for this site; I had informed them that the proposed septic system would need to be permitted publicly through the IDNR. – Ivy Bremer, 5/5/25.
WIATEL:	No comments.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments.
WOODBURY COUNTY EMERGENCY MANAGEMENT:	No comments.
WOODBURY COUNTY EMERGENCY SERVICES:	No comments.
WOODBURY COUNTY ENGINEER:	No comments.
WOODBURY COUNTY RECORDER:	No comments. – Diane Swoboda Peterson, 5/1/25.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No comments.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT:	The WCSWCD has no comments regarding this proposal. – Neil Stockfleth, 5/7/25.
WOODBURY COUNTY TREASURER:	No comments.

PICTOMETRY



Woodbury County, IA / Sioux City

Summary

Parcel ID 884714300005
Alternate ID
Property Address N/A
Sec/Twp/Rng 14-88-47
Brief Tax Description WOODBURY TOWNSHIP W 1/2 OF SW 1/4 OF 14-88-47 (EX ROAD ROW)
(Note: Not to be used on legal documents)
Deed Book/Page 2022-13318 (10/27/2022)
Gross Acres 72.37
Net Acres 72.37
Zoning AP - AGRICULTURAL PRESERVATION
District 0039 WOODBURY/SB/L
School District SGT BLUFF LUTON
Neighborhood N/A

Owner

Deed Holder
 MORNINGSIDE UNIVERSITY
[PO BOX 67](#)
 #1170 MORNINGSIDE-COUNTY FARM
 STORM LAKE IA 50588
Contract Holder
Mailing Address
 #1170 MORNINGSIDE-COUNTY FARM
 PO BOX 67
 STORM LAKE IA 50588

Land

Lot Area 72.37 Acres ;3,152,437 SF

Sales

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
4/28/2022	WOODBURY COUNTY	MORNINGSIDE UNIVERSITY	2022-13318	No consideration	Deed		\$0.00

Valuation

	2025	2024	2023	2022
Classification	Agriculture	Agriculture	Agriculture	Agriculture
+ Assessed Land Value	\$246,270	\$208,790	\$208,790	\$167,020
+ Assessed Building Value	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$246,270	\$208,790	\$208,790	\$167,020
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$246,270	\$208,790	\$208,790	\$167,020

Sioux City Special Assessments and Fees

[Click here to view special assessment information for this parcel.](#)

Woodbury County Tax Credit Applications

Apply for Homestead or Military Tax Credit

No data available for the following modules: Residential Dwellings, Commercial Buildings, Agricultural Buildings, Yard Extras, Permits, Sioux City Tax Credit Applications, Sioux City Board of Review Petition, Photos, Sketches.

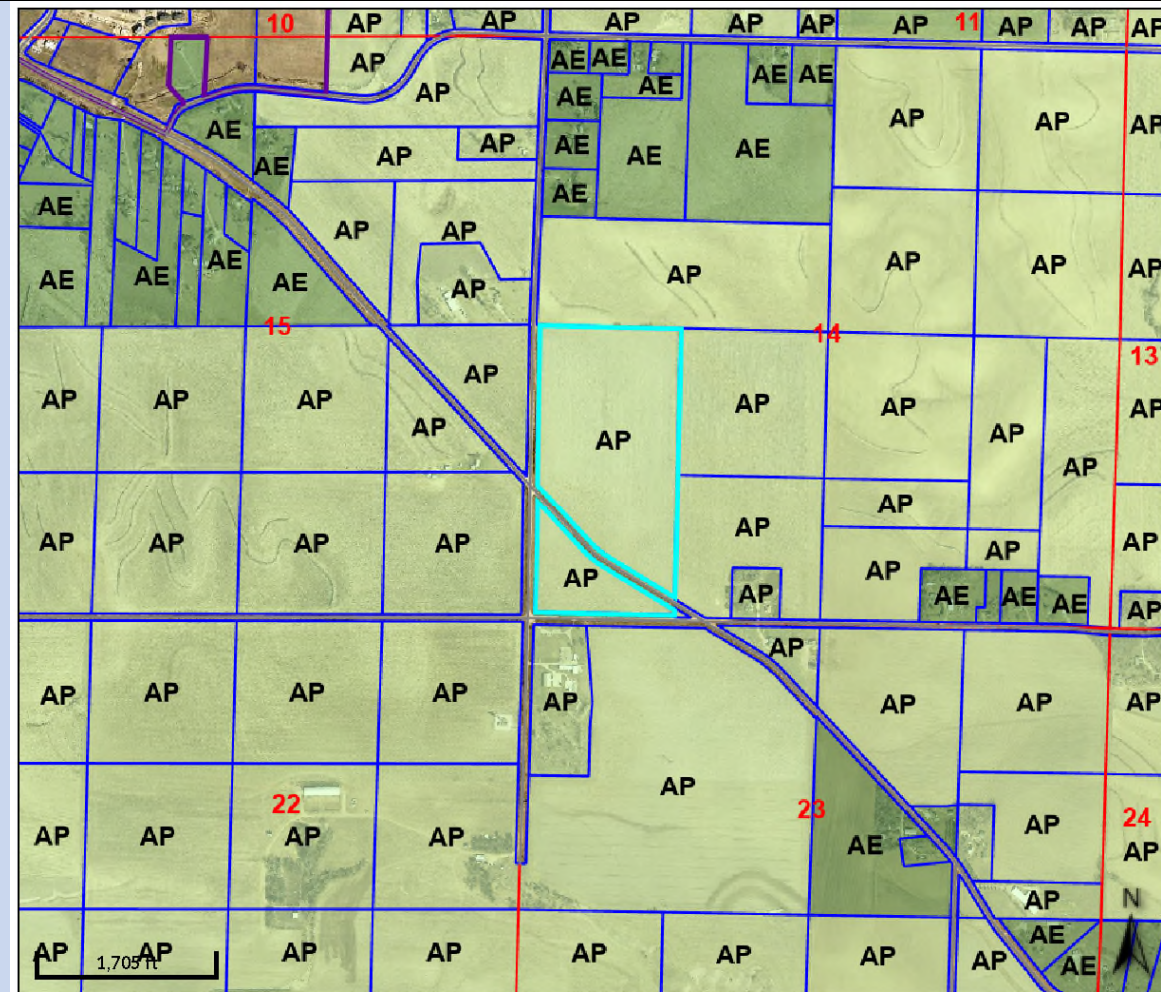
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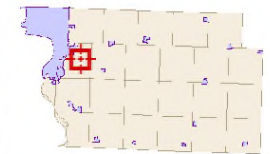
Contact Us

Developed by
 **SCHNEIDER**
 GEOSPATIAL

ZONING MAP



Overview



Legend

- Roads
- Corp Boundaries
- Townships
- Sections
- Parcels
- County Zoning
 - AE
 - AP
 - GC
 - GC-PD
 - GI
 - LI
 - LI-PD
 - SR
 - WR

SPECIAL FLOOD HAZARD AREA (SFHA) MAP



Overview



Legend

- Roads
- Corp Boundaries
- Townships
- Parcels

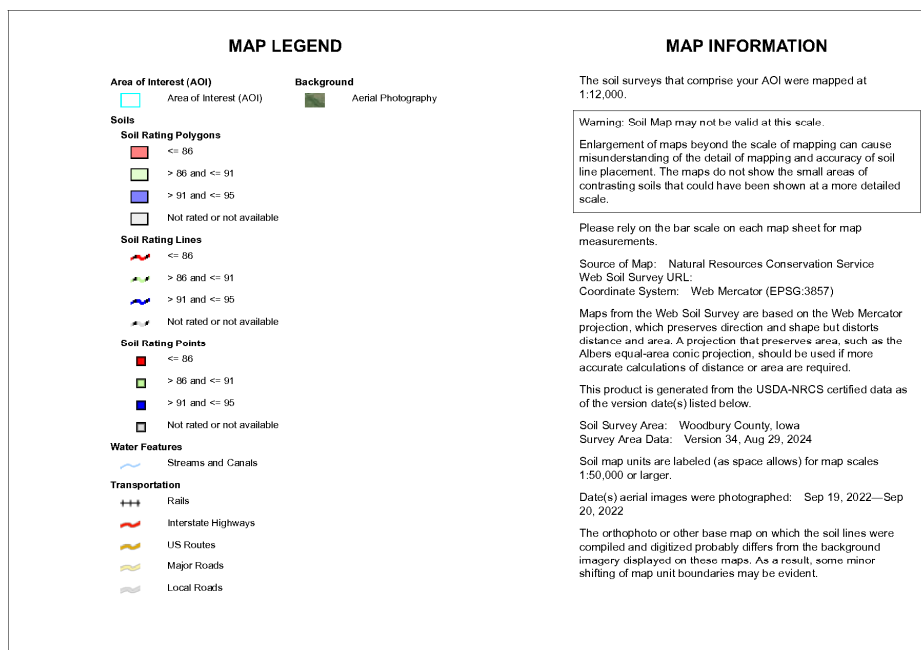
ELEVATION MAP



SOIL REPORT



Iowa Corn Suitability Rating CSR2 (IA)—Woodbury County, Iowa
(894331300012)



USDA Natural Resources Conservation Service

Web Soil Survey National Cooperative Soil Survey

4/29/2025
Page 2 of 3

Iowa Corn Suitability Rating CSR2 (IA)

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
10B	Monona silt loam, 2 to 5 percent slopes	95	9.3	63.4%
10B2	Monona silt loam, 2 to 5 percent slopes, eroded	91	0.4	3.0%
10C2	Monona silt loam, 5 to 9 percent slopes, eroded	86	4.9	33.6%
Totals for Area of Interest			14.6	100.0%

Description

This attribute is only applicable to soils in the state of Iowa. Corn suitability ratings (CSR2) provide a relative ranking of all soils mapped in the State of Iowa according to their potential for the intensive production of row crops. The CSR2 is an index that can be used to rate the potential yield of one soil against that of another over a period of time. Considered in the ratings are average weather conditions and frequency of use of the soil for row crops. Ratings range from 100 for soils that have no physical limitations, occur on minimal slopes, and can be continuously row cropped to as low as 5 for soils that are severely limited for the production of row crops.

When the soils are rated, the following assumptions are made: a) adequate management, b) natural weather conditions (no irrigation), c) artificial drainage where required, d) no frequent flooding on the lower lying soils, and e) no land leveling or terracing. The weighted CSR2 for a given field can be modified by the occurrence of sandy spots, local deposits, rock and gravel outcrops, field boundaries, and noncrossable drainageways. Even though predicted average yields will change with time, the CSR2 values are expected to remain relatively constant in relation to one another over time.

Rating Options

Aggregation Method: No Aggregation Necessary

Tie-break Rule: Higher



WOODBURY COUNTY PLANNING & ZONING

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

712.279.6609 – 712.279.6530 (Fax)

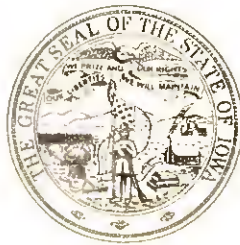
Daniel J. Priestley, MPA – Zoning Coordinator
dpriestley@woodburycountyiowa.gov

Dawn Norton – Senior Clerk
dnorton@woodburycountyiowa.gov

ACCESSORY SECOND DWELLINGS IN IOWA:

Senate File 592, a new Iowa state law approved by Governor Kim Reynolds on May 1, 2025, amends Iowa Code Section 331.301 to regulate accessory dwelling units (ADUs) in counties across the state. This legislation mandates significant changes to county zoning and permitting practices for ADUs, defined as additional residential dwelling units, either attached or detached, on the same lot as a single-family residence.

The legislation is included on the subsequent page.



STATE OF IOWA
KIM REYNOLDS
GOVERNOR

May 1, 2025

The Honorable Paul Pate
Secretary of State of Iowa
State Capitol
Des Moines, Iowa 50319

Dear Mr. Secretary,

I hereby transmit:

Senate File 592, an Act relating to county and city regulation of accessory dwelling units.

The above Senate File is hereby approved on this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Kim Reynolds".

Kim Reynolds
Governor of Iowa

cc: Secretary of the Senate
Clerk of the House



Senate File 592

AN ACT

RELATING TO COUNTY AND CITY REGULATION OF ACCESSORY DWELLING
UNITS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 331.301, Code 2025, is amended by adding the following new subsection:

NEW SUBSECTION. 27. *a.* A county shall allow a minimum of one accessory dwelling unit on the same lot as a single family residence in accordance with the following conditions:

- (1) An accessory dwelling unit shall comply with all applicable building regulations as defined in chapter 103A.
- (2) An accessory dwelling unit shall not exceed one thousand square feet or fifty percent of the size of the single family residence, whichever is larger.
- (3) An accessory dwelling unit shall be prohibited or limited only to the extent that a state historic building code restriction, as adopted by a county in accordance with section 103A.43, subsection 3, a deed restriction, or a rule of a common interest community, as defined in section 499C.1, limits or prohibits the construction or use of an accessory dwelling unit. The imposition of an ordinance, motion, resolution, or amendment regulating accessory dwelling units that is more restrictive when applied to a common interest community than when applied to a single family residence is prohibited.
- (4) If a manufactured home as defined in section 435.1, subsection 3, or a mobile home as defined in section 435.1,

subsection 5, is used as an accessory dwelling unit, the manufactured home or mobile home shall be converted to real property by being placed on a permanent foundation and assessed for real estate taxes pursuant to section 435.26.

b. Except as otherwise provided in paragraph "a" or by state law, a county shall not impose any of the following limitations or restrictions:

(1) Requirements related to the placement or appearance of an accessory dwelling unit that are more restrictive than those imposed on a single family residence including but not limited to the following: maximum building heights; minimum setback requirements; minimum lot sizes; minimum building frontages; maximum lot coverages; density requirements; and aesthetic or architectural standards or requirements. Additionally, a county shall not require an accessory dwelling unit to match the exterior design, roof pitch, or finishing materials of the single family residence.

(2) Regulations on the use of an accessory dwelling unit as a rental property that are more restrictive than those provided for in subsection 18 of this section and chapter 562A.

(3) A requirement that the lot containing a single family residence and an accessory dwelling unit have additional parking beyond that required for a single family residence or payment of a fee in lieu of providing additional parking.

(4) Restrictions on the occupancy of either the single family residence or the accessory dwelling unit by any of the following manners: requiring the property owner to be a resident; requiring a familial, marital, or employment relationship to exist between the occupants of the single family residence and the occupants of the accessory dwelling unit; or restricting the occupancy of an accessory dwelling unit based on income or age.

(5) The requirement of new or separate utility lines between the accessory dwelling unit and public utility service connections. However, if full utility access that includes a separate metering system for billing purposes cannot be provided to the accessory dwelling unit, then the county can require new or separate utility lines.

(6) Imposition of a different county impact fee structure or

development standard for an accessory dwelling unit than those used for the single family residence on the same lot.

(7) The requirement of improvements or repairs to public streets or sidewalks beyond those imposed on the single family residence on the same lot.

c. A county shall approve an accessory dwelling unit permit application that meets the requirements set forth in paragraph "a" and by state law without discretionary review or hearing and consistent with the time frame assigned to the approval of a single family residence. An accessory dwelling unit permit application shall not have a review timeline or schedule in excess of a county's normal review schedule for a single family residence. If the county denies an accessory dwelling unit permit, the reason for denial shall be provided in writing to the applicant and include any remedy necessary to secure approval.

d. A county ordinance, motion, resolution, or amendment regulating accessory dwelling units in a manner that conflicts with this subsection is void. Nothing in this subsection prohibits a county from adopting an ordinance, motion, resolution, or amendment that is more permissive than the requirements provided in this subsection.

e. For the purposes of this subsection:

(1) "*Accessory dwelling unit*" means an additional residential dwelling unit located on the same lot as a single family residence that is either attached to or detached from the single family residence.

(2) "*Detached*" includes being part of any accessory structure such as a detached garage.

(3) "*Dwelling unit*" means the same as defined in section 562A.6, subsection 3.

(4) "*Single family residence*" means the same as defined in section 562A.6, subsection 15, except to the extent that a single family residence may share utility lines with the accessory dwelling unit if full utility access that includes a separate metering system for billing purposes can be provided to the accessory dwelling unit.

Sec. 2. Section 364.3, Code 2025, is amended by adding the following new subsection:

NEW SUBSECTION. 20. *a.* A city shall allow a minimum of one accessory dwelling unit on the same lot as a single family residence in accordance with the following conditions:

(1) An accessory dwelling unit shall comply with all applicable building regulations as defined in chapter 103A.

(2) An accessory dwelling unit shall not exceed one thousand square feet or fifty percent of the size of the single family residence, whichever is larger.

(3) An accessory dwelling unit shall be prohibited or limited only to the extent that a state historic building code restriction, as adopted by a city in accordance with section 103A.43, subsection 3, a deed restriction, or a rule of a common interest community, as defined in section 499C.1, limits or prohibits the construction or use of an accessory dwelling unit. The imposition of an ordinance, motion, resolution, or amendment regulating accessory dwelling units that is more restrictive when applied to a common interest community than when applied to a single family residence is prohibited.

(4) If a manufactured home as defined in section 435.1, subsection 3, or a mobile home as defined in section 435.1, subsection 5, is used as an accessory dwelling unit, the manufactured home or mobile home shall be converted to real property by being placed on a permanent foundation and assessed for real estate taxes pursuant to section 435.26.

b. Except as otherwise provided in paragraph "a" or by state law, a city shall not impose any of the following limitations or restrictions:

(1) Requirements related to the placement or appearance of an accessory dwelling unit that are more restrictive than those imposed on a single family residence including but not limited to the following: maximum building heights; minimum setback requirements; minimum lot sizes; minimum building frontages; maximum lot coverages; density requirements; and aesthetic or architectural standards or requirements. Additionally, a city shall not require an accessory dwelling unit to match the exterior design, roof pitch, or finishing materials of the single family residence.

(2) Regulations on the use of an accessory dwelling unit as a rental property that are more restrictive than those provided

for in subsections 9 and 16 of this section, section 414.1, subsection 1, paragraph "e", and chapter 562A.

(3) A requirement that the lot containing a single family residence and an accessory dwelling unit have additional parking beyond that required for a single-family residence or payment of a fee in lieu of providing additional parking.

(4) Restrictions on the occupancy of either the single family residence or the accessory dwelling unit by any of the following manners: requiring the property owner to be a resident; requiring a familial, marital, or employment relationship to exist between the occupants of the single family residence and the occupants of the accessory dwelling unit; or restricting the occupancy of an accessory dwelling unit based on income or age.

(5) A requirement of new or separate utility lines between the accessory dwelling unit and public utility service connections. However, if full utility access that includes a separate metering system for billing purposes cannot be provided to the accessory dwelling unit, then the city can require new or separate utility lines.

(6) Imposition of a different city impact fee structure or development standard for an accessory dwelling unit than those used for the single family residence on the same lot.

(7) The requirement of improvements or repairs to public streets or sidewalks beyond those imposed on the single family residence on the same lot.

c. A city shall approve an accessory dwelling unit permit application that meets the requirements set forth in paragraph "a" and by state law without discretionary review or hearing and consistent with the time frame assigned to the approval of a single family residence. An accessory dwelling unit permit application shall not have a review timeline or schedule in excess of a city's normal review schedule for a single family residence. If the city denies an accessory dwelling unit permit, the reason for denial shall be provided in writing to the applicant and include any remedy necessary to secure approval.

d. A city ordinance, motion, resolution, or amendment regulating accessory dwelling units in a manner that conflicts

with this subsection is void. Nothing in this subsection prohibits a city from adopting an ordinance, motion, resolution, or amendment that is more permissive than the requirements provided in this subsection.

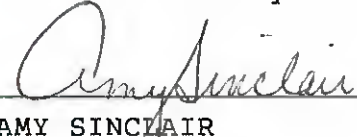
e. For the purposes of this subsection:


(1) "*Accessory dwelling unit*" means an additional residential dwelling unit located on the same lot as a single family residence that is either attached to or detached from the single family residence.

(2) "*Detached*" includes being part of an accessory structure such as a detached garage.

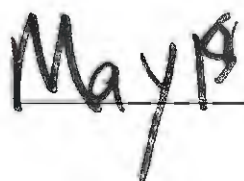
(3) "*Dwelling unit*" means the same as defined in section 562A.6, subsection 3.


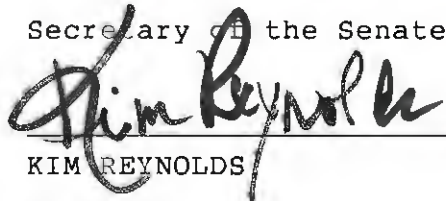
(4) "*Single family residence*" means the same as defined in section 562A.6, subsection 15, except to the extent that a single family residence may share utility lines with the accessory dwelling unit if full utility access that includes a separate metering system for billing purposes can be provided to the accessory dwelling unit.


AMY SINCLAIR
President of the Senate


PAT GRASSLEY
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 592, Ninety-first General Assembly.

Approved , 2025


W. CHARLES SMITHSON
Secretary of the Senate

KIM REYNOLDS
Governor



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

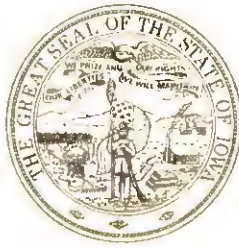
Dawn Norton – Senior Clerk
dnorton@woodburycountyiowa.gov

CHANGES TO VARIANCE PROCEDURES IN IOWA:

On April 25, 2025, Governor Kim Reynolds signed House File 652 (see attached), which amends Iowa Code Sections 335.15 to introduce new provisions governing the variance process for county zoning regulations.

The new subsection, added as Section 335.15(4) for counties, grant the Board of Adjustment the authority to approve variances from area, dimensional, or other numerical limitations in zoning ordinances. These limitations include, but are not limited to, minimum lot size, setbacks, yard widths, height, bulk, sidewalks, fencing, signage, and off-street parking. The intent is to allow flexibility where strict enforcement of an ordinance would cause practical difficulties for a property owner in making beneficial use of their property, as permitted by the zoning ordinance.

The legislation is included on the subsequent page.



STATE OF IOWA
KIM REYNOLDS
GOVERNOR

April 25, 2025

The Honorable Paul Pate
Secretary of State of Iowa
State Capitol
Des Moines, Iowa 50319

Dear Mr. Secretary,

I hereby transmit:

House File 652, an Act concerning county and city regulation of real property and the powers granted to a board of adjustment.

The above House File is hereby approved on this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Kim Reynolds", written over the printed name.

Kim Reynolds
Governor of Iowa

cc: Secretary of the Senate
Clerk of the House



House File 652

AN ACT

CONCERNING COUNTY AND CITY REGULATION OF REAL PROPERTY AND THE
POWERS GRANTED TO A BOARD OF ADJUSTMENT.

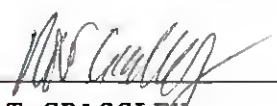
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

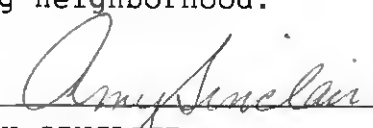
Section 1. Section 335.15, Code 2025, is amended by adding the following new subsection:

NEW SUBSECTION. 4. To authorize on appeal, in specific cases, such variance from the terms of the ordinance with respect to the area, dimensional, or other numerical limitations as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the ordinance will result in practical difficulties to the property owner in making a beneficial use of the property allowed by the zoning ordinance, and so that the spirit of the ordinance shall be observed and substantial justice done. Area, dimensional, or other numerical limitations subject to variances include but are not limited to requirements for minimum lot size, setbacks, yard widths, height, bulk, sidewalks, fencing, signage, and off-street parking. To receive the requested area, dimensional, or other numerical variance, the property owner must prove that the practical difficulties faced are unique to the property at issue and not self-created and must also demonstrate that granting the variance will not significantly alter the essential character of the surrounding neighborhood.

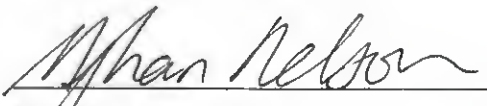
Sec. 2. Section 414.12, Code 2025, is amended by adding the following new subsection:

NEW SUBSECTION. 4. To authorize on appeal, in specific cases, such variance from the terms of the ordinance with respect to the area, dimensional, or other numerical limitations as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the ordinance will result in practical difficulties to the property owner in making a beneficial use of the property allowed by the zoning ordinance, and so that the spirit of the ordinance shall be observed and substantial justice done. Area, dimensional, or other numerical limitations subject to variances include but are not limited to requirements for minimum lot size, setbacks, yard widths, height, bulk, sidewalks, fencing, signage, and off-street parking. To receive the requested area, dimensional, or other numerical variance, the property owner must prove that the practical difficulties faced are unique to the property at issue and not self-created and must also demonstrate that granting the variance will not significantly alter the essential character of the surrounding neighborhood.

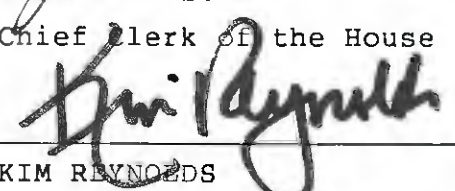

PAT GRASSLEY
Speaker of the House


AMY SINCLAIR
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 652, Ninety-first General Assembly.


MEGHAN NELSON
Chief Clerk of the House

Approved April 25th, 2025


KIM REYNOLDS
Governor