

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:



**WOODBURY COUNTY
ZONING COMMISSION**

WOODBURY COUNTY COURTHOUSE
620 DOUGLAS STREET
SIOUX CITY, IA 51101

To: Woodbury County Board of Supervisors
620 Douglas Street
Sioux City, Iowa 51101

From: Christine Zellmer Zant, Chair
Woodbury County Zoning Commission

Date: June 24, 2025

Subject: Zoning Commission Recommendation Accessory Second Dwellings

Dear Members of the Board of Supervisors,

The Woodbury County Zoning Commission convened on June 23, 2025, to address zoning ordinance text amendments for accessory dwelling units (ADUs) to comply with Iowa Senate File 592. Following discussion and consideration of public input, the Commission unanimously (5-0) recommends approval of the proposed zoning ordinance text amendments (see attached).

The discussion centered on aligning the county's zoning ordinance with Senate File 592, signed into law on May 1, 2025, which mandates that counties permit at least one ADU on lots with a single-family residence, subject to specific conditions. The proposed amendments adopt the state's minimum standards, allowing ADUs of at least 1,000 square feet or 50% of the primary dwelling's size, whichever is greater, while maintaining the 23-foot minimum dimension requirement for building permits. The Commission noted that other jurisdictions are similarly adapting to this law, particularly regarding infrastructure concerns like wells and septic systems. The recommendation to adhere strictly to state minimums allows for future re-evaluation if demand for larger ADUs arises.

No public comments were received during the June 23 meeting, either in person or via phone, though the opportunity for input was provided. The Commission viewed this as a housekeeping matter to ensure compliance with state law, with flexibility for future adjustments based on community needs or feedback.

The Commission believes these amendments fulfill the county's obligation to align with state requirements while maintaining a straightforward approach. We respectfully submit this recommendation for your approval and look forward to your review during the public hearing process.

See attached recommended framework.

Please refer to the draft copy of the Zoning Commission minutes for details about the Commission's recommendation.

Respectfully submitted,


Christine Zellmer Zant, Chair
Woodbury County Zoning Commission

Dated this 24 day of June, 2025

DRAFT –
SUBJECT TO CHANGES THROUGHOUT THE REVIEW PROCESS

ORDINANCE NO. _____

WOODBURY COUNTY, IOWA

AN ORDINANCE AMENDING THE TEXT OF THE WOODBURY COUNTY ZONING ORDINANCE TO BRING THE ZONING ORDINANCE INTO COMPLIANCE WITH THE CODE OF IOWA AS IT RELATES TO ACCESSORY SECOND DWELLINGS IN UNINCORPORATED WOODBURY COUNTY.

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

Amendment 1:

On page 32, in Section 3.03.4, in the Land Use Summary Table of Allowed Uses in each Zoning District, to repeal the line item entitled “Accessory second dwelling for relative or worker on property” and all of its designated uses in each Zoning District column entitled AP Agricultural Preservation, AE Agricultural Estates, NR Non-Agricultural Residential, SR Suburban Residential, GC General Commercial, HC Highway Commercial, LI Limited Industrial, and GI General Industrial, and replace with a new line item entitled “One Accessory Dwelling” and designate the following uses in each Zoning District column as follows by placing: “ok” (Principal allowed use) in the AP Agricultural Preservation column; “ok” (Principal allowed use) in the AE Agricultural Estates column; “ok” (Principal allowed use) in the NR Non-Agricultural Residential column; “ok” (Principal allowed use) in SR Suburban Residential column; “--” (Prohibited use) in the GC General Commercial column; “--” (Prohibited use) in the HC Highway Commercial column; “--” (Prohibited use) in the LI Limited Industrial column; and “--” (Prohibited use) in the GI General Industrial column.

Amendment 2:

On page 43, in Section 4.04: Lot Requirements, to repeal “2. Number of Residential Structures. Not more than one principal residential structure shall be constructed, structurally altered or used for residential purposes on any zoning lot except as allowed by conditional use or planned development” and to replace with the following:

"2. Number of Residential Structures. Only one principal residential structure may be constructed, structurally altered, or used for residential purposes on any zoning lot. Additionally, at least one accessory dwelling unit (ADU)—defined as a secondary residential dwelling unit located on the same lot as a single-family residence, either attached to or detached from it—shall be permitted on the same lot as a single-family residence, in accordance with Iowa Code 331.301.(27)."

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 _____

DRAFT –

SUBJECT TO CHANGES THROUGHOUT THE REVIEW PROCESS

Woodbury County Zoning Commission Meeting Minutes

Date: June 23, 2025

Time: 5:00 PM

Location: Board of Supervisors' Meeting Room, Basement, Woodbury County Courthouse, 620 Douglas Street, Sioux City, IA

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=a5z4GlaHc2o>

Attendees

- **Commissioners Present:** Chris Zellmer Zant – Chair, Tom Bride – Vice Chair, Steve Corey, Jeff Hanson, Corey Meister
- **Staff Present:** Dan Priestley – Zoning Coordinator, Dawn Norton – Senior Clerk
- **Supervisor(s) Present:** Kent Carper
- **Public Attendees:** Kevin Heiss, Slater Ohm, Dana Neal (via phone), Lynn Drees (via phone)

Call to Order

Chair Chris Zellmer Zant called the meeting to order at 5:00 p.m. The Chair reviewed the meeting procedures, including the audiotaping of the meeting, the preparation of minutes, the request for cell phones to be turned off or set to vibrate, and the requirement for attendees to complete the attendance sheet. The Chair also outlined the public hearing procedures, including staff reports, applicant presentations, public comments (limited to three minutes per speaker), and the closure of hearings by motion and vote.

Roll Call

All the commissioners were present.

Public Comment on Matters Not on the Agenda (Information Item)

The Chair inquired if there were any public comments on matters not on the agenda. Seeing and hearing none, the meeting proceeded.

Approval of Minutes from Previous Meeting: May 28, 2025 (Special Meeting) (Action Item)

The Chair asked for any corrections or comments regarding the minutes from the previous meeting on May 28, 2025. Hearing none, a motion was entertained.

- **Motion:** To approve the minutes from the last meeting of May 28, 2025.
- **Moved by:** Tom Bride
- **Seconded by:** Corey Meister
- **Vote:** All in favor said "Aye." One commissioner (Jeff Hanson) abstained due to absence from the previous meeting.
- **Action:** The minutes of the previous meeting were approved.

5. Items of Business

a. Public Hearing and Action Item: Consideration of Nuclear Energy Facilities and Nuclear Waste Storage in the Woodbury County Zoning Ordinance (Action Item)

The public hearing was opened with Dan Priestley explaining that this discussion was a continuation from previous months (dating back to August/September 2024) regarding the inclusion of nuclear energy facilities, nuclear waste storage, and related uses in the Woodbury County Zoning Ordinance. He highlighted the complexity of the issue, noting the heavy involvement of federal (Nuclear Regulatory Commission - NRC) and state regulations.

Priestley explained that the existing Woodbury County Zoning Ordinance's land use summary table includes "electrical energy generation, not including wind," which could be interpreted to include nuclear facilities as a conditional use. However, the standard 500-foot public notification distance for conditional use permits was deemed insufficient for nuclear facilities. The current proposal extends this notification zone to 10 miles for any conditional use permit process related to nuclear energy or waste storage. This proposal utilizes the existing zoning ordinance infrastructure, requiring review by both the Zoning Commission and the Board of Adjustment.

Priestley clarified that the Board of Supervisors initiated this process to receive a recommendation from the Zoning Commission, with the Supervisors ultimately having up to three public hearings on any final proposal. He noted that public input had been collected over several meetings, and while not as extensive as for wind or solar energy, both support and opposition comments had been received.

Priestley presented a "Nuclear Energy Public Comments 2014-2025" document, summarizing past comments, and requested it be received into the public record.

- **Motion:** To receive the "Nuclear Energy Public Comments 2014-2025" document into the public record.
- **Moved by:** Tom Bride
- **Seconded by:** Jeff Hanson
- **Vote:** All in favor said "Aye."
- **Action:** The document was received into the public record.

Priestley then summarized key public comments:

- **Support:** Mayor Bob Scott (Sioux City), Kyle Gates (Secondary Roads), Mayor Ken Bauer (Correctionville), and Craig Levine and Rick Plathe (Northwest Iowa Building and Construction Trade Council).
- **Opposition:** Jerry Holder (concerns regarding waste risk and potential malfunctions), Janet Kruger (opposing nuclear activities, urging prohibition without public approval).
- **Other Comments:** Wendy Hess (9/11 Dispatch Center readiness, staff training, emergency exercises, budget increases), Mark Nara (former County Engineer, regarding infrastructure impact and NRC alignment), Patty Riesberg (clarified NRC's regulatory role). Brian Bergeon from the NRC had also provided details on their independent regulatory and licensing process in a previous packet.

Priestley reiterated that the local conditional use permit process allows for scrutiny and engagement with other levels of government, similar to telecommunication towers. He emphasized that the proposed ordinance amendment specifically defines "nuclear energy facilities" and "nuclear waste storage" and adds them to the land use summary table **only in the general industrial zoning district**. The 10-mile notification radius is a key added feature.

The Chair then opened the floor for public comments on this item.

- **Public Comment:** No one present in the room wished to comment.
- **Public Comment (via phone):** Lynn Drees (phone) from Danbury stated, "no comment." No other callers wished to comment.

The Chair then invited comments from the commissioners.

- Dan Priestley clarified that this process is proactive, and no specific nuclear project has been proposed or approached staff/county. The purpose is to determine if it should be a permitted use in the ordinance.
- Commissioner Tom Bride reiterated that the current ordinance covers electrical energy generation, but the proposed language provides more detail as recommended by the County Attorney's office.
- Dan Priestley explained that the County Attorney felt the previous language wasn't specific enough and that clearer definitions would prevent interpretation issues if an application were submitted. He also stressed the importance of the 10-mile notification over the standard 500 feet to avoid potential problems. He noted that the costs of extensive notifications for a 10-mile radius would be passed on to the applicant, aligning with the county's zoning fee schedule to prevent massive county expenses for wider-scale conditional uses.
- Commissioner Jeff Hanson emphasized that defining nuclear energy clarifies the language and expands the notification distance, which are important considerations.
- Dan Priestley reinforced that a conditional use permit is a "maybe" permit, not a "yes," allowing full scrutiny and public engagement in the process. He noted the difficulty of discussing hypotheticals without a specific project but stressed the importance of having a clear framework in the ordinance for potential future proposals.

The Chair inquired about the next steps. Dan Priestley explained that the commission could close the public hearing and then make a recommendation to the Board of Supervisors or continue the discussion. If a recommendation is sent, the Board of Supervisors would then consider scheduling up to three public hearings, which often draw more public engagement.

- **Motion:** To close the public hearing.
- **Moved by:** Jeff Hanson
- **Seconded by:** Corey Meister
- **Vote:** All in favor said "Aye."
- **Action:** The public hearing was closed.

Commissioner Jeff Hanson commented that this was the 12th time the issue had been heard at various levels.

- **Motion:** To recommend to the Board of Supervisors to move forward with the language as presented in draft pages 11, 12, 13, and 14 of the packet, which specifically defines nuclear energy facilities and nuclear waste storage.
- **Moved by:** Jeff Hanson
- **Seconded by:** Steve Corey

Discussion on the motion:

- Supervisor Kent Carper asked if specific locations were picked out. Dan Priestley clarified that the proposed ordinance would only allow these uses in **general industrial areas**, typically south of the airport and west of Interstate 29, not in agricultural or residential zones.
- Dan Priestley added that the Board of Supervisors has the prerogative to adjust the language during their three public hearings, as the Zoning Commission's output is a recommendation.
- Commissioner Tom Bride clarified that the motion is not targeting new areas but is clarifying language, notification, and conditions for existing general industrial zones. He reiterated that the 10-mile notification is a significant improvement over 500 feet.
- Dan Priestley further clarified that both nuclear energy facilities and nuclear waste storage would be distinct, classified as conditional uses, and subject to the 10-mile notification apparatus.
- **Vote:** All in favor said "Aye." (Unanimous)
- **Action:** The commission voted unanimously to recommend to the Board of Supervisors to move forward with the proposed language for nuclear energy facilities and nuclear waste storage in the Woodbury County Zoning Ordinance.

b. Public Hearing and Action Item: Consideration of Zoning Ordinance Text Amendments for Accessory Dwelling Units to Comply with Iowa's Senate File 592 (Action Item)

The public hearing was opened with Dan Priestley stating this was a housekeeping item to bring the county ordinance into compliance with Iowa Senate File 592. This state law, signed by Governor Kim Reynolds on May 1st, mandates that counties allow at least one accessory dwelling unit (ADU) on the same lot as a single-family residence, subject to specific conditions, and prohibits certain restrictive regulations.

Priestley explained that the state standard sets a minimum threshold of 1,000 square feet or 50% of the size of the existing dwelling, whichever is greater. While the state code allows counties flexibility to permit larger ADUs, the current proposal strictly follows the state's minimums. He noted that other jurisdictions (counties and cities) would also be grappling with the implications of this new law, particularly concerning wells and septic. He mentioned that the 23-foot minimum dimension for a dwelling would still apply for building permits.

Priestley stated that the staff's recommendation is to simply react to the state standard and keep the minimums, allowing for future re-evaluation if demand necessitates larger ADUs. He stressed that the county has a duty to make its ordinance compatible with state law.

The Chair then opened the floor for public comments on this item.

- **Public Comment:** No one present in the room wished to comment.
- **Public Comment (via phone):** No one wished to comment.

The Chair then invited comments from the commissioners.

- **Motion:** To close the public hearing.
- **Moved by:** Tom Bride
- **Seconded by:** Jeff Hanson
- **Vote:** All in favor said "Aye."
- **Action:** The public hearing was closed.

Commissioner Tom Bride commented that there is no alternative but to align with state code. He agreed with Dan Priestley that there is no immediate reason to allow larger structures beyond the state's minimums (1,000 sq ft or 50% of the existing dwelling). He viewed it as a housekeeping issue, with potential future reviews if needs arise. Other commissioners agreed.

- **Motion:** To recommend to the Board of Supervisors the approval of the zoning ordinance text amendments for accessory dwelling units in compliance with Senate File 592, as outlined in the draft on pages 48 and 49 of the packet.
- **Moved by:** Tom Bride
- **Seconded by:** Corey Meister
- **Vote:** All in favor said "Aye." (Unanimous)

- **Action:** The commission voted unanimously to recommend to the Board of Supervisors the approval of the zoning ordinance text amendments for ADUs, aligning with Senate File 592.

c. Review of a Conditional Use Permit Application: Kevin Heiss (Applicant) / Rent Properties, LLC (Owner) for an Off-Premise LED Billboard (Action Item)

Dan Priestley clarified that this was a review session, not a public hearing, which would take place at the Board of Adjustment meeting on July 7th at 5:00 p.m. The Zoning Commission's duty was to review the criteria, evaluate the application, and hear from the applicant and potentially the public.

Kevin Heiss, representing Rent Properties LLC, submitted a conditional use permit application to construct and operate a 14-foot by 48-foot LED billboard for off-premise advertising. The property is located in the north two-thirds of the north half of the northwest quarter, Section 6, Floyd Township, situated along the south side of Highway 20 and east of Charles Avenue, within the General Commercial zoning district. Off-premise advertising signs are classified as a conditional use in this district.

Priestley noted that the property includes a floodplain, and the applicants are aware of the need for a floodplain development permit and building permit. He confirmed that initial data suggests the sign would not be in the floodway, which was a concern for the Iowa DNR. He reiterated that the county does not regulate content but evaluates the billboard itself, which is a two-sided, V-shaped LED billboard. The application addresses criteria such as appropriate zoning, compatibility with development plans, and potential adverse effects.

The Chair invited the applicant to speak.

- **Kevin Heiss (Applicant):** Stated the intent is for advertising, including for his own nearby businesses. They are working with SRA Group for construction and have ensured the operation will be well-maintained. He believes the location is suitable for a highly trafficked commercial area along Highway 20. Heiss confirmed they had consulted with Dan Priestley multiple times to ensure compliance with the process.

Commissioners' questions for the applicant:

- **Distance to Residents:** Kevin Heiss stated there are no residents within 1,000 feet, and nearby properties are commercial. Dan Priestley confirmed the presence of mixed districts in the area, with some residential properties further up the hill (Boatman's and Amick's on 162nd Street) that could be about 1,000 feet away. The ordinance specifically regulates distance from AE (Agricultural Estates) districts, where housing is expected, but not AP (Agricultural Preservation).
- **Lighting and Brightness:** Heiss stated it's a 21-millimeter LED product, which is extremely bright during the day to overcome the sun but dims at night like a "television night mode." He confirmed the back side of the V-shaped sign would be black and not emit light towards residential areas. He emphasized they chose Daktronics, a reputable company, to ensure proper design and operation.
- **DOT Requirements:** Heiss confirmed compliance with DOT requirements, which require 300 feet between signs, whereas Woodbury County's current ordinance requires 1,000 feet. This 1,000-foot county requirement makes placement challenging. Heiss and Priestley described a "chasing the result" scenario with DOT, where each wanted the other's approval first, but dialogue has been good.
- **Setbacks:** Heiss confirmed the sign is set back significantly from Highway 20 and Charles Avenue, likely in the middle of his field, approximately 150 feet from the Charles Avenue right-of-way line.
- **Letter of Support:** Dan Priestley presented a letter from Jerry and Vernell Steffan, neighbors at 1528 Jewel, stating they had "no issues with this request." He identified their property as directly abutting the applicant's property.
 - **Motion:** To receive the letter from Jerry and Vernell Stefan into the record.
 - **Moved by:** Tom Bride
 - **Seconded by:** Corey Meister
 - **Vote:** All in favor said "Aye."
 - **Action:** The letter was received into the record.

Public Comment (via phone): Dana Neal (162nd Street):

- Expressed concern that his home is within 1,000 feet of the proposed sign, despite measurements. His home is also 45 feet higher than the road. He worried the sign, which will be 25-30 feet off the ground, would shine directly into his windows.
- He stated he and his family built their home on their family farm for a country living experience, avoiding city nuisances like streetlights. He noted that he can see an existing billboard a mile away from his deck at night.
- He feared the double-sided 14x48 billboard would significantly impact his home's value and privacy, similar to how LED lights light up a building on a hill nearby.

- He asked if another location farther from homes could be considered.

Response to Dana Neal's comments:

- Kevin Heiss acknowledged the difficulty of finding locations due to the 1,000-foot separation requirement from other billboards, stating "we're in the middle of the rock." He emphasized the V-shape design focuses light on the road, with the back side being black to prevent light spill.
- Commissioner Corey Meister asked if the entire 67-acre parcel belonged to Heiss, which he confirmed, except for where Hobart's is located.
- Chair Chris Zellmer Zant noted a previous billboard existed near Steffan's property. Heiss confirmed it still exists and is in use, but their new sign cannot be placed there due to the 1,000-foot separation rule from other signs across the road.
- Kevin Heiss reiterated that the sign's design is specifically angled to face east and westbound traffic on Highway 20, minimizing light towards other directions. He confirmed there would be no additional security lighting.
- Dana Neal clarified his property location relative to the sign. He expressed concern about the entire "area lit up" at night. He requested to see the proposed sign in person and for the opinions of the Boatman's and Amick's (other residents on 162nd Street) to be considered.
- Kevin Heiss agreed to have a conversation with Dana Neal to explore design adjustments to help mitigate concerns. He expressed a desire to work with the community.
- Heiss explained that if a variance were granted to reduce the 1,000-foot separation from other signs, they could move the billboard closer to Highway 20. This would also benefit residents by lowering the sign and changing its angle relative to their homes.

Discussion on a potential variance:

- Commissioner Tom Bride asked if a variance could be requested to relocate the sign to a better position to minimize impact on residents.
- Dan Priestley explained that while a variance is a possibility, recent changes to Iowa Code emphasize "practical difficulty" over "economic hardship." He cautioned against speculation on the Board of Adjustment's decision and stated staff generally avoid recommending variances due to their uncertain outcome.
- Kevin Heiss stated their primary goal was approval of the current location and that they would consider a variance later if needed but wanted conceptual approval first due to cost.
- Dan Priestley clarified that the Zoning Commission makes a recommendation, and the application will proceed to the Board of Adjustment regardless. He suggested a potential contingency for approval contingent on a variance, but again, stressed caution.
- Priestley also asked if the LED signs could be timed to dim or shut off at certain hours (e.g., midnight to 5 AM) to mitigate light pollution. Heiss replied that most digital signs are on 24/7 due to advertising sales, and dimming is already built in for nighttime, but completely shutting off or further dimming would make them ineffective.
- Commissioner Bride suggested that the applicant try to address the neighbors' concerns between now and the Board of Adjustment meeting on July 7th, perhaps by showing them existing similar signs or providing a visualization of the light impact. Heiss agreed to reach out to Dana Neal and share information.
- Dan Priestley confirmed that letters were sent to properties within the 500-foot threshold (as per the certified abstract listing).
- Heiss mentioned similar V-shaped LED signs at Hamilton and Casey's, by the Arena, and on I-29 near Outback, and at Third and Wesley Parkway as examples of what the proposed sign would look like. He also confirmed height restrictions are in place (not 35 feet, more like 18 feet off the ground).

Final comments from commissioners before motion:

- Commissioner Jeff Hanson stated he had no issue with the proposed location and thought other lit billboards in the area were more impactful. He would prefer the sign to be moved further north (closer to Highway 20) to protect future commercial development potential, as its current south placement pushes potential development further into residential areas. He agreed that moving it north would benefit adjacent landowners.
- Kevin Heiss reiterated their desire to work with the community and do things "right."
- **Motion:** To make a recommendation to the Board of Adjustment to consider the conditional use permit application for an off-premise billboard (14 ft x 48 ft), partially identified on the agenda, with a recommendation for approval.
- **Moved by:** Jeff Hanson
- **Seconded by:** Corey Meister

Discussion on the motion:

- Dan Priestley clarified that the recommendation was for approval.

- Commissioner Tom Bride suggested that the letter reflecting the commission's recommendation for approval should also include a discussion point for the Board of Adjustment to consider the possibility of a variance to address neighbor concerns, and the discussion regarding the benefits of moving the sign closer to Highway 20. Dan Priestley confirmed the letter would reflect the recommendation, touch on themes/concerns, and direct the Board of Adjustment to the minutes.
- **Vote:** All in favor said "Aye." (Unanimous)
- **Action:** The commission voted unanimously to recommend approval of the conditional use permit application for the billboard to the Board of Adjustment, with concerns noted for their consideration regarding potential variances and optimal placement. This item will be continued at the Board of Adjustment meeting on July 7th at 5:00 p.m.

Public Comment on Matters Not on the Agenda

The Chair inquired if there were any public comments on matters not on the agenda. Seeing and hearing none, the meeting proceeded.

Staff Update

Dan Priestley provided the following updates:

- **Morningside University Conditional Use Permit Ballpark Proposal:** The Board of Adjustment tabled this proposal at their last meeting for further consideration on July 7th. Public comments from the Zoning Commission and three property owners were reiterated at the Board of Adjustment, focusing on traffic, sound, and lighting issues. Jason Reynoldson, representing Morningside University, met with Priestley and the County Engineer to discuss traffic flow, including potential turning lanes and infrastructure improvements if traffic increases. They are awaiting information from Laura Sievers. Morningside University is expected to return on July 7th with further clarity on addressing these concerns.
- **Board of Supervisors Updates:**
 - **Borrow Pit:** The Board of Supervisors will hold their second public hearing on the borrow pit on June 24th and the third and final one on July 1st.
 - **New Cooperative Rezone:** They will have their third and final reading on this rezone on June 24th

Commissioners' Comments or Inquiries

The Chair asked if there were any comments or inquiries from the commissioners. Hearing none, the meeting moved to adjournment.

Adjournment

- **Motion:** To adjourn the meeting.
- **Moved by:** Corey Meister
- **Seconded by:** Jeff Hanson
- **Vote:** All in favor said "Aye."
- **Action:** The meeting was adjourned at 6:44 PM.

APPENDIX – RECEIVED INTO THE RECORD

Please see the content received into the record on the subsequent pages.

NUCLEAR ENERGY PUBLIC COMMENTS 2024 to 2025

The comments on the proposed nuclear energy zoning ordinance amendments in unincorporated Woodbury County reflect a range of perspectives, concerns, and recommendations, summarized by key themes:

- Support for Nuclear Energy (7 comments):**
 - Bob Scott (July 29, 2024; Dec 4, 2024; Jan 3, 2025) strongly supports a small nuclear plant, citing economic benefits, job creation, rate stability, and minimal risks compared to rewards. He also supports wind and solar but questions zoning laws for solar farms on annexed land.
 - Kyle Gates (Jan 16, 2025) endorses nuclear energy, emphasizing safety of modern reactors, economic growth, grid resilience, and innovative uses like waste heat for industry.
 - Ken Bauer (Feb 6, 2025) supports nuclear for its reliability and efficiency, drawing on his Port Neal experience, and criticizes wind/solar as less viable without subsidies.
 - Craig Levine (Mar 14, 2025) and Rick Plathe (Apr 1, 2025), representing Northwest Iowa Building Trades, advocate rezoning industrial land for nuclear, highlighting job creation, low-carbon benefits, and sustainable energy.
- Opposition to Nuclear Energy (2 comments):**
 - Jerry Holder (Aug 6, 2024) opposes nuclear facilities due to risks from waste and malfunctions.
 - Janet Krueger (Mar 24, 2025) strongly opposes nuclear activities, including waste disposal, and urges zoning ordinances to prohibit them without public approval.
- Concerns and Considerations (5 comments):**
 - Wendi Hess (Aug 7, 2024) raises concerns about the 911 Dispatch Center's readiness, noting needs for staff training, emergency exercises, and budget increases.
 - Mark Nahra (July 26, 2025) suggests heavy industrial zoning for nuclear facilities, highlights infrastructure and environmental impacts (traffic, water, waste), and stresses alignment with NRC regulations.
 - Christopher Madsen (Mar 6, 2025) notes the addition of nuclear waste storage to the proposal, requesting research on storage processes and IDNR involvement.
 - Craig Anderson (May 2, 2025) expresses skepticism about nuclear energy, prioritizing agricultural land preservation and questioning its viability without subsidies.
 - Casey Meinen (July 26, 2024) simply forwarded the proposal to management, offering no opinion.
- Regulatory and Technical Clarifications (2 comments):**
 - Patty Riesberg (Mar 20, 2025) clarifies that the NRC regulates nuclear power and waste, with Iowa HHS coordinating on other materials; Iowa DNR has no role.

industrial use, away from residential zones, to minimize public exposure to potential risks.

- Impact Assessment:** He notes potential impacts on infrastructure, such as increased traffic during construction and operation, which could strain county roads. Environmental impacts, including water usage and waste storage, need thorough evaluation.
- Regulatory Framework:** Nahra emphasizes that nuclear facilities are primarily regulated by the Nuclear Regulatory Commission (NRC), and local regulations should align with federal standards to avoid conflicts. He suggests the county focus on zoning and land use controls.

- December 4, 2024 – Bob Scott**
 - Summary:** Bob Scott reiterates his support for a small nuclear plant near the Neal power plants, citing investment benefits and long-term rate stability. He believes the risks of low-level nuclear plants are outweighed by these benefits. Additionally, he asks whether county zoning laws regarding solar farms would apply to annexed city land, indicating a broader interest in land use regulations.
- January 3, 2025 – Bob Scott**
 - Summary:** Bob Scott again expresses support for a small nuclear plant in Woodbury County.
- January 6, 2025 – Diane Swoboda Peterson**
 - Summary:** Diane Swoboda Peterson, Woodbury County Real Estate/Recorder Deputy, provides no comments on the nuclear energy proposal.
- January 16, 2025 – Kyle Gates**
 - Summary:** Kyle Gates strongly supports nuclear energy in Woodbury County, stating he would feel safe with a modern reactor nearby. He suggests considerations including setbacks for security, land restoration after decommissioning, co-location with industries to utilize waste heat (e.g., fertilizer production), grid resilience through distributed power sources, and economic development potential due to lower-cost electricity.
- February 6, 2025 – Ken Bauer**
 - Summary:** Ken Bauer, Mayor of Correctionville, supports nuclear energy, arguing it would be beneficial for the county. Drawing on his 26 years of experience at Port Neal, he considers nuclear plants second only to coal-fired plants in reliability. He criticizes wind and solar energy as less economical and reliant on tax incentives, praising nuclear for its efficiency and minimal landscape impact.
- March 6, 2025 – Christopher Madsen**
 - Summary:** Christopher Madsen, Senior Planner for Sioux City, notes that the proposal now includes nuclear waste storage, which was not previously mentioned. He requests research on the process for establishing a storage facility

- Bryan Bergeon (May 5, 2025) details the NRC's independent regulatory role, licensing process, and oversight of nuclear materials and waste, noting Iowa's Agreement State status.

- No Opinion (1 comment):**
 - Diane Swoboda Peterson (Jan 6, 2025) provides no comments on the proposal.

Key Issues:

- Economic and Environmental Impacts:** Supporters emphasize jobs, growth, and clean energy; opponents and skeptics highlight risks (waste, malfunctions) and farmland loss.
- Zoning and Land Use:** Suggestions include heavy industrial zoning, setbacks, and public input for zoning changes.
- Regulation:** NRC's primary role is emphasized, with local zoning and federal alignment recommended.
- Infrastructure and Preparedness:** Concerns include traffic, water use, and emergency response readiness (e.g., 911 Dispatch).

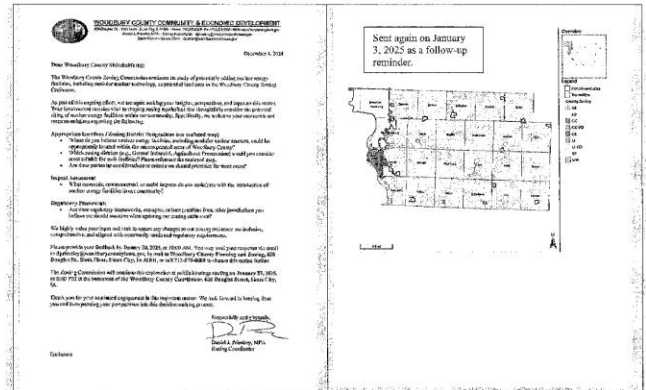
Summaries of Comments by Date and Name

- July 26, 2024 – Casey Meinen**
 - Summary:** Casey forwarded the content to management officials.
 - July 29, 2024 – Bob Scott**
 - Summary:** Bob Scott supports the construction of a nuclear plant south of town, citing its potential to boost the local economy due to construction activity. He also supports wind energy and solar farms. Scott notes that nuclear plants are highly regulated, suggesting minimal local regulatory burden.
 - August 6, 2024 – Jerry Holder**
 - Summary:** Jerry Holder opposes any nuclear facilities in Woodbury County, citing the catastrophic risks associated with nuclear waste and malfunctions.
 - August 7, 2024 – Wendi Hess**
 - Summary:** Wendi Hess, Communications Center Director, expresses concerns about the impact of a nuclear facility on the 911 Dispatch Center. She highlights the need for additional staff training and participation in emergency exercises, which would require increased budgetary allocations for overtime and training funds. She is unsure if specific certifications would be required for staff.
 - July 26, 2025 – Mark Nahra**
 - Summary:** Mark Nahra, Woodbury County Engineer, provides preliminary thoughts on nuclear energy, reserving the right to add further comments later. His responses to Daniel Priestley's July 26, 2024 email are as follows:
 - Appropriate Locations / Zoning District Designation(s):** Nahra suggests that nuclear facilities should be located in areas zoned for heavy
- and the involvement of other entities, such as the Iowa Department of Natural Resources (IDNR), to inform further review.
- March 20, 2025 – Patty Riesberg**
 - Summary:** Patty Riesberg, Bureau Chief for the Bureau of Radiological Health with Iowa HHS, clarifies the regulatory framework for nuclear energy and waste storage. She states that the Nuclear Regulatory Commission (NRC) regulates all commercial nuclear power and spent nuclear fuel in the U.S. through licensing, inspections, and enforcement. Iowa HHS coordinates with the NRC on other radioactive materials, but the Iowa DNR has no regulatory role in nuclear power plants or waste storage. She advises close coordination with the NRC for compliance.
 - March 24, 2025 – Janet Krueger**
 - Summary:** Janet Krueger, along with Randy Krueger, strongly opposes nuclear-related activities, including waste disposal, in Woodbury County. They advocate for zoning ordinances to expressly prohibit such activities, requiring public input for any future proposals. They emphasize preventing nuclear activities unless explicitly approved through zoning changes.
 - March 14, 2025 (Submitted April 1, 2025) – Craig Levine**
 - Summary:** Craig Levine, President of Northwest Iowa Building Trades, in a letter co-signed by multiple union representatives, supports rezoning industrial land to allow nuclear energy production, including small modular reactors. He highlights nuclear energy's reliability, low-carbon benefits, and potential to drive economic growth, create jobs, and support sustainable energy. The letter emphasizes aligning with forward-thinking policies and advocates for safe, responsible integration of nuclear facilities.
 - April 1, 2025 – Rick Plathe**
 - Summary:** Rick Plathe, Business Manager of IBEW Local 231, submits a letter of support from Northwest Iowa Building Trades (authored by Craig Levine) endorsing the rezoning of industrial land for nuclear energy. He offers to address any questions or concerns, reinforcing the unions' collective support for the initiative.
 - May 2, 2025 – Craig Anderson**
 - Summary:**
 - Appropriate Locations / Zoning District Designation(s):** Implies nuclear facilities should avoid prime farmland, prioritizing agricultural land preservation.
 - Impact Assessment:** Expresses concern about losing prime farmland, advocating for Iowa's land use to favor agriculture.
 - Regulatory Framework:** Should focus on agriculture. Does not address specific regulations, focusing on land use policy.

- **Additional Comments:** Skeptical of nuclear energy's desirability, suggesting public opposition and questioning its viability without tax incentives. Advocates for agricultural land use balance.

17. May 5, 2025 – Bryan Bergeon

- **Summary:** Bryan Bergeon, Acting Region III Government Liaison Officer for the NRC, provides a detailed explanation of the NRC's role as a regulator of civilian nuclear materials, emphasizing its independence and focus on public health, safety, and security. He outlines the NRC's regulatory mission covering reactors, materials, and waste, and the complex, multi-year licensing process governed by federal laws and 10 CFR regulations. Bergeon clarifies that the NRC does not advocate for nuclear energy (unlike the Department of Energy) and regulates waste storage, including low-level and high-level waste. He notes Iowa's status as an Agreement State for certain nuclear materials and advises prospective applicants to engage with the NRC's licensing process.



PUBLIC COMMENTS

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

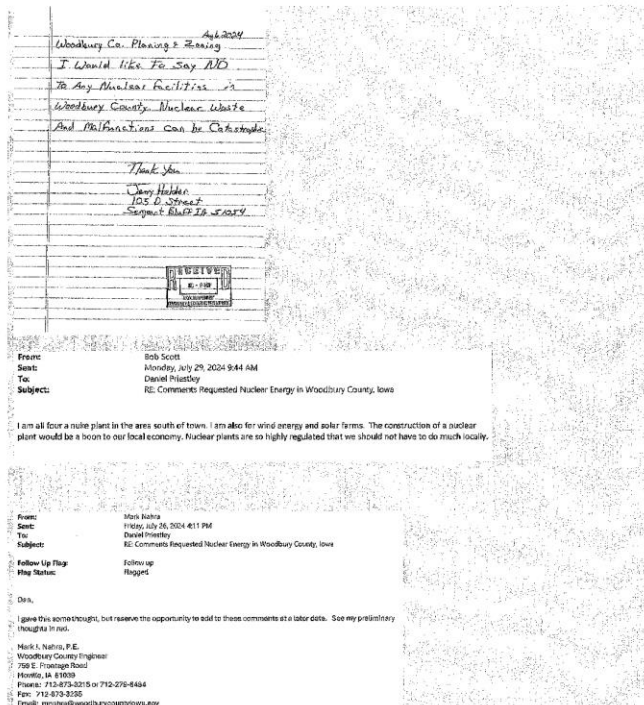
Follow Up Flag: Follow up
Flag Status: Flagged

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

Thanks,
Wendt

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

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From: Daniel Priestley <dpriestley@woodburycounty.org>
Sent: Friday, July 26, 2024 12:24 PM
To: Wendt Hess <whess@sioux-city.org>
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 Designations(s)

- Where do you believe nuclear energy facilities, including modular nuclear reactors, could be appropriately sited within the unincorporated area of Woodbury County? I think the General Industrial zoning area is the best for these facilities with the restriction of siting 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 "unincorporated" 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.

- Within zoning districts do you think would be most suitable for accommodating nuclear energy facilities (General Industrial, Agricultural Preservation, etc.)? Some are included. Do not include your actions at this time regarding other siting areas.
- 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 facilities. I am not sure what this looks like as it has been today, but it should be noted as a consideration in developing a siting ordinance. Additional concerns may include areas that are adjacent to existing housing, distance from water or sensitive natural resources, and drainage characteristics, effects from highways and public properties.

Impact Assessments

- When potential impacts (economic, environmental, social) do you foresee with the introduction of nuclear energy facilities in our community? Long-term, clean energy for our community and our city residents. 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 us as we seek to develop nuclear power generation.

Regulatory Frameworks

- 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 kind of the reactor and the construction needs, the county would require a Road Agreement to assure restoration of roadway damaged by nuclear plant construction. This road agreement is the best practice and, and should be utilized, for nuclear plant construction to assure restoration of the road. I am holding the best practice for the county.

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

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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 (712-233-4631)
MIDAMERICAN ENERGY COMPANY

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From: Ed 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:
Flag Status: Flagged

I am speaking for myself but I am in favor of a small nuke plant in the area around Keosauqua power plants. I think the investment and the long term effect 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 8, 2025 10:47 AM
To: Daniel Priestley
Subject: RE: Comments Requested Nuclear Energy in Woodbury County, Iowa

Follow Up Flag:
Flag Status: Flagged

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

From: Diane Sencabode 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:
Flag Status: Flagged

No comments

Diane Sencabode Peterson
Woodbury County Board of Supervisors/Recorder Deputy
620 Douglas Street/Room 103
Sioux City, Iowa 51101
(712) 274-8338

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:

- Security for perimeter security
- Returning land to previous state after future decommissioning
- Possible collocation with industries for use of low cost/zero 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

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From: Ken Bauer <glbauer57@hotmail.com>
Sent: Thursday, February 6, 2025 12:41 PM
To: Daniel Priestley
Subject: Nuclear energy in Woodbury county.

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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 brookshire half way 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 Macdon
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:
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?

Thankful

Chris S. Macdon, AICP, CPM
Senior Planner
City of Sioux City
Phone: 712.279.6241
Email: cmacdon@sioux-city.org
406 5th Street, Box 447
Sioux City IA 51102

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Daniel Priestley

From: Klueberg, Patty (HHS) <patty.klueberg@hhs.gov>
Sent: Thursday, March 20, 2025 1:29 PM
To: Daniel Priestley
Subject: Regulation of Nuclear Energy and Storage

Follow Up Flag:
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Daniel,

Good afternoon. I am the Bureau Chief for the Bureau of Radiological Health with 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.

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Daniel Priestley

From: Janet Krueger <jkrueger4@cloud.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
Bridget Krueger
4362 Bradford Lane
Sioux City, IA 51106

Sent from my iPhone

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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: NWA Building Trades Zoning Letter.docx
Follow Up Flag: Follow up
Flag Status: Flagged

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

Business Manager
IBEW Local 231
5001 Harbor Drive
Sioux City, Ia 51111
(712) 256-8138



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

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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 Bradburn - 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 <craiganderson@ibew.com>
Sent: Friday, May 2, 2025 2:34 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@woodburycountyia.gov>
Sent: Friday, May 2, 2025 12:49 PM
To: Daniel Priestley <dpriestley@woodburycountyia.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 6:00 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 definition 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 those concerns could be addressed through the conditional use process? While I understand 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 Board, as a board of appointed citizens, have the expertise or experience or the desire to be involved in 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 leave something else. The thought of a nuclear energy mishap would have a negative effect on residential and commercial exposure.
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

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maintain this balance? I think Iowa needs one that is in favor of agriculture. Pioneers and land should be preserved. Many of the so-called clean energy sources would fail without the tax credit incentives. Looking at the reactions of the officers of the 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?

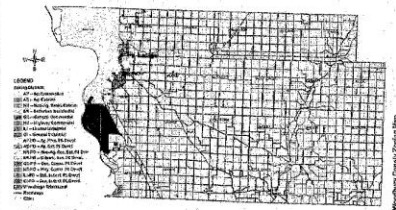
Please submit your responses by Friday, May 25, 2023 before 10:00 AM CDT to danpriestley@woodburycountyia.gov. Your feedback will be shared with the Woodbury County Zoning Commission and Board of Supervisors to inform their decision-making process. Thank you for your time and engagement in shaping the 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, spent 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 63 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,

Daniel J. Priestley, MPA
Woodbury County Zoning Coordinator
620 Douglas Street #609
Stow, IA 51101
Phone: 712-279-0609
Fax: 712-279-0630
Website: WoodburyCountyIowa.gov

Viva Free www.vivafree.org

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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.doe.gov/industry-support/regulatory-support/reactors-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 over potential funding there.

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 CISFs 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 25 miles southeast of Amarillo, 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/nrto/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@woodburycountyia.gov>
Sent: Monday, April 24, 2023 10:33 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

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Daniel Priestley

From: Bryan Bergeon <Bryan.Bergeon@nrc.gov>
Sent: Monday, May 5, 2023 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 jurisdictional 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/development-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 *Endorsed 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/comm.html>)

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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
Stow, IA 51101

Phone: 712-279-0609
Fax: 712-279-0630
Website: WoodburyCountyIowa.gov

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June 19, 2025

Jerry & Vernell Steffen
Co-Trustees of Steffen Revocable Trust
1528 Jewell Ave.
Merville, IA 51039

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

RE: 2025 Conditional Use Permit Request for Parcel #884606100002.
For Rent Properties, LLC, Applicant: Kevin Heiss.

Dear Mr. Priestley:

We have reviewed the Conditional Use Permit Application. Jerry & Vernell Steffen Trust has no issues with this request.

Thanks for the Notice.


JERRY E. STEFFEN, PE

