



## SCOTT COUNTY PLANNING AND ZONING COMMISSION

Tuesday, June 2, 2015  
7:30 P.M.

### MEETING MINUTES

1<sup>st</sup> Floor Board Room  
600 W. 4<sup>th</sup> Street  
Davenport, IA 52801

**MEMBERS PRESENT:** Clayton Lloyd, Gary Mehrens, Carolyn Scheibe, Allan Kluever, Tony Knobbe, Lynn Gibson

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Timothy Huey, Planning & Development Director  
Bob Buck, Building Inspector

**OTHERS PRESENT:** Supervisor Diane Holst

1. **Call to Order:** Clayton Lloyd called the meeting to order at 7:30 P.M.
2. **Minutes:** Mehrens asked about his excused absence as minutes show him absent at last meeting but does not indicate that he was excused. Huey explained and said minutes would be changed to show Mehrens as excused since he had called in before the meeting, Clayton called for motion. Knobbe made a motion to approve the corrected the May 19, 2015 meeting minutes, seconded by Mehrens, all approved. **All Ayes (6-0).**

3. **Zoning Ordinance Review and Update Work Session**

Huey reviewed the progress to date on the Comprehensive Plan and Zoning Ordinance amendments. Huey stressed that the Commission is under no deadline for completion. Even though we want to proceed with deliberate speed we will also take as much time as we need. We will also seek the appropriate time for public comment and input before the Planning Commission makes a formal recommendation to the Board of Supervisors.

The next topic to be discussed was the re-write of the non-conforming section regulations and how determinations were made on non-conforming use and non-conforming buildings and both. The ordinance intends to faze them out and not have them expand or greatly increase their impacts on the surrounding property. The exception would be for single family dwellings, Huey said, those would be allowed to be replaced or expanded if they were legally non-conforming. All other non-conforming uses could not be expanded or replaced. Huey also pointed out since farms are exempt, the non-conforming

regulations would not apply. Lloyd suggested that the 50% of replacement cost for damaged non-conforming buildings be replaced with 50% of assessed value to concur with floodplain regulations. There was consensus for that change on the Commission.

The next item on the night's agenda was review of the definitions section of the ordinance. Huey stated that he recommends that the list of definitions be reduced as much as possible. In many cases the common English dictionary definition is sufficient. The existing ordinance has 125 definitions, the current list has 109 and with further review, some additional definitions may be determined to be superfluous.

Huey said that he also edited some definitions by removing examples. Also Huey said certain terms needed to be defined in relation to zoning ordinance requirements. Terms such as "yard", "front yard", "side yard", "rear yard", "lot", "lot lines", "corner lot" all have specific meanings within the ordinance. Huey went on to say other terms are in the ordinance to provide the basis for regulating sexually oriented businesses. Other terms are included to address issues related to floodplain regulations. Lloyd asked why the occupancy of 50 was in the definition of adult motion picture theater definition. Huey stated that was because it was also a definition for a "mini" theater (<50) but that had been removed. It was the consensus of the Commission that there should be no reference to any occupancy within the definition. The regulation of occupancy if added in the definition, would then apply in all cases.

Huey said that the definition of "bed and breakfast" uses the definition in State Law. Huey went over other terms that had been eliminated or changed. Kluever asked if the definition of Corn Suitability Rating was going to be amended to include the new CSR-2 ratings. Huey said he was unaware of that new designation but it would certainly be reviewed and considered. Supervisor Holst addressed the Commission and said the Scott County Assessor was using the CSR-2 rating for its purposes.

Commission members pointed to a number of typographical errors, some having been in the ordinance since 1981. Huey suggested that the definition for "Storage Garage" could be eliminated because it was not separately referenced in the ordinance and the definitions for "public" and "private" garages was sufficient. Lloyd asked about the definitions for Home Occupation and Home Industry, one said no visible evidence and the other said limited. He questioned that they both allow signs and that was, of course, visible evidence. It was the consensus of the Commission to keep the terms consistent relative to visible evidence.

Scheibe asked whether the definition of junk yard should be changed to not allow any junk vehicles on a residentially zoned property. She said having any junk vehicles was inappropriate and not allowed in many residential subdivisions in Scott County. Huey stated that these definitions put a limit on the number of junk vehicles and junk materials that are allowed to accumulate on a property before an enforcement action can proceed. Huey also stated that many residential subdivisions have covenants that are stricter than zoning and can be enforced by the HOA. None of the other commissioners expressed agreement that the number of junk vehicles allowed should be changed.

Huey presented the Off-Street Parking Ordinance and Floodplain Development Ordinance as two sections that had been recently updated (2011) and staff was not recommending any changes. Knobbe asked about the parking requirements for soccer fields. He said he was often concerned that during soccer events at the Bettendorf Soccer Association fields in Mt Joy, there was clearly not enough

parking. He said the cars were too excessive for the size of the parking lot on site and there are numerous vehicles with kids coming and going parked along 210<sup>th</sup> Street and Scott Park Road. He feared it could easily result in tragedy. Huey said he would review the process by which those fields were developed and whether a parking plan was ever submitted. Lloyd asked about what the hard surface requirements were that are required by the SUDAS Manual that is referred to in the ordinance. Huey stated that the County Engineer determined that it generally was asphalt concrete, or chip and seal.

Huey stated that for the next meeting staff planned to review the general regulations, area, setback and height regulations in each zoning district. Other sections left to be reviewed included, Mobile Home Park and RV Park Regulations, Sign Regulations and general procedures.

**With no further public comments and no other business to discuss, Chairman Lloyd adjourned the meeting at 9:05 P.M.**