



**SCOTT COUNTY PLANNING AND ZONING COMMISSION  
PUBLIC MEETING- PROPOSED ZONING AMENDMENTS**

**Tuesday, October 13, 2015 AT 7:00 P.M.**

Main Floor Cafeteria,  
Walcott Elementary and Intermediate School  
545 E. James Street  
Walcott, IA 52773

**MEETING MINUTES**

**MEMBERS PRESENT:** Clayton Lloyd, Lynn Gibson, Tony Knobbe, Carolyn Scheibe, Marsha Findlay and Gary Mehrens

**MEMBERS ABSENT:** Allen Kluever

**STAFF PRESENT:** Timothy Huey, Planning & Development Director  
Raymond Nees, Planning Technician

1. **Call to Order:** Chairman Lloyd called the meeting to order at 7:00 P.M.
2. **Presentation of proposed changes to the Zoning Ordinance.** Tim Huey, Scott County Planning and Development Director, gave a presentation on the history and proposed changes of zoning in Scott County and stated that this presentation is on file with the Zoning and Planning office located at 500 West 4<sup>th</sup> Street, Davenport, Iowa.
3. **Opportunity for Public Comment** Chairman Lloyd announced that the Commission would hear comments from the public at this time. He asked if there were any and if so please stand and be recognized. Also state your name and address for the record.

**Don Swanson** commented that he recommended no change because there is plenty of industrial and rail available. Companies seeking to locate in Scott County should have the costs of needed services paid by the companies that need them. Scott County ground is some of the most fertile in the world, we use it to feed the world, and it should not be taken out of production. City and County officials need to have the big picture in mind and not be short sighted. These companies must be made to provide all of the relevant information up front and not withhold important information until after votes are made.

**Steve Jarnecky** stated that, as he understood it, the Supervisors and the Director could just determine- at will- where these floating zones will go. Using Orascom as an example, what would this proposed change in the ordinance require? **Huey** explained that the proposed requirements would allow Scott County to require much more information up front. Currently, the Planning Department is obligated to accept any application submitted and present it to the Planning and Zoning Commission. Applicants are encouraged- but not obliged- to provide all of the information the Planning Commission needs for the consideration of its recommendation on a proposed rezoning. For a rezoning to Industrial, like Orascom, they currently only have to provide the additional information when they make a Special Use Permit application. This would only occur after a rezoning passes. The proposed zoning amendments would allow us to require information up front so the Planning & Zoning Commission can make a better informed vote. **Lloyd** explained that it is the authority of the County to determine zoning but not decide on ownership of land to

be developed. An owner of land starts the process with an application, and the Commission is obligated to review it, and make a determination with the information provided. Orascom would not provide much information and the Board did not recommend approving their request. **Huey** further explained that the past establishment of the Ag Service Floating district regulations in the zoning ordinance did not establish an actual area of land zoned Ag Service Floating within the county. Similarly, the creation of an Industrial Floating district in the Zoning Ordinance would not automatically establish an area within the county that would be zoned Industrial Floating. An area zoned Ag Service Floating was not actually created until Paul Meyer and River Valley and others came in and applied for that designation on a particular piece of property.

**Paul Rumler, Quad Cities Chamber of Commerce** stated that 80% of Industrial projects look for existing facilities and most are 20 to 40 acres in size, although there may be a smaller percentage that will look for up to 100 acres. This is the type of project the Chamber is looking for, and we need to identify sites that are already pre-zoned for the Industrial use. Would it be possible for a willing land owner to present a request for an Industrial Floating district to get approval for roads, water, rail and other infrastructure and then later, when an actual request comes in, request approval of the use for the Industrial Floating zone? This would be proactive and improve the marketing our community in competition with others. We are hoping a compromise can be struck so we can address these types of requests.

**Kent Arp** stated that if we change the ordinance, and the planning commission votes a request down, then the Board of Supervisors could overturn that and approve it. There was a meeting where Bettendorf and Davenport were asked if they wanted industrial development and they said no. Why is the County doing this? This would leave it up to 4 or 5 politicians but they never ask these businesses if they're going to be around for a while or if they are staying here for more than just a few years. If we change the Ag Preservation to Industrial Floating, the Planning Commission gives up the right to vote on these things so only the politicians rule on it. **Lloyd** replied that if passed, the Planning Commission would be able to require much more information up front so they can take a better look at a project. The Board of Supervisors would not ignore the vote of the Planning Commission, but certainly has the right to vote differently based on the information the company provides. **Knobbe** said that Bettendorf stated that they only wanted office and commercial businesses, but Davenport said they do want industrial development and has been working on sites to attract them. **Rumler** said that they look for property that is located within one mile of a 4-lane interstate and with rail, utilities, water and good road access. If these aren't there, then an estimate of the approximate cost to put them in needs to be provided. If it's not already zoned for it, then most companies won't come, maybe 1%. There is a site certification process where they will complete the soil surveys and infrastructure and items to certify specific uses a site would be good for, but that is usually a 3-year process and it is rarely done.

**Dave Arp** stated that the meeting is for public comment and (referencing Paul Rumler) said if you work with Tim Huey you should not be using public comment time. He then asked if safety was an issue, then why did we even consider Orascom? We never should have even considered that. **Knobbe** reminded Dave Arp that we are required to consider anyone's request. **Dave Arp** stated he worked for Rentech and they told him if something ever went wrong in that plant, you wouldn't have time to run because you'd already be dead. With Orascom, the positive aspects everyone thought would be great have not turned out that way. The license plates on the cars at site of the current construction of that facility show that 70-80% of them are from Texas or Louisiana. Safety of my family and my kids is more important than money, and we should have never considered the Orascom project.

**Rob Thomas** stated that it is Ag Protected land where Orascom was proposed. It was where "all the water was in Scott County", and there was no reason to put that there for 130 jobs. Now, the County wants a

floating plan. Nothing in the presentation mentioned protecting the land. You were told and you didn't listen, you don't take the advice of the people who know and you should take a hard look at it.

**Margo Effland** stated that Orascom spent a lot of time, effort and money and it was very controversial. Farmland is an Iowa resource and it shouldn't be up to the county to decide if it gets developed. It should be the state who decides if someone wants to take 900 acres. **Don Swanson** said local control is better than the state. **Kent Arp** stated that the county should talk to developers and ask what they want. We cannot take prime Ag land and use it for non-prime Ag uses. Get with developers and let them tell you what they want and then let them do it.

**Russ Geirink** Stated that talking about 10, 20, 30 or 40 acres is better than 400 acres. Are we considering any at that size? Are we filling in the holes that are already zoned? It's bad business on a small scale and it doesn't get any better on a big scale. What are we doing to fill in the small areas we already have? **Huey** explained that most businesses are looking for empty buildings that are ready to go and it is up to the Chamber to market to outside companies to find businesses. Love's Truck stop went in next to the Greater Davenport Redevelopment Corporation industrial park, which offers 10 – 40 acre sites. Davenport is looking for Industrial Development and they have this Eastern Iowa Industrial Park owned by the GDRC. We've put in numerous businesses there. That was a response to companies looking for shovel-ready sites and we're now ready for that. **Rumler** stated we have 10-40 acre sites within the city jurisdictions. What we need is a mechanism to make available 200 to 400 acre sites, to decide what we want there and get the sites ready. **Lloyd** stated that the proposed Industrial Floating zone is only a mechanism where we could consider a project that may be of such a large size that it wouldn't be able to locate in a city. It could then be considered by the County.

**Kent Paustian** Stated that he appreciates the time we are putting into the public meetings but said making a major shift in policy from what has worked since 1980- to incorporate this big of an undertaking- is a mistake. The Board of Supervisors will do what they want, but the Planning Commission does have an influence. Also, October and November is a terrible time to be having public meetings with farmers. We're trying to get our crops out of the fields right now. This could have been done later since there aren't any time limits on it. Question: if there weren't any willing sellers, would the county use eminent domain to take property? **Huey** explained that using eminent domain would not be in keeping with Iowa law. Also, in the past the Board of Supervisors has voted to not accept the recommendation of the Planning Commission when the Planning Commission has had a split vote, but the Board of Supervisors has never gone contrary to a unanimous vote by the Planning Commission. The only time the Board of Supervisors has voted against the recommendation of the Planning Commission is when there was a split vote in the last 20 years with Scott County.

**Chairman Lloyd** asked if there were any other comments.

**Scheibe** thanked everyone for coming.

**With no further public comments and no other business to discuss, Mehrens made a motion to adjourn the meeting. Seconded by Findlay. All Ayes. (6-0) Chairman Lloyd adjourned the meeting at 8:26 P.M.**