



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

Tuesday, November 3, 2015 AT 7:00 P.M.

Cafeteria, Cody Elementary School
2100 Territorial Road
LeClaire, IA 52753

MEETING MINUTES

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

MEMBERS ABSENT: All Members Present

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. He stated that this presentation is on file with the Planning and Development Office located at 500 West 4th 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.

Jessica Armstrong stated that we keep hearing that the Industrial Floating District is for rare opportunities. If these opportunities are so rare, then we should have another chance to look at it. What is the purpose of allowing this in such a large area of the County, all of the white area on these maps (referring to the AP and AG districts on the zoning map) when we should be limiting them to areas already near other industrial sites. By going near other sites we already have the infrastructure there and it won't impact the surrounding area as much if it is in an area that already has industrial. Lloyd stated that we aren't rezoning anything tonight. The proposal the Commission is considering setting up in the ordinance a procedure for the review of a proposed rezoning of land which would come to the Planning Commission in response to a request from a petitioner who owns the property or has the owners consent to pursue the zoning change. We are not rezoning anything now; this is so we can consider something if it comes before us. Gibson thanked Armstrong for her comments last week and tonight and said that this proposal is for a way to look at a company that may come at some point in the future, a company that we don't know about. The proposal is to set up a way for us better consider such a future request. Armstrong said that we've had three such cases come up but they have been in opposition to what we want. These things don't just impact the actual area being used, they impact areas around them, too. That's why we should continue to have opportunities to oppose them. Lloyd said that the impacts are what we should be looking at and if the impacts go for miles around them then we would want to know about that earlier in the process. This is especially true where we may have multiple proposals in an area and the impacts of both could overlap and compound the impacts. Armstrong stated that she understood that Huey said the language should be kept

loose but what objective standards did the Planning Commission feel could be used to define the parameters of a project which would be considered under the Industrial Floating Zone procedure? If the goal is to have the language in the Zoning Ordinance very clear and very concise then why does this go in the other direction? Is there any discussion on what we could add to make defined standards? Perhaps something like 100 jobs at \$15 an hour or 500 jobs at \$25 an hour? The need for 4-lane roads? **Tony Knobbe** said that there aren't any exact limitations on it because we can't place standards if we don't know the exact nature of a business that may come in. If we make it a standard that the area should have natural gas service and we get a request from a business that doesn't need natural gas, we wouldn't want to deny a good request based on something like this. Some businesses may need a 4-lane highway but others may not. If a person has experience as a hog farmer, they know what limitations there are on hog buildings so they know what is needed to put one in. As Huey said, we need to be able to gain the information from them early in the process so we can consider what impacts they will have and what facilities are available to handle those impacts. The impacts to health, safety and the general welfare of the County are very important. A lot of these farms were paid for by people working good jobs in other industries. Farming is important in Scott County, but we have to remember that other jobs are too. **Lloyd** said that in the case of roads, if you are near John Deere when it lets out they have police officers directing traffic but at other times there isn't an issue there. It's the same thing with Alcoa, they have officers directing traffic at 3:00 and if you're in the area there is a lot of traffic. At other times of day there isn't much traffic at all. If a business is located near major roads it might be okay even if there is lots of traffic, depending on how they would handle that impact.

Katherine Hall said that when she looks at the map, she doesn't see any changes. There are some areas that look a little different but I don't see any big changes on the map. So what are they? **Lloyd** explained that the maps on display are existing maps: one is the Future Land Use Map and the other is the current Zoning Map. We are considering a mechanism by which the Zoning Map could be changed, but we aren't proposing any changes to the Zoning or Future Land Use maps now. **Hall** asked about when the fertilizer plant wanted to go in over by Walcott, how did that fit in? **Lloyd** replied that that did not fit with the future land uses or zoning districts shown on the maps. It was proposal from someone who had control of the land and presented a request to change the zoning to allow a propose development. The Planning Commission voted 6-1 to oppose that request, and they subsequently withdrew that request.

David Urush commented that that Iowa is 99% Ag ground. Why anyone would propose to change it to industrial uses is beyond him. He asked if anyone knew what it took to create this ground? It took thousands and thousands of years. This is the only soil that you don't have to pump water to. He pointed out the Pleasant Valley onion fields could have fed thousands of people, but they are covering it up and it's ruined forever. The stuff going in on 53rd Avenue shows there is no vision. He suggested the whole thing- every business, restaurant and house- should be placed in one building n downtown Davenport. You put up an 80-story building and you have one road, one roof and one parking area. When you fill that one up you build another one. Don't keep coming out here and covering up all the good ground until it's a swamp downtown. Who's going to foot the bill for that? They have areas down there that are covered in foundry dust and that soil is ruined forever, you can never get it back. There are boatloads of corn coming all the way from South America, right up the Mississippi River and being unloaded in Dubuque. We don't need to be taking any more ag ground out of production. 53rd wasn't even in bad condition yet and they tore it all up again and changed it. Now whose idea was that? We can't replace our soil. All that ground under the cities, it took 15,000 years to make and 100 years for you to destroy it, for money. All this land will be junk and you can't replace it. **Findlay** introduced herself, explained she was fairly new to the Board and that she was here to listen to the public comments. She said she was raised in Ottumwa, Iowa, and when she was a girl, she would go out to the farm to work and she understands the concern about the loss of agricultural land. She heard about Orascom (which was considered before she came on to the Commission) and what that ended up being. She wanted to explain a little bit about her background. When she left Ottumwa, it

was a prosperous area with about 45,000 people. The Navy had an aviation training facility and other businesses provided good jobs so people could afford restaurants and cars and all of the things that make an area successful. The companies then started to control the market so that other businesses wouldn't have any competition in the area. Without business growth, there weren't any jobs for the people growing up, and they began to leave. Eventually their families moved to their location to be with them. Now, after many years of not building and not growing, their population is down to about 20,000. People have left and the town has deteriorated. I can't tell you how sad that is to see my hometown. It takes a John Deere or an Alcoa to be able to provide living wages and I would want to have an opportunity to consider something like that if they were interested in locating here. **Urush** stated that in the last 20 years Iowa has lost over a million acres of the best farm ground in the world. You carry that out of another 40 or 80 or 100 years and that's a lot of acres destroyed and we need that to feed us. We have to stop that.

Hall stated that Vancouver has revitalized their old industrial areas and they are doing very well now. That's what we should do is revitalize some of the areas that aren't being used anymore and not just expanding out all the time.

Findlay said that as an adult, her husband worked at Caterpillar and they could afford a house and cars and vacations because they paid a living wage. When Cat announced they were going to shut down the local facility, they told everyone that if you were 50 or older you would get separation benefits, but my husband was only 49 at the time. I worked at a bank and we were lucky enough that we could afford our house with what I made so we stayed in the area. The Caterpillar building is still in Mt. Joy, but the businesses there now have restructured how they pay and don't pay a living wage like Caterpillar used to.

Armstrong stated that she appreciated the personal comments, and that she understands there are questions as to whether we have enough opportunities in the Quad Cities to keep people here. Her point is only that we already have a Land Use Plan and a mechanism to rezone so we don't need to change things to help that. **Findlay** stated that, as she had mentioned, this would allow the County to get much better information up front.

Cindi Diercks said (addressing Findlay) that if you grew up in Ottumwa with the Navy and Deere, most people aren't aware of it, but the ground water is so contaminated in southern Iowa that you can't use it. Some of this comes from contamination with federal defense plants in the Burlington area. They can't even water their crops because it's so polluted. **Findlay** asked Diercks to explain where the wells are bad because she goes to the Ottumwa area often and she knows nothing about that. **Diercks** stated that because of the military base the groundwater is contaminated so bad they can't use it. **Findlay** said she is down there all the time and has never, ever heard that. The Navy installation was not a manufacturing area. They taught pilots how to fly so there would not be any contamination from those activities. **Lloyd** stated that "southern Iowa" is large and perhaps the areas of concern to Diercks are in a different and more limited area.

Armstrong stated that she went through the minutes of some of the previous public meetings when the current policies were discussed and noted that Gary Mehrens said during those meetings in that there is overwhelming support for protection of agricultural ground. The voters wanted to protect the ag ground. I have been to the last three meetings and I have heard the same thing. The voters didn't want this in 2008, they didn't want it in 2013 and they don't want it in 2015. What I am hearing is that we would limit the rights of participation for the citizens to fight against large projects. In 2008 we didn't want it, 2013 same thing and at 8:05 pm on November 3rd, 2015 we are saying it again.

Diercks stated that you shouldn't take away our rights to participate. **Lloyd** said that this would not limit people's rights to participate, but it would change it so the decision is made by the Board of Supervisors rather than the Board of Adjustment. **Diercks** stated that it would take away our right to sue. **Lloyd** said

that this change in procedures is intended to allow there to be more and better information on which to make these decisions. The proposed language in Objective 6 to be considered as an amendment to the Comprehensive Plan also would establish a new policy guiding the decision. These changes would make the future decisions of this type more defensible if the County were to be sued, but it does not take away anyone's right to sue.

Tom Sunderbruch stated that with Orascom, there were three public input meetings scheduled, and they were cancelled after Orascom withdrew. The Planning Commission voted 6 to 1 to recommend that the petition be denied and Orascom pulled the request. I think to assume that it would have been approved had it continued to the Board of Supervisors is just not... "trust me" ... I don't think that is something that can just be assumed.

Armstrong stated that past hearings showed that there is a history of opposition and there is still opposition, so there is no need to change. If the Board wants information about a project, the companies could provide it. The point is that we can start with smaller changes rather than going with this large scale change all at once. "Substantial Opportunity" is a vague term. I am not opposed to you hearing these cases but we could start with smaller projects. **Sunderbruch** stated that the Board wants the opportunity to review economic opportunities. Right now those types of opportunities will not talk to us. Eventually all of these types of requests go before the public to get public input.

Jerry Penning asked if we are recruiting companies to come to this area, why not put them closer to where the infrastructure already is? **Sunderbruch** said that there are few spots for these types of proposals in Scott County and none are within the QC area. If we had 100+ acres we could provide we might be in the game, but right now we don't have that.

Lloyd asked if there were any other comments. **Huey** reminded the Board that the plat for the Mt. Carmel subdivision has been resubmitted and would be on the agenda for November 17th.

Huey informed everyone the next public meeting will be at the Farm Bureau in Eldridge on November 10th and invited all to attend.

With no further public comments and no other business to discuss, Scheibe made a motion to adjourn the meeting. Seconded by Knobbe. All Ayes. Chairman Lloyd adjourned the meeting at 8:16 P.M.