



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

Tuesday, November 10, 2015 AT 7:00 P.M.

Scott County Farm Bureau
1721 E LeClaire Rd
Eldridge, IA 52748

MEETING MINUTES

MEMBERS PRESENT: Clayton Lloyd, Gary Mehrens, Tony Knobbe, Carolyn Scheibe, Allen Kluever

MEMBERS ABSENT: Lynn Gibson, Marsha Findlay

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

- 1. Call to Order:** Chairman Lloyd called the meeting to order at 7:08 P.M.
- 2. Presentation of proposed changes to the Zoning Ordinance** Tim Huey, Scott County Planning and Development Director, gave a verbal presentation on the proposed changes of the Zoning Ordinance in Scott County. The outline for 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.

Robbie Wolf stated that the future Land Use map does not indicate where an industrial zone might be located, providing no indication to potential property buyers of where an industrial zone may be located in the future. He said that currently, potential future zoning changes are shown on the future land use map and if someone buys land without checking that they may not have completed their due diligence. If the proposed I-F district goes through, there will be no place in Scott County where a person can purchase ground confident that an industrial zone will not be located next to them. He pointed out that the State of Iowa has said that spot zoning is bad and so maybe Scott County shouldn't consider a mechanism to encourage it. The proposed language calls out "large projects" that will have a "significant" economic impact. This is too vague and future Board members may have a different interpretation of what these mean. He suggested that adjoining neighbors have a simple majority vote so they can protect their property rights. He stated that he also understands that we need businesses to grow because he needs another truck to haul crops, but must run the truck in the off season to justify the cost. He understands that because of zoning requirements, operating a trucking firm in an agricultural area is not allowed.

Allan Thiede stated that he doesn't support the I-F zone because it can go in anywhere- there aren't any specific limitations to determining where the district could be located.

Jack Schinckel stated that the concrete used for large projects creates heavy water flow over land and interrupts the water getting into the aquifer. He said the most important thing for us is food because we can trade our food to other nations in exchange for their manufactured goods.

Don Swanson said that he felt it was short sighted to take prime ag land and cover it with concrete and said we can't better our community by taking land out of production. Food and water are the most important things. He compared these decisions with elected officials "robbing" social security. He said that businesses obviously want the most economical place to locate and our economic development people should be offering places to these businesses and that we would be ruining our country and society with these decisions.

John Wolf said he agreed with Swanson's statements and Scott County should classify ground so that some of it is never touched. He said there are plenty of places in the city that could be utilized that currently aren't.

Mary Fredericks asked if a large area was needed and one person decided not to sell, would they be forced to sell? **Lloyd** replied that that they would not.

Thiede said that no requests of these types have been made and so the I-float district is not needed.

Schinckel said that in Europe, they are making developers replace the wetlands and that is why many companies want to come here. He re-stated that food and water are the most important things.

Margo Effland stated that we should not touch farmland, that large site developments effect much more than just the area they develop. She said she does not trust the government to protect the surrounding areas. She did not feel that the Orascom project was worth 150 jobs and believes the people in the local community should make the decisions when these projects are requested.

Jessica Armstrong asked what level of hearings would be lost if the I-Float district were in place. **Huey** said that currently, the Board of Supervisors cannot review the decisions made by the Board of Adjustment. This means the final decision is made by appointed officials and the Board of Supervisors, who are elected officials, cannot overrule that. Because the Board of Supervisors cannot review these decisions, the board of Adjustment decision is final. If the I-Float district were to go into effect, all of the information used to make a proposal would be required before the Planning and Zoning Commission hearing, and they would make a recommendation to the Board of Supervisors- who would make a final decision. So if this went into effect, there would be 2 public hearings and the final decision would be made by elected officials on the Board of Supervisors. **Thiede** asked if a large company were to make a request, then would we still have meetings? **Huey** replied yes, we would. **Lloyd** pointed out that currently these types of proposals don't have to provide specific information for a rezoning before the Zoning Board of Adjustment. He said that if approved, an I-Float request would come before the Planning and Zoning Commission for one public hearing, and a recommendation would be made to the Board of Supervisors, who would have another Public Hearing. The bottom line is that you would like to have more information before the public hearings and we want that also. **Huey** stated that Scott County wants public input and that this is why we advertise and send notices to surrounding property owners for public hearings.

Swanson said that he liked the idea of having the Zoning Board of Adjustment look at proposals. The Board of Supervisors can overrule the Planning and Zoning Commission because they only make a recommendation. When the ZBOA makes a decision, it sticks. **Knobbe** pointed out that the members of the Board of Supervisors are elected officials and that they do care about what the public wants. He said the Board of Adjustment members are appointed so there may not be any ramifications if they make an unpopular decision. **Lloyd** said there is something to the idea that these types of decisions be made by elected officials.

Kluever stated that he feels the Boards do listen to the public. He pointed out that the Orascom vote was to recommend denial of their request by a vote of 6 to 1 as an example.

Armstrong said that the Planning and Zoning Commission voted against Orascom because of a lack of information and pointed out that over the long term, any information submitted may not necessarily be accurate.

Chris Gruenhagen asked what the process for the proposed changes would be moving forward, if they could provide written comments and if there was a timeline involved. **Huey** replied that there would be a discussion on November 17th by the board recapping the comments received throughout the 5 public meetings. He is recommending that any Hearing to vote on the proposed changes be held after December because of the holidays and he plans to provide a presentation to Bettendorf, Davenport and Eldridge so that their Boards may submit comments. He anticipates a public hearing to be held in January or February to make a decision and stated that Scott County will make every effort to make known the date through notifying the Farm Bureau and other advertising. He reiterated that there are no set dates at this time.

Armstrong asked if there was a working draft of the future land use plan. **Huey** requested she e-mail him and he would provide it. He also stated that there would be a public hearing on the proposed Future Land Use Plan changes and the Board of Supervisors would have 3 readings on it.

Don Holt asked about a 3 acre parcel that was purchased for a church to be built. He said plans had changed and it was not going to be built now and asked what the 3 acre property could be used for. **Huey** said that a church is an allowed use in Ag General, and if the church is not going to be built the ground must be used strictly for ag purposes.

Fredericks asked if the proposed changes went through, would that make it easier to change zoning to A-G and if they would still be protected. **Huey** said there would be no change between A-P and A-G.

Knobbe said that it all comes back to whether a business can find a person willing to sell them land.

Paul Emmers asked about a 75 acre parcel on the Mt. Joy blacktop next to Caterpillar and if they could go to the Planning and Zoning Commission to have it rezoned. **Huey** said his advice would be to seek annexation into Davenport. He said that 40% of the ground within Davenport is used for Agricultural and Scott County does try to steer businesses that way. He said that when Dial Corporation proposed building the Pebble Creek subdivision the land was zoned residential but was not within a city so Scott County Planning had them meet with Ed Choate from LeClaire and they decided to annex.

Fredericks said that Scott County Should Consider a Corn Suitability Rating and deny any request that is around 65 or 70. **Huey** stated that Scott County does use a Corn Suitability Rating in the decision process. It was 68 in 1980 and was changed to 60 in 2008.

Mehrens thanked everyone for coming.

Swanson re-emphasized that no farm ground should be covered by concrete.

With no further public comments and no other business to discuss, Scheibe made a motion to adjourn the meeting. Seconded by Knobbe. All Ayes. (5-0) Chairman Lloyd adjourned the meeting at 8:44 P.M.