



**SCOTT COUNTY
PLANNING AND ZONING COMMISSION
Tuesday, September 7, 2021
5:00 P.M.**

MEETING MINUTES

1st Floor Board Room
600 West 4th Street
Davenport, IA 52801

MEMBERS PRESENT: Easton Armstrong, Joan Maxwell, Steve Piatak, Lori Rochau, Carolyn Scheibe, Hans Schnekloth

MEMBERS ABSENT: Kurt Steward

STAFF PRESENT: Chris Mathias, Planning & Development Director
Alan Sabat, Planning & Development Specialist
Bailey Van Hoe, Senior Office Assistant

OTHERS PRESENT: Justin Foss, Alliant representative
Audrey Claussen, lighting ordinance petitioner

1. **Call to Order:** Chair Scheibe called the meeting to order at 5:00 P.M.
2. **Minutes:** Consideration of March 16, 2021 meeting minutes. **Armstrong made a motion to approve. Seconded by Rochau. Vote: All Ayes (5-0)**
Schnekloth arrived after the vote.
3. **Discussion of Utility-Scale Renewable Energy Regulations:** Mathias explained that the current Zoning Ordinance and Comprehensive Plan addressed renewable energy, but the regulations within the Ordinance address only residential-scale wind and solar energy. Mathias suggested there may be an opportunity to expand those regulations to include other renewable energy operations at larger scales, and that the Commission needs to consider how or if any proposed large-scale operations would fit in with the intent of the Comprehensive Plan. Mathias said there continues to be interest in locating a utility-scale solar operation in or near Scott County.

Mathias pointed the Commission to three objectives within the Plan's text: Clean, renewable, and efficient energy (Objective 3); Natural resources and agricultural protection (8); and Sustainable Design (9). At the same time, Land Use Objective 3 is to "Discourage development from locating on productive agricultural soils and other agricultural areas when in conflict with efficient farming



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practices,” which is the basis of Scott County’s broader policy of agricultural preservation. **Mathias** said if the Comprehensive Plan contains both an objective to plan for renewable energy and an objective to preserve productive agricultural land, the Commission would need to consider the impacts allowing and expanding renewable energy operations would have on the objective to preserve agricultural land.

Mathias said the creation of new Ordinance text would need to address the issues and impacts of developing utility-scale energy projects. In keeping with the objectives within the Comprehensive Plan, the Ordinance text would need to address impact on agricultural production and agricultural preservation, visual impacts, layout and siting of facilities, construction and maintenance, decommissioning of facilities, and environmental issues. **Mathias** presented a Corn Suitability Rating (CSR) map of Scott County, which shows high ratings (60+) across the majority of the County, and the Zoning map, which shows the almost the entirety of the highly rated land within the Agricultural-Preservation (A-P) Zoning district. **Mathias** then showed a CSR map highlighting only the areas with CSR ratings under 60, proposing that perhaps the Commission could consider limiting utility-scale renewable energy uses to only those areas, but that the floodplain areas, current zoning, and other constraints like topography could greatly limit development of those areas. **Mathias** said the Commission may consider implementing a “floating zone” similar to the current Industrial-Floating (I-F) Zoning district.

Chair Scheibe asked whether the second CSR map showed parcels with CSR *averages* below 60 or parcels that simply include CSR ratings 60 and below. **Mathias** said they expressed the averages.

Chair Scheibe welcomed Justin Foss, Alliant Energy project manager, to address the Commission. **Foss** said as Alliant decentralizes their energy sources away from coal and toward renewables, it is beneficial to plan new energy production locations near areas with larger consumption. **Foss** said he believed Alliant’s customers actually want to see renewable energy production, especially large-scale solar since it has the lowest impact of all the current choices for energy production. **Foss** presented a map for a proposed solar project in Scott County, sited near the Interstate 80-Interstate 280 interchange in southern Hickory Grove Township and northern Blue Grass Township. **Foss** said the site would be 800-900 acres large, composed of all voluntarily-leased land, capable of producing 100 megawatts. **Foss** said Alliant had several siting considerations: avoiding floodplains and wetlands, locating near existing infrastructure, and avoiding restricting potential industrial and residential development. **Foss** continued, stating that utility-scale solar benefits the environment: Native plantings under the solar panels reduce or eliminate erosion and increase soil health, and pollinator plantings aid neighboring agricultural production. **Foss** described the decommissioning process that happens after 30 to 50 years of useful life: original land owners can choose to leave the native plantings or return the land to agricultural production, and any tiled land will be repaired as directed by the land owners. **Foss** said both decommissioning and initial construction has minimal impact on public roads, and Alliant routinely signs road-use agreements with counties.



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Schnekloth asked how many customers could be served by a 100 megawatt facility. **Foss** said tens of thousands, beyond the County's current Alliant customer count, but any excess would go to the grid and the 50 megawatt battery could help during outages.

Armstrong asked where the used panels would end up after decommissioning the facility. **Foss** said recycling is getting better, but the panels would probably be sold to a third party for re-use since they would still be effective, but not to industry-standard.

Rochau asked for examples of land uses, if any, that have followed a decommissioned solar site. **Foss** said Alliant hasn't decommissioned a solar facility yet, but that solar sites are less complicated with fewer chemicals, grease, and other elements to clean up in the soil.

Maxwell asked what initial steps Alliant would take once a location was identified: Would the soil be stripped? **Foss** said Alliant avoids reshaping the ground in general and does not strip the top soil. **Foss** said there are no deep foundations or even concrete bases for the panels themselves. **Foss** said substations, which are typically around five acres in size, are the only exception. **Maxwell** asked why Alliant couldn't target highly-erodible land for siting rather than prime agricultural land. **Foss** said they wanted to target areas near existing assets on the grid.

Chair Scheibe reiterated that Alliant sought a site near its existing capacity instead of somewhere less environmentally-sensitive due to cost. **Foss** said Alliant was responsible to its customers in making cost-efficient decisions. **Scheibe** asked approximately how many land owners were interested in signing leases with Alliant. **Foss** said around a half dozen. **Scheibe** asked how long the leases would be. **Foss** responded 30 years with the option of two 10-year extensions. **Scheibe** expressed concern about reliance on solar energy given recent environmental disasters and persistent power supply issues. **Foss** said panel manufacturing is improving and panels are more efficient than ever. **Foss** said Iowa has shifted from coal to mostly a combination of wind and natural gas: as wind fluctuates, gas can fill in any gaps in production and solar could also help make up the difference since Iowa experiences over 200 days a year where solar energy generation is efficient. **Scheibe** asked whether Alliant would receive State tax credits for completing the project. **Foss** said he was unsure about State tax credits, but federal credits would be available since all energy production is subsidized. **Scheibe** said she believed State tax credits were available, but **Foss** responded they expired at the end of the year. **Scheibe** asked whether there were any incentives being offered to the County. **Foss** said there wouldn't be any tax loss and the energy produced offered a net benefit. **Scheibe** asked whether solar energy production contributed to global warming. **Foss** responded it was the lowest-impact energy production that can be deployed. **Scheibe** asked to Foss to describe environmental impacts if a facility was never decommissioned. **Foss** said the native plantings and fallow land would continue to improve soil health. **Scheibe** asked whether rust inhibitors were applied to the equipment and whether dust would impair the equipment's functionality. **Foss** said he was unsure about the rust inhibitors and that the rain and snow would periodically clear dust and grime. **Scheibe** asked how the panels handle snow loads. **Foss** said the panels are no longer stationary and fixed, but follow the sun, providing opportunities to shed the snow throughout the day.



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Armstrong asked about recycling panels at the end of their useful life. **Foss** said the materials have changed drastically to where now the panels themselves are made primarily of silica. **Foss** went on to say there were no recycling mandates, and that re-use is becoming the most common “recycling” of used panels. **Armstrong** said he believed elements like lead and cadmium were used in production, at least at one time. **Foss** said he was not sure whether they were present in new panels, but would be willing to provide that information. **Armstrong** asked **Foss** whether the low-CSR map that was presented was workable for siting a new facility. **Foss** said he understands environmental compatibility, but that Alliant needs to locate the facility near existing infrastructure. **Armstrong** asked whether eminent domain would be utilized to obtain property. **Foss** responded that Alliant would not use eminent domain and that all landowners that have been approached for a lease are excited. **Foss** said the lease provisions would mean the land would be taken care of.

Maxwell expressed concern about taking land out of production and the impact that would have on the next generation of farmers. **Maxwell** said available land is already limited and this proposal would be additional corporate ownership of farmland. **Foss** responded that Iowa still needs energy and Alliant is attempting to use the least amount of land possible to meet those needs. **Maxwell** asked **Foss** to compare energy production capabilities of 900 acres of solar and 900 acres of wind infrastructure. **Foss** said 5 acres of solar could produce 1 megawatt, and a 600-foot wind turbine in Iowa could produce 2-3 megawatts. **Foss** reiterated that the grid couldn’t operate with only coal or only wind, and needed diversification to be more reliable. **Maxwell** asked whether Alliant had considered flight patterns of migratory birds along this area of the Mississippi River. **Foss** said Alliant avoided sites near migratory birds and airports.

Chair Scheibe said she wanted the Commissioners to discuss where they each stood on the issue. **Scheibe** stated she was not against solar projects, but was against solar on the “flat black” and A-P zoned land. **Armstrong** stated his agreement.

Piatak asked the Commission to consider the difference between farming for corn and ethanol versus “farming for electricity.” **Maxwell** said she sees a major difference between growing corn, which is food for people and livestock, and installing solar panels. **Maxwell** said farming crops allows for crop rotation, which improves soil health and diversity. **Piatak** said he would be interested in seeing a map including both CSR ratings and Alliant’s current infrastructure.

Schnekloth stated he is not categorically opposed to creating regulations to allow utility-scale solar projects. **Armstrong** stated he was opposed to allowing utility-scale solar project in the “flat black,” but cannot say anything definitive about an unknown proposal. **Chair Scheibe** said she was against projects in A-P zoning districts. **Piatak** stated he was opposed to projects in the “flat black,” but that some current A-P land is not flat black. **Maxwell** said she envisioned creating regulations like the State’s Master Matrix Review for confined animal feeding operations. **Rochau** said it wouldn’t seem right for her to be categorically opposed to solar projects in the County, and asked if it was accurate that if there are not any policies that address solar projects, they are not allowed. **Mathias** confirmed. **Rochau** asked if utility solar projects could be directed to locate within cities if they can accommodate them. **Mathias** said they could.



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Chair Scheibe said she could potentially envision regulations that allow utility-scale solar development on poor soils/low CSR land, and asked staff whether that could be accomplished through the creation of an overlay zoning district. **Mathias** said either a new overlay district or new Special Permitted Use within an existing district could accomplish the regulations the Commission wants to enforce. **Scheibe** asked if there would be a mechanism to require a decommissioned solar site to revert to its previous land use. **Mathias** said such mechanism could be written into the Ordinance.

Maxwell asked whether voters in the County could have a say on any new regulations regarding utility-scale solar projects, to which **Mathias** responded there would not be a referendum on any new proposed regulations.

Schnekloth said the Commission needed to consider the balance of raw materials saved and used to farm productive agricultural land and raw materials saved and used in solar energy production.

Chair Scheibe said a solar project near Wapello, Iowa now consumes around 800 acres and recommended Commissioners to visit the site to see the economic impact of 800 acres being taken out of agricultural production. Scheibe directed staff to continue researching and formulating regulations to present to the Commission at a later meeting.

4. **Discussion of Lighting Regulations:** **Mathias** stated that he was approached by a County resident to consider the lack of lighting regulations present within the Zoning Ordinance. **Audrey Claussen** (14243 Kruse Avenue) said she lives near commercial storage garages that recently underwent an expansion. Along with the expansion, the operation changed all of their exterior, red sodium light bulbs to LED bulbs. Even with several acres of separation between the buildings and her home, Claussen said the glare shines strongly through her windows during the nighttime hours. Claussen said she attempted to talk to the property owners and the conditions have not improved. Claussen said since the LED bulbs are the most commonly-used these days, and since they shine much brighter than older-style bulbs, they need to be regulated.

Mathias said other cities and counties have lighting ordinances that apply to their commercial areas. Mathias proposed any commercial property that has to undergo a Site Plan Review by the Commission also include a lighting plan in their application. Mathias said minimal lighting standards for commercial and institutional properties would make it easier for staff to deal with complaints.

Chair Scheibe asked if there was a consensus among Commissioners to direct staff to move forward on researching and formulating regulations to present to the Commission at a later meeting. **Schnekloth, Armstrong, Piatak, Maxwell, and Rochau** all voiced support to provide such staff direction.

5. **Other Business:** **Allen Jenkins** (3370 East Harbor Drive, Bettendorf) expressed concern about an approved site development plan for Creative Outdoors north of Pleasant Harbor subdivision, primarily the shared use of the access roadway leading to Pleasant Harbor. **Chair Scheibe** asked staff how to address concerns after site plan approval. **Mathias** said neither he nor the Commission



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can rescind approval, but he can review the minutes and basis and conditions of approval to ensure all requirements are being met.

6. **Adjournment: With no further comments and no other business to discuss, Chairman Lloyd adjourned the meeting at 6:37 P.M.**