



Chris Mathias, Director

**SCOTT COUNTY  
PLANNING AND ZONING COMMISSION  
AGENDA  
Tuesday, June 21, 2022  
5:30 P.M.**

1. **Call to Order**
2. **Minutes:** Approval of the April 5, 2022 meeting minutes.
3. **Public Hearing – Lighting Ordinance:** Proposed amendment to the Zoning Ordinance to include lighting regulations for new commercial development subject to site plan review.
4. **Staff Presentation – Draft Ordinance:** “US-F” Utility Solar-Floating District
5. **Staff Presentation – Ordinance Proposal:** “C-R” Conservation-Recreation District
6. **Amendment to Administrative Rules Section 2.0 (Regular Meeting Times)**
7. **Other business:** Additional comments or issues to discuss (Commission members) / Opportunity for public comments
8. **Adjournment**

**PARTICIPATION OPTIONS:**

**Connect Via Phone:**

1-408-418-9388 Meeting number: 2488 853 7725 Password: 1234

**Connect via Computer, or Webex application:**

Host: [www.webex.com](http://www.webex.com) Meeting number: 2488 853 7725 Password: 1234

**Full URL link for Attendees (copy & paste):**

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**Please find call-in instructions, agenda, and meeting materials here:**

<https://www.scottcountyiowa.gov/planning/planning-zoning-commission/meetings>

Public Hearing/Meeting Procedure

- a. Chairman reads public notice of hearing.
- b. Director reviews background of request.
- c. Applicant /Representative provide any additional comments on request.
- d. Public may make comments or ask questions.
- e. Director makes staff recommendation.
- f. Applicant may respond or comment.
- g. Commission members may ask questions.
- h. Chairman closes the public portion of the hearing (No more public comments).
- i. Discussion period for the Commission members.
- j. Commission members make motion to approval, deny, or modify request.
- k. Final vote. Recommendation goes to Board of Supervisors.



**SCOTT COUNTY  
PLANNING AND ZONING COMMISSION  
Tuesday, April 5, 2022  
5:00 P.M.**

**MEETING MINUTES**

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

**MEMBERS PRESENT:** Joan Maxwell, Steve Piatak, Lori Rochau, Carolyn Scheibe, Hans Schneklath

**MEMBERS ABSENT:** Easton Armstrong, Kurt Steward

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

**OTHERS PRESENT:** Tom Faulhaber, applicant  
Two (2) other members of the public

1. **Call to Order:** Chair Scheibe called the meeting to order at 5:00 P.M.
2. **Minutes:** Consideration of January 18, 2022 meeting minutes. **Piatak made a motion to approve. Seconded by Maxwell. Vote: All Ayes (5-0)**
3. **Final Plat – Minor Subdivision:** Chair Scheibe introduced the request and welcomed staff to explain the case. Mathias presented location maps and the proposed plat known as Faulhaber’s Second Addition, describing the proposal as a replat of Lot 1 of Faulhaber’s First Addition. Mathias said that since the newly-created lot would share a driveway with the other lot, an official access easement would need to be approved by the Secondary Roads Department and platted and recorded.

Chair Scheibe welcomed the applicant to respond. Tom Faulhaber said a new dwelling for his daughter would be constructed on the new lot.

Chair Scheibe welcomed the public to respond. No members of the public spoke for or against the request.

**Chair Scheibe** asked for staff's recommendation, which **Mathias** said was to approve the plat with the condition that the City of Princeton approve the plat prior to approval by the Board of Supervisors.

**Chair Scheibe** welcomed the Commission to comment. **Piatak** asked whether executing the required access easement was a condition of approval. **Mathias** said the Commission could make it an official condition of approval, which **Piatak** responded it should since the easement would be recorded.

**Chair Scheibe** closed the public hearing and welcomed a motion from the Commission.

**Piatak made a motion to recommend approval of the final plat to the Board of Supervisors, with two conditions: that the City of Princeton approve the final plat, and the required access easement be executed and recorded prior to approval by the Board of Supervisors. Seconded by Schnekloth. Vote: 5-0, All Ayes**

4. **Lighting Ordinance Update – Proposal to Schedule a Public Hearing:** The Commission reviewed the proposed ordinance language prepared by staff and agreed to schedule a public hearing on their recommendation for adoption.

**Schnekloth made a motion to schedule the hearing. Seconded by Maxwell. Vote: 5-0, All Ayes**

5. **Review Adopted Administrative Rules Section 2.0 (Regular Meeting Times):** Commissioners who were present expressed flexibility in establishing a regular meeting time that would work for those who were absent, and directed staff to poll all Commissioners regarding preferred meeting time prior to the next meeting so they are prepared to vote on any possible changes. Commissioners who were present agreed 5:30 PM was perhaps an ideal time.

**Piatak made a motion to begin the next regularly-scheduled meeting at 5:30 PM. Seconded by Maxwell. Vote: 5-0, All Ayes**

6. **Other Business:** **Maxwell** asked if there was any movement on a utility-scale solar ordinance. **Mathias** said staff was moving forward with crafting an ordinance. **Maxwell** reiterated her belief that the use of non-agricultural land within cities for solar projects should be promoted, and asked whether the County could direct utility companies to that non-agricultural land within cities. **Mathias** responded that utility companies are plainly not interested in anything besides vacant, flat agricultural land near existing substations, so it is a non-starter to convince or direct them otherwise. **Rochau** pointed out that neighboring Clinton County Board of Supervisors currently had a large utility-scale solar project on their agenda for consideration.
7. **Adjournment:** With no further public comments and no other business to discuss, **Chair Scheibe** adjourned the meeting at 5:40 P.M.

**PLANNING & DEVELOPMENT**

600 West Fourth Street

Davenport, Iowa 52801-1106

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Chris Mathias,  
Director

**NOTICE OF PLANNING AND ZONING COMMISSION PUBLIC HEARING FOR AN  
AMENDMENT TO THE ZONING ORDINANCE**

Public Notice is hereby given as required by Section 6-31 of the County Code (Zoning Ordinance), that the Scott County Planning and Zoning Commission will hold a public hearing for a proposed amendment to said ordinance involving outdoor commercial lighting standards at a public meeting on **Tuesday, June 21<sup>st</sup>, 2022 at 5:30 PM**. The meeting will be held in the **1<sup>st</sup> Floor Board Room of the Scott County Administrative Center, 600 West 4<sup>th</sup> Street, Davenport, Iowa 52801**.

The Planning and Zoning Commission will consider an addition to the ordinance text that creates regulations for outdoor lighting of new commercial developments that are subject to the site plan review process (Section 6-29). A copy of the draft ordinance text is available for public viewing by contacting the Planning and Development Department or visiting during normal office hours.

If you have any questions or comments regarding this meeting or proposal, please call or write the Planning and Development Department, Scott County Administrative Center, 600 West Fourth Street, Davenport, Iowa 52801, (563) 326-8643, or attend the meeting.

**PARTICIPATION OPTIONS OTHER THAN LIVE ATTENDANCE:**

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Director



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To: Planning and Zoning Commission

From: Chris Mathias, Planning Director

Date: June 14, 2022

**Re: Proposed Lighting Regulations for Scott County**

Based on the direction from the Planning & Zoning Commission (**P & Z**), Staff has scheduled a public hearing for June 21<sup>st</sup>, 2022 to update the Zoning Ordinance with some lighting standards. Currently, Scott County has no ordinance to regulate exterior lighting. Lighting type, intensity, height and location can all have an effect on neighboring properties. We want properties to have adequate exterior lighting to ensure safety, but we need to minimize light pollution as well.

Staff are proposing changes to Section 6-29 "Site Plan Review" to require the lighting regulations as part of the Site Plan Review process. As we've already discussed, these lighting regulations would only apply to projects that require a site plan review. Any new multi-family, commercial, office, institutional or industrial uses in the County require a Site Plan Review at the **P & Z**, and if approved, these lighting standards would become part of that review. If you recommend approval of these proposed amendments, they will then go to the Board of Supervisors for approval.

**The specific changes to the Ordinance are proposed as follows:**

**Add Section 6-29(D)(7)**

- (7) All lighting shall be provided in accordance with the provisions of Section 6-29(G) of this Code.

**Add Section 6-29(G) Lighting**

**G. Lighting:** All lighting shall be provided in accordance with the following provisions:

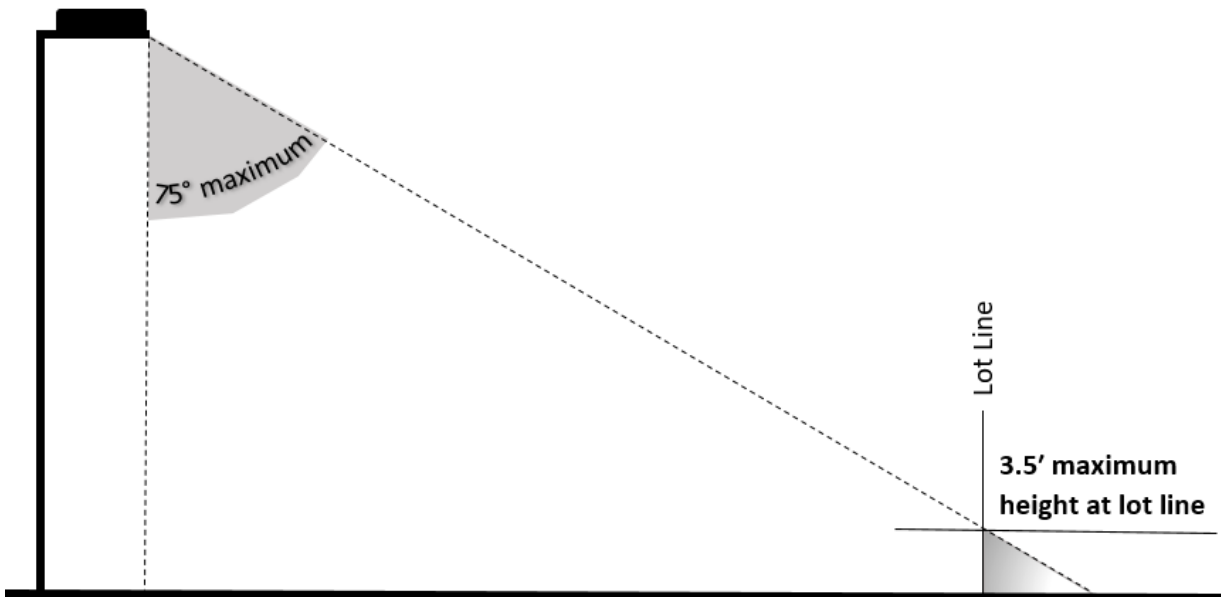
- (1) **Lighting Plan:** All proposed lighting is required to be shown on a lighting plan. The plan shall show all light poles, lights mounted on buildings, small bollard or monument lights and all other lighting to be installed on the property. Information to be included on the plan or as an attachment with the plan:
- a. Details on the pole, luminaire, and foundation details including pole height, height of building-mounted lights, mounting height, and height of the luminaire.



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- b. Specifications for luminaires and lamp types, and poles, including photographs or drawings of proposed light fixtures.
  - c. Elevations of the site including all structures and luminaires sufficient to determine the total cut off angle of all luminaires and their relationship to abutting parcels may be required.
  - d. A Photometric plan that shows the foot-candle measurement at all lot lines.
- (2) Maximum Brightness.
- a. The maximum allowable foot-candle at any lot line is one foot-candle.
  - b. When additional security lighting is required for security reasons in excess of the foot-candle limit imposed by item 1 above, additional lighting may be allowed based on evidence for the need for additional security through site plan review.
  - c. No glare onto adjacent properties is permitted.
- (3) Luminaire with Cut Off Standards.
- a. To be considered a cut off luminaire, the cut off angle must be  $75^{\circ}$  or less.
  - b. The maximum total height of a cut off luminaire, either freestanding or attached to a structure, is 40 feet in the "C-2" and "I" Districts and 35 feet in all other districts.
  - c. A cut off luminaire must be designed to completely shield the light source from an observer 3.5 feet above the ground at any point along an abutting lot line.

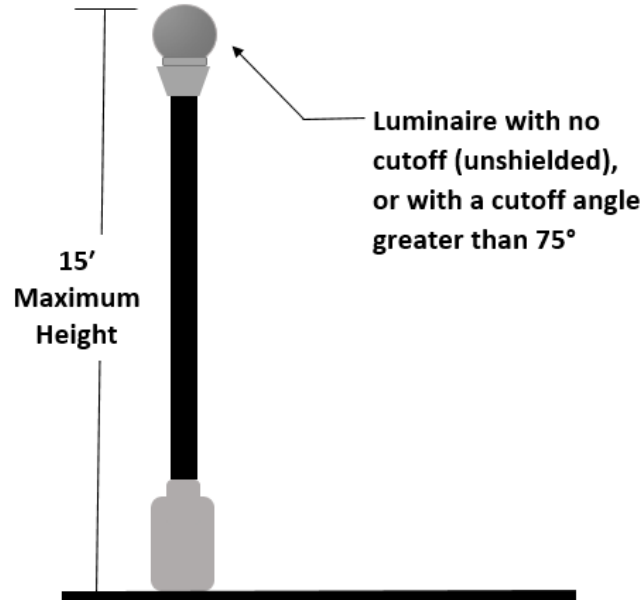




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- (4) Luminaire with No Cut Off Standards. Decorative and/or architectural lighting with no cut off is allowed and subject to the following standards:
- A luminaire is considered to have no cut off if it is unshielded or has a cut off angle greater than  $75^\circ$ .
  - The maximum permitted total height of a luminaire with no cut off is 15 feet.



- (5) Exceptions to Lighting Standards.
- Uplighting of buildings is allowed but all light must be directed onto the facade of the structure and cannot glare onto other properties.
  - Because of their unique requirements for nighttime visibility and limited hours of operation, outdoor recreational facilities (public or private) such as, but not limited to, football fields, soccer fields, baseball fields, softball fields, tennis courts, golf driving ranges, show areas, and other similar uses are exempt from the requirements of this section. Recreational facilities are permitted a total luminaire height of 65 feet in any district. Luminaires greater than 65 feet in total height may only be approved by special use permit.
  - Temporary uses.
  - Holiday and seasonal lighting is not subject to the requirements of this section.
- (6) Prohibited Lighting.
- Flickering or flashing lights are prohibited.
  - Searchlights, laser source lights, or any similar high intensity lights are prohibited.
  - Neon or LED lighting to outline doors, windows, architectural features, and building facades is prohibited.





**Planning & Development  
Scott County, Iowa**

**Chris Mathias, Director**

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To: Planning and Zoning Commission

From: Chris Mathias, Planning Director

Date: June 14, 2022

**Re: Proposed Solar Regulations for Scott County**

Planning Staff have completed their draft of a solar energy generation ordinance for Scott County. The proposed ordinance changes are included later in this document. It's important for you to know why Staff is proposing these changes. Currently, Scott County has no mention of solar generation in the zoning code. We've seen solar farms being built in Muscatine County and other counties across Iowa. We also have heard from Alliant Energy on a solar farm that they want to install near Walcott. As Planning Staff we are trying to be prepared for these proposals as they come, and we feel that it is better to have an ordinance in place.

The Scott County Comprehensive Plan does encourage clean, renewable and efficient energy but it also encourages natural resource and agricultural protection, as well as many other objectives which should all be considered when we make any ordinance changes. It is Staff's opinion that whatever ordinance is passed, it should encourage renewable energy, but not to the detriment of agricultural land preservation which has been a unique and important planning principle in Scott County for more than 40 years.

This ordinance was crafted with a few principles in mind. The first being that consumer-scale solar energy generation, the ability for a homeowner, business owner or farmer to offset their energy costs by having solar panels on their roof or in their yard, should be encouraged. This ordinance sets that threshold at a 20kW solar system. This means that if a consumer wants to install a solar system in their yard or on their roof, they simply need to obtain a building permit, and have that system be placed in line with accessory structure limitations to height, setbacks and yard coverage. In short, if the system is 20kW or less, it can be installed where an accessory structure could be installed or on a roof if it meets building code requirements. (See Section I of the ordinance.)

The second principle is that the high quality farmland of Scott County, and the agricultural way of life should be protected. A property owner in Scott County should not be allowed to install a solar energy system that is greater than 20kW unless they rezone the land to the "US-F" Utility-Scale Floating District. This floating zone sets standards for good solar development (Sections F and H), lists what plans must be submitted to apply (including a decommissioning plan, see Section G) and sets limits as to what land could be rezoned to US-F. For example, any site that is proposed



to be rezoned to US-F must have an average score CSR2 of under 50.0. See Section E of the ordinance.

Finally, Staff want to acknowledge that utility-scale solar energy generation and other forms of renewable energy should be encouraged in Scott County. As you can see from the attached map, there are areas of Scott County with an average score CSR2 that's lower than 50.0. These areas are primarily found up north and away from the dense urban areas. Alliant Energy and other utility company consultants that have weighed in have told us that it will be more difficult and more costly to install solar fields at these locations. These areas they say are not located next to the proper utility infrastructure and transmission lines. However, Staff does not believe that Scott County's agricultural land preservation policies should be sacrificed in order to subsidize the cost of utility companies.

**The specific changes to the Ordinance are proposed as follows:**

**6-5. DEFINITIONS**

Edit Definition

20. CORN SUITABILITY RATING (CSR2): The most current official index for ranking the productivity of soils and their suitability for row-crop production in Iowa. The CSR2 index has replaced CSR as the system that rates soils from five (5) to one hundred (100), with one hundred (100) reserved for those soils a) located in areas of the most favorable weather conditions in Iowa, b) that have high yield potential, and c) that can be continuously row cropped. (A detailed description of the CSR2 system, including methodology and CSR2 estimates for various soil types, may be found in publications of the Agricultural Extension Service, Iowa State University.)

Add Definition

105. SOLAR ACCESS EASEMENT: A recorded easement which provides continued access to incident sunlight necessary to operate a solar collector.

Add Definition

106. SOLAR ARRAY: A group of solar panels connected together.

Add Definition

108. SOLAR ENERGY GENERATION, CONSUMER SCALE A solar energy system of interconnected solar panels/arrays for the primary purpose of meeting electrical demands at that



location. These systems are typically intended to offset electrical demands for the owner and are not intended to be net annual generators of electricity. :

Add Definition

109. SOLAR ENERGY GENERATION, UTILITY-SCALE: A group of interconnected solar panels/arrays that convert sunlight into electricity for the primary purpose of wholesale or retail sales of generated electricity. This definition does not apply to consumer scale solar installations that are constructed primarily to provide power for use on-site.

Add Definition

110. SOLAR GLARE: The effect produced by light reflecting from a solar panel with intensity sufficient to cause annoyance, discomfort or loss in visual performance and visibility.

Add Definition

111. SOLAR PANEL: A device composed of groups of individual solar cells used to convert solar energy into electrical current.

## 6-21. "US-F" Utility Solar-Floating District

- A. General Intent:** The US-F Floating District is intended and designed to provide areas for utility-scale solar energy generation sites. The adopted Smart Planning Objectives of the Scott County Comprehensive Plan promote renewable energy use and increased energy efficiency. Prior to the establishment of any such district, adequate information shall be submitted regarding the effects of the proposed use upon the adjoining property and area, and other matters relating to habitat and natural resource conservation, preservation of prime agricultural land, public safety, public health, and general welfare. It is not the intent of this ordinance to allow Utility-scale solar energy generation sites on prime agricultural land.
- B. Principal Permitted Uses:** Land, buildings, or other infrastructure may be used for any of the following, in so far as the regulations contained in Sections E, F, and G are met:
1. Any use permitted in the underlying (original) zoning district.
  2. Utility-scale solar energy generation sites.
- C. Accessory Permitted Uses:** Accessory uses, structures, and other infrastructure customarily incidental to any permitted principal use.



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**D. Special Permitted Uses:** None.

**E. The Planning and Zoning Commission and Board of Supervisors shall consider the following characteristics of any land being petitioned for a rezoning to a “US-F” Floating District:**

1. Present Use.
2. Corn Suitability Rating (CSR2): No land shall be rezoned to the “US-F” district with soil that scores an average CSR2 score of 50.0 or higher. Calculation of Iowa CSR2 ratings of a specific area of land is strictly limited to the following:
  - a. Average CSR2 is to be calculated using current Soil Survey Geographic Database (SSURGO) data furnished by the United States Department of Agriculture Natural Resources Conservation Service (NRCS).
  - b. Average CSR2 is to be calculated using the Decision Tool “Calculating a Weighted Average CSR2” available through Iowa State University Extension’s website (<https://www.extension.iastate.edu/agdm/wholefarm/html/c2-87.html>).
  - c. The Area of Interest (AOI) established in “Calculating a Weighted Average CSR2” must include all property that will be owned or leased by the applicant regardless of what portion(s) of the property will be developed.
  - d. The Planning and Zoning Commission and Board of Supervisors shall consider any AOI with a Weighted Average CSR2 of 50.0 or greater as Prime Agricultural Land.
3. Access/proximity of existing utility infrastructure or other needed infrastructure, as well as the feasibility of extending such facilities, if necessary.
4. Particular suitability or adaptability of the land to accommodate the proposed use.

**F. Site requirements for rezoning land to a “US-F” Floating District:**

1. *Floodplain/Floodway:* No portion of the site proposed to be developed may be located in a mapped 100-year or 500-year floodplain.
2. *Habitat and Natural Resource Consideration:* The potential impact on any environmentally-sensitive areas such as lakes, ponds, streams, rivers, wetlands, steep slopes, aquifers and recharge areas, natural wooded areas, prairie and other wildlife habitats shall be identified and considered for reasonable mitigation. The Planning and Zoning Commission may recommend and the Board of Supervisors may approve off-site mitigation of environmentally-sensitive areas as opposed to their preservation
3. *Setbacks:* All buildings, accessory buildings, and other infrastructure shall be located at least five-hundred (500) feet from an “R-1” or “R-2” District boundary and not less than one-hundred (100) feet from any other District except a “C-2” or “I” District. Setbacks for all structures (including the solar arrays themselves) must adhere to the minimum principal setback standards for the zoning district where the project is located; greater setbacks may be recommended based on the application



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4. *Screening*: Adequate safeguards shall be taken to fence or screen any on-site hazards from the public. A landscape buffer may be required to be installed and maintained. The need for screening requirements will be evaluated as part of the review by Staff and the approval process and will be based on the surroundings of the site.
5. *Utility connections*: All utility connections serving the solar shall be placed underground unless topography, soil quality, or other conditions make this unfeasible.
6. *Glare minimization*: All solar panels must be constructed to diminish glare or reflection onto adjacent properties and adjacent roadways and must not interfere with traffic, including air traffic, or create a safety hazard.
7. *Compliance with local, state, and federal regulations*: Utility scale solar installations shall comply with applicable local, state and federal regulations.
8. *Accessory structures*: All accessory structures shall be subject to bulk and height regulations of structures in the underlying zoning district, unless specified differently in the rezoning ordinance.
9. *Signage*: No signs other than appropriate warning signs, or standard signs for operation or identification, shall be allowed.
10. *Fencing/security*: A security fence must be installed along all exterior sides of the utility scale solar installation and be equipped with a minimum of one gate and locking mechanism on the primary access side. Security fences, gates and warning signs must be maintained in good condition until the utility scale solar installation is decommissioned.
11. *Disruption to Existing Agricultural Operations*: Any development plan must provide documentation that the project will not negatively affect the operation of existing agricultural drainage tiles on adjacent properties.

**G. Procedure for Rezoning Land to “US-F” Floating District:**

Developer/landowner must apply to the Planning and Zoning Commission for approval of a specific development plan involving one of the principal permitted uses listed in Section B. The development plan must include a site plan for the development in accordance with Section 6-29 (Site Plan Regulations). The standard rezoning procedures contained in Section 6-31 (Zoning Amendment Procedures) shall be followed, beginning with the Planning and Zoning Commission holding a public hearing for rezoning before making a recommendation to the Board of Supervisors.

1. Development Plan must include the following:
  - a. *Site plan*: Site plan shall show the location and spacing of every solar panel/array and all other facilities to be constructed
  - b. *Grading plan*: This plan shall include all proposed changes to the landscape of the site (e.g., clearing, grading, topographic changes, tree removal, etc.).
  - c. *Utility plan*: Planned location of all utilities, including underground or overhead electric lines.
  - d. *Project timeline*: Project timeline showing how the site will be developed from beginning to end, including how the applicant will inform adjacent property owners.



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- e. *Landscaping/Screening plan*: Planned location of all plants and screening.
- f. *Road Impact Analysis*: An inventory of the existing road network to be utilized for construction and maintenance of the facility and details on how the project will impact those roads over the life of the project, including during installation and decommissioning.
- g. *Interconnection agreement*: Provide the interconnection agreement with the utility company
- h. *Installation, operation, and maintenance plan*:
  - (1) *Maintenance, repair or replacement of facility*: Maintenance shall consist of, but not be limited to, repairs to structures or components, part replacement, painting, and maintenance of security measures. All applicable local, state and federal requirements should be followed when maintaining or conducting repairs to the site.
  - (2) *Access*: Show location of access easements. Site access shall be maintained to provide access for adequate maintenance and emergency responders.
  - (3) *Soil erosion and sediment control considerations*: The applicant agrees to conduct all roadwork and other site development work in compliance with a national pollutant discharge elimination system (NPDES) permit as required by the state department of natural resources and comply with requirements as detailed by local jurisdictional authorities during the plan submittal. If subject to NPDES requirements, the applicant must submit the permit for review and comment, and an erosion and sediment control plan before beginning construction. The plan must include both general "best management practices" for temporary erosion and sediment control both during and after construction and permanent drainage and erosion control measures to prevent damage to local roads or adjacent areas and to prevent sediment-laden run-off into waterways.
  - (4) *Stormwater management*: The plan shall include details on stormwater rate and runoff management as well as pollutant removal and flood reduction. The applicant shall include a detailed analysis of pre- and post-development stormwater runoff rates for review. Such review will incorporate appropriate stormwater management practices as required by the County Engineer, the Scott County Code of Ordinances and any State of Iowa best practices. The plan shall include detention of specified rainfall events, and infiltration components consistent with practices as detailed in the state stormwater management manual.
  - (5) *Ground cover and buffer areas*: Ground around and under solar arrays and in project site buffer areas shall be planted and maintained in perennial vegetated ground cover, and meet the following standards:
    - a. Top soils shall not be removed during development, unless part of a remediation effort.
    - b. Soils shall be planted and maintained in perennial vegetation for the full operational life of the project to prevent erosion, manage runoff and build





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soil. Seeds should include a mix of grasses and wildflowers native to the region of the project site that will result in a short stature prairie with a diversity of forbs or flowering plants that bloom throughout the growing season. Blooming shrubs may be used in buffer areas as appropriate for visual screening. Non-native or naturalized species may be selectively planted for maintenance purposes as part of an approved site plan.

c. Seed mixes and maintenance practices should be consistent with recommendations made by qualified natural resource professionals such as those from the Department of Natural Resources, County Soil and Water Conservation Service, or Natural Resource Conservation Service.

d. Plant material must not have been treated with systemic insecticides, particularly neonicotinoids.

e. Other practices, such as small-scale farming or grazing, may be allowed in the project area as part of the conditions of approval for the project.

(6) *Cleaning chemicals and solvents*: During operation of the proposed installation, all chemicals or solvents used to clean photovoltaic panels should be low in volatile organic compounds and the operator should use recyclable or biodegradable products to the extent possible. Any on-site storage of chemicals or solvents shall be referenced.

i. *Decommissioning plan*:

(1) The application must include a decommissioning plan that describes the anticipated life of the utility scale solar installation; the anticipated manner in which the project will be decommissioned, including plans to recycle components; the anticipated site restoration actions; the estimated decommissioning costs in current dollars; and the method for ensuring that funds will be available for decommissioning and restoration.

(2) The applicant shall provide the basis for estimates of net costs for decommissioning the site (decommissioning costs less salvage value). The cost basis shall include a mechanism for calculating adjusted costs over the life of the project.

(3) Restoration or reclamation activities shall include, but not be limited to, the following:

a. Restoration of the pre-construction surface grade and soil profile after removal of structures, equipment, graveled areas and access roads.

b. Re-vegetation of restored soil areas with crops, native seed mixes, native tree species, plant species suitable to the area, consistent with the county's weed control plan.

c. For any part of the energy project on leased property, the plan may incorporate agreements with the landowner regarding leaving access roads, fences, gates or repurposed buildings in place or regarding restoration of agricultural crops or forest resource land. Any use of



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remaining structures must be in conformance with the regulations in effect at that time.

d. Following a continuous one-year period in which no electricity is generated, or if substantial action on the project is discontinued for a period of one year, the permit holder will have one year to complete decommissioning of the utility scale solar installation. Decommissioning shall be completed in accordance with the approved decommissioning plan. The land owner or tenant must notify the county when the project is discontinued.

2. Developer/landowner must apply for all State, federal, and other required permits for the proposed development and provide copies of the applications for review.
3. The Board of Supervisors will receive the Commission's recommendation, as well as information received during the Commission's public hearing process, and will hold a public hearing in accordance with Section 6-31 (Zoning Amendment Procedures). Based on the Commission's recommendation, County staff comments, a review of the required State, federal, and other required permits, and comments from the applicant and the public, the Board may approve or deny the application. If approved, the site plan approval conditions (Section 6-29) will be included with the ordinance changing the zoning. Final County approval is contingent on State, Federal, or other permit approval as may be required.
4. If the application is adopted by the Board of Supervisors, the department staff shall update the zoning map to show the specific location of the "US-F" District, including the required separation spacing to other zoning districts.

## **H. Minimum Lot Area, Lot Width, Setback, and Maximum Height**

**Requirements:** The lot area, building and structure setbacks and heights of buildings, structures, or other infrastructure will be determined and approved through the established site plan review procedures (Section 6-29).

- ## **I. Consumer-Scale Solar Energy Generation:**
- Certain smaller-scale solar energy generation projects, such as roof-mounted arrays and small ground-mounted solar fields, are exempt from the regulations established in this section. Solar energy generation projects shall be considered "consumer-scale" and exempt from Section 6-21 when they meet *all* of the following criteria:
1. The generation system produces 20kW or less of power.
  2. Building and structure setbacks and heights of buildings, structures, or other infrastructure meet the requirements established for accessory buildings in the applicable zoning district.
  3. The generation system is an accessory use to a permitted principal use in the applicable zoning district.





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April 20, 2022

**To: Planning & Zoning Commission**  
**From: Alan Sabat, Planning & Development Specialist**  
**Re: Administrative Rules Section 2.0 – Meeting Times, Commission Input**

Commission Members,

Below is a summary of the responses to the email poll regarding meeting times, sent April 6, 2022. The red number next to the answer options indicates the number of votes for each option. The next opportunity for action on potential changes to Section 2.0 of your Administrative Rules will be on the next agenda.

1. **Should the Planning & Zoning Commission continue to meet at one time from October to April and an alternate time (30 minutes later) from April to October?**
  - 1 a. Yes, it should continue to meet at one time from October to April and an alternate time (30 minutes later) from April to October
  - 5 b. No, it should meet at the same time throughout the calendar year
  - 1 ***abstain***
  
2. **Which is your preferred meeting time for October to April meetings (assuming the Commission continues to meet 30 minutes later for April to October meetings)?**
  - 5 a. 5:30 pm
  - 1 b. 6:00 pm
  - 1 c. 7:00 pm