



**Planning & Development
Scott County, Iowa**

Chris Mathias, Director

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Administrative Center
600 West Fourth Street
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March 17, 2023

To: Planning & Zoning Commission
From: Chris Mathias, Planning & Development Director
Re: Ordinance Text Amendment, Private Park Proposal, Grunwald

Staff has received and accepted an application for an ordinance text amendment submitted by Rily and Arditia Grunwald to add a Special Permitted Use to the newly-created Conservation-Recreation (C-R) district.

Based on this application, two amendments are proposed by the applicant: the first to add a definition for "Snow Tubing Facility" in the Definitions section of the Ordinance; the second to add "Snow Tubing Facility" to the (currently empty) list of Special Permitted Uses in the C-R District regulations.

The definition for "Snow Tubing Facility" proposed by the applicants would read, "A private park facility generally used for the recreational activity of sliding downhill over snow on a large inflated inner tube. Private snow tubing operations shall take advantage of natural topography, with minimal grading to provide appropriate slopes. Snow tubing operations may include: mechanical uphill surface-type person transportation system; a building to house pumps, snow-making and maintenance equipment and inner tube storage; a warming area with restrooms and concessions; a scale-appropriate parking lot; and water detention lake. Most snow tubing operations shall require approval from the Iowa Department of Natural Resources prior to construction and operation."

Staff are not comfortable with this definition as written and have proposed changes to the definition as well as the addition of a new definition of "Snow Tube Facility Concession/Warming Area." In order for us to be able to recommend approval of this proposal.

Staff recommends approval of the addition of the definition for "Snow Tubing Facility" to the Definitions section of the Ordinance with the following modifications:

- "Private snow tubing operations shall take advantage of natural topography, with minimal grading to provide appropriate slopes." **Staff recommends revising to read, "Private snow tubing operations shall take advantage of natural topography to provide appropriate slopes and shall not require significant grading." Since the spirit and intent of the C-R district is to utilize and enjoy natural areas by leaving them in a mostly natural state, Staff feels "shall not require significant grading" is more appropriate and may be interpreted as more restrictive than "with minimal grading." "Shall" is usually interpreted as obligatory or mandatory.**
- "...mechanical uphill surface-type person transportation system..." **Staff recommends changing this to "...mechanical uphill surface transportation utilizing an uphill tow style or conveyor style system" The key word here is surface as the lift will not be in the air but will use the ground surface for support. Users of the lift will be on the ground being towed up the hill in a tube, or they will be standing on a conveyor holding a tube. .**
- "...a warming area..." **Staff recommends adding the definition of "Snow Tube Facility Concession/Warming Area as detailed later in the memo.**
- "...a scale-appropriate parking lot..." **The parking lot should be as small as possible to accommodate the use and the lot should not be of a hard surface to be more compatible with sensitive environmental areas. ADA requirements may affect the hard surface requirement.**

Along with these revisions Staff recommends the addition of the definition of "Snow Tube Facility Concession/Warming Area" to the Definitions section of the ordinance, be added as follows:



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“An enclosed building, limited to 720 square feet, containing restroom facilities, a warming area limited to space for changing clothes or preparation for snow tubing, and a concession area limited to the sale of pre-prepared foods with no food preparation that requires an oven, hood or grease trap.”

Staff would also be in favor of adding “Snow Tubing Facility” and “Snow Tube Facility Concession/Warming Area” to the list of Special Permitted Uses, subject to the aforementioned Staff revisions to the proposed definition.

Staff will note now and at the public hearing before the Planning & Zoning Commission that these text amendment proposals are not site-specific. At this stage, the Commission will consider only whether the proposed definition and use are compatible with the intent of the C-R District and the Scott County Comprehensive Plan. Therefore, while staff is interested in seeing a concept site plan to help the Commission visualize the proposed use, any analysis of a specific development site should wait until a rezoning hearing and subsequent Special Use Permit review.



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To: Planning & Zoning Commission
From: Chris Mathias, Planning Director
Re: Minimum Lot Size

Staff have been considering a change to the minimum lot size requirement for the R-1 (Single Family Residential) zoning district, as well possibly other zoning districts in unincorporated Scott County. Currently, there is a 30,000 square foot (SF) minimum lot size in R-1. This small lot size can lead to subdivisions that are poorly designed, have access issues or drainage easements that don't provide adequate maintenance access. Another concern from Staff and members of the Planning & Zoning Commission has been the lack of area available for a septic system. There is also the added issue that septic systems eventually need to be replaced and there should be room for a backup septic system.

While the 30,000 SF minimum lot size might seem large to some more urban jurisdictions and areas with little to no individual septic tanks on lots, for Scott County's jurisdiction it is too small. The Planning & Zoning Commission has seen subdivisions over the years where many of the lots are barely over the minimum size. This has resulted in subdivisions with drainage and utility easements that cannot be accessed in reality. Storm water issues that are identified cannot be corrected without proper access for whomever needs to access the location. These subdivision proposals have also had access issues when it comes to flag lots and shared driveways.

The biggest issue for both Planning and Health Dept. staff has been the lack of adequate space for a conventional septic system. Certain developers have gone into proposed subdivisions and done grading work that removes all of the top soil. This top soil layer is the most ideal soil for a conventional septic system to function. After the good soil is removed and the site is left with clay and lower quality soils, sometimes the only septic solution is a sand filter system. The sand filter option requires water to flow away from the septic over ground. If a lot is already too small and contains a large house this can leave little room for a septic and especially for the sand filter option which could result in water leaving the site and spilling onto neighboring properties.

Here is a look at what other County Governments are requiring for Minimum Lot Size:

County	Min. Lot Size	Notes:
Clinton	2 acres	9600 SF in R-2 (no individual septic and well)
Johnson	1/4 acre	With Additional Residential Districts that limit to 2 acres, 3 acres, 5 acres, 10 acres and 20 acres
Linn	1 acre	For lots served by private on-site septic systems
Muscatine	1 acre	
Rock Island	20,000 SF	



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Staff also reached out to the County Health Dept. to discuss the typical size and layout of septic systems that they see throughout the County. Jack Hoskins prepared some diagrams showing septic system type and size in relation to a typical house size and lot layout. These diagrams are attached to this memo. You can see that they expect a typical conventional septic system of roughly 3,000 SF for a 3 bedroom home and up to 6,000 SF for a 5 bedroom home. The sand filter systems are used when the soil quality or lot size does not allow for a conventional system. Sand filter systems are typically 800 SF for a 3 bedroom and 1200 SF for a 5 bedroom home. However, the sand filter does discharge water from the system. If there isn't enough room to properly site the sand filter system away from the property line, it could lead to more water runoff onto neighboring properties.

We can see some common ideas when we analyze how other County jurisdictions are managing minimum lot size and on-site septic systems. Most counties have either multiple residential zones to accommodate neighborhoods that could be on different points of the spectrum between rural or urban, or they differentiate between lots with an on-site septic system and lots served by water and sewer off-site. For example, Johnson County has at least 6 different residential zones with minimum lot sizes ranging from $\frac{1}{4}$ acre to 20 acres. Linn County takes a different approach and has a higher minimum lot size for "lots served by private on-site septic systems."

Creating 5 different residential zoning districts to handle this problem would not be a practical solution for Scott County at the moment. However, raising the minimum lot size in the A-P, A-G and R-1 zoning districts for proposed subdivisions that will be served by on-site septic systems should be considered. The 30,000 minimum Lot size could stay in place for subdivisions with off-site common sewer collection with no septic systems on-site. Staff believes that lots with on-site septic systems should really be of a minimum lot size of no less than 1 - 2 acres. Going to 1 acre would only add 13,560 SF to the current minimum lot size and it seems like this might not be enough to really address the issues. Staff believes that going to a minimum lot size of 60,000 SF for lots in the A-P, A-G and R-1 districts, with on-site septic systems is a prudent decision to make. This would double the current minimum lot size for these type of subdivisions.