



**SCOTT COUNTY
PLANNING AND ZONING COMMISSION
Tuesday, June 6, 2023
5:30 P.M.**

MEETING MINUTES

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

- MEMBERS PRESENT:** Joan Maxwell, Lori Rochau, Carolyn Scheibe, Hans Schnekloth,
- MEMBERS ABSENT:** Easton Armstrong, Steve Piatak, Kurt Steward
- STAFF PRESENT:** Chris Mathias, Planning & Development Director
Alan Silas, Planning & Development Specialist
- OTHERS PRESENT:** Loren and Lisa Rathjen, applicants
Mike Richmond, representative for Olathea Overlook applicants
Twelve (12) members of the public

1. **Call to Order:** Chair Scheibe called the meeting to order at 5:30 P.M.
2. **Minutes:** Consideration of April 18, 2023 meeting minutes. Rochau made a motion to approve. Seconded by Maxwell. Vote: 4-0, All Ayes
3. **Public Hearing, Sketch Plan/Final Plat – Minor Subdivision:** Chair Scheibe read a summary of the legal notice and welcomed staff to describe the request. Mathias displayed site maps and photos, and reviewed the two main criteria for minor subdivisions (Zoning, Land Use, and Lot Layout and Access and Roadway Improvements), describing the plat as a straight-forward four-lot residential subdivision on a paved road with adequate site and separation distances for four new driveway approaches.

Chair Scheibe welcomed the applicants. The applicants provided no additional comment.

Chair Scheibe opened the public hearing.

Jim Behan (14311 110th Avenue) asked if the subdivision was for single-family residential development, which Mathias confirmed it was.

With no further comments from the public, Chair Scheibe closed the public hearing and asked for staff's recommendation.

Mathias said staff recommended approval of the sketch plan/final plat of West Wind Hills, with one (1) condition: that the City of Davenport approve the plat before approval by the Scott County Board of Supervisors.

Chair Scheibe welcomed the Commission to respond.

Schnekloth made a motion to recommend approval of the sketch plan/final plat with the one (1) condition in accordance with staff's recommendation. Seconded by Maxwell. Vote: 4-0, All Ayes

4. **Final Plat – Major Subdivision:** **Chair Scheibe** read a summary of the legal notice and welcomed staff to describe the request. **Mathias** displayed site maps and photos, and reviewed the major components of the subdivision proposal: lot layout, common open space, access and roadway improvements (including a platted access easement to an adjacent subdivision), protection of natural vegetation cover, storm water management, erosion and sediment control, water and waste water, extraterritorial review by the City of Princeton, and the approval conditions of the Preliminary Plat from April 2023.

Chair Scheibe welcomed the applicants to respond. **Mike Richmond** said he was available to answer any of the Commission's questions.

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

Chair Scheibe asked for staff's recommendation. **Mathias** said staff recommended approval of the Final Plat with one (1) condition: that the City of Princeton approve the plat before approval by the Scott County Board of Supervisors.

Chair Scheibe welcomed the Commission to respond.

Maxwell made a motion to recommend approval of the Final Plat with the one (1) condition in accordance with staff's recommendation. Seconded by Rochau. Vote: 4-0, All Ayes

5. **Discussion, Ordinance Text Amendment:** **Mathias** said the Board of Supervisors did not take any action on the Commission's April 18, 2023 recommendation on increasing the minimum lot size in certain zoning districts, citing concerns about how it may limit development in the County, and requested that the Commission review the item again.

Maxwell said it's becoming unclear whether the County is promoting housing and other development in its unincorporated areas, and suggested an update to the Comprehensive Plan if that's the new policy direction the Board would like to go.

Chair Scheibe said broadly allowing Accessory Dwelling Units, which the Commission also recently recommended approval of regulations that would do so, would mean the current minimum lot size is no longer adequate. **Chair Scheibe** said she would prefer to discuss the item with more commissioners present, and requested staff to place another discussion on an agenda within six (6) weeks.

6. **Discussion, Ordinance Text Amendment:** **Mathias** presented an outline of things to consider when building an ordinance for utility-scale wind turbines, which included setbacks, process/procedure, decommissioning, infrastructure impacts, and safety.

Chair Scheibe said the concrete foundations for the turbines, which can be twenty (20) feet or deeper, should be removed as part of the decommissioning process.

Maxwell said now more than one wind energy companies are visiting and holding public meetings in the County, so there is a pressing demand for wind farm development. **Maxwell** also said the Commission will need to consider “shadow flicker,” and that she does not sense an appetite among County residents to encourage utility-scale wind.

Chair Scheibe said the Commission will also need to consider noise, and suggested perhaps Corn Suitability Rating (CSR) be a limiting factor for where turbines can be located.

Schnekloth asked what kind of useful lifespan wind turbines have, and said he was less concerned about CSR given the smaller footprint of the turbines. **Chair Scheibe** said the lifespans appeared to be about 20 years, but that the structures are often refurbished through time so they can last longer than that.

Chair Scheibe welcomed the public to provide input.

Ray Wolf (103 Shawnee Circle) is a retired National Weather Service employee and shared some of his professional expertise on the topic, specifically how it relates to weather radars.

Mathias read aloud and entered into the record written communication he received from **Ed Holicky with the National Weather Service (NSW) of the Quad Cities Iowa/Illinois**, which requests that any future wind farm operator work with the NWS and the National Telecommunications and Information Administration during site selection and construction.

Kourtney Johnson (25514 210th Avenue) asked the Commission to carefully consider the decommissioning process regulations that would likely be part of the ordinance due to her concerns about proper disposal.

Chair Scheibe suggested the Zoning Board of Adjustment be part of the review and approval process since their review criteria for Special Use Permits and Variances are extensive. **Mathias** warned that the Board of Supervisors may want a say in approval, and that would not be part of the existing process if proposals went to the Zoning Board of Adjustment.

Maxwell stated her preference that the Commission hold public input meetings around the County to get resident feedback on what the ordinance should include. **Chair Scheibe** and **Schnekloth** said they were open to the idea, but would want to have a draft ordinance to present to the public. **Chair Scheibe** asked staff to finalize its research and draft ordinance text.

7. **Discussion, Ordinance Text Amendment:** **Mathias** said he attended a conference concerning the CO2 pipeline proposed in Iowa, and it’s appearing less and less likely that the County can adopt a highly regulatory ordinance without it being challenged or overturned entirely.

Chair Scheibe welcomed the public to provide input.

Julie Schocker (3115 310th Street) listed several of her concerns and said it was up to local jurisdictions to hold the line when it comes to pipeline regulation since state and federal entities don't seem to be interested in creating regulations themselves.

Mary Engler (1132 W Price Court, Eldridge) also listed several of her concerns and said the ordinance should consider setbacks from both private and public property, pipe depth, and monitoring stations.

Gerald Moeller (1540 Broadview Drive, Bettendorf) said he felt there were soon to be better options to capture carbon dioxide than current technology.

Corrine Flenker (203 W 1st Street, McCausland (Long Grove mailing address)) said Scott County feeds the world, so preserving farmland should be the Commission's main goal.

Kourtney Johnson (25514 210th Avenue) stated her support for a local ordinance.

Chair Scheibe welcomed the Commission to respond.

Maxwell said if the state is reluctant to regulate the pipelines, it's up to local jurisdictions to do what they can to protect their residents.

Chair Scheibe agreed and said the Commission would need to approve an ordinance that would stand up to court challenges. **Chair Scheibe** requested staff place a public hearing on an ordinance at the next regular meeting on June 20, 2023.

8. **Adjournment:** With no further business to discuss, **Chair Scheibe** adjourned the meeting at 6:48 P.M.