

**NOTICE TO THE AUDIENCE:** Please remember that if you are interested in matters on the agenda that will have subsequent meetings, it is your responsibility to note their dates, times, and places. No further letters or reminders will be sent. Of course, if you have any questions about any given matter, do not hesitate to contact the Planning Department in the City Hall Annex, 4403 Devils Glen Road, Bettendorf, Iowa 52722 or phone (563) 344-4071.

**MEETING NOTICE  
PLANNING AND ZONING COMMISSION  
CITY OF BETTENDORF  
NOVEMBER 20, 2013 AT 5:30 P.M.  
CITY HALL COUNCIL CHAMBERS  
1609 STATE STREET**

1. Roll Call: Bennett \_\_\_\_\_, Bert \_\_\_\_\_, Kappeler \_\_\_\_\_, Peters \_\_\_\_\_, Rafferty \_\_\_\_\_, Stoltenberg \_\_\_\_\_, Wennlund \_\_\_\_\_
2. Approval of minutes of the meeting of September 18, 2013.
3. Review of Commission procedures.

**Final Plat**

4. Case 13-067; Molo Oil Second Addition, submitted by Mark Molo/Molo Quint, LLC.

**Other**

5. Case 13-069; Ordinance amending Sections 16.18, 16.23, and 16.26 of Appendix B to the Municipal Code (related to manufacture and storage of ammunition at indoor shooting ranges in industrial districts.)
6. Commission Update.

The following are minutes of the Bettendorf Planning and Zoning Commission and are a synopsis of the discussion that took place at this meeting and as such may not include the entirety of each statement made. The minutes of each meeting do not become official until approved at the next meeting.

**MINUTES  
PLANNING AND ZONING COMMISSION  
SEPTEMBER 18, 2013  
5:30 P.M.**

The Planning and Zoning Commission meeting of September 18, 2013, was called to order by Wennlund at 5:30 p.m. at the City Hall Council Chambers, 1609 State Street.

1. Roll Call

MEMBERS PRESENT: Bennett, Bert, \*Rafferty, Stoltenberg, Wennlund

MEMBERS ABSENT: Kappeler, Peters

STAFF PRESENT: Greg Beck, City Planner; Bill Connors, Community Development Director; John Soenksen, City Planner; Lisa Fuhrman, Community Development Secretary; Kristine Stone, City Attorney; Brian Fries, Assistant City Engineer

2. Approval of the minutes of the meeting of August 21, 2013.

On motion by Stoltenberg, seconded by Bennett, that the minutes of the meeting of August 21, 2013 be approved as submitted.

ALL AYES

Motion carried.

3. Review of Commission procedures.

Rezoning/Preliminary Plat/Final Plat

\*Rafferty arrived.

4. Case 13-054; East terminus of 53<sup>rd</sup> Avenue, A-1, Agricultural District to R-1, Single-family Residence District, submitted by Unity Corp./Republic Electric Company. (Rezoning)

5. Case 13-055; Unity Farms, submitted by Unity Corp./Republic Electric Company. (Preliminary Plat)

9. Case 13-059; Unity Farms, submitted by Unity Corp./Republic Electric Company. (Final Plat)

Beck reviewed the staff reports.

Wennlund expressed concern that only one street is available to access future subdivisions to the north of the proposed plat location. Beck explained that when Century Heights Twentieth Addition is developed, there will be two additional streets that link to Allison Drive which will connect to the extension of Hopewell Avenue. Wennlund asked Hopewell Avenue would be extended in conjunction with the development of Century Heights Twentieth Addition. Beck explained that the project is listed in the Capital Improvement Program. Connors added that as soon as right-of-way can be acquired, the project is ready to go.

Rafferty asked if 53<sup>rd</sup> Avenue would be extended any further. Beck explained that because of the difficult topography to the east, 53<sup>rd</sup> Avenue would not be extended any further.

On motion by Bennett, seconded by Stoltenberg, that the rezoning of property located at the east terminus of 53<sup>rd</sup> Avenue, A-1, Agricultural District to R-1, Single-family Residence District, be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

On motion by Rafferty, seconded by Bert, that the preliminary plat of Unity Farms be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

On motion by Stoltenberg, seconded by Rafferty, that the final plat of Unity Farms be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

### **Final Plat/Site Development Plan**

6. Case 13-056; Genesis at Crow Valley Fourth Addition, submitted by Genesis Health Systems. (Final Plat)
10. Case 13-060; Lot 1, Genesis at Crow Valley Fourth Addition, submitted by Genesis Health Systems. (Site Development Plan)

Beck reviewed the staff reports.

Stoltenberg asked if there are any plans to install a traffic signal light at the entrance to the new building. Connors explained that the access to the north is from a private driveway. Fries added that a traffic study would have to be completed to determine if there are any warrants for a new traffic signal light.

Rafferty asked how far Falcon Avenue is from 18<sup>th</sup> Street. Connors estimated that the distance is between 600 and 700 feet.

Wennlund asked for clarification of the location of the storm water detention outlot that is referenced in the staff report. Beck explained that it is located north of 56<sup>th</sup> Avenue and is indicated on the preliminary plat. He indicated that the basin will collect the water from the development in addition to some runoff from 53<sup>rd</sup> Avenue.

Wennlund asked if there is an adequate number of handicapped parking spaces to serve the development. He commented that it does not appear that there are very many spaces in light of the fact that the building will house medical offices. Connors explained that the number of available handicapped parking spaces meets code requirements, adding that the developer cannot be required to provide more spaces than are required by the Americans with Disabilities Act.

On motion by Stoltenberg, seconded by Bennett, that the final plat of Genesis at Crow Valley Fourth Addition be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

On motion by Bert, seconded by Stoltenberg, that the site development plan for Lot 1, Genesis at Crow Valley Fourth Addition be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

### **Final Plat**

7. Case 13-057; The Highlands Sixth Addition, submitted by Heartland Builders of the Quad Cities, Inc.

Beck reviewed the staff report.

Rafferty asked what changes should be made to be platting process to prevent lots from becoming too small to develop in a similar manner as the rest of a neighborhood. Beck explained that the plats of survey adjusting the lot lines of most of the remainder of the subdivision should never have been approved. He indicated that only four lots in the subdivision are the same size as when the plat was originally approved. Connors stated that the Iowa State Code allows the adjustment of lot boundaries without the approval of a municipality by means of a plat of survey. He added that the city now requires that plats of survey be approved by planning staff before they are recorded which should reduce some of the problem.

On motion by Stoltenberg, seconded by Bennett, that the final plat of The Highlands Sixth Addition be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

8. Case 13-058; Hopewell Hills Third Addition, submitted by Bettendorf Land Development, LLC.

Beck reviewed the staff report.

Wennlund asked if a temporary vehicle turnaround would be installed. Beck confirmed this, adding that it would be located at the end of Idaho Drive. Wennlund asked if Lots 4 and 5 would be buildable. Beck confirmed this. Wennlund commented that he would be opposed to ever allowing a permanent hammerhead in a subdivision.

On motion by Bennett, seconded by Stoltenberg, that the final plat of Hopewell Hills Third Addition be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

### **Site Development Plan**

11. Case 13-061; 2030 Middle Road, submitted by Bettendorf Community School District.

Beck reviewed the staff report.

Wennlund referenced a letter from Cheryl Sickler of 2225 - 18<sup>th</sup> Street expressing opposition to the request and requesting that if the project is approved a berm be installed to redirect any additional runoff.

Wennlund asked where Sickler's property is located in relation to the proposed construction. Beck explained that in 2002 after the medical office building southwest of the school was built, some of the neighbors along 18<sup>th</sup> Street experienced problems with storm water runoff. He indicated that the city has attempted to correct some of the ponding problems on 18<sup>th</sup> Street itself, adding that the homes in question are more low-lying than the school and office building.

Wennlund indicated that it is his understanding that the new storm water detention improvements would actually lessen the runoff from the site as it exists now. Beck confirmed this. Wennlund asked if staff feels that Sickler's runoff problems would be exacerbated at all by the proposed construction. Beck indicated that the new construction would have no impact.

Rafferty asked for further clarification of where the storm water runoff would go, adding that adding more impervious surface would increase runoff. Beck explained that the new storm sewer would direct storm water to the south. Jason Holdorf, engineer for the applicant, explained that because a large part of the area where the new building additions are to be located is already impervious surface, there will not be much additional runoff. He indicated that he would relay the neighbor's comments to the applicant. Holdorf indicated that the new infiltration basin would capture runoff from the roof drains and direct it to the southwest. Wennlund asked where the runoff goes now. Holdorf stated that it is directed to the draw leading to the lagoon. Wennlund asked if there are any additional roof drains on the west side of the building. Holdorf confirmed this but reiterated that the building additions will add a very negligible amount of impervious surface to the site.

Rafferty asked if there would be a sidewalk leading from the door on the addition that is to be located on the east side. He indicated that there appears to be a substantial grade change there but that no sidewalk is indicated on the site plan. Rafferty asked whether fire access is available to the east side of the building. He indicated that from the aerial photo it does not appear as though fire access would be available from the south because of the topography and existing trees. Connors commented that the fire access issue was not raised at the development review committee meeting. Stoltenberg stated that the aerial photo is not current, adding that there is an existing fire access road leading from Spruce Hills Drive to the building near the northeast corner.

Rafferty commented that the school district should be made aware that any additional paving added to the site in the future on the west side of the building to replace what exists today there could increase storm water runoff. Holdorf concurred, indicating that any addition of impervious surface would require further storm water detention improvements.

On motion by Rafferty, seconded by Bennett, that the site development plan for 2030 Middle Road be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

### Other

12. Commission Update.

Connors stated that the following cases were approved by the City Council:

9/3/13

1109 Tanglefoot Lane, site development plan  
3222 and 3236 Bear Tooth Court, site development plan  
5123 Middle Road, site development plan  
VenWoods Estates Third Addition, final plat

9/17/13

2906 State Street, Commercial to General Industrial, first reading of ordinance

2906 State Street, C-3 to I-2, first reading of ordinance

Lots 19 and 20, The Highlands Third Addition, Office/transitional to Traditional Residential, first reading of ordinance

Lots 19 and 20, The Highlands Third Addition, C-5 to R-3) first reading of ordinance

There being no further business, the meeting adjourned at approximately 6:15 p.m.

These minutes approved

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\_\_\_\_\_

Gregory W. Beck, City Planner



## COMMUNITY DEVELOPMENT

City Hall Annex λ 4403 Devils Glen Road, Bettendorf, Iowa 52722 λ (563) 344-4100

November 20, 2013

Staff Report

### **Case No. 13-067**

**Location:** Molo Oil Second Addition – Final Plat

**Applicant:** Molo Quint, LLC

**Current Zoning Classification:** C-2, Community Shopping District

**Current Land Use Designation:** Commercial

### **Background Information and Facts**

Molo Quint, LLC has submitted an application for the final plat of Molo Oil Second Addition which is generally located at Middle Road and Interstate 74 (see Aerial Photo, Attachment A). The new subdivision is a replat of Mobil First Addition (see Final Plat and Proposed Final Plat, Attachments B and C). The developer plans to demolish the existing convenience store and gas pumps and rebuild using a different configuration.

### **Land Use**

The land use designation is Commercial. The site is zoned C-2, Community Shopping District which permits the proposed use.

### **Utilities**

Utilities already extend to the site, and the developer has the responsibility for connection. Utility connections will be determined during the site plan approval process.

### **Thoroughfare Plan/Pedestrian Access**

The lot will maintain its current access points. The Middle Road access will suffice to bring traffic to the site. A 6-foot wide sidewalk will be installed along Middle Road. Parking shall be determined based on building design. An easement shared with adjoining properties is a part of this plat.

### **Storm Water Detention**

Storm water is grandfathered in as no impervious surface is added, and the original structures predate the storm water detention ordinance. A new storm sewer design shall take the water from the sheet flow design of the past and direct the water into the City's storm sewer system. Also, the means of water flow to the Interstate 74 right-of-way will be blocked to prevent further erosion problems.

### **Staff Recommendation**

Staff recommends that the petitioner's request for approval of the final plat be granted subject to the following conditions:

1. This approval does not waive any other state, federal, or local government provisions as required by law.
2. All access drives are privately owned and maintained by the property owners. All on-site utilities are privately owned and maintained by the owner(s) of this site.
3. Storm water may not be conveyed in such a manner as to cause scouring or erosion to surrounding properties.

Respectfully submitted,

Greg Beck  
City Planner



I-74

M I D D L E R O A D



K I M B E R L Y R D

LINCOLN RD

FINAL PLAT OF

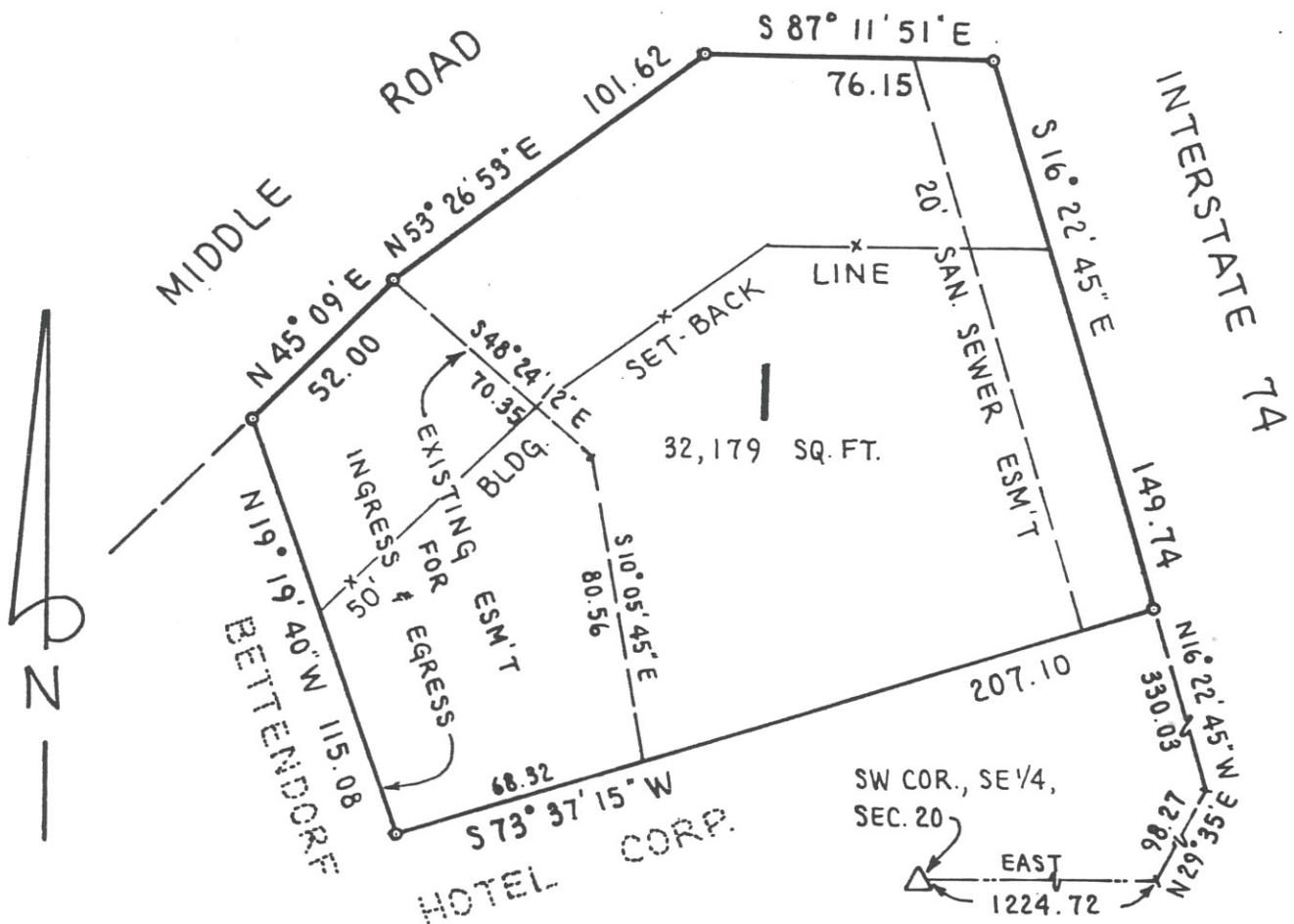
# MOBIL FIRST ADDITION

TO THE CITY OF BETTENDORF, IOWA  
PART OF SE 1/4, SEC. 20, T-78N, R-4E, 5TH P.M.

OWNED & SUBDIVIDED BY:

MOBIL OIL CORPORATION  
P.O. BOX 14309  
ST. LOUIS, MO 63178

AGENT: BRIAN D. CARLSON



APPROVED BY:

CITY OF BETTENDORF IOWA

BY: *William G. [Signature]*  
ATTEST: *[Signature]* DATE: 21 Feb 84

PLAN & ZONE COMMISSION

BY: *Tom W. [Signature]* DATE: 26 Sept 83

DAVENPORT WATER CO.

BY: *Julie J. [Signature]* DATE: 9-1-83

N.W. BELL TELEPHONE CO.

BY: *M. C. [Signature]* DATE: 9-1-83

IA.-ILL. GAS & ELECTRIC CO.

BY: *[Signature]* DATE: 9-8-83

APPROVED SUBJECT TO ENCUMBRANCES  
OF RECORD BY IA.-ILL. GAS & ELEC. CO.

SCALE: 1" = 50'



5/8" IRON PIN SET - ●

NOTES:

MONUMENTS TO BE SET IN ACCORDANCE WITH CHAPTER 409 OF THE STATUTES OF THE STATE OF IOWA.

BLANKET UNDERGROUND EASEMENT GRANTED FOR STREET LIGHTS AND FOR WATER, TELEPHONE, GAS, ELECTRICAL, SEWER, AND CABLE TELEVISION SERVICES TO INDIVIDUAL STRUCTURES.

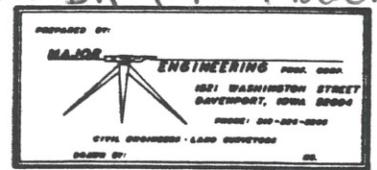


I hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision and that I am a duly registered Land Surveyor under the laws of the State of Iowa. This plat is a true and correct representation of the lands surveyed.

Signed *Marvin E. Hinkle* Date 9-1-1983

MARVIN E. HINKLE, L.S. Iowa Reg. No. 4204

*Mobil First Addition*

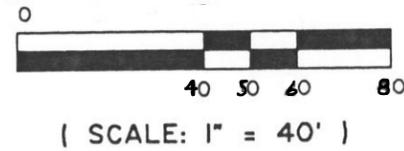


# MOLO OIL SECOND ADDITION

123 SOUTHERN AVENUE  
 DUBUQUE, IOWA 52001  
 ATTN: MARK MOLO

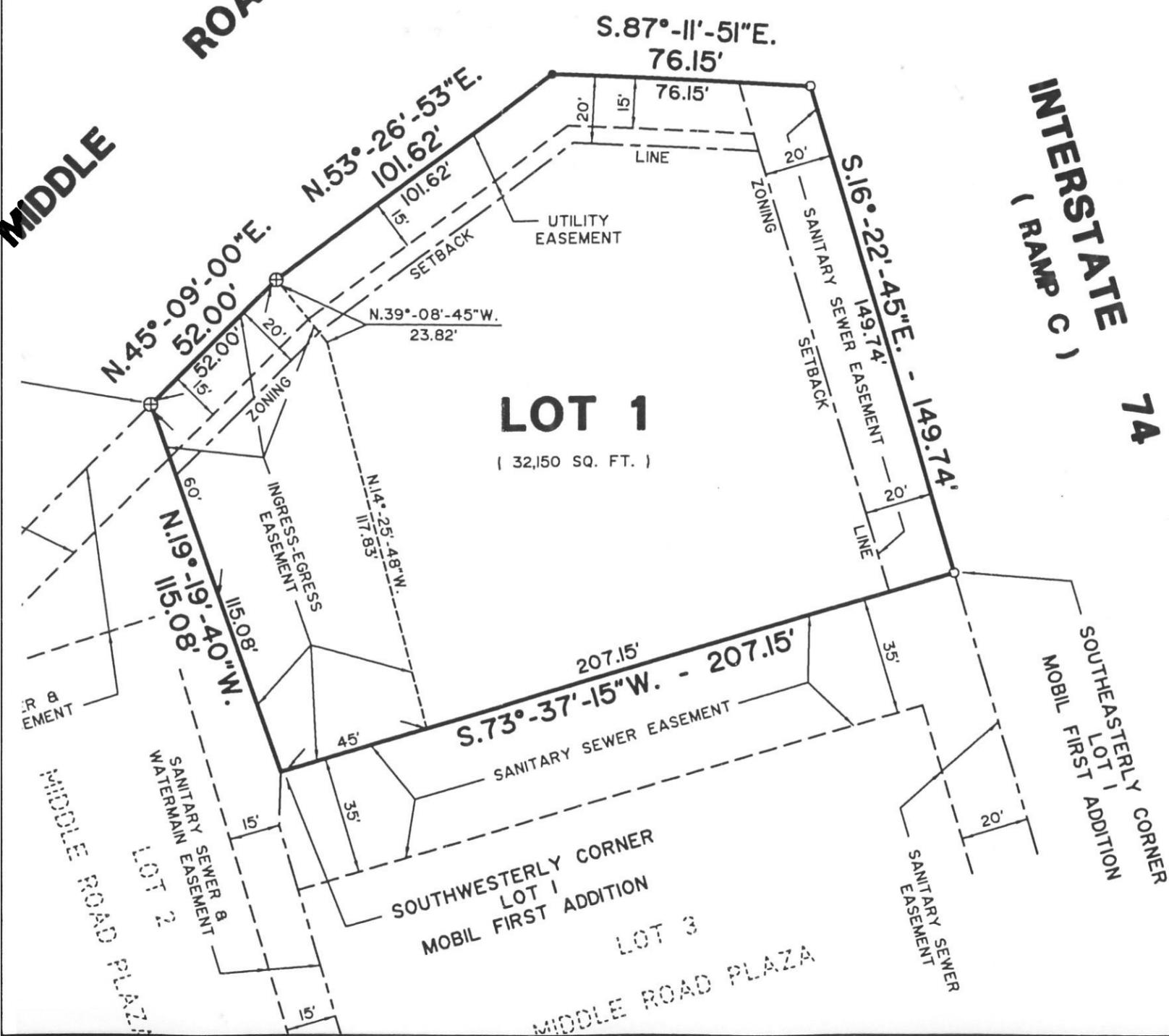
## TO THE CITY OF BETTENDORF, IOWA

BEING PART OF THE SOUTHEAST QUARTER OF SECTION 20  
 TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5th P.M.  
 AND BEING A REPLAT OF LOT 1  
 MOBIL FIRST ADDITION



MIDDLE ROAD

INTERSTATE 74  
 ( RAMP C )



**LOT 1**  
 ( 32,150 SQ. FT. )

### GENERAL NOTES

#### GENERAL NOTES

- IRON MONUMENTS FOUND SHOWN THUS ( 5/8" IRON PIN ).
- IRON MONUMENTS FOUND SHOWN THUS ( 1/2" IRON PIN ).
- FOUND CUT "+" IN CONCRETE .
- FOUND P.K. NAIL IN ASPHALT .
- DISTANCES SHOWN IN FEET AND DECIMAL PARTS THEREOF.
- SUBDIVISION CONTAINS 0.74 ACRES, MORE OR LESS.
- BLANKET UNDERGROUND EASEMENTS GRANTED FOR ALL PRIMARY AND SECONDARY ELECTRIC CABLES, PAD MOUNTED TRANSFORMERS, ELECTRIC TRANSFORMERS, PRIMARY CABLES, GAS SERVICE, WATER SERVICE, SEWER LATERAL, TELEPHONE SERVICE AND CABLE T.V. SERVICE TO INDIVIDUAL STRUCTURES AND STREET LIGHTS.
- LOT IS ZONED C-2 ( COMMUNITY SHOPPING DISTRICT ).
- ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE LATEST STANDARD SPECIFICATIONS OF THE CITY OF BETTENDORF, IOWA.
- ZONING SETBACK LINES ARE BASED ON ZONING REQUIREMENTS AS OF THE DATE OF CITY COUNCIL APPROVAL. IN CASE OF CONFLICT BETWEEN LINES SHOWN AND FUTURE CODE REQUIREMENTS THE CODE REQUIREMENTS SHALL GOVERN.
- PLAT NOTES ESTABLISH REQUIREMENTS FOR HOW A SUBDIVISION WILL DEVELOP. HOWEVER, THE CITY RESERVES THE RIGHT IN ITS SOLE DISCRETION TO ALTER OR AMEND ANY PLAT NOTE, OR TO SELL OR VACATE ANY RIGHT OF WAY OR UTILITY EASEMENT DEDICATED WITHIN THE PLAT. FURTHER, THE CITY RESERVES THE RIGHT UPON REQUEST OF THE OWNER TO RELOCATE ANY EASEMENT, ALTER LOT BOUNDARIES OR ALLOW GROUND TO BE REPLATTED.



## COMMUNITY DEVELOPMENT

City Hall Annex λ 4403 Devils Glen Road, Bettendorf, Iowa 52722 λ (563) 344-4055

November 20, 2013

Staff Report

### **Case No. 13-069**

**Ordinance Change:** Section 16.23.13., 16.26.1. and 16.18 (f) of Appendix B of the Zoning Ordinance – ammunition manufacturing.

**Applicant:** City of Bettendorf

### **Background Information and Facts**

The City of Bettendorf is proposing ordinance modifications to the I-2, General Industrial and I-1, Limited Industrial Districts. Amending provisions in Appendix B, Zoning Ordinance for sections 16.23.13., 16.26.1., and 16.18 (f). Section 16.23.13. is an amendment to the I-2, General Industrial District code to now include “Ammunition manufacture and storage for onsite use at an indoor shooting range.”

The Special Use permitting process shall give the Board of Adjustment oversight of the standards that must be met to receive the Special Use permit. Currently, few provisions for ammunition manufacture exist in the City (see Appendix B, Existing Zoning Ordinance 16.23.13., Attachment A). By amending the I-2, General Industrial District to include ammunition manufacturing in association with a shooting range, the I-3, Heavy Industrial District shall also be included as a permitted zoning district under special uses.

An update of prohibited uses was required to accommodate the nature of ammunition manufacturing and storage so that the more restrictive prohibited uses listed for the I-1, Limited Industrial District would not impact the more intense type uses typically found in the I-2, General Industrial District. Other uses prohibited in I-1 district, but permitted in the I-2 district, were also added as exceptions in section 16.26.1. (see Appendix B, Existing Zoning Ordinance, 16.26.1.; Attachment A).

The amount of materials as to quantity is being brought up to a threshold reflected in the standards used at state, national and local levels regarding materials which decompose by detonation (see Appendix B, Existing Zoning Ordinance 16.18.(f), Attachment B). The revision regarding quantities of materials used to make ammunition was necessary because the quantities listed would have had the effect of excluding the use of property for any ammunition manufacturing or storage function.

The code would be amended as follows:

## 16.2. I-2 GENERAL INDUSTRIAL DISTRICT:

16.21. *Description Of District:* The I-2 general industrial district is intended to provide lands for development by most types of industrial firms. The regulations are designed to permit operations in a clean and quiet manner and to protect adjacent district uses and industries within the district. Further development of residences is prohibited in this district to keep homes from absorbing any adverse effects of the industries and to conserve the supply of industrial land for industrial use. All uses must comply with the performance standards.

16.23. *Special Uses Permitted:* The following uses may be permitted only if specifically authorized by the board of adjustment as allowed in section 23 of this appendix:

1. Similar and compatible uses to those allowed as "permitted uses" in this district.
2. Childcare center and preschool.
3. Concrete and asphalt mixing.
4. Golf driving range.
5. Hospital.
6. Hotel and motel.
7. Power generating station.
8. Retail or business services intended to serve the permitted uses within the district and not dependent upon the direct visit of retail customers.
9. Mining and/or the extraction of materials, sand, gravel, topsoil or other aggregates, including equipment, buildings, or structures for screening, crushing, mixing, washing, or storage provided that:
  - (a) No open pit or shaft shall be less than two hundred (200) feet from any public road.
  - (b) All buildings or structures shall be located not less than two hundred (200) feet from any property line.
  - (c) The borders of the property shall be fenced with a solid fence or wall at least six (6) feet in height when the property is adjacent to or across the street from any district other than an industrial district.
  - (d) A plan of development of the reclamation of the land shall be provided as part of the application for special use. The plan of development shall be accompanied by a written agreement between the owner or his agent and Bettendorf, and a performance bond in an amount equal to the cost of the reclamation of the land as set forth in the development plan.

10. Residence of the proprietor, caretaker, or watchman, when located on the premises of the commercial or industrial use.

11. Sewage treatment plant.

12. Concrete block manufacturing. (Ord. 4-82, 1-19-1982; Ord. 5-93, § 12, 2-2-1993; Ord. 20-98, 7-21-1998)

**13. Ammunition manufacture and storage for onsite use at an indoor shooting range.**

16.24. *Temporary Permit Uses Permitted:* Upon application to and issuance by the zoning administrator of a permit therefor, the following uses may be operated as temporary uses:

1. Temporary permit uses permitted in the I-1 district.

16.25. *Accessory Uses:* Accessory uses, buildings or other structures and devices customarily incidental to and commonly associated with a permitted use or special use may be permitted, provided they are operated and maintained under the same ownership, on the same parcel and do not include structures or features inconsistent with the permitted use or special use, including, but not limited to:

1. Office. (Ord. 5-93, § 13, 2-2-1993)

16.26. *Prohibited Uses:* All uses not expressly authorized in sections 16.22 through 16.25 of this appendix including, but not limited to:

1. Prohibited uses listed in the I-1 district, **except for manufacture and wholesale storage of ammunition, enclosed building serving as automotive salvage yard, enclosed building housing commercial farm or feed yard.**

16.27. *Site And Structure Requirements:*

1. Minimum Lot Area. A separate ground area, of not less than twenty thousand (20,000) square feet, shall be designated, provided and continuously maintained for each structure or land containing a permitted or special use.

2. Minimum Lot Width. A minimum lot width of one hundred (100) feet shall be provided for each lot used for a permitted or special use.

3. Front Yard. All structures shall be set back at least twenty-five (25) feet from the front lot line.

4. Side Yard. All structures shall be set in from the side lot line a distance of not less than ten (10) feet on the least side, with the sum of the two (2) sides not less than twenty-five (25) feet.

5. Rear Yard. None required, unless required by bufferyard requirements in section 18.6 of this appendix.

6. Maximum Height. No structure or portion thereof shall exceed a height of three (3) stories or thirty-five (35) feet when within two hundred (200) feet of any residential district. Beyond two hundred (200) feet from a residential district one additional foot in height may be added for each two (2) feet of horizontal distance beyond two hundred (200) feet.

7. Floor Area Ratio. Floor area ratio, not to exceed 1.5.

8. Maximum Lot Coverage. Not more than fifty (50) percent of the lot area may be occupied by buildings and structures, including accessory buildings. (Ord. 5-93, § 24, 2-2-1993)

16.28. *Special Provisions:*

1. Parking Requirements. Parking requirements, in accordance with the applicable regulations set forth in section 19 of this appendix.

2. Sign Requirements. Sign requirements, in accordance with applicable regulations set forth in section 18 of this appendix.

3. Performance Standards. Performance standards, same as required for the I-1, district.

## **16.1 I-1 LIMITED INDUSTRIAL DISTRICT**

16.18. *Special Provisions:*

1. Parking. Parking requirements, in accordance with the applicable regulations set forth in section 19 of this appendix.

2. Sign requirements, in accordance with the applicable regulations set forth in section 18.

3. Performance standards. Any use established in this district after the effective date of this ordinance shall be so operated as to comply with the performance standards governing: (a) noise; (b) vibration; (c) smoke and particulate matter; (d) toxic matter; (e) odorous matter; (f) fire and explosive hazards; (g) glare; and (h) radiation hazards, as set forth.

Where the performance standards required by this ordinance are less restrictive than comparable requirements imposed by any other law, ordinance, resolution, rule or regulation of any kind of the State of Iowa or another governmental agency, the more restrictive shall govern. Uses already established on the effective date of this ordinance shall be permitted to be altered, enlarged, expanded or modified provided that the additions or changes comply with said performance standards.

(f) *Fire and explosion hazards.*

(1) Detonable materials. The storage, utilization or manufacture of materials or products which decompose by detonation **compaction, impaction or ignition shall comply with state, federal and local laws and fire code requirements governing the the City of Bettendorf. Said requirements regarding the quantity, utilization, processing , manufacturing, storage and delivery of such materials .**

Such materials shall include but are not limited to: All primary explosives such as lead azide, lead styphnate, fulminates and tetracene; all high explosives such as TNT, RDX, HMX, PETN and picric acid; propellants and components thereof, such as dry nitrocellulose, black powder, boron hydrides, hydrazine and its derivatives; pyrotechnics and fireworks such as magnesium powder, potassium chlorate and potassium nitrate; blasting explosives such as dynamite and nitroglycerine; unstable organic compounds such as acetylides, tetrazoles and ozonides; unstable oxidizing agents such as perchloric acid, perchlorates and hydrogen peroxide in concentrations greater than thirty-five (35) percent.

(2) Flammable solids. The storage, utilization or manufacture of solid materials or products ranging from incombustible to moderate burning is permitted.

The storage, utilization or manufacture of solid materials or products ranging from free or active burning to intensive burning is permitted, provided said materials or products shall be stored, utilized or manufactured within completely enclosed buildings having not less than two (2) hour fire resistant exterior walls and protected with an automatic fire extinguishing system.

(3) Flammable liquids and gases. The storage, utilization or manufacture of flammable liquids shall be permitted in accordance with the following table, exclusive of storage of finished products in original sealed containers, which shall be unrestricted. Aboveground flammable liquids and gas storage tanks shall not be less than fifty (50) feet from all lot lines. Flammable liquids and gases in original sealed containers fifty-five (55) gallons liquid capacity or less may be stored or utilized without restrictions

*Total Capacity of Flammable Materials Permitted (In Gallons)*

(Within <u>Enclosed Buildings</u> )	Aboveground	Underground
Materials having a closed cup flash point over 187 degrees but less than 300 degrees Fahrenheit	20,000	100,000
From and including 105 degrees Fahrenheit to and including 187 degrees Fahr- enheit	10,000	100,000
Materials having a closed cup flash point of less than 105 degrees Fahrenheit	3,000	100,000

When flammable gases are stored, utilized or manufactured and measured in cubic feet, the quantity in cubic feet at standard temperature and pressure shall not exceed thirty (30) times the quantities listed above.

**Staff Recommendation**

Staff recommends approval of the ordinance change with the following condition:

1. This approval does not waive any other State, Federal, or Local government provisions as required by law.

Respectfully submitted,

Greg Beck  
City Planner

**16.2. I-2 GENERAL INDUSTRIAL DISTRICT:**

16.21. *Description Of District:* The I-2 general industrial district is intended to provide lands for development by most types of industrial firms. The regulations are designed to permit operations in a clean and quiet manner and to protect adjacent district uses and industries within the district. Further development of residences is prohibited in this district to keep homes from absorbing any adverse effects of the industries and to conserve the supply of industrial land for industrial use. All uses must comply with the performance standards.

16.22. *Uses Permitted:* No land shall be used or occupied and no building, structure or premise shall be erected, altered, enlarged, occupied or used, except as otherwise provided in this ordinance, for other than one or more of the following specified uses:

1. Industrial-type uses, such as, but not limited to:

- (a) Industrial-type uses permitted in the I-1 district.
- (b) Agricultural building and structure.
- (c) Automotive salvage yard, if in a completely enclosed building.
- (d) Firms involved in the servicing, packaging, cleaning, repair and storage of materials, goods and products.
- (e) Industrial firms involved in the fabrication, processing, production, compounding and manufacturing of materials, goods and products.
- (f) Planing mill and saw mill, if in a completely enclosed building.
- (g) Railroad freight station, but not including switching, storage, freight yards and maintenance facilities.
- (h) Storage and sale of trailers, farm implements and other similar equipment on an open lot.

2. Wholesale and warehouse uses, such as, but not limited to:

- (a) Wholesale and warehouse uses permitted in the I-1 district.
- (b) Warehouse.
- (c) Wholesale establishment.
- (d) Storage of household goods.

3. Commercial uses.

- (a) Commercial uses permitted in the I-1 district.
- (b) Business establishments.

- (1) Bottled gas dealer.
- (2) Bottling works.
- (3) Building services and supplies.
- (4) Cartage, express and parcel delivery establishment.
- (5) Commercial greenhouse.
- (6) Commercial testing laboratory.
- (7) Contractor's yard.
- (8) Fuel oil dealer.
- (9) Sign and billboard.
- (10) Sign contractor.
- (11) Tire retreading and repair shop.
- (12) Truck terminal.

4. Public, quasi-public, and governmental buildings and facilities, such as, but not limited to:

- (a) Public, quasi-public, and governmental buildings and facilities permitted in the I-1 district.
- (b) Animal pound and shelter.
- (c) Transit and transportation facility.
- (d) Parking lots, public and private. (Ord. 5-93, §§ 10, 11, 2-2-1993; Ord. 33-94, 11-15-1994)

16.23. *Special Uses Permitted:* The following uses may be permitted only if specifically authorized by the board of adjustment as allowed in section 23 of this appendix:

1. Similar and compatible uses to those allowed as "permitted uses" in this district.
2. Childcare center and preschool.
3. Concrete and asphalt mixing.
4. Golf driving range.
5. Hospital.
6. Hotel and motel.
7. Power generating station.

8. Retail or business services intended to serve the permitted uses within the district and not dependent upon the direct visit of retail customers.

9. Mining and/or the extraction of materials, sand, gravel, topsoil or other aggregates, including equipment, buildings, or structures for screening, crushing, mixing, washing, or storage provided that:

(a) No open pit or shaft shall be less than two hundred (200) feet from any public road.

(b) All buildings or structures shall be located not less than two hundred (200) feet from any property line.

(c) The borders of the property shall be fenced with a solid fence or wall at least six (6) feet in height when the property is adjacent to or across the street from any district other than an industrial district.

(d) A plan of development of the reclamation of the land shall be provided as part of the application for special use. The plan of development shall be accompanied by a written agreement between the owner or his agent and Bettendorf, and a performance bond in an amount equal to the cost of the reclamation of the land as set forth in the development plan.

10. Residence of the proprietor, caretaker, or watchman, when located on the premises of the commercial or industrial use.

11. Sewage treatment plant.

12. Concrete block manufacturing. (Ord. 4-82, 1-19-1982; Ord. 5-93, § 12, 2-2-1993; Ord. 20-98, 7-21-1998)

→ 16.24. *Temporary Permit Uses Permitted:* Upon application to and issuance by the zoning administrator of a permit therefor, the following uses may be operated as temporary uses:

1. Temporary permit uses permitted in the I-1 district.

16.25. *Accessory Uses:* Accessory uses, buildings or other structures and devices customarily incidental to and commonly associated with a permitted use or special use may be permitted, provided they are operated and maintained under the same ownership, on the same parcel and do not include structures or features inconsistent with the permitted use or special use, including, but not limited to:

1. Office. (Ord. 5-93, § 13, 2-2-1993)

16.26. *Prohibited Uses:* All uses not expressly authorized in sections 16.22 through 16.25 of this appendix including, but not limited to:

→ 1. Prohibited uses listed in the I-1 district.

16.27. *Site And Structure Requirements:*

1. Minimum Lot Area. A separate ground area, of not less than twenty thousand (20,000) square feet, shall be designated, provided and continuously maintained for each structure or land containing a permitted or special use.
2. Minimum Lot Width. A minimum lot width of one hundred (100) feet shall be provided for each lot used for a permitted or special use.
3. Front Yard. All structures shall be set back at least twenty-five (25) feet from the front lot line.
4. Side Yard. All structures shall be set in from the side lot line a distance of not less than ten (10) feet on the least side, with the sum of the two (2) sides not less than twenty-five (25) feet.
5. Rear Yard. None required, unless required by bufferyard requirements in section 18.6 of this appendix.
6. Maximum Height. No structure or portion thereof shall exceed a height of three (3) stories or thirty-five (35) feet when within two hundred (200) feet of any residential district. Beyond two hundred (200) feet from a residential district one additional foot in height may be added for each two (2) feet of horizontal distance beyond two hundred (200) feet.
7. Floor Area Ratio. Floor area ratio, not to exceed 1.5.
8. Maximum Lot Coverage. Not more than fifty (50) percent of the lot area may be occupied by buildings and structures, including accessory buildings. (Ord. 5-93, § 24, 2-2-1993)

16.28. *Special Provisions:*

1. Parking Requirements. Parking requirements, in accordance with the applicable regulations set forth in section 19 of this appendix.
2. Sign Requirements. Sign requirements, in accordance with applicable regulations set forth in section 18 of this appendix.
3. Performance Standards. Performance standards, same as required for the I-1 district.
4. Screening. Where an office, commercial or industrial use abuts or is across the street from a residential district, adequate screening and landscaping shall be provided, in accordance with section 18 of this appendix.
5. Outdoor Sales. All outdoor sales space shall be provided with a permanent durable and dustless surface, and shall be graded and drained as to dispose of all surface water.
6. Outdoor Storage. The outdoor storage of materials, products and goods is permitted if screened from adjacent properties and the public right-of-way. Outdoor storage of uncontained bulk materials is prohibited.
7. Enclosure Of Uses. All industrial operations, except off-street loading space, shall take place within completely enclosed buildings, unless otherwise specified.

16.0.PURPOSE:

16.1. **I-1 LIMITED INDUSTRIAL DISTRICT:**

16.18. *Special Provisions:*

- 1.Parking. Parking requirements, in accordance with the applicable regulations set forth in section 19 of this appendix.
- 2.Sign requirements, in accordance with the applicable regulations set forth in section 18.
- 3.Performance standards. Any use established in this district after the effective date of this ordinance shall be so operated as to comply with the performance standards governing: (a) noise; (b) vibration; (c) smoke and particulate matter; (d) toxic matter; (e) odorous matter; (f) fire and explosive hazards; (g) glare; and (h) radiation hazards, as set forth.

Where the performance standards required by this ordinance are less restrictive than comparable requirements imposed by any other law, ordinance, resolution, rule or regulation of any kind of the State of Iowa or another governmental agency, the more restrictive shall govern. Uses already established on the effective date of this ordinance shall be permitted to be altered, enlarged, expanded or modified provided that the additions or changes comply with said performance standards.

(f)*Fire and explosion hazards.*



- (1) Detonable materials. The storage, utilization or manufacture of materials or products which decompose by detonation is limited to five (5) pounds.

Such materials shall include but are not limited to: All primary explosives such as lead azide, lead styphnate, fulminates and tetracene; all high explosives such as TNT, RDX, HMX, PETN and picric acid; propellants and components thereof, such as dry nitrocellulose, black powder, boron hydrides, hydrazine and its derivatives; pyrotechnics and fireworks such as magnesium powder, potassium chlorate and potassium nitrate; blasting explosives such as dynamite and nitroglycerine; unstable organic compounds such as acetylides, tetrazoles and ozonides; unstable oxidizing agents such as perchloric acid, perchlorates and hydrogen peroxide in concentrations greater than thirty-five (35) percent.

- (2) Flammable solids. The storage, utilization or manufacture of solid materials or products ranging from incombustible to moderate burning is permitted.

The storage, utilization or manufacture of solid materials or products ranging from free or active burning to intensive burning is permitted, provided said materials or products shall be stored, utilized or manufactured within completely enclosed buildings having not less than two (2) hour fire resistant exterior walls and protected with an automatic fire extinguishing system.

- (3) Flammable liquids and gases. The storage, utilization or manufacture of flammable liquids shall be permitted in accordance with the following table, exclusive of storage of finished products in original sealed containers, which shall be unrestricted. Aboveground flammable liquids and gas storage tanks shall not be less than fifty (50) feet from all lot lines. Flammable liquids and gases in original sealed containers fifty-five (55) gallons liquid capacity or less may be stored or utilized without restrictions

*Total Capacity of Flammable Materials Permitted (In Gallons)*

(Within <u>Enclosed Buildings</u> )	Aboveground	Underground
Materials having a closed cup flash point over 187 degrees but less than 300 degrees Fahrenheit	20,000	100,000
From and including 105 degrees Fahrenheit to and including 187 degrees Fahrenheit	10,000	100,000
Materials having a closed cup flash point of less than 105 degrees Fahrenheit	3,000	100,000

When flammable gases are stored, utilized or manufactured and measured in cubic feet, the quantity in cubic feet at standard temperature and pressure shall not exceed thirty (30) times the quantities listed above.