

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
DECEMBER 16, 2015
5:30 P.M.**

The Planning and Zoning Commission meeting of December 16, 2015, was called to order by Wennlund at 5:30 p.m. in the City Hall Council Chambers, 1609 State Street.

1. Roll Call

MEMBERS PRESENT: Bennett, Bert, Kappeler, Peters, Stoltenberg, Wennlund

MEMBERS ABSENT: Rafferty

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

2. Approval of the minutes of the meeting of November 18, 2015.

On motion by Kappeler, seconded by Stoltenberg, that the minutes of the meeting of November 18, 2015 be approved as submitted.

ALL AYES

Motion carried.

3. Review of Commission procedures.

Other

4. Case 15-083; Vacation of unused right-of-way – Hopewell Avenue.

Beck reviewed the staff report.

Wennlund asked how the decision was made regarding the distribution of the excess right-of-way. Connors explained that he had contacted the adjacent residential property owners and had offered the unused right-of-way where it comes to a point to them. He

indicated that the excess right-of-way would be more easily maintained by dividing the property between the two residential lots and Rob Fick who owns the adjacent vacant land.

On motion by Bennett, seconded by Kappeler, that the vacation of unused right-of-way on Hopewell Avenue be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

5. Review of proposed revisions to the Scott County Zoning Ordinance. (Tim Huey)

Huey explained that the Scott County Planning Commission has been in the process of revising the county's zoning ordinance for the last 18 months. He indicated that most of rural Scott County is zoned Agricultural Preservation. He stated that the county's goal has been to encourage the majority of future growth to occur within existing cities and that development occurring outside city limits be located on marginal agricultural land. Huey indicated that the Commission has encouraged local governments to work together on preferred patterns of development.

Huey stated that in 2012 a request was received from a heavy manufacturing user who wished to rezone 318 acres of prime agricultural land to be used for a fertilizer refinery. He indicated that the Commission recommended denial of the application based on the fact that not enough information had been provided and that it was to be located on prime farm land. The company withdrew the application before the Board of Supervisors held a public hearing or took any action on it. Following the withdrawal of the case, the Commission and Board of Supervisors determined that there was a need to review the zoning ordinance and land use policies in order to better evaluate and consider similar requests in the future.

Huey explained that the proposed amendments to the Comprehensive Plan are intended to establish a rationale for the creation of an Industrial Floating (I-F) Zone by creating separate policies for this type of request. He indicated that in the past the policy has been to preserve agricultural land to the exclusion of any other type of development. He stated that the new regulations detail the type and extent of information that must be submitted with any application to be considered for rezoning to the I-F district. He explained that the Board of Adjustment must grant a special use permit for any industrial user to locate in the county. Huey stated that the current regulations don't require that an applicant submit detailed plans for an industrial use until the application is presented to the Board of Adjustment. He indicated that he feels that those details should be made available earlier in the application review process. He

stated that the purpose of the new policies is to establish guidelines in order to take advantage of the significant economic benefits such an industrial use could bring but also to address and minimize the environmental and public infrastructure impacts they are anticipated to create.

Huey stated that Scott County recognizes that there may be rare opportunities for large scale industrial development for which the economic impact outweighs the benefit of preserving prime farm land. He indicated that the county must have policies in place to evaluate such projects given the need to provide jobs and opportunities for the citizens. He explained that an applicant must be able to provide an explanation for why the use must be located outside city limits, that adequate infrastructure is available to serve it, details related to the economic benefits that will be provided including number and type of jobs created, and the amount of capital investment proposed and its effect on the taxable value of industrial land in Scott County.

Huey stated that a public hearing would be held January 12 on the final draft of the amendments to the Comprehensive Plan and the revisions to the Zoning Ordinance before making a recommendation to the Board of Supervisors. He indicated that the final decision regarding that changes would be made by the Board of Supervisors.

Kappeler asked if this type of industrial floating zone is used in other places in Iowa. Huey explained that the Ag Service has served to evaluate these types of projects in the past. He indicated that while other counties have aspects of performance zoning, he is unaware of another county with the proposed type of floating district. Kappeler asked if the evaluation of proposed uses in the county by the Ag Service has met the needs until now. Huey confirmed this.

Stoltenberg asked for an example of what type of project has been evaluated by the Ag Service. Huey stated that Meyer Chemical near Maysville was the industrial project that prompted changes to the ordinance because there was a recognized need for a mechanism to allow commercial-zoned agricultural service businesses in the agriculture preservation area. He indicated that the site development plan for such a service business is approved at the same time as the rezoning request which precludes the applicant from changing his mind and selling the commercially-zoned property to a person who wants to build a gas station or convenience store.

6. Commission update.

Connors stated that subsequent to the last Commission meeting the final plat of Maple Glen 4th Addition and the revised PUD for Kimberly Woods subdivision were approved.

Connors expressed his appreciation for the participation of the Commission members during the Comprehensive Plan revision process.

Wennlund expressed his appreciation of staff and their willingness to meet with applicants with regard to resolve issues raised by Commission members that have resulted in improved projects during the past year.

There being no further business, the meeting adjourned at approximately 6:00 p.m.

These minutes approved

Gregory W. Beck, City Planner