

**PLANNING & DEVELOPMENT**

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Timothy Huey  
Director

To: Mahesh Sharma, County Administrator

From: Timothy Huey, Planning Director

Date: October 25, 2016

**Re: Discussion of the Public Hearing and presentation of Planning and Zoning Commission's recommendation on the request of Mike Coffman to rezone a 1.57-acre portion of Scott County Parcel #952705003, deed holder Paul Schwarz, from "Agricultural-General (A-G)" to "Single-Family Residential (R-1)," described as Part of the NW ¼ of the NE ¼ of Section 27 of LeClaire Township.**

The Planning Commission unanimously recommended approval of the rezoning in accordance with staff's recommendation based on their determination that the request met a preponderance of the criteria of the land use policies. Even though the parcel was determined to have prime ag soils, it did meet a preponderance of other criteria such as having access and frontage on a hardsurfaced county maintained road, and being adjacent to other property that was zoned R-1. Additionally the property is currently zoned A-G, the designated holding zone until appropriate development is proposed and is shown on the Future Land Use Map as an area appropriate for residential development.

The applicant, Mike Coffman, was present to formally request approval and answer questions from the Commission. A neighboring property owner, Michael Gravert, 21704 Mc Carty Creek Drive, described the storm water runoff problems that began when the current property owners took ownership. Gravert expressed concern that developing the land would worsen the problems. Coffman assured the Commission that he would review the tenant farmer's storm water management practices.

**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission recommended approval of the request to rezone 1.57 acres (more or less) from Agricultural-General (A-G) to Single-Family Residential (R-1) based on its compliance with a preponderance of the criteria of the Revised Land-Use Policies as enumerated in the Planning Staff Report. Vote 6-0



PLANNING & ZONING COMMISSION

STAFF REPORT

October 18, 2016



- Applicant:** Mike Coffman
- Request:** Rezone a 1.57-acre portion of Scott County Parcel #952705003 from Agricultural General (A-G) to Residential Single-Family (R-1)
- Legal Description:** A 1.57-acre portion of Scott County Parcel #952705003, located in Part of the NW¼ NE¼ of Section 27 of LeClaire Township.
- General Location:** Approximately ¾ mile north of the incorporated city limits of the City of LeClaire on the west side of 277<sup>th</sup> Avenue
- Existing Zoning:** Agricultural-General (A-G)

**Surrounding Zoning:**

- North:** Agricultural-General (A-G)  
**South:** Residential Single-Family (R-1)  
**East:** Residential Single-Family (R-1)  
**West:** Agricultural-General (A-G)

**GENERAL COMMENTS:** This request is to rezone a 1.57-acre portion of a larger 80-acre plot of land from Agricultural-General (A-G) to Residential Single-Family (R-1). The applicant's application states that the rezoning is to establish one (1) single-family dwelling on the property, as permitted as a Principal Permitted Use in the R-1 zoning district described in Section 6-12 of the Revised Zoning Ordinance.

**STAFF REVIEW:** Staff has reviewed this request for compliance with the criteria set forth in both the Scott County Zoning Ordinance and the Scott County Land Use Policies (enumerated in the 2008 Scott County Comprehensive Plan) for rezoning applications.

The Zoning Ordinance states that it is the intent of the Agricultural-General (A-G) District to serve the agricultural community and act as a holding zone until a compatible urban development proposal is approved through special use permits or rezoning. It is the intent of the Single-Family Residential (R-1) District to provide for the development of both low and medium density single-family subdivisions in the rural areas. Furthermore, the Zoning Ordinance general intent for the R-1 District states that any land rezoned to R-1 shall be located on adequately-constructed and paved County/State roads.

The guidelines for reviewing rezoning proposals are outlined in the Scott County Land Use Policies as follows:

*Is the development in compliance with the adopted Future Land Use Map?*

This land is shown on the Future Land Use Map as an appropriate area for future



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residential development. Haessler's 1<sup>st</sup> through 7<sup>th</sup> Subdivisions and Bowker's Hilltop 4<sup>th</sup> Addition are located to the south of Parcel #952705003, and other residential subdivisions are located along the Mississippi River, beginning approximately 1/3 mile to the east.

*Is the development on marginal or poor agricultural land?*

The land use policies rank any soil with a CSR of 60 or greater as productive agricultural soil. The Natural Resources Conservation Service has not, as of yet, responded to the notification of this rezoning request. Review of the Soil Survey of Scott County indicated that this portion of the property has soils identified as Fayette silt loam with slopes ranging from 2 to 25% with Corn Suitability Ratings between 28 and 83. These soils are classified II, III, and VI for land capability, which indicates moderate to severe limitations for growing field crops, most likely due to the site's topography. At the same time, Fayette silt loam is listed in the soil survey as prime agricultural land and the current property owners are utilizing it as such. Therefore, the request does not meet this criterion.

*Does the proposed development have access to adequately-constructed, paved roads?*

The area to be rezoned has frontage on an adequately-constructed, paved County road, 277<sup>th</sup> Avenue. Therefore, the request meets this criterion.

*Does the proposed development have adequate provision for public or private sewer and water services?*

The area to be rezoned would have a development right for one (1) single-family dwelling, which would require the installation of a private well and septic system. The Scott County Health Department reviews and approves private well and septic systems prior to construction.

*Is the area near existing employment centers, commercial areas and does not encourage urban sprawl?*

The area to be rezoned is near other residential development in the unincorporated area between the cities of Princeton and LeClaire, both of which have employment centers and commercial areas, and the larger parcel is directly adjacent to R-1 zoning to the south. Since the area to be rezoned would have a development right for only one (1) single-family dwelling with no addition of private or County roads, urban sprawl is not a concern. Therefore this request meets this criterion.

*Is the proposed development located where it is least disruptive to existing agricultural activities?*

Again, the area to be rezoned is near other residential development between the cities of Princeton and LeClaire, and the larger parcel is directly adjacent to R-1 zoning to the south. Agricultural activities would continue on the remainder of the parcel, which would



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retain its A-G zoning designation. Since the area to be rezoned would have a development right for only one (1) single-family dwelling with no addition of private or County roads, the rezoning would likely be only minimally disruptive to existing agricultural activities.

*Does the area have stable environmental resources?*

The area to be rezoned is near other residential development as well as productive farmland, both of which require stable environmental resources. A rezoning of this size is not likely to destabilize any of the resources currently available. Therefore, it would appear that this request meets this criterion.

*Is the proposed development sufficiently buffered from other less intensive land uses?*

Since the request is to rezone only a 1.57-acre portion of a larger 80-acre plot, the remaining acreage, which would remain zoned Agricultural-General (A-G), would act as a buffer to the agricultural land uses nearby. Additionally, since residential development has occurred immediately to the south of the property as well as to the east toward the Mississippi River, the rezoning would not be inconsistent with the general vicinity's land use patterns.

*Is there a recognized need for such development?*

Planning and Development Department staff is frequently approached by parties interested in building new single-family dwellings in the unincorporated areas of Scott County, so there is certainly a *desire* for such development. Indeed, the County's adopted Land-Use Policies recognize that there is a need for providing opportunities for a variety of housing types. However, the County's Comprehensive Plan and Zoning Ordinance are in place to, among other things, encourage efficient urban development patterns. This request fits generally in the development pattern of its immediate vicinity, in that there is residential development to the south and east. Also, the current zoning of the property is A-G, which is intended to act as a holding zone for future compatible development. Given its proximity to other residential development and the fact that this area is shown on the Future Land Use Map as an appropriate area for future residential development, the request seems compatible.

Staff has mailed notification to the adjacent property owners within five hundred feet (500') of this property of this hearing. A sign has also been placed on the property stating the date and time this request would be heard by the Planning and Zoning Commission. Staff has not, as of yet, received any calls or comments on this request. Staff also notified the County Engineer, County Health Department, Scott County soil conservationist, Bi-State Regional Commission, and the cities of LeClaire and Princeton for review and comment. Bi-State Regional Commission provided a review memorandum for the request, which described the proposal's adherence to the Future Land Use map, its consistency with the Comprehensive Plan, and its lack of impact on industrial



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STAFF REPORT

October 18, 2016

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development, recreational facilities, future transportation projects, or other historic, cultural, or natural features. No comments from the other parties notified have been received.

**RECOMMENDATION:** Staff recommends that the rezoning of this property from Agricultural-General (A-G) to Single-Family Residential (R-1) be approved based on its compliance with a preponderance of the criteria of the Revised Land-Use Policies.

Submitted by:

Timothy Huey, Director  
October 12, 2016



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MEMORANDUM

TO: Timothy Huey, Director, Scott County Planning & Development  
FROM: Patty Pearson, Senior Planner  
DATE: October 11, 2016  
RE: Rezoning of 1.57 Acres in LeClaire Township

This memorandum is being submitted in response to a regional zoning review request from Scott County, Iowa. The hearing date is scheduled for Tuesday, October 18, 2016 at 7:00 p.m. The applicant, Mike Coffman is requesting a rezoning of 1.57 acres more or less from Agricultural General Zone (A-G) to Single-Family Residential (R-1).

The property is legally described as part of the NW ¼ of the NE ¼ of Section 27, of LeClaire Township, Scott County, Iowa. The parcel is number #95705003. The property is approximately ¾ mile north of the incorporated city limits of the City of LeClaire on the west side of 277<sup>th</sup> Avenue.

Having reviewed the information relevant to the proposed rezoning and map amendment, the following items were ascertained. The January 2008 Comprehensive Plan for Scott County, Iowa, shows that the property is designated as Residential on the Future Land Use map. There is low density residential and farm related uses in the vicinity of this parcel.

For the rezoning from AG to R-1, a review of the Comprehensive Land Policies provides guidelines for conversion – access to paved roads, proximity to public services, minimal disruption to existing agriculture, among others. The property would need to have access to 277<sup>th</sup> Avenue (paved road), which it has. The property is within a ¾ mile of LeClaire City limits, which may be able to provide public services. Low-density residential development already exists in the vicinity of the property, which is consistent with the change in future land use. The 2008 Scott County Comprehensive Plan contains a listing of the County’s goals, land use objectives and land use policies that are to be used as part of the land development review process. The request appears to be consistent with the plan.

The property is located with the Quad Cities Metropolitan Planning Organization (MPO) Area. The boundary encompasses areas where urban development is expected to occur within a 20-year horizon. There are no long-range transportation projects programmed/scheduled in the vicinity of the property. The proposed rezoning is not anticipated to impact regional industrial development. The proposed rezoning is not anticipated to impact regional recreational facilities.

The property is not located in a flood hazard area, groundwater vulnerability zone, high earthquake incident area, or an airport restricted zone. The proposed rezoning will not have an impact on historic or cultural features, wetlands, wildlife refuges, Indian mounds or forest preserves. According to the 2012 Scott County Hazard Mitigation Plan, the property and vicinity have a high incidence of thunderstorms that contain frequent cloud to ground lightning, high winds, hail, tornados, and flash flooding.

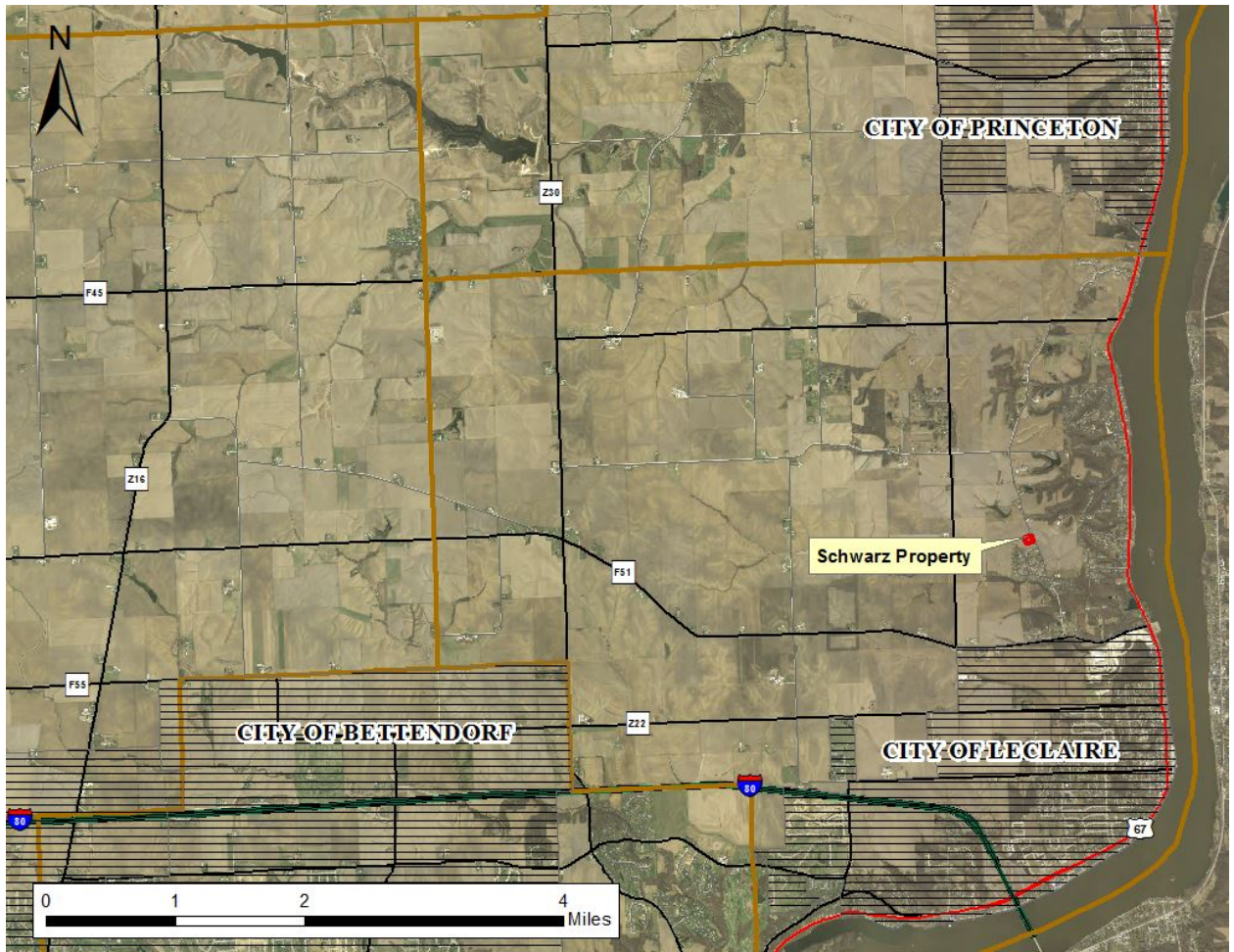
Should you have any questions regarding this review, please contact me at (309) 793-6302 ext. 138.

Enclosure: As stated above

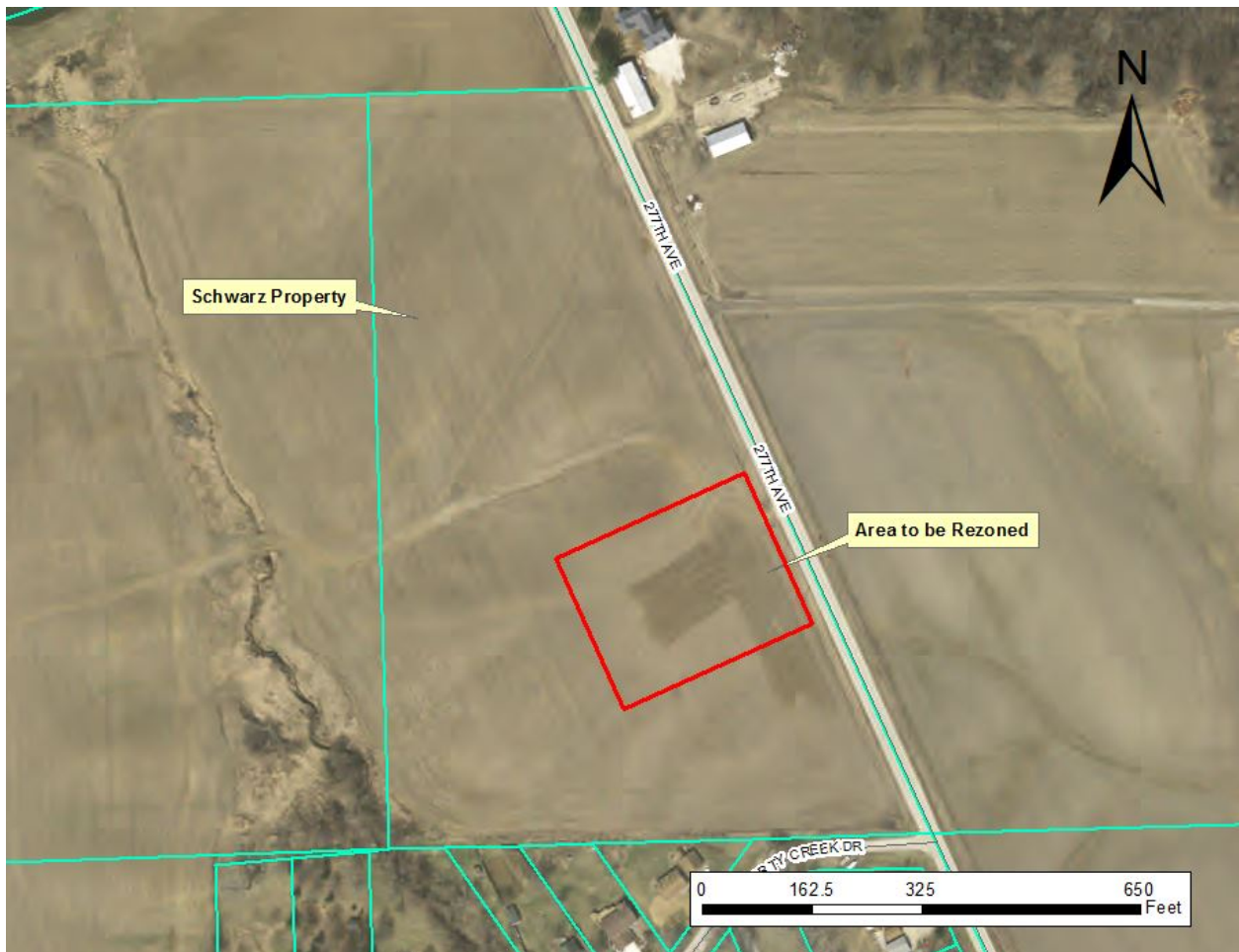
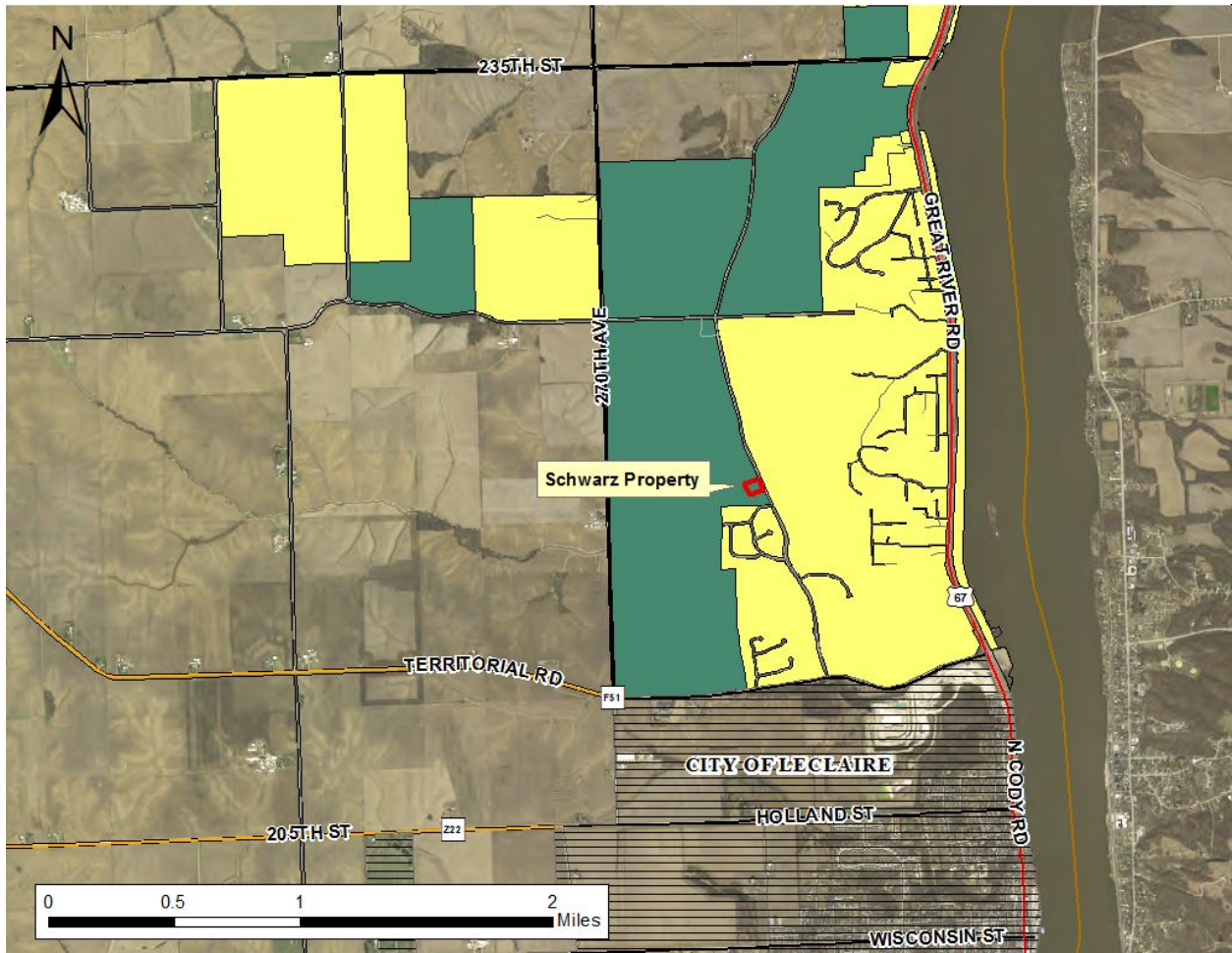
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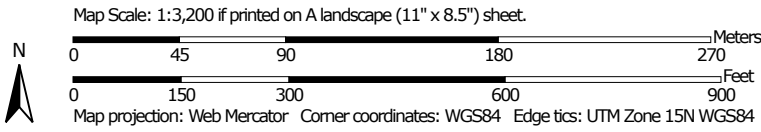
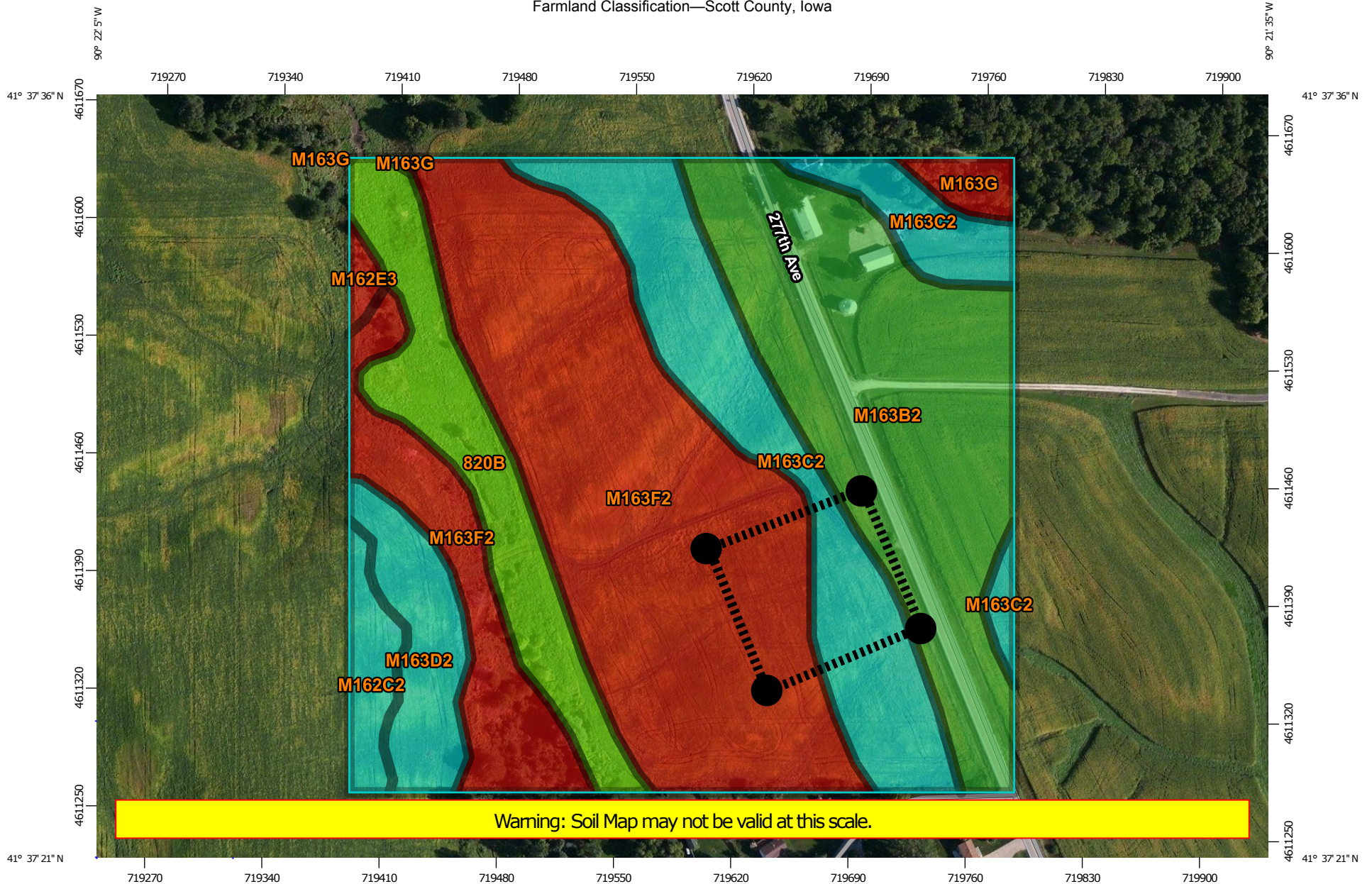









Farmland Classification—Scott County, Iowa











### MAP LEGEND








**Area of Interest (AOI)**

-  Area of Interest (AOI)




**Soils**





**Soil Rating Polygons**






-  Not prime farmland
-  All areas are prime farmland
-  Prime farmland if drained
-  Prime farmland if protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated
-  Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated and drained
-  Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season

-  Prime farmland if subsoiled, completely removing the root inhibiting soil layer
-  Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
-  Prime farmland if irrigated and reclaimed of excess salts and sodium
-  Farmland of statewide importance
-  Farmland of local importance
-  Farmland of unique importance
-  Not rated or not available







**Soil Rating Lines**










-  Not prime farmland
-  All areas are prime farmland
-  Prime farmland if drained

-  Prime farmland if protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated
-  Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated and drained
-  Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season
-  Prime farmland if subsoiled, completely removing the root inhibiting soil layer
-  Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60

-  Prime farmland if irrigated and reclaimed of excess salts and sodium
-  Farmland of statewide importance
-  Farmland of local importance
-  Farmland of unique importance
-  Not rated or not available








**Soil Rating Points**

-  Not prime farmland
-  All areas are prime farmland
-  Prime farmland if drained
-  Prime farmland if protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated
-  Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season

-  Prime farmland if irrigated and drained
-  Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season
-  Prime farmland if subsoiled, completely removing the root inhibiting soil layer
-  Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
-  Prime farmland if irrigated and reclaimed of excess salts and sodium
-  Farmland of statewide importance
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-  Not rated or not available

**Water Features**

## MAP INFORMATION

-  Streams and Canals
- Transportation**
-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads
- Background**
-  Aerial Photography

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Scott County, Iowa  
Survey Area Data: Version 23, Sep 24, 2015

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 31, 2011—Sep 11, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.



## Farmland Classification

Farmland Classification— Summary by Map Unit — Scott County, Iowa (IA163)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
820B	Dockery silt loam, 2 to 5 percent slopes	Prime farmland if protected from flooding or not frequently flooded during the growing season	3.6	9.8%
M162C2	Downs silt loam, till plain, 5 to 9 percent slopes, eroded	Farmland of statewide importance	0.9	2.4%
M162E3	Downs silty clay loam, till plains, 14 to 18 percent slopes, severely eroded	Not prime farmland	0.2	0.6%
M163B2	Fayette silt loam, till plain, 2 to 5 percent slopes, eroded	All areas are prime farmland	8.8	23.7%
M163C2	Fayette silt loam, till plain, 5 to 9 percent slopes, eroded	Farmland of statewide importance	6.4	17.2%
M163D2	Fayette silt loam, till plain, 9 to 14 percent slopes, eroded	Farmland of statewide importance	1.9	5.0%
M163F2	Fayette silt loam, till plain, 18 to 25 percent slopes, eroded	Not prime farmland	14.9	40.0%
M163G	Fayette silt loam, till plain, 25 to 40 percent slopes	Not prime farmland	0.5	1.3%
<b>Totals for Area of Interest</b>			<b>37.2</b>	<b>100.0%</b>

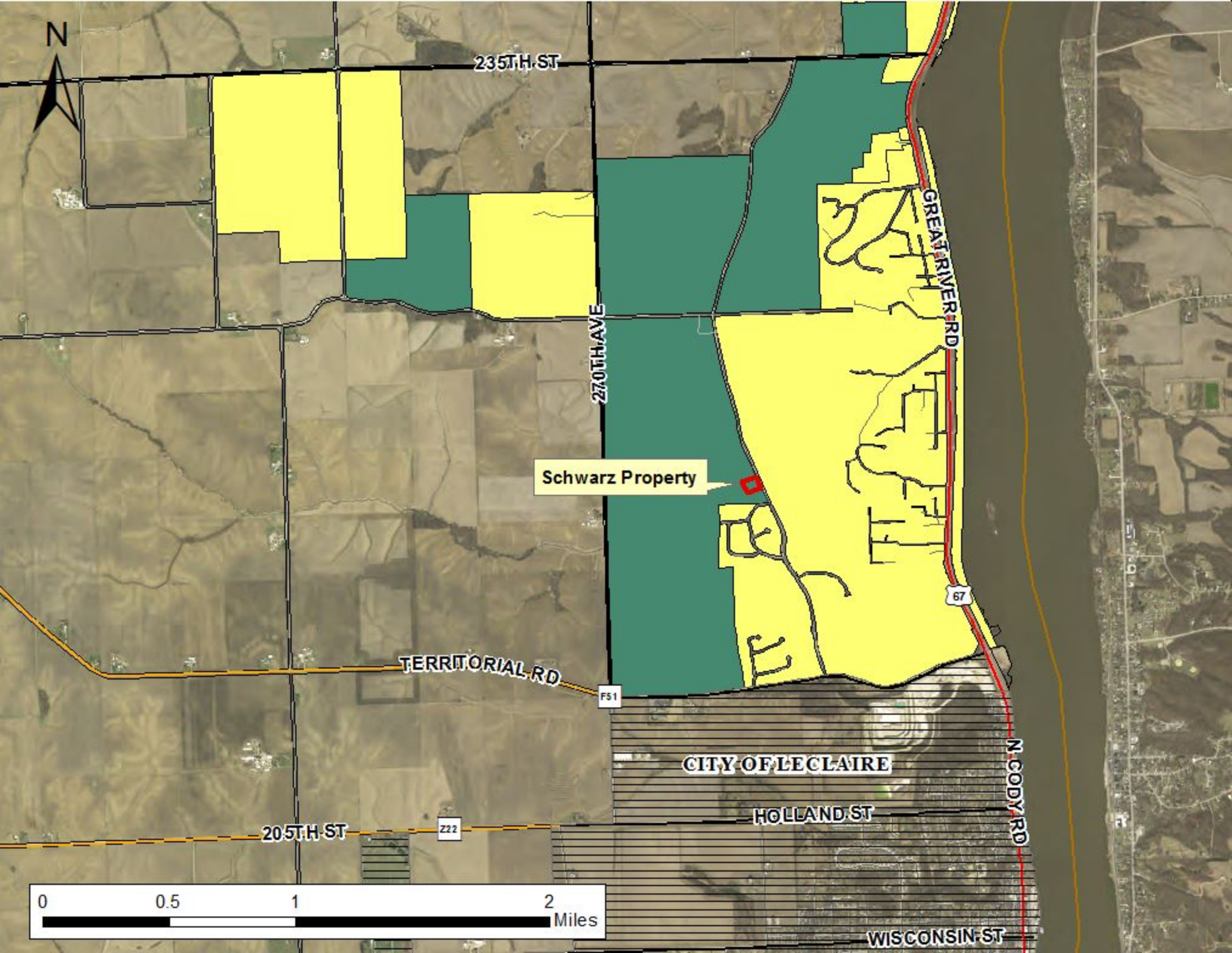
### Description

Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

### Rating Options

*Aggregation Method:* No Aggregation Necessary

*Tie-break Rule:* Lower



235TH ST

270TH AVE

GREAT RIVER RD

Schwarz Property

TERRITORIAL RD

F51

67

CITY OF LECLAIRE

HOLLAND ST

N. CODY RD

205TH ST

Z22

WISCONSIN ST

0 0.5 1 2 Miles





**NOTICE OF PUBLIC HEARING**

MIKE COFFMAN hereby applies for a  
APPLICANT

REZONING: 15+ acre PORTION  
OF PIN# 952705003 AG → R-1

10/18/14 3PM Scott County Admin. Center,

DATE TIME In Davenport, Iowa. Please  
Contact Planning & Development If You  
Have Any Questions. Call 563-326-8643.