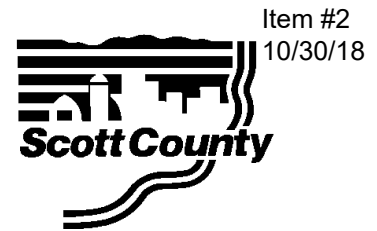


## PLANNING & DEVELOPMENT

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Timothy Huey  
Director

To: Mahesh Sharma

From: Timothy Huey, Planning & Development Director

Date: October 22, 2018

**Re: Public Hearing on proposed addendum to the Comp Plan to address wineries as Special Permitted Uses in Ag-General Zoning Districts**

The Planning Commission held a public hearing at its last meeting this addendum. The joint meeting with the Board of Supervisors and the Zoning Board of Adjustment was held at the same time. You and all five of the Supervisors heard my presentation and the discussion of the Planning Commission so there is not much I need to add with this memo.

The Planning Commission had unanimously recommended approval of both the ordinance text amendment and the rezoning requests that had been reviewed at the previous meeting that are being considered with this addendum. This addendum to the Economic Development Objectives of Land Use Policies in Chapter Two of the Scott County Comprehensive Plan are to address standards and criteria for such winery proposals.

As stated previously, the Zoning Ordinance sets general criteria for the review of any Special Use Permit regardless for what the purpose of the special use is. The SUP regulations state:

*Before the issuance of a special use permit, the Board will hold a public hearing and shall determine the effect of the proposed use upon the character of the neighborhood, the adjoining property values, the adequacy of the County road to handle the additional traffic, the potential traffic hazards, the impact on the water table, the handling of sewage wastes and storm water runoff, the potential of increasing the base flood elevation, and other matters relating to the public safety, public health, and general welfare.*

*The Board may place reasonable conditions on the Special Permitted Use as necessary to protect the character of the neighborhood, to maintain the spirit and intent of this Chapter, and to adhere to the Land Use Policies of the Development Plan.*

The Zoning Board of Adjustment, at its discretion, can use these policies to set conditions for the approval of any such SUP but also use them for the basis to deny a request the Board determines is inappropriate or unacceptable. The policies address location, access, size and scope of the winery, any associated event center, code compliance and compatibility with the surrounding land use.

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Timothy Huey  
Director

To: Planning & Zoning Commission

From: Timothy Huey, Planning & Development Director

Date: October 12, 2018

**Re: Public Hearing on proposed addendum to the Comp Plan to address wineries as Special Permitted Uses in Ag-General Zoning Districts**

The Planning Commission held public hearings at its last meeting on both an application to amend the Ag-General zoning district regulations to add wineries and associated facilities as a Special Permitted Use and to rezone a parcel of land from the former Olethea Golf Course to A-G to allow consideration of such a Special Use Permit (SUP).

The Planning Commission unanimously recommended approval of both requests and also discussed proposed amendments to the Economic Development Objectives of Land Use Policies in Chapter Two of the Scott County Comprehensive Plan to address standards and criteria for such proposals. The Planning Commission is required to hold a public hearing prior to making any recommendation to the Board of Supervisors on the adoption of a Comprehensive Plan or any amendments to such a plan.

The Zoning Ordinance sets general criteria for the review of any Special Use Permit regardless for what the purpose of the special use is. The SUP regulations state:

*Before the issuance of a special use permit, the Board will hold a public hearing and shall determine the effect of the proposed use upon the character of the neighborhood, the adjoining property values, the adequacy of the County road to handle the additional traffic, the potential traffic hazards, the impact on the water table, the handling of sewage wastes and storm water runoff, the potential of increasing the base flood elevation, and other matters relating to the public safety, public health, and general welfare.*

*The Board may place reasonable conditions on the Special Permitted Use as necessary to protect the character of the neighborhood, to maintain the spirit and intent of this Chapter, and to adhere to the Land Use Policies of the Development Plan.*

The attached draft of a Comprehensive Plan Addendum is intended to specifically address the criteria for review of an SUP for wineries and associated facilities. These policies are intended to be written general enough to give the Zoning Board of Adjustment discretion when setting conditions for the approval of any such SUP but specific enough to give the ZBOA the basis to deny a request the Board determines is inappropriate or unacceptable.

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Timothy Huey  
Director

### **NOTICE OF BOARD OF SUPERVISORS PUBLIC HEARING ON AMENDMENT TO THE COMPREHENSIVE PLAN**

Public Notice is hereby given that the Scott County Board of Supervisors will hold a public hearing to take comments on a proposed amendment to the Comprehensive Plan for Scott County. The Board of Supervisors will be discussing proposed criteria to be used in reviewing a Special Use Permit for wineries, tasting rooms and associated event centers.

The Scott County Planning and Zoning Commission received, reviewed, and held a public hearing on an application to amend the Special Permitted Uses in the Agricultural-General (A-G) Zoning District to allow wineries, tasting rooms and associated facilities as a Special Use at their regular meeting on October 2, 2018. In conjunction with that review, the Commission considered an addendum to the Economic Development Land Use Policies in the Comprehensive Plan to establish criteria and parameters for the Zoning Board of Adjustment to use to determine if such applications can be approved, and what conditions may be required and/or appropriate for such an approval. After a public hearing on October 16, 2018, the Commission voted unanimously to recommend approval of the proposed addendum to the Board of Supervisors.

The public hearing on the proposed addendum before the Board of Supervisors will be held on **Thursday, November 1, 2018 at 5:00 P.M. in the Magistrate's Courtroom in the Scott County Courthouse, 400 West 4<sup>th</sup> Street, Davenport, Iowa 52801.**

If you have questions or comments regarding the public hearing, please call, write or email the Planning and Development Department, Scott County Administrative Center, 600 West 4<sup>th</sup> Street, Davenport, Iowa 52801, 563-326-8643, or attend the hearing.

Timothy Huey  
Planning Director

# **Scott County Comprehensive Plan**

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## **CHAPTER 2: VISION, GOALS, AND OBJECTIVES**

### **ADDENDUM**

#### ***Economic Development Objectives regarding wineries and related facilities***

This addendum is adopted to establish land use policies to guide the review and any approval of Special Use Permits for wineries and associated facilities in unincorporated Scott County. While this Comprehensive Plan encourages development to occur within cities, it does encourage development, when it occurs in rural Scott County, to be on marginal agricultural land. The economic development objectives adopted with this Comprehensive Plan also encourage Scott County to promote a diverse regional economy and opportunities that improve our quality of life. To this end, Scott County would adopt the following policies on wineries and related facilities:

**Objective 1. Location:** Wineries can only be located adjacent to and in conjunction with a vineyard that produces grapes to be used in the production of wine on the premises. The Agricultural General Zoning District (A-G) is intended to protect agricultural operations but also to allow compatible development when approved with a Special Use Permit. These policies acknowledge that the growing of grapes would generally be considered an agriculturally-exempt land use and, as such, could be located in any area of unincorporated Scott County. However, wineries and any associated facilities would have to be located in an area zoned A-G, and only if a Special Use Permit is approved in compliance with these policies. If a proposed location is determined by the Zoning Board of Adjustment to be inappropriate or to significantly negatively impact adjacent property a Special Use Permit may be denied on that basis.

**Objective 2. Access:** Wineries should be located on adequately-constructed and maintained roads. If an analysis of traffic generated by such an operation is determined to be necessary by Planning Staff or the Zoning Board of Adjustment, such an analysis shall be prepared at the applicant's expense by a qualified traffic engineer/planner and be submitted and reviewed in conjunction with the Special Use Permit application.

**Objective 3. Size and scope:** The size of a winery should be in scale with the production of grapes from the associated vineyard. The intent of these policies is to allow wineries that use grapes grown on the property as well as to allow the use of grapes grown elsewhere in accordance with Iowa Native Wine regulations. The associated tasting facilities shall be designed to be compatible with the winery operation and limited to primarily serving and selling wines produced on the property.

The appropriate size of the facilities, the location and design of the buildings, the size and design of parking and circulation for vehicles will be determined by the Zoning Board of Adjustment when considering the Special Use Permit application. These facilities shall be in scale with the size and anticipated production yield of the vineyard but also to minimize the impact on any neighboring residential and/or agricultural development. The building design should be compatible and in harmony with a rural setting and the parking areas should be landscaped and

# **Scott County Comprehensive Plan**

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located to minimize its visual impact on the site. Any lightning of the parking areas or winery facilities shall be designed, installed and maintained to minimize glare and visibility on the adjacent properties.

**Objective 4. Associated event center:** An event center for gatherings and events such as weddings, parties, receptions and other public or private events may be approved in conjunction with a winery. The size and design of the building shall be appropriate for the location and the frequency of events shall be reviewed in conjunction with the review of the Special Use Permit. The Zoning Board of Adjustment may determine appropriate limits on the size and frequency of such events and place conditions to reduce the impacts on the adjacent property and on the public health, safety and welfare. Temporary facilities, such as tents or other non-permanent structures, may also be permitted for such events. Limits on the number of attendees, amplified music and/or speakers and any other aspect of the events determined to have significant impacts on adjacent properties may also be considered by the Zoning Board of Adjustment with the review of the Special Use Permit. Parking and circulation areas shall comply with the requirements of the *Scott County Zoning Code Section 6-27 Off Street Vehicular Parking Requirements*.

**Objective 5. Code compliance:** Wineries and all associated facilities shall comply with all applicable Federal, State and local regulations. Scott County Health, Accessibility and Construction Codes shall apply to all facilities covered by the Special Use Permit. Storm water management shall be in accordance with the *Iowa Statewide Urban Design and Specifications* and the *Off Street Vehicular Parking Requirements*.

**Objective 6. Compatibility with Agricultural and Residential Land Uses:** These policies are intended to allow wineries and associated facilities when and where they are determined to be compatible with the adjacent land uses but also to reduce any negative impacts on such land uses. They are adopted to further the diversification of Scott County's rural economy, promote tourism and the improve quality of life for our local citizens.