

## PLANNING & DEVELOPMENT

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Item #4  
10/30/18

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Timothy Huey  
Director

To: Mahesh Sharma, County Administrator

From: Timothy Huey, Planning Director

Date: October 22, 2018

**Re: Approval of the first of two readings of an ordinance to rezone 13.2 acres, more or less, from Single-Family Residential (R-1) to Agricultural-General (A-G) legally described as Lot 2 of Great River Hills Addition in Section 14 of LeClaire Township and located on the west side of Great River Road, ¼ mile south of 235th Street**

The Board held a public hearing on this application to rezone a 13.2-acre tract of land from Single Family Residential (R-1) back to Agricultural-General (A-G). This rezoning is to allow the applicant to request approval of a Special Use Permit for a winery and wine production facilities, tasting room and associated event center on this property. In a separate request, the applicant is petitioning for an amendment to the Zoning Ordinance text that would allow wineries and associated facilities as Special Permitted Uses in the A-G district. The applicant has indicated that, if the zoning text amendment and this zoning map amendment is approved by the Board of Supervisors, he would pursue approval of a Special Use Permit through the Zoning Board of Adjustment to operate a winery on the property. The text amendment and rezoning would have to be approved, then the Special Use Permit would have to be reviewed and approved, followed by the approval of a Site Plan Review, before any winery-related activities could take place on the property. Agricultural activities like growing grapes are allowed (and generally would be ag-exempt) in all zoning districts in rural Scott County.

This property is a portion of a larger 100-acre tract, the former Olathea Golf Course property, which was rezoned from A-G to R-1 on May 3, 2018. It was subsequently subdivided into four relatively large lots, including the 13-acre lot included in this application.

The Planning Commission unanimously recommended approval of both this rezoning map amendment and the associated text amendment to allow consideration of the development of a winery and associated facilities on this property. The Planning Commission also unanimously recommended approval of the addendum to the Land Use Policies to be used to evaluate and set the standards and conditions of approval of any such requests.

**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission recommends approval of the request to rezone 13.2 acres (more or less) from Single-Family Residential (R-1) to Agricultural-General (A-G) based on its compliance with a preponderance of the criteria of the Revised Land-Use Policies.

**Vote: Unanimous (7-0)**

Prepared by: Scott County Planning and Development, 600 West Fourth Street, Davenport Iowa

SCOTT COUNTY ORDINANCE NO. 18-\_\_\_\_\_

AN ORDINANCE TO AMEND THE ZONING MAP BY REZONING APPROXIMATELY 13.2 ACRES IN SECTION 14, LECLAIRE TOWNSHIP FROM SINGLE-FAMILY RESIDENTIAL (R-1) TO AGRICULTURAL-GENERAL (A-G), ALL WITHIN UNINCORPORATED SCOTT COUNTY.

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF SCOTT COUNTY  
IOWA:

**Section 1.** In accordance with Section 6-31 Scott County Code, the following described unit of real estate is hereby rezoned from Single-Family Residential (R-1) to Agricultural-General (A-G) to-wit:

Lot 2 of Great River Hills Addition  
Section 14, LeClaire Township

**Section 2.** This ordinance changing the above described land to Agricultural-General (A-G) is approved as recommended by the Planning and Zoning Commission.

**Section 3.** The County Auditor is directed to record this ordinance in the County Recorder's Office.

**Section 4.** Severability Clause. If any of the provisions of this Ordinance are for any reason illegal or void, then the lawful provisions of the Ordinance, which are separate from said unlawful provisions shall be and remain in full force and effect, the same as if the Ordinance contained no illegal or void provisions.

**Section 5.** Repealer. All ordinances or part of ordinances in conflict with the provisions of the Ordinance are hereby repealed.

**Section 6.** Effective Date. This Ordinance shall be in full force and effect after its final passage and publication as by law provided.

Approved this \_\_\_\_ day of \_\_\_\_\_ 2018.

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Tony Knobbe, Chair  
Scott County Board of Supervisors

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Roxanna Moritz, County Auditor