



**Planning & Development
Scott County, Iowa**

Chris Mathias, Director

Email: planning@scottcountyiowa.gov
Office: (563) 326-8643
Fax: (563) 326-8257

Administrative Center
600 West Fourth Street
Davenport, Iowa 52801-1106

November 10, 2022

To: Board of Supervisors
From: Alan Silas, Planning & Development Specialist
Re: Conservation-Recreation District

Staff introduced the concept of a “Conservation-Recreation (C-R)” zoning district at the June 21, 2022 Planning & Zoning Commission meeting. At the time, staff believed creation of such district would serve two main purposes: it would more clearly identify and regulate the uses within and show the locations of existing public parks (parks owned by a government entity), and it would create a pathway for initiating private park uses (parks owned by a private entity) in the County. Staff also thought it would be an appropriate way to acknowledge an often-overlooked objective in Chapter 2 of the Comprehensive Plan regarding parks, open space, and conservation areas: “to ensure that existing and future parks, open space, and conservation areas are meeting the needs of the residents and offer opportunities for visitors to the County.”

At the September 20, 2022 meeting, staff had landed on the idea that the existing public parks should be specifically listed in the Principal Permitted Use section of the C-R district regulations with very limited statutes so that they may continue with their current land uses. The draft ordinance (attached pages 2 and 3) allows only public parks as the Principal Permitted Use. However, given the intent of the C-R district (proposed Section A), staff would expect private developers to petition for a rezoning to allow private park uses (i.e. private parks, private campgrounds, boat docks, nature centers, sports fields, playgrounds, off-road vehicle courses, etc.). Since the ordinance as proposed is intentionally limited by only addressing public park uses, the private developer would need to apply for an Ordinance Text Amendment. Since proposed Section B makes clear that exclusively public parks are considered Principal Permitted Uses, any proposed Ordinance Text Amendment from a private developer would need to be a proposal to add to the Special Permitted Uses section. In doing so, the process for any and every proposed private park development would involve both advisory Planning bodies (Planning & Zoning Commission, Zoning Board of Adjustment) as well as the Board of Supervisors.

Feeling comfortable with the draft language presented by staff, the Commission held a public hearing and took comments on the proposed C-R district on November 1, 2022 and voted 5-0 to recommend adoption to the Board of Supervisors. If the new district were reviewed favorably by the Commission and approved by the Board of Supervisors, the current zoning map would be amended to rezone only the 13 areas identified in Section B(1) of the proposed district regulations. The establishment of any new public parks would be subject to the standard rezoning procedures and would be listed in Section B(1).

ADD Definitions

PRIVATE PARK: an area of land in a mostly natural state, set aside for the enjoyment of the public, having facilities for rest and recreation, owned and managed by a private entity

PUBLIC PARK: an area of land in a mostly natural state, set aside for the enjoyment of the public, having facilities for rest and recreation, owned and managed by a government entity

6.21. “C-R” Conservation-Recreation District

A. General Intent: The Conservation-Recreation District is intended and designed to provide opportunities for residents and visitors to enjoy the natural resources and environmentally-sensitive areas in the County. The standards are intended to define and conserve selected natural resource areas by either minimizing impact to them or allowing for responsible recreational uses within them.

B. Principal Permitted Uses: Land, buildings, or other infrastructure may be used for any of the following:

1) Public County-, State-, and federally-owned and managed parks, which are limited specifically to the areas identified and delineated on the official Scott County Parks map, as well as the State- and federally-owned public parks* in Butler, Lincoln, Princeton, and Sheridan Townships. Public parks are identified as the following:

- a. Allens Grove Public Use Area
- b. Buena Vista Public Use Area
- c. Buffalo Bill Cody Homestead
- d. Cameron Timber Preserve
- e. Crow Creek Wildlife Management Area*
- f. Gambriel Public Access Area*
- g. Glynns Creek Golf Course
- h. Lost Grove Lake Wildlife Management Area*
- i. Princeton Wildlife Management Area*
- j. Scott County Park
- k. Walnut Grove Pioneer Village
- l. Wapsi River Environmental Education Center
- m. West Lake Park

The establishment of any new public parks not included in this section would trigger a rezoning subject to the standard rezoning procedures contained in Section 6-31 (Zoning Amendment Procedures), beginning with the Planning and Zoning Commission holding a public hearing for rezoning before making a recommendation to the Board of Supervisors. New public parks shall be identified and added to this section upon rezoning approval. No new private parks shall be added to this section.

C. Accessory Permitted Uses: Accessory uses, structures, and other infrastructure customarily incidental to any permitted principal use.

D. Special Permitted Uses: None.

E. Minimum Lot Area, Lot Width, Setback, and Maximum Height Requirements:

1. For Principal Permitted Uses, the lot area, building and structure setbacks and heights of buildings, structures, or other infrastructure shall be determined and approved administratively by the Zoning Administrator.

2. For Special Permitted Uses, the lot area, building and structure setbacks and heights of buildings, structures, or other infrastructure will be determined and approved through the established special use permitting procedures (Section 6-30).



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November 2, 2022

To: Mahesh Sharma, County Administrator
From: Alan Sabat, Planning and Development Specialist
Re: Planning & Zoning Commission actions on November 1, 2022 agenda items

Members Present: Armstrong, Maxwell, Piatak, Rochau, Scheibe
Members Absent: Schnekloth, Steward

1. Final Plat – Fields Edge Addition

The Commission voted (5-0) to recommend approval of the Final Plat with two conditions in accordance with staff's recommendation. The two conditions involve additions to The Restrictive and Protective Covenants:

- 1) A provision for road maintenance of the shared private driveway between owners of lot 3 and lot 4.
- 2) A regulation revoking the right to protest annexation into the City of Bettendorf.

The applicant was present. No members of the public spoke for or against the request.

- **Vote (recommend approval of Final Plat): 5-0, All Ayes**

2. Public Hearing – Conservation-Recreation (C-R) Zoning District

The Commission voted (5-0) to recommend adoption of Zoning Ordinance text creating a new zoning district to be known as the "Conservation-Recreation (C-R)" district. The C-R district is intended to create a regulatory "home" for public parks (Principal Permitted Use) and private parks (Special Permitted Use), which are currently permitted in and zoned Agricultural-Preservation (A-P) and Agricultural-General (A-G) districts.

Rily Grunwald (220 South 27th Avenue, Eldridge) was present to hear the discussion.

- **Vote (recommend adoption of Zoning Ordinance text to create a "Conservation-Recreation" (C-R) zoning district): 5-0, All Ayes**

PLANNING & DEVELOPMENT

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Chris Mathias,
Director

**NOTICE OF BOARD OF SUPERVISORS PUBLIC HEARING FOR
AMENDMENTS TO THE ZONING ORDINANCE**

Public Notice is hereby given as required by Section 6-31 of the County Code (Zoning Ordinance), that the Scott County Board of Supervisors will hold a public hearing for a proposed amendment to said ordinance to create a new zoning district at a public meeting on **Tuesday, November 22, 2022 at 5:00 PM**. The meeting will be held in the **1st Floor Board Room of the Scott County Administrative Center, 600 West 4th Street, Davenport, Iowa 52801**.

The Board of Supervisors will consider an addition to the ordinance text that creates a new district and associated regulations for public and private park uses to be known as the "Conservation-Recreation (C-R)" District. The Planning and Zoning Commission held a public hearing, took public comments, and voted 5-0 to recommend adoption of the ordinance text amendments to the Board of Supervisors. The regulations will allow only public park uses (parks owned by government entities) as Principal Permitted Uses. Private park use proposals will be evaluated on a case-by-case basis, and will require ordinance text amendments to add each private park use to the Special Permitted Use section. A copy of the draft ordinance text is available for public viewing by contacting the Planning and Development Department, visiting during normal office hours, or visiting the Department webpage at www.scottcountyiowa.gov/planning.

If you have any questions or comments regarding this meeting or proposal, please call or write the Planning and Development Department, Scott County Administrative Center, 600 West Fourth Street, Davenport, Iowa 52801, (563) 326-8643, planning@scottcountyiowa.gov, or attend the meeting.

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

SCOTT COUNTY ORDINANCE NO. 22 - _____

AN ORDINANCE TO AMEND PORTIONS OF THE ZONING ORDINANCE FOR UNINCORPORATED SCOTT COUNTY TO CREATE REGULATIONS FOR A NEW ZONING DISTRICT, CONSERVATION-RECREATION (C-R) DISTRICT.

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

Section 1. Amend Section 6-5 DEFINITIONS of the Zoning Ordinance for Unincorporated Scott County by adding:

Section 6-5(99) PRIVATE PARK: an area of land in a mostly natural state, set aside for the enjoyment of the public, having facilities for rest and recreation, owned and managed by a private entity.

Section 6-5(100) PUBLIC PARK: an area of land in a mostly natural state, set aside for the enjoyment of the public, having facilities for rest and recreation, owned and managed by a government entity

Section 2. Amend the Zoning Ordinance for Unincorporated Scott County by adding a new Chapter 6-11:

“C-R” Conservation-Recreation District

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- f. Gambril Public Access Area*
- g. Glynns Creek Golf Course

- h. Lost Grove Lake Wildlife Management Area*
- i. Princeton Wildlife Management Area*
- j. Scott County Park
- k. Walnut Grove Pioneer Village
- l. Wapsi River Environmental Education Center
- m. West Lake Park

The establishment of any new public parks not included in this section would trigger a rezoning subject to the standard rezoning procedures contained in Section 6-31 (Zoning Amendment Procedures), beginning with the Planning and Zoning Commission holding a public hearing for rezoning before making a recommendation to the Board of Supervisors. New public parks shall be identified and added to this section upon rezoning approval. No new private parks shall be added to this section.

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D. Special Permitted Uses: None.

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2. For Special Permitted Uses, the lot area, building and structure setbacks and heights of buildings, structures, or other infrastructure will be determined and approved through the established special use permitting procedures (Section 6-30).

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.

Public Hearing / First Consideration _____,

Second Consideration _____,

Third Consideration _____,

Ken Beck, Chair
Scott County Board of Supervisors

Attested by: _____

Kerri Tompkins, County Auditor

Published on _____